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Helping Clients Solve Consumer Product Safety Problems

Based on over 30 years of practical experience, CalletLaw helps you develop an effective strategic approach to protecting your company, its brands, products and commercial and consumer relationships. Have a consumer product safety problem? CalletLaw is the resource you need. We guide you to avoid, recognize, respond quickly to, mitigate risk from and timely resolve product safety problems that do arise. Our experience in product liability litigation helps you limit the likelihood that your product safety compliance issue will lead to product liability litigation.

CalletLaw clients get big law firm experience with small law firm attention and benefits.

Get Answers to Your Product Safety Compliance Questions:

- Does that product safety requirement apply to my company's products? If so, what should I do to be in compliance?
- How do the U.S. Consumer Product Safety Improvement Act's ("CPSIA") testing and certification requirements affect my company's products?
- What should I do to reduce the risk that my company will receive a California Proposition 65 "60-Day Notice" about one of its products?
- What do state and local laws concerning "Chemicals of High Concern" mean for my products?
- What are "voluntary" product safety standards, and do my company's products need to comply?
- How can I make my products compliant so that they can be sold throughout the world?

CalletLaw's clients frequently ask question like these. They get timely, thorough responses about how to ensure their products are compliant with all U.S. federal and state, as well as other countries', mandatory and "voluntary" consumer product safety requirements. Clients get peace of mind and enhance their products' commercial appeal. Companies are realizing that "Safety Sells!"

Your Products Have Been Stopped at the U.S. Border. Now What?—Your company's products are scheduled to be on retailers' shelves shortly, but they have been held up at the border by the U.S. government and you have received a CPSC Notice of Non-Compliance for an alleged product safety violation. CalletLaw can help get your product released and avoid having this initial product safety issue become a larger problem for your company.

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Understand Your Duty to Report Potential Product Safety Issues to the CPSC—With the CPSC’s enforcement efforts dramatically increasing and companies agreeing to record-setting multi-million dollar civil penalty settlements, knowing when a Consumer Product Safety Act Section 15(b) Report must be filed with the CPSC and a corresponding report filed with Health Canada has never been more important.

- CalletLaw advises clients on when their CPSC reporting obligation has been triggered and assists with all necessary CPSC filings.
- Not every product safety issue that requires the filing of a Section 15(b) Report leads to a product recall. CalletLaw helps clients know when to agree to a product recall and when to dispute the need for remedial action.
- A limited product safety issue can morph into a larger product safety problem and even a public relations problem for a company. CalletLaw provides strategic counsel on how to limit the impact of a potential or actual product safety problem on the company.
- Product manufacturers and retailers can have different views about when a Section 15(b) report should be filed and how product safety issues should be resolved. CalletLaw represent multiple clients in both categories and understands when manufacturer and retailer interests may not be aligned. Clients are guided to protect their interests while maintaining valuable commercial relationships.

Product Recall—When a product recall becomes necessary, CalletLaw helps clients meet all recall requirements, while reducing the potential that the recall will unduly impact the company’s operations, consumer and commercial relationships, and the reputation of the company’s valuable brands.

CPSC Civil Penalty Investigations—After a product recall, the CPSC often investigates to determine whether the company conducting the recall timely reported under Section 15(b) of the CPSA. The CPSC also investigates companies for a pattern of non-compliance with product safety requirements. These investigations can be burdensome, as the CPSC’s document and investigatory requests are quite extensive. CalletLaw provides strategically-crafted responses to the CPSC investigatory requests that can reduce the likelihood that a CPSC investigation will result in a civil penalty proceeding. CalletLaw also assists clients by helping them develop Consumer Product Safety Compliance Programs to reduce the possibility that they will be subject to a CPSC investigation in the first place.

A Consumer Product Safety Compliance Program Can Help Protect Your Company—Having a Program in place is an important proactive step that can assist your company to:

- Reduce the risk that a product safety problem will occur
- Recognize when a product safety problem has arisen
- Assign, in advance, the appropriate personnel to address the problem with an appropriate plan of action
- Timely file a Section 15(b) Report with the CPSC, and equivalent reports with Health Canada and with EU authorities, when necessary; and
- Address the issues that caused the product safety problem to occur in order to avoid reoccurrence of similar product safety problems.

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Create a Reasonable Testing Program—This Program is designed to help your company comply with the Consumer Product Safety Act and the CPSC’s Part 1107 Testing and Certification Regulations, including the requirement to test a “sufficient number” of “representative” product samples to give your company a “high degree of assurance” that its children’s products are compliant with all substantive and procedural CPSC-mandated product safety requirements.

Establish a Product Recall Preparedness Program—Companies should not wait until a product recall decision has been made to consider how to conduct the recall. If a product recall becomes necessary, a well-designed Product Recall Preparedness Program will reduce the impact of that recall on your company, its consumer and commercial relationships and the reputation of your company’s valuable brands.

Reduce the Likelihood of Product Liability Litigation—To help reduce the risk that your company’s products will be subject to product liability claims, CalletLaw can:

- Review your company’s products during the product design and development phases to reduce potential product liability risks
- Review existing product line for potential product liability risks
- Review adequacy of existing product warnings, labeling and instructions and
- Provide guidance on when and what product warranties are appropriate.

How Can I Educate My Company’s Personnel on Consumer Product Safety Compliance?—CalletLaw has developed and presented in-depth product safety seminars for the last nine years. We can also provide a product safety compliance educational program specifically designed for your company and its products.