

# 2023 PRODUCT SAFETY and RECALL DIRECTORY<sup>®</sup>

The Product Safety Manager's Resource Guide

## CAREER GROWTH and DEVELOPMENT



### INSIDE

**Opinion: How can Higher Ed help the Product Safety Practitioner Community?**

Alan S. Abrahams

**Safety Starts with Care... Customer Care**

Don Mays

**Product Safety Training from a Lawyer's Perspective**

Kenneth Ross

**Managing Individual Growth in the Evolving Product Safety Profession**

Donald R. Kornblat and Dr. Ik-Whan Kwon

**Building recall-readiness through effective professional development**

Chris Harvey

**Knowledge is Power**

Jennifer Moore

**Professional Development for Product Safety Careers**

John Kupsch

# ADK's

## Global Impact Award

**Public Service Personified  
Former CPSC Commissioner  
and Acting Chair Robert Adler  
is recipient of the annual  
Global Impact Award  
2023 Recipient**



If you're wondering what a career filled with purpose and impact looks like, the field of product safety has a ready illustration in the life of Robert Adler. With a background in government service, a distinguished career in academia, and a record of scholarship, research, and publication, he's the ideal role model. His career background is centered on the Consumer Product Safety Commission which he has been associated with for nearly 50 years dating back to the formation of the Commission under the 1972 Consumer Product Safety Act. With a background that included 9 years of service as an attorney-advisor to two commissioners at the CPSC, he followed this experience by serving as counsel to the Subcommittee on Health and the Environment of the Committee on Energy and Commerce in the U.S. House of Representatives. While at the subcommittee he worked on legislation relating to product liability and the Consumer Product Safety Commission.

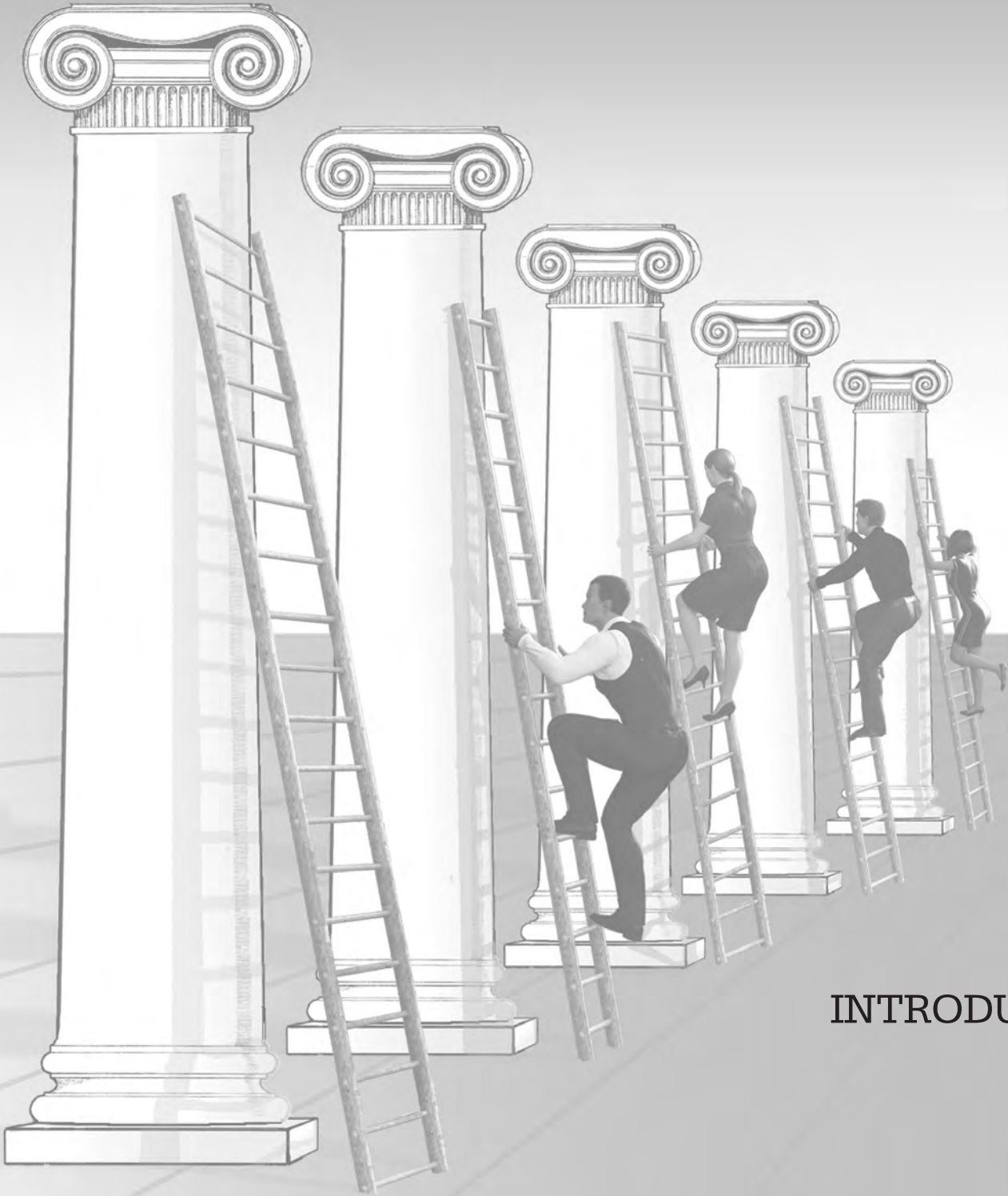
Prior to being appointed to his term as Commissioner at the CPSC, his background was centered at the University of North Carolina, where he served as a professor of Legal Studies as the Luther Hodges Jr., Scholar in Ethics and Law at Chapel Hill's Kenan-Flagler Business School. He was Associate Dean of the MBA Program and for the School's Bachelor of Science in Business Administration Program. He won a university-wide teaching award, the Tanner Award, in 1996 and the undergraduate program's Distinguished Teach Award in 1990. In 2004 he received the Gerald Barrett Faculty Award for outstanding teaching and service to the MBA Program. Prior to his nomination as Commissioner, he served on the Obama Transition Team and co-authored a report on the CPSC for the Obama administration. In 2009 he began the first of two terms as Commissioner of the CPSC until 2019 when he became Acting Chairman of the Agency serving until 2021.

