

ALSTON & BIRD

CPSC Recall Snapshot



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

May 2015

Welcome to the May edition of the Alston & Bird *CPSC Recall Snapshot*.

Last month, the CPSC and the Department of Justice filed a lawsuit against a nationwide retailer of arts and crafts supplies in the U.S. District Court for the Northern District of Texas, seeking both a civil penalty and a permanent injunction. The complaint alleges that the defendant knowingly violated the reporting requirement of the Consumer Product Safety Act in connection with glass vases that shattered in consumers' hands. According to the complaint, the defendant first received complaints about vases shattering in consumers' hands in 2007, but failed to report the issue to the CPSC until 2010. The complaint also alleges that when the defendant did report to the CPSC in 2010, it misrepresented that it was only the retailer, and not the importer of record, of the subject vases, thereby allowing the defendant to avoid implementing a recall of the vases.

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.

Sincerely,

Jenifer Keenan, Esq.
Editor

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Voluntary Recalls Announced by the CPSC in April 2015

NUMBER OF RECALLS BY PRODUCT CATEGORY

Child/Infant – 7

Electronics – 3

Housewares – 3

Sporting Goods – 3

Yard Equipment – 3

Furniture – 2

Apparel – 1

Vehicle – 1

PRODUCT	PRODUCT CATEGORY	ALLEGED HAZARD	REPORTED INJURIES	NUMBER OF PRODUCTS
Kaleidoscope Press Release	Child/Infant	Choking/ Laceration Hazard	0	35,000
Pajamas Press Release	Child/Infant	Burn Hazard	0	32,000
Baby Coverall Press Release	Child/Infant	Choking Hazard	0	20,000
Sensory Blanket Press Release	Child/Infant	Laceration Hazard	0	125
Semi-Truck and Motorcycle Toy Press Release	Child/Infant	Poisoning Hazard	0	155
Pajamas Press Release	Child/Infant	Burn Hazard	0	7,600
Stroller Press Release	Child/Infant	Fall Hazard	0	400
Bicycle Battery Press Release	Electronics	Fire Hazard	0	5,000
Portable Jumpstart Power Supply Press Release	Electronics	Fire Hazard	0	10,400
Computer Battery Press Release	Electronics	Fire Hazard	1	148,800 U.S. 17,700 Can.
Vacuum Press Release	Housewares	Electric Shock Hazard	0	142,000 U.S. 650 Can.
Hair Dryer Press Release	Housewares	Electrocution Hazard	0	3,100
Bike Storage Hook Press Release	Housewares	Injury Hazard	0	105,000 U.S. 15,000 Can.
Bicycle Press Release	Sporting Goods	Laceration Hazard	3	900,000 U.S. 98,000 Can.

PRODUCT	PRODUCT CATEGORY	ALLEGED HAZARD	REPORTED INJURIES	NUMBER OF PRODUCTS
Ski Boot Heat Liner Press Release	Sporting Goods	Fire Hazard	0	300
Bicycle Press Release	Sporting Goods	Fall Hazard	1	1,000
Lawnmower Press Release	Yard Equipment	Injury Hazard	0	800 U.S. 100 Can.
Electric Blower Vacuum Press Release	Yard Equipment	Fire/Burn Hazard	1	823,000 U.S. 41,000 Can.
Electric Blower Vacuum Press Release	Yard Equipment	Fired/Burn Hazard	0	225,000
Mattress Press Release	Furniture	Fire Hazard	0	4,800
Patio Rocker Press Release	Furniture	Fall Hazard	0	25,000
Scarf Press Release	Apparel	Burn Hazard	0	9,400
Side x Side Vehicle Press Release	Vehicle	Crash/Injury/Death Hazard	0	3,500

Civil Penalties Announced by CPSC in April 2015

PRODUCT	PRODUCT CATEGORY	BASIS FOR PENALTY	CIVIL PENALTY AMOUNT
Lawnmower Press Release	Yard Equipment	The failure to report began in 1998 when the company began receiving reports that the lawnmowers would not turn off after consumers released the handle and removed the safety key.	\$1.575 Million

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. For additional information or questions about recalls, the SaferProducts.gov database or other CPSC issues, please email jenifer.keenan@alston.com or visit the firm's website at www.alston.com.

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