

# CPSC Recall Snapshot



A monthly review of consumer product recalls and civil penalties announced by the CPSC

November 2014

On October 28, 2014, the CPSC reached an agreement that resulted in the largest civil penalty in CPSC history—a civil penalty of \$4.3 million. The civil penalty was premised on allegations that the company failed to immediately report defects and/or unreasonable risks of serious injury involving 11 models of minibikes and go-carts.

The CPSC alleged that the company sold the minibikes and go-carts nationwide from November 2004 through June 2010 for \$200 to \$2,000. In June 2010, the company filed a Full Report with the CPSC. The CPSC alleged that by that time, the company had already received four reports of fires from leaking gas caps and burn injuries to consumers, including burns to a child. The company had also allegedly received 24 reports of stuck throttles. While the company had implemented design changes to remedy the throttle hazard, it had allegedly not notified consumers nor the CPSC of these changes.

In addition to agreeing to pay \$4.3 million, the company also agreed to maintain a program to ensure compliance with safety statutes and regulations enforced by the CPSC. Click [here](#) for the civil penalty settlement agreement.

We hope you find the *Snapshot* of last month's recalls a useful tool in keeping up to date on the activities of the CPSC. We also invite you to check out our [Products Liability Blog](#), which features important updates on CPSC and products liability issues.

Click [here](#) to subscribe to the *Snapshot*. For additional information or questions about CPSC issues, please email me at [jenifer.keenan@alston.com](mailto:jenifer.keenan@alston.com).

Sincerely,

Jenifer Keenan, Esq.  
Editor

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## Voluntary Recalls Announced by the CPSC in October 2014

### NUMBER OF RECALLS BY PRODUCT CATEGORY

Housewares – 7

Vehicles – 3

Child/Infant – 2

Electronics – 2

Furniture – 2

Sporting Goods – 2

Apparel – 1

Tools/Hardware – 1

Yard Equipment – 1

PRODUCT	PRODUCT CATEGORY	ALLEGED HAZARD	REPORTED INJURIES	NUMBER OF PRODUCTS
Bed Bug Heat Treatment System <a href="#">Press Release</a>	Housewares	Fire Hazard	0	1,700
Hot Water/Steam Boiler <a href="#">Press Release</a>	Housewares	Fire/Explosion Hazard	0	1,200
Hanging Lamp <a href="#">Press Release</a>	Housewares	Injury Hazard	0	85
Television Wall Mount <a href="#">Press Release</a>	Housewares	Impact Hazard	1	207,000
Halloween Projector Flashlight <a href="#">Press Release</a>	Housewares	Burn Hazard	0	8,600
Storage Bar <a href="#">Press Release</a>	Housewares	Injury Hazard	0	7,000
Spa Drain Cover <a href="#">Press Release</a>	Housewares	Entrapment Hazard	0	26,000
ATV <a href="#">Press Release</a>	Vehicles	Loss of Control/Crash Hazard	4	40,000
ATV <a href="#">Press Release</a>	Vehicles	Fire Hazard	0	540
Off-Highway Vehicle <a href="#">Press Release</a>	Vehicles	Fire Hazard	0	15,400
Toy Toaster Set <a href="#">Press Release</a>	Child/Infant	Choking Hazard	0	30,000 U.S. 6,000 Can.
Sandals <a href="#">Press Release</a>	Child/Infant	Choking Hazard	0	19,000
Emergency Response Pendant <a href="#">Press Release</a>	Electronics	Failure Hazard	0	29,200
USB Charger <a href="#">Press Release</a>	Electronics	Fire Hazard	0	55,000
Folding Table <a href="#">Press Release</a>	Furniture	Impact/Fall Hazard	4	8,400

PRODUCT	PRODUCT CATEGORY	ALLEGED HAZARD	REPORTED INJURIES	NUMBER OF PRODUCTS
Café Set <a href="#">Press Release</a>	Furniture	Fall Hazard	0	18,000
Bicycle Shocks <a href="#">Press Release</a>	Sporting Goods	Fall Hazard	1	5,000 U.S. 500 Can.
Bicycle Helmet <a href="#">Press Release</a>	Sporting Goods	Injury Hazard	0	1,180
Scarf <a href="#">Press Release</a>	Apparel	Burn Hazard	0	3,800
Lopper Shears <a href="#">Press Release</a>	Tools/Hardware	Laceration Hazard	11	277,000 U.S. 11,000 Can.
Riding Mower <a href="#">Press Release</a>	Yard Equipment	Injury Hazard	0	8,500

## Civil Penalties Announced by the CPSC in October 2014.

PRODUCT	PRODUCT CATEGORY	BASIS FOR PENALTY	CIVIL PENALTY AMOUNT
Minibikes and Go-Carts <a href="#">Press Release</a>	Vehicles	Knowing failure to immediately report consumer reports of property damage and injuries caused by minibikes and go-carts distributed from November 2004 to June 2010.  The failure to report occurred after the company received four reports of injuries, including a serious burn injury to a child.	\$4.3 Million
Roman Shades <a href="#">Press Release</a>	Child/Infant	Knowing failure to immediately report consumer reports of child entanglements caused by Roman shades distributed from January 2003 to November 2007.  The failure to report occurred after the company received seven reports that children had become entangled on the inner cords of the Roman shades.	\$700,000

Alston & Bird helps companies navigate the CPSC's complex regulations—from testing, to labeling, to recalls—and everything in between. We also help companies monitor and respond to complaints submitted to the CPSC's new consumer complaint database, [www.SaferProducts.gov](http://www.SaferProducts.gov). For additional information or questions about recalls, the SaferProducts.gov database or other CPSC issues, please email [jenifer.keenan@alston.com](mailto:jenifer.keenan@alston.com) or visit the firm's website at [www.alston.com](http://www.alston.com).

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