

A close-up photograph of a hand holding a camera lens. The lens is black with silver accents and has 'MD 28mm 1:2' printed on it. The hand is positioned as if about to attach the lens to a camera body. The background is a soft, out-of-focus light color.

ALSTON & BIRD

CPSC Recall Snapshot

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

November 2016

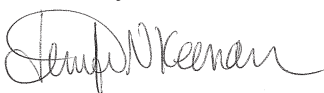
Welcome to the November edition of the Alston & Bird *CPSC Recall Snapshot*.

Last month, the CPSC announced a \$3.8 million civil penalty against Best Buy for selling recalled products. The CPSC's [press release](#) alleges that Best Buy "failed to implement adequate procedures to accurately identify, quarantine, and prevent the sales of the recalled products across all of its supply channels." About 600 recalled items, including 400 recalled cameras, were sold to consumers over a five-year period. According to the settlement agreement, these post-recall sales resulted in one reported injury – a skin irritation from a recalled camera. Given the millions of products sold by Best Buy during this period, the complex supply chain logistics related to selling millions of products across various channels, and the absence of any significant injuries caused by the sale of the recalled products, it is rather onerous to impose a multimillion-dollar civil penalty for an inadvertent glitch that allowed only 600 products among millions sold to slip through the system.

In other news, as the holiday season approaches, efforts by both government agencies and interest groups to "keep kids safe and stop dangerous and violative toys from reaching kids' hands" have increased. Earlier this month, the CPSC issued a [news release](#) indicating that it and U.S. Customs and Border Protection (CBP) were working together to meet those goals and to "detect and detain shipments of toys and children's products ... to create a safer marketplace for holiday shoppers." The news release indicates that toy recalls "have continued to decline." Still, the CPSC provides safety tips for parents to keep in mind this holiday season. In the same vein, W.A.T.C.H. (World Against Toys Causing Harm Inc.) revealed its [annual list](#) of "10 worst toys." W.A.T.C.H. provided explanations for why each toy was included on its list and provided safety tips to consumers and manufacturers alike. Both of these releases provide useful information to consumers for keeping children safe this holiday season.

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

Sincerely,

A handwritten signature in black ink that reads "Jenifer Keenan". The signature is fluid and cursive, with the first name being more prominent.

[Jenifer Keenan, Esq.](#)

Editor

ALSTON & BIRD

CPSC Recall Snapshot

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

November 2016

Voluntary Recalls Announced by the CPSC in October 2016

NUMBER OF RECALLS BY PRODUCT CATEGORY

Child/Infant – 9 Furniture – 5 Sporting Goods – 5 Housewares – 4
Electronics – 2 Appliance – 1 Tools/Hardware – 3 Yard Equipment – 1

PRODUCT	PRODUCT CATEGORY	ALLEGED HAZARD	REPORTED INJURIES	NUMBER OF PRODUCTS
Nightgown Press Release	Child/Infant	Burn Hazard	0	31,500
Bed Canopy Press Release	Child/Infant	Entanglement/ Strangulation Hazard	0	1,000
Bathtub Press Release	Child/Infant	Impact/Drowning Hazard	11	86,000
Stroller Press Release	Child/Infant	Fall Hazard	0	3,000 U.S. 1 Can.
Educational Light Cube Press Release	Child/Infant	Fire Hazard	0	1,400
Baby Carrier Press Release	Child/Infant	Fall Hazard	0	130 U.S. 1,000 Can.
LED Gel Cling Press Release	Child/Infant	Choking/Ingestion Hazard	0	127,000
Car Seat Strap System Press Release	Child/Infant	Choking Hazard	0	250
Ride-On Vehicle Press Release	Child/Infant	Fire/Burn Hazard	1	3,000
Chair Press Release	Furniture	Fall Hazard	0	129,000
Hammock Press Release	Furniture	Fall Hazard	1	9,700
Barstool Press Release	Furniture	Fall Hazard	4	108,000 U.S. 6,200 Can.
Lounge Chair Press Release	Furniture	Fall Hazard	0	800

PRODUCT	PRODUCT CATEGORY	ALLEGED HAZARD	REPORTED INJURIES	NUMBER OF PRODUCTS
Chair Press Release	Furniture	Fall Hazard	0	600
Electric Scooter Press Release	Sporting Goods	Fall Hazard	1	230
Powerline Inflator Press Release	Sporting Goods	Injury/Drowning Hazard	0	53,000
Bicycle Press Release	Sporting Goods	Injury Hazard	1	1,000
Ski Boots Press Release	Sporting Goods	Fall Hazard	0	1,300 U.S. 300 Can.
Diving Computers Press Release	Sporting Goods	Drowning/Injury Hazard	0	175
Rice/Slow Cooker Press Release	Housewares	Fire/Electric Shock Hazard	1	175,000 U.S. 100 Can.
Food Dehydrator Press Release	Housewares	Fire Hazard	0	3,000
Hand Truck Press Release	Housewares	Laceration/Injury Hazard	5	120,000
Craft Paint Press Release	Housewares	Bacteria Exposure Hazard	0	2.8 million U.S. 20,000 Can.
Panic Device Press Release	Electronics	Failure Hazard	0	67,000
Smartphone Press Release	Electronics	Fire/Burn Hazard	13	1.9 million
Wood Stove Press Release	Appliance	Injury Hazard	2	650
Circular Saw Press Release	Tools/Hardware	Laceration Hazard	0	450
Lawn Mower Press Release	Yard Equipment	Laceration Hazard	0	208,000 U.S. 27,000 Can.

Civil Penalties Announced by the CPSC in October 2016

PRODUCT	PRODUCT CATEGORY	BASIS FOR PENALTY	CIVIL PENALTY AMOUNT
Various Products Press Release	Electronics/ Housewares	Knowing distribution and sale of previously recalled consumer products. The settlement related to 16 different products sold between 2010 and 2015. Approximately 600 such products were sold during this time.	\$3.8 million

ALSTON & BIRD