



ALSTON & BIRD

CPSC Recall Snapshot

A MONTHLY REVIEW OF CONSUMER PRODUCT RECALLS
AND CIVIL PENALTIES ANNOUNCED BY THE CPSC

March 2016

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

The CPSC has been very aggressive over the past month. This past Friday, the Commission announced a record \$15.45 million civil penalty against a Chinese manufacturer and its U.S. sales division for failure to timely report alleged defects with a humidifier. The penalty was the maximum allowed under the CPSIA and is nearly \$10 million more than the next-highest civil penalty ever issued by the Commission. The CPSC's press release on the penalty can be found [here](#).

In addition to announcing a record civil penalty, the CPSC took unprecedented action on hoverboards. Specifically, the CPSC issued an open letter announcing that it may take regulatory action against hoverboards that do not meet recently developed UL requirements. The CPSC stated that noncompliant boards *may* be subject to seizure and that the CPSC *may* seek recalls of any sold in the U.S. Many have criticized this action as an improper attempt to circumvent the mandatory procedural requirements for rule making, including a requirement that the agency provide notice of proposed rules and collect and consider public comments before promulgating the rule. We will continue to monitor the CPSC's actions on hoverboards and provide updates in future *Snapshots*.

Click [here](#) to subscribe to the *Snapshot*. For additional information or questions about CPSC issues, please email me at jenifer.keenan@alston.com. We also invite you to check out our [Products Liability Blog](#), which features important updates on CPSC and products liability issues.

Sincerely,



[Jenifer Keenan, Esq.](#)
Editor

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Voluntary Recalls Announced by the CPSC in February 2016

NUMBER OF RECALLS BY PRODUCT CATEGORY

Child/Infant – 6 Housewares – 6 Sporting Goods – 5 Appliance – 3 Electronics – 3
Furniture – 2 Miscellaneous – 1

PRODUCT	PRODUCT CATEGORY	ALLEGED HAZARD	REPORTED INJURIES	NUMBER OF PRODUCTS
Toy Vehicle Press Release	Child/Infant	Fire/Burn Hazard	0	27,000
Baby Rattle Press Release	Child/Infant	Choking Hazard	0	670 U.S. 24 Can.
Musical Instrument Press Release	Child/Infant	Ingestion Hazard	0	150
Infant Booties Press Release	Child/Infant	Choking Hazard	0	4,000
High Chair Press Release	Child/Infant	Fall Hazard	4	5,600 U.S. 350 Can.
Coat Press Release	Child/Infant	Choking Hazard	0	16,400 U.S. 63 Can.
Vacuum Press Release	Housewares	Electrical Shock Hazard	0	149,000 U.S. 9,700 Can.
Roller Shades Press Release	Housewares	Impact Hazard	0	30,000 U.S. 5,000 Can.
Fan Heater Press Release	Housewares	Fire Hazard	0	28,000 U.S. 260 Can.
Ceiling Lamp Press Release	Housewares	Laceration Hazard	11	840,000 U.S. 427,000 Can.
Paper Box Press Release	Housewares	Mold Exposure Hazard	0	288,000 U.S. 1,170 Can.
Artificial Poinsettias Press Release	Housewares	Mold Exposure Hazard	0	425,000 U.S. 6,600 Can.

PRODUCT	PRODUCT CATEGORY	ALLEGED HAZARD	REPORTED INJURIES	NUMBER OF PRODUCTS
Ski/Snowboard Helmet Press Release	Sporting Goods	Head Injury Hazard	0	260 U.S. 180 Can.
Dive Computer Press Release	Sporting Goods	Serious Injury Hazard	0	1,500
Snowboard Boots Press Release	Sporting Goods	Fall Hazard	0	33,000 U.S. 4,500 Can.
Zipline Kit Press Release	Sporting Goods	Fall Hazard	6	5,700 U.S. 990 Can.
Bicycle Forks Press Release	Sporting Goods	Fall Hazard	0	600
Air Conditioning/Heating Unit Press Release	Appliance	Burn/Fire Hazard	0	5,300
Gas Boiler Press Release	Appliance	Fire/Carbon Monoxide Hazard	0	165 U.S. 141 Can.
Stove Press Release	Appliance	Laceration Hazard	1	2,300
Power Cord Press Release	Electronics	Fire/Shock Hazard	5	2.25 million U.S. 190,000 Can.
Power Pack Press Release	Electronics	Fire Hazard	0	500
Adapter Kit and Plug Press Release	Electronics	Electrical Shock Hazard	12 (0 U.S.)	814,000 U.S. 81,000 Can.
Swivel Dining Chair Press Release	Furniture	Fall Hazard	0	800 U.S. 4 Can.
Office Chair Press Release	Furniture	Fall Hazard	0	1,200
Propane Press Release	Miscellaneous	Fire/Burn Hazard	0	118 million (gal.)

The CPSC did not announce any civil penalties in February.

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 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.

[Jenifer Keenan, Esq.](#) – Editor
[Brad Strickland, Esq.](#) – Assistant Editor

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