Reflecting on his career in the product safety field, he says "One of the greatest success stories in the past fifty years of safety has been the tremendous reduction in unnecessary fatalities and injuries from the products that we use and enjoy on a daily basis. From automobiles to medical devices to home products, government's partnership with its industry partners has brought reductions in fatalities and injuries of over 90 percent in many instances (e.g., crib deaths and fatal poisonings). Much has been accomplished but much remains to be done. I wish all participants success and a legacy that matches what has already been achieved."

Former Acting Chair Adler became engaged with the first university-level product safety management education introduced in 2010 by the School of Business at Saint Louis University by Dr. Ik-Whan Kwon, a faculty member and founder of the Center of Supply Chain Management Center. Adler had joined with CPSC Chairman Inez Tenenbaum as advocates for product safety management education, earning the SLU product safety education program a Special Chairman's Commendation Award for education service in 2012.



**Right to Left: Dr. Ik-Whan Kwon, Founder of the university's Center for Supply Chain Management; Commissioner Adler; Business School Dean Mark Higgins, and Supply Chain Director, Cindy Mebruer.**



## INTRODUCTION

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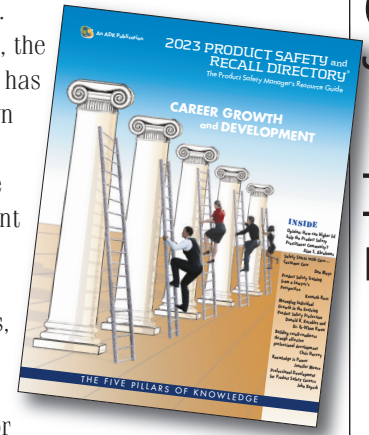
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Publishing Information	2
Introduction	4
Acknowledgements	5
Cooperating Organizations	6
Advertorials and Sponsorships	8
<b>Section I – Service Providers</b>	<b>17</b>
Listings by Alphabet	18
Listings by Category	20
Attorneys	20
Call Centers	26
Education & Training	27
General Services	28
Product Collection	29
Product Recall Management	29
Product Return Management	30
Product Safety Consultants	30
Technology & Software Services	31
Test Labs – Independent	31
Standards Organizations	32
Argentina	32
Australia	32
Brazil	33
Canada	33
China/Hong Kong	33
European Union	34
India	34
Japan	35
Malaysia	35
Mexico	35
New Zealand.	35
Singapore	36
South Korea	36
United States	36
Vietnam	37
Listings by Geography	37
<b>Section II – Crisis Management</b>	<b>43</b>
<b>THE CHALLENGE Group 1</b>	
Andres Canales Robles, Hasbro;	
Christopher Chin, Best Choice	
Products; Mariya Dytso, Intertek;	
Brenda A. Torres, woom	46
<b>THE CHALLENGE Group 2</b>	
Melinda Miller, Universal Parks and	
Resorts; James Mueller, Intertek;	
Lee Tympanick, Hasbro; Tom Wise,	
Sauder Woodwork Company	48
<b>THE CHALLENGE Group 3</b>	
Riad Bouazher, CEER Motors;	
Charles Chilson II, Kuerig Dr. Pep-	
per; Vanessa Haro, SpinMaster;	
Nathan Mui, Intertek; Yuchen	
David Yan, Best Choice Products	50

