

## MEMORANDUM

**DATE:** December 13, 2010  
**TO:** All Members of the House of Representatives  
**FROM:** Representative Eugene DePasquale  
**SUBJECT: CHILDREN'S PRODUCT RECALLS**

In the near future, I will re-introduce legislation from last session, House Bill 1431, to amend the Unfair Trade Practices and Consumer Protection law by making it an offense to knowingly sell recalled children's products. This legislation also grants the Attorney General and District Attorneys the authority to prosecute such offenses. Additionally, it requires manufacturers, importers, wholesalers, or distributors to notify their customers and retailers of recalls of children's products within 24 hours of that notice. Retailers would then be required to remove the recalled item from their shelves within three days and attempt to individually contact customers within 30 days.

I first introduced this legislation in 2007 as House Bill 2087 because almost 200 children's toys and other items were recalled by the Consumer Product Safety Commission (CPSC) during that year. In the first 11 months of 2010, the CPSC has recalled over 150 children's products. These items include cribs, toys, children's clothing, and other products intended for children. This legislation has passed the House unanimously in two consecutive sessions and the Senate has failed to act both times.

The legislation is being reintroduced as it passed the House – not as it was introduced. Changes were made through discussions with the Attorney General's office to lessen the financial impact on that office and to improve enforcement mechanisms.

**Previous cosponsors for House Bill 1431 included: Siptroth, Wagner, McGeehan, Brennan, Scavello, Hornaman, Briggs, Fabrizio, Bradford, M. O'Brien, Swanger, Santasiero, Carroll, Kula, M. Smith, Moul, Helm, Murphy, Mundy, Vulakovich, Josephs, Caltagirone, George, Gillespie, Kotik, Goodman, Youngblood, Shapiro, Sabatina, Mann, Adolph, Marshall, D. Costa, Murt, Geist, Freeman, Matzie, and Kortz.**

If you would like to join me in this effort, please contact Cynthia Clory at (717) 787-7514 or at [cclory@pahouse.net](mailto:cclory@pahouse.net)