



RECALLS: PROTECTING CONSUMERS FROM FAULTY OR UNSAFE PRODUCTS

by Texas Attorney General Greg Abbott

FEARS OF SALMONELLA CONTAMINATED food products have prompted a number of highly publicized product recalls in recent months. For Texas parents, few things are more important than a child's health and well-being. Recalls can apply to the foods we eat, the cars we drive, the toys our children play with and more.

Product recalls are used to inform customers about potential hazards and provide information about returning or repairing recalled products.

When does a vendor or manufacturer have to report a hazardous product or issue a recall?

According to the U.S. Consumer Product Safety Commission and the Consumer Product Safety Act, manufacturers generally must report potentially hazardous products to the CPSC within 24 hours of discovering problems.

Any information a manufacturer obtains about potential safety risks can lead to a report. Manufacturers are required to have systems in place to make sure that information from multiple sources – including quality-control data, consumer complaints, product returns and lawsuits – is channeled to a single representative who has been trained to evaluate it and report problems, if necessary.

So, once a manufacturer discovers a problem, how does a consumer find out about it?

When a product is subject to a recall, a manufacturer will usually work with CPSC to create a plan of action. The objectives of a recall are to:

- Quickly find all defective products;
- Get the defective products off store shelves and out of the hands of consumers; and
- Accurately and quickly communicate the defect, hazard and corrective action to the public.

There is no single prescribed formula for getting the word out about product recalls. Typically, manufacturers will issue a news release, but depending on the severity of the hazard, more aggressive distribution of the recall news may be required. Manufacturers may use Web sites, news conferences, paid notices, e-mail or postcards to consumers, point-of-purchase posters and any other means that would reach affected customers.

Texans can proactively keep themselves informed of recalls by visiting www.recalls.gov to view recent news and sign up for e-mailed recall notices. Purchasers who believe they know of a defective product should contact its manufacturer. Information on how to report concerns to the CSPC

or other governing authorities can be found at www.cpsc.gov/talk.html.

Texans who have purchased a defective product and believe they may be a victim of deceptive trade practices or are unable to get corrective action from the vendor should file a complaint with the Office of the Attorney General.

The CPSC regulates the safety standards of all products except:

- Automobiles, tires (and all automobile parts), trucks and motorcycles, and child restraint systems – regulated by the National Highway Traffic Safety Administration
- Foods, medicines, cosmetics and medical devices – regulated by the Food and Drug Administration
- Pesticides, rodenticides and fungicides – regulated by the Environmental Protection Agency
- Boats and other watercraft, including personal watercraft – regulated by the U.S. Coast Guard
- Firearms – regulated by the Bureau of Alcohol, Tobacco and Firearms within the Department of the Treasury
- Chemicals – U.S. Chemical Safety and Hazard Investigation Board

For more information about consumer protection and product safety, visit the OAG's Web site at www.texasattorneygeneral.gov.

POINTS TO REMEMBER



PRODUCT SAFETY & RECALLS

U.S. Consumer Product Safety Commission

(800) 638-2772
(800) 638-8270 (TTY)
www.cpsc.gov
www.recalls.gov

Food and Drug Administration

(888) 463-6332
www.fda.gov

National Highway Traffic Safety Administration

(888) 327-4236
www.nhtsa.dot.gov

Office of the Attorney General

(800) 252-8011
www.texasattorneygeneral.gov



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