<b>Section III – Best Practices</b>	<b>53</b>
Building recall-readiness through	
effective professional development	
Chris Harvey	54
Valuing the Product	
Safety Professional	
Don Mays	54
Knowledge is Power	
Jennifer Moore	55
Professional Development for	
Product Safety Careers	
John Kupsch	56
ICPHSO Student Mentorship	
Program	
Marc J. Schoem	57
Product Safety Leaders Can Leverage	
Technology to Stay Relevant &	
Re-Invent Themselves While	
Transforming the Organization	
Don Mabry	58
<b>Section IV – Viewpoints</b>	<b>59</b>
Opinion: How can Higher Ed help	
the Product Safety Practitioner	
Community?	
Alan S. Abrahams	60
The Future of Product Safety	
Regulation: Current Hot Topics	
Driving Product Safety Policy	
Reform Around the World	
Rod Freeman, Emma Bichet,	
Fergal Duggan	62
Safety Starts with Care...	
Customer Care	
Don Mays	64
Training and Development:	
Investing in Your Employees	
Jennifer Moore	65
Product Liability Law Education for	
Product Safety Professionals	
John Kuppens, Kelly Reid	66
Product Safety Training from a	
Lawyer’s Perspective	
Kenneth Ross	68
Chance favors the prepared mind	
Shelia Gottschalk	70
Professional and Personal Growth in	
the Product Safety Field	
Donald R. Kornblet and	
Ik-Whan Kwon, Ph.D.	71
Safety in numbers: adopting a holistic	
approach to recall readiness	
Chris Harvey	74

## Cover Story... CLIMBING THE LADDER

The contemporary product safety profession began taking hold shortly after the Consumer Product Safety Act of 1972 took affect. Ever since, the profession has been known for its passionate commitment to product safety for consumers, along with a growing appetite for knowledge and understanding.



The 2023 Directory theme is focused on professional development, which has become a mission for companies and individuals seeking to advance their knowledge and understanding of the constantly changing profession.

Every time a new product is born, a new law is introduced, or a new technology is applied to a long-established product category the professional’s thirst for knowledge takes hold. Every injury tied to a consumer product associated with a child, a senior citizen, or a consumer is often felt personally by the professional responsible for that product’s safety, regardless of the cause of the injury. And every time a new standard is developed based on input from industry, expert consultants, concerned citizens and advocates, a feeling of accomplishment is often felt by everyone involved in that development.

The absence of incidents and injury and the lowering of risk to consumers is a ‘victory’ for product safety and the well-being of its users. Whether the professional is in the early days and years of their career, or celebrating their 20-, 30-, or 40-year anniversary as a professional, their pride is apparent, and their commitment to consumer’s safety is always moving forward...and upward!

## Introduction...

### To Our Product Safety Colleagues:

Our theme for the 2023 Product Safety & Recall Directory® is professional development within the consumer product safety field. There is growing attention to the critical role that product safety professionals play, both within their organizations as well as within the entire consumer product safety field, including the area of regulations.

With this in mind, under the leadership of editor Harold Zinn, we are introducing a new section devoted to Crisis Management and the role it plays in professional development for the product safety field. This section will feature contributions made by the participants in the annual 2022 Product Safety Leadership in Practice fall series, "Crisis Management's Role in Professional Development." This program included an exercise that tested their flexibility and creativity in a mock crisis setting. The class members will be introduced to you with a brief biography. We hope you'll find this new section interesting, and appreciate the effort of this group of dynamic and engaged participants.

Along with the new section, there's something else that is new about the 2023 Directory. It is the formal introduction of Virginia Tech as the new university education partner of the Society of Product Safety Professionals and ADK Information Services. Representatives from these organizations spent 6 months discussing the new alliance and some of the particulars of the relationship. It was finally decided by the Board of Governors of the Consumer Product Safety Certification Services, which oversees the policy and procedures that govern the Consumer Product Safety Professional Certification Program, that the 2023 program would be formally moved from Saint Louis University to Virginia Tech's Research Center in Arlington, Virginia, an important location within the greater Washington, D.C. region. The program will take place in the Spring of 2023.

This development was shaped by leaders from the constituent partners who are identified in our Acknowledgements page. This remarkable team of leaders worked very hard to complete the work of structuring the new alliance, which was announced via news release in October, 2022 (page 13).

Join us in saluting this year's recipient of the Global Impact Award, Robert S. Adler, former Commissioner and Acting Chairman of the U.S. Consumer Product Safety Commission. His contribution to the product safety field dates back to the 1972 period and creation of the consumer-focused agency. During his 12 years of leadership as a Presidential appointee at the CPSC that started in 2009, he was a constant advocate of university-level product safety management education that sprung from Dr. Ik-Whan Kwon's leadership within Saint Louis University's School of Business. It was during this period of planting product safety education within SLU where the earlier generations of professionals graduated from our courses and were recognized for their knowledge and leadership.

Please visit our Viewpoints and Best Practices sections which are filled with insights and ideas for every product safety professional's scrutiny. It's our way of providing another tool to make your life easier, and to make the consumer's life safer! Happy 2023 everyone.

**Donald (Don) R. Kornblet, Publisher  
Product Safety & Recall Directory®**

## Acknowledgments

We are proud of the opportunity to be of service to the product safety profession over the past 13 years, through the avenues of publications, newsletters, education programs, and general cheerleader for the product safety community and its constituency, consumers everywhere. This work began under the wise leadership of **Dr. Ik-Whan Kwon**, Ph.D. Emeritus Professor, Operations and IT Management and longtime faculty member of the Chaifetz School of Business at Saint Louis University. Dr. Kwon retired after 50 years at SLU, where he devoted 20 of those years to building one of the top Supply Chain Management Education centers in the U.S. and indeed in the global community of commerce and trading.

