

Federal Product Safety Legislation Takes the Stage, But States Still Acting

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November 10, 2008

Over the past several months all eyes have been focused on the development and implementation of the sweeping federal consumer product safety legislation signed into law on August 14, 2008. While Congress was busy deliberating over the federal legislation and manufacturers and retailers have scrambled to determine how it would affect their obligations; however, several state legislatures were busy drafting product safety laws of their own.

The Client Advisory below discusses several states, including Connecticut, New York, and Oregon, that have passed legislation relating to consumer product safety and imposed specific requirements on retailers and manufacturers of recalled and other non-conforming children's products. Because some of the state provisions could potentially be subject to preemption, affected entities should continue to track legislative developments and any related guidance put forth by the Consumer Product Safety Commission.