From ADK's partnership with SLU, along with our budding partnership with the Society of Product Safety Professionals, we've been able to serve more than 1,000 professionals through our publications, education courses, and webinar series devoted to various important topics. One of Dr. Kwon's associates at SLU, adjunct faculty member **Steve Epner**, was also involved in university level product safety education. Steve introduced our work to Dr. Kwon and our programs had his immediate support in gaining acceptance.



Fast forward to some of current leaders in the university-level product safety education who have paved our road of contribution. On the development team of our new university partnership, Virginia Tech, are university leaders **Briana Blanchard**, Program Manager, **Shelly Jobst**, Director, of the Continuing and Professional Education area and **Alan S. Abrahams**, Ph.D., Associate Professor of Business Information Technology in Virginia Tech's Pamplin College of Business. From the Society of Product Safety Professionals side, **Shelia Gottschalk**, President of SPSP and a Certified Product Safety Professional™; **Don Mays**, SPSP Vice President and long-time leader in the product safety community; and **Kitty Pilarz**, widely respected product safety leader and recently retired from Mattel.

These are the leaders of today shaping the leaders of the future...talk about impact! Finally, we again salute the more than 150 product safety professionals who make up our instructor panel for university-level product safety management

education. Month-after-month, program-after-program, these are the premier professionals who help educate tomorrow's product safety leaders. They are an amazing and creative group of professionals turning product safety education into an engaging topic through their individual experiences and sharing these experiences with our program participants.

On the ADK side, our heroes continue to produce amazing results day-after-day... **Harold Zinn**, editor of our weekly newsletters and the annual directory has contributed one idea after another, each bringing our readers new quality and insights into the unique world of consumer product safety

management; **Linda Tyler**, longtime associate and marketing professional who designed every student survey taken throughout our 13 year history. Her work has enabled program graduates to influence improvements in succeeding courses. **Lodden Harp**, our very talented program coordinator and associate has been with ADK for 5 years supporting webinar and website activities for both ADK and SPSP. **Larry Mrazek**, our IT 'brains' since 2008 when ADK was organized and began growing

through Larry's technical skills enabling us to respond to the changes that a decade can bring; **Lynette Lingard**, long-time colleague who has creatively managed recruitment of candidates in our professional certification program. Finally **Greg Gobberdiel**, graphics art genius and designer of our annual directories for nearly 10 years creating one thought-provoking directory cover after another. I especially admire the 2023 directory cover that Greg designed to salute product safety professionals regardless of where they are on the professional development ladder!

And finally a reflection of gratitude for a family of supporters led by my wise wife, **Ann**, who has touched for the better every key decision made by ADK over the past 13 years (or 49 years if counting a marriage calendar), and sons **Ben** and **David**, joined by daughter **Sarah**, each cheerleading our work, making their own contribution to the growth of our enterprise, and often found "opening" many of the 1,400 newsletters published by ADK over the years!

**Don Kornblet**, Publisher

## COOPERATING ORGANIZATIONS

The Product Safety & Recall Directory® has enjoyed the support of many different industry groups. Some of these groups have created awareness of the Directory.

Other groups have helped to spread the word on the product safety management education courses offered

appreciates the support shown to us by the community of industry associations highlighted here.

We hope to be able to work closely with a growing number of associations in generating programs that serve their members and help meet their individual association goals.



**American Association for Laboratory Accreditation (A2LA)**  
[www.a2la.org](http://www.a2la.org)

A2LA is a private, non-profit membership association, established in 1978. Its primary mission is to provide comprehensive laboratory accreditation programs.

Over 2,000 scopes of accreditation have been accredited in 17 fields of testing and calibration.

Laboratories are accredited to ISO/IEC 17025 and field-specific requirements developed with government and industry.

A2LA also offers programs for accreditation of inspection bodies (ISO/IEC 17020), proficiency testing providers (ILAC G13, ISO/IEC Guide 43), reference material producers (ISO/IEC Guide 34), and bodies operating product certification systems (ISO/IEC Guide 65).

**Craft & Hobby Association (CHA)**  
[www.craftandhobby.org](http://www.craftandhobby.org)



The Craft and Hobby Association (CHA) was formed in 2004 with the merger of the Hobby Industry Association (HIA) and the Association of Creative Crafts Industries (ACCI). CHA is a not-for-profit global

organization comprised of thousands of member companies.

Membership encompasses the manufacture, distribution, and retail sales of products in the near \$30 billion craft and hobby industry.

CHA's vision, simply stated, is to create a vibrant industry with an exciting image, an expanding customer base and successful members.

The goal is to stimulate the sales growth of the craft and hobby industry worldwide by creating consumer demand, helping members succeed and leading the industry.

**International Consumer Product Health and Safety Organization (ICPHSO)**  
[www.icphso.org](http://www.icphso.org)



ICPHSO is a not-for-profit organization incorporated 1993 as an organization dedicated to discussing health and safety issues related to consumer products marketed globally.

IPHSO is unique in that it brings together all the key players in product safety: regulators, retailers, manufacturers, consumers, lawyers, consultants, standards and testing organizations, academics, and researchers to share information and best practices. ICPSHO has grown considerably.

The annual conference now attracts over 500 attendees and is recognized as the per-eminent event for consumer product safety professionals. In addition to its annual conference, ICPHSO hosts an international meeting and training symposium and a regional product safety workshop held in different cities within the United States.

**International Sleep Products Association (ISPA)**  
[www.sleepproducts.org](http://www.sleepproducts.org)

Established in 1915, the International Sleep Products Association (ISPA) is dedicated to protecting and enhancing the growth, profitability and stature of the mattress industry.

As the industry's trade organization, ISPA represents mattress manufacturers



and suppliers throughout the world. ISPA provides a wide range of services that benefit its membership.

These include exclusive industry surveys and statistics, advocacy support, educational offerings, the industry's ISPA EXPO trade show, safety research through its Sleep Products Safety Council, consumer research and education through its Better Sleep Council, BedTimes and Sleep Savvy publications, the IS-PAEarth™ Industry Sustainability Initiative, and more.



**Juvenile Products Manufacturers Association (JPMA)**  
[www.jpma.org](http://www.jpma.org)

The Association is a national trade organization of more than 250 companies in the United States, Canada, and Mexico.

JPMA exists to advance the interests, growth, and well-being of North American prenatal to preschool product manufacturers, importers, and distributors marketing under their own brands to consumers.

It does so through advocacy, public relations, information sharing, product performance certification, and business development assistance conducted with appreciation for the needs of parents, children, and retailers.



**Missouri Society of Certified Public Accountants (MSCPA)**  
[www.mocpa.org](http://www.mocpa.org)

The Missouri Society of Certified Public Accountants (MSCPA) is the premier professional development organization dedicated to certified public accountants in the state of Missouri.



The MSCPA represents more than 8,500 CPA members in public practice, industry, government, and education.

Established in 1909, the MSCPA provides members with continuing education, governmental advocacy, and networking opportunities, while working to further the future of the CPA profession through student-focused initiatives.

MSCPA's membership is diverse — representing all aspects of the CPA profession, as well as every town, city, and municipality in Missouri. More than half of MSCPA's membership resides and works in St. Louis.

**Retail Industry Leaders Association (RILA)**  
[www.rila.org](http://www.rila.org)

The Retail Industry Leaders Association (RILA) is the trade association of the world's largest and most innovative retail companies.

Retail executives choose RILA's unique collaborative forums, effective advocacy, and premier educational events to advance excellence throughout the retail industry.



RILA members include more than 200 retailers, product manufacturers, and service

suppliers, which together account for more than \$1.5 trillion in annual sales, millions of American jobs and operate more than 100,000 stores, manufacturing facilities and distribution centers domestically and abroad.

**Society of Product Safety Professionals® (SPSP)**  
[www.productsafetyprofessionals.org](http://www.productsafetyprofessionals.org)

SPSP was formed in 2016 by a group of graduates of the Saint Louis University Supply Chain Center for Excellence who wanted to see additional educational opportunities in the product safety management field. Their leadership helped to launch what would become the Consumer Product Safety Professional Certification Program, offered through the Emerson Leadership Institute at Saint Louis University's Richard A. Chaifetz School of Business. SPSP will confer the designation Certified Consumer Product Safety Professional™ upon those who successfully pass the Saint Louis University certification program. The organization has also developed a series of free webinars for product safety professionals, made possible by a grant from Sedgwick Brand Protection. The organization publishes a monthly newsletter, and explores other avenues for professional development.



**Toy Association™, Inc.**  
[www.toyassociation.org](http://www.toyassociation.org)

Toy Association™, Inc. (TIA) is the not-for-profit trade association representing all businesses involved in creating and bringing toys and youth entertainment products to kids of all ages. TIA's 600 members account for an estimated 85 percent of the annual U.S. domestic toy market of more than \$22 billion. TIA has a long history of leadership in toy safety, including responsibility for the development of the first comprehensive toy safety standard. TIA members and staff continue to work with government officials, consumer groups, and industry leaders on ongoing programs to ensure safe play. TIA serves as the industry's advocate on legislative and trade issues; enhances the image and growth of the industry by promoting toy products at its trade shows and events, in the media, and via other means; and fosters philanthropy to children via the Toy Industry Foundation and its Toy Bank.



Toy Industry Association, Inc.

**Virginia Tech's Pamplin College of Business**  
[www.pamplin.vt.edu](http://www.pamplin.vt.edu)

The college offers undergraduate and graduate programs in accounting and information systems, business information technology, finance, hospitality and tourism management, marketing, and real estate. The college offers in-person and online MBA programs, and both full-time and part-time (excephtd.vt.edu) doctoral degrees in business.



**PAMPLIN COLLEGE OF BUSINESS**  
 VIRGINIA TECH™

The college's degree programs, except for the master of information technology, are accredited by AACSB International — the Association to Advance Collegiate Schools of Business International. Pamplin and the College of Engineering jointly deliver the Master of Information Technology program.

# ADVERTORIALS & SPONSORSHIPS

We appreciate the interest and support of industry associations, companies and professional development organizations.

They enrich the field of product safety and deserve recognition for their contributions.

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# Product Safety Leaders, Sharing Product Safety Knowledge

## 2010-2022 Instructors Panel

Alan Abrahams, PhD, Virginia Tech  
Patricia Adair, CPSC  
Hon. Robert Adler, CPSC  
Hon. Dana Baiocco, CPSC  
John Barrera, Best Choice Products  
Karl Bekeny, Tucker Ellis  
Dennis Blasisu, CPSC,  
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Kenneth Boyce, UL  
Brent Boyle, PhD,  
Saint Louis University  
Alison Brown, Arnold & Porter  
Mike Brown, Gidding Law  
Hon. Ann Marie Buerkle, CPSC  
David Callet, Callet Law  
Timothy Cassidy, Best Buy  
Cathy Choffin,  
McDonald's Corporation  
Neal Cohen, Attorney  
Nancy Cowles, Kids In Danger  
Dr. Sridhar Condoor,  
Saint Louis University  
Holly Davies, State of Washington  
Toxicology Program  
Mike Davison, Sedgwick  
Brand Protection  
Jan Deconinck, EU General Counsel  
Susan DeRagon, QIMA  
Kenneth d'Entremont,  
University of Utah  
Mark Dewar, Simmons & Simmons  
Quin Dodd, Attorney  
Bob Drury, Consultant,  
Saint Louis University  
Ken Edwards, Sedgwick  
Brand Protection  
Matthew Eisenstein,  
Arnold & Porter  
Dean Eldrenkamp, Intertek  
Steve Epner, The Start-up Within,  
Saint Louis University  
Sarah Esmaili, Arnold & Porter  
Cheryl Falvey, Crowell Moring  
Bruce Farquhar, International  
Consultant  
Dr. Paul Frantz, Applied Safety  
+ Ergonomics  
James Fisher, PhD,  
Saint Louis University  
Rod Freeman, Cooley-UK  
Sanjeev Gandhi, SGS  
Michelle Gillice, Arnold & Porter

Boaz Green, Keller and Heckman  
Brian Grochal, UL  
Kathryn Guerra, Sears  
Jung Ha-Brookshire,  
University of Missouri  
Richard Hackman, Procter & Gamble  
Steve Hall, Applied Safety  
& Ergonomics  
Chris Harvey, Sedgwick  
Brand Protection  
Dr. Edward Heiden,  
Heiden Associates  
Jason Hertzberg, Ph.D., Exponent  
Dan Hinkebein, Realtime Results  
Kenneth Hinson, Walmart  
Matt Howsare, Cooley-USA  
Don Huber, Consumer Reports  
Kim Hughes, Microsoft  
Pratik Ichhaporia, Intertek  
Kris Jatana, M.D., ENT surgeon,  
Ohio State University  
Children's Hospital  
Robert Juergens, S-E-A Limited  
Jennifer Karmonick, Arnold & Porter  
Alan Kaufman, Toy Association  
Rohit Khanna, CPSC  
Mark Kinzie, LogiTech  
David Kosnoff, Hasbro, Inc.  
Carol Kraege, State of Washington  
Toxicology Program  
Dr. Ik-Whan Kwon,  
Saint Louis University  
Joan Lawrence, Toy Association  
Kevin Lehrer, 5Horizons Group  
Tom Lanzisero, UL  
Don Mabry, ClearTrack  
Information Network, Inc.  
Belinda May, Dentons  
Don Mays, Samsung  
Electronics America  
Chelsea Mikula, Tucker Ellis  
Paul Milne, SGS  
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and Risks, Inc.  
Sheila Millar, Keller and Heckman  
Don Moffett, Consultant  
Hon. Joseph Mohorovic, CPSC  
Leonard Morrissey, ASTM  
Wayne Morris, WCPS  
Brandan Mueller, HuschBlackwell  
Timothy Mullin, Miles Stockbridge

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Gene Rider, Exponent  
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Better Business Bureau of Mexico  
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Tim Saylor, Baby Jogger  
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Saint Louis University  
Rebeca Sharpe, Best Buy  
Marie-Claude Simard, BRP  
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Richard Stern, TTI  
Eric Stone, Attorney  
Daniel Stool, Intertek  
Tim Sullivan, Spin Master  
Regan Sweeney, Attorney  
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Inez Tenenbaum, Attorney  
& past Chairman CPSC  
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Fulbright US LLP  
Peter Unger, American Association  
for Laboratory Accreditation  
Peter Winik, Latham Watkins  
Hong (Jo) Zhou, Deloitte  
Ming Zhu, CPSC

## 2019-2021 Case Study Panel Members

### Professional Certification Program

Bret Boyle, PhD,  
Chaifetz School of Business  
Rob Boyle, PhD,  
Chaifetz School of Business  
Kenneth Boyce, UL  
Melissa Cairns, MMM  
Tim Cassidy, Best-Buy  
Francis Citera,  
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Karen Fuchs, Scholastic  
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Kimberly Horne, Walmart  
David Kosnoff, Hasbro  
Kelly Mariotti, Juvenile Products  
Manufacturers Association  
Don Mays, Samsung  
Electronics America  
Elouise Mintz, PhD,  
Chaifetz School of Business  
Don Moffett, Carhartt  
Joseph Mohorovic,  
Engineering Systems, Inc.  
Wayne Morris, Association of  
Home Appliance Manufacturers  
Brandan Mueller, Husch Blackwell  
Richard Rosati, Bureau Veritas  
Tim Saylor, Newell Brands  
Richard Stern, Consultant  
Brenda Torres, S.C. Johnson & Sons  
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Washington University



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## THE INTERNATIONAL CONSUMER PRODUCT HEALTH AND SAFETY ORGANIZATION

ICPHSO is a global organization that brings together all the key players in product safety: regulators, manufacturers, retailers, consumers, law firms, consultants, testing and certification laboratories, media, consultants, standards testing organizations, trade associations, health educators, academia, researchers, and others to share information and best practices to stay ahead of the latest emerging product safety issues.

We hold three annual meetings each year (Annual Symposium in February, Regional Training Workshop in June, and International Symposium in November) where all product safety stakeholders are encouraged to attend and participate. While you don't have to be a member of ICPHSO to attend our three conferences, members do receive benefits that other attendees do not.

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For information on any of our upcoming programs or on becoming a member, visit: [www.icphso.org](http://www.icphso.org) or contact Marc Schoem, Executive Director at [mschoem@icphso.org](mailto:mschoem@icphso.org).

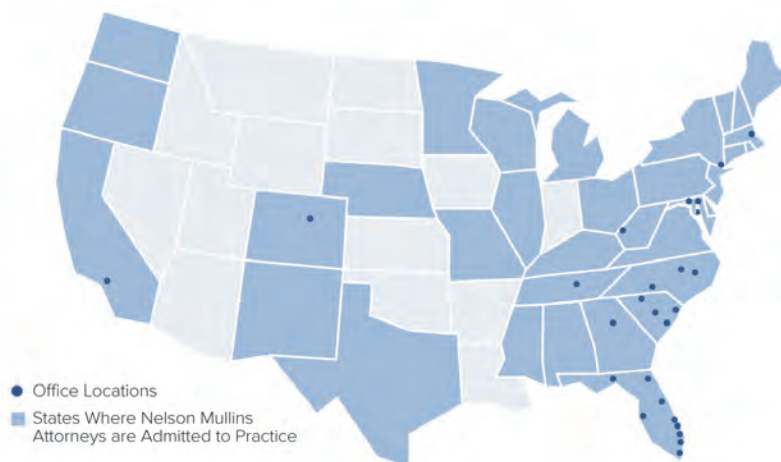
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# Helping businesses comply with regulations and avoid exposure

Our Consumer Product Safety, Risk Prevention, and Regulatory practice team has a proven track record of success advising consumer product manufacturers of all types and sizes. From start-ups to Fortune 500 companies, businesses with diverse needs have sought counsel and representation from our experienced team of product liability litigators and counselors. Known as leaders among legal advocates for businesses and manufacturers, our lawyers will guide clients through compliance, protocols, reporting, and other pitfalls in the consumer product landscape.



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## VIEW POINTS

Presenting facts, analysis and commentary on relevant regulatory and marketplace issues facing product safety professionals by noted subject matter experts, including:

Alan S. Abrahams  
Emma Bichet  
Fergal Duggan  
Rod Freeman  
Shelia Gottschalk  
Chris Harvey  
Donald R. Kornblet

John Kuppens  
Ik-Whan Kwon, Ph.D.  
Don Mays  
Jennifer Moore  
Kelly Reid  
Kenneth Ross  
**See pages 59-75**



## Virginia Tech and Society of Product Safety Professionals offers designation "Certified Product Safety Professional"

# A New Education Alliance is introduced to the Product Safety Community

Registration is now open for the 2023 Consumer Product Safety Professional Certification Program taking place on the campus of the Virginia Tech (VT) Research Center in Arlington, Va. This program is being offered by the alliance of Virginia Tech Continuing and Professional Education, the Society of Product Safety Professionals (SPSP) and its education partner ADK Information Services. Those who successfully complete this training course earn the designation Certified Product Safety Professional™ awarded by SPSP. The annual program was first offered in 2019.

Interested individuals can apply for admission to the course by completing an application at the registration site. An admissions committee comprised of product safety professionals and an educator associated with the VT Pamplin College of Business will review all applications and make final decisions on acceptance into the program. Registration will remain open until March 1, 2023, or until all class slots are filled, whichever occurs first.

**The program is scheduled to begin with a 2-day opening workshop held at VT's Arlington campus on March 22 & 23.** This will be followed by a series of webinars between March 30 and May 18 covering areas including risk assessment and hazard analysis and reduction, regulatory compliance, product investigations, data management and human factors, and product recall design and implementation.

The program concludes with a two-day closing assessment workshop on June 6 and 7, that includes a multiple-choice examination, an individual essay, a written case study developed by the candidate and is also discussed in an oral presentation with a review panel. Candidates who do not pass all segments of the assessment process may be eligible for a "Retake" of the specific areas not passed.

**Candidates for the Professional Certification program are required to meet the following criteria:**

- Possess at least 10 years of consumer product safety work experience or 7 years of experience accompanied by a related bachelor's degree from an accredited college or university.
- Hold a position considered professional in nature, devoting a minimum of 50% of a part--- or full--- time job to product safety-related responsibilities that include a breadth of professional safety duties. Examples of skill areas include analysis, synthesis, design, investigation, planning, administration, and communication.

**Eligible candidates include Individuals who work in the following sectors:**

- the private sector including consumer product manufacturers, retailers, sellers, importers, or supply chain companies,

- those who serve as expert consultants to consumer product manufacturers, retailers, sellers importers, or supply chain companies such as test lab technical professionals and specialists,
- engineers including those with design, liability, reliability, and safety focus,
- attorneys practicing product liability and regulatory law,
- professional staff of industry associations with membership comprised of consumer product manufacturers, retailers, sellers, importers, and supply chain companies
- members of Non-Governmental Organizations, including the education field
- regulatory agency professionals with commensurate experience in the consumer product safety field.

Candidates must provide a history of employment, including specified information as well as a qualifying education credential where appropriate. In addition, each applicant must submit an essay explaining their interest and qualifications for attending the course.

Candidates must pay an application fee of \$175 to cover various validation services required by the program. The tuition fee for the program is \$5,400, with a \$300 reduction for those candidates who are paid members of the Society of Product Safety Professionals.

Individuals are required to have read the Certification Program Overview Description and Details, available at the SPSP website.

**Information about the above program and other product safety headline news from around the world is available in ADK's weekly Product Safety Education newsletters at no cost by signing up at: [adksafetyinfo.com](http://adksafetyinfo.com) and click "Newsletter."**



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# PRODUCT SAFETY

An independent weekly for executives concerned with consumer product regulations, legislation and standards. Founded in 1972.

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Also publisher of *Product Safety Forum* and *Product Safety Daily*.



# 2023 Product Safety Calendar

Developed by the Society of Product Safety Professionals  
in cooperation with ADK Information Services, LLC

(dates may be subject to modification depending upon campus facilities)



safety professionals with a minimum of five years of experience or a certificate holder from product safety programs from an accredited university or professional development organization. It is intended for product safety managers with backgrounds in risk management, product development, compliance, engineering, chemists and toxicologists, operations, product integrity, and quality assurance personnel. It is a leadership training program that emphasizes peer networking and relationship building.

## 4 Webinars Series Scheduled individually: spring, summer, fall

ADK Information Services and the Society of Product Safety Professionals have hosted webinar programs and courses for several years. Each program is devoted to a specific topic, such as risk assessment, regulatory compliance, communications, or crisis management. Series typically feature a 4-6 segments program. Each segment consists of a one-hour webinar focused on a specific topic within each series' program focus. The series covers a 4-week span of time. In future years, we expect to provide 3 webinars series annually. An SPSP Certificate of Completion is awarded to all participants who successfully complete the webinar program and demonstrate knowledge gained by submitting an essay (500 words or less).

## 1 The Consumer Product Safety Professional Certification Program

March 1 – June 5, 2023

The consumer product safety fields coveted designation as Certified Product Safety Professional™ is earned by professionals who meet the experience and education criteria for admittance into the program. The course content is built around five knowledge areas that constitute the product safety professional's broad understanding of principles and processes that govern best product safety practices including: organizational culture and ethics, risk assessment and risk management, regulatory affairs, incident management and forensics, and product recall and returns. Candidates must demonstrate their knowledge and understanding through three different assessment activities including a multiple-choice examination, design and delivery of a case study, and defending their case study foundation before a panel of product safety experts and university educators.

## 2 Product Safety Leadership Fundamentals.

June 5 – July 24, 2023.  
(Previous titled: Product Safety Management Program)

The Leadership Fundamental's course is offered to a range of product safety experience from 1 or 2 years of experience to those with 20 years of experience seeking to update some their knowledge on best practices and trends in the field. The course is a "how to" course to enhance the skills and knowledge of product safety managers in such areas as product design, compliance programs, regulatory affairs management,

risk assessment and product assurance, incident management programs and investigations, and product recall and return program. The program extends over a 2-month period. It combines classroom instruction, distance learning modules with instructor webinars and teleconferences, case study presentations, and communications techniques for dealing with various stakeholders concerned about a product's safety. Instructors are experienced product safety professionals who often become long-term resources to members of the class as they pursue their careers.

## 3 Product Safety Leadership in Practice

September 26-Oct 2, 2023  
(Previously titled: Advanced Product Safety Management Program)

The Product Safety Leadership in Practice Course focuses on areas that will contribute to the product safety professional's general knowledge of core areas of understanding, combined with management insight into basic business leadership principles, including culture, ethics, communications, and effective outcomes. The program is designed for Individuals with responsibilities to protect their companies and its brands, as well as consumers in the area of product safety. Each program has focus related to areas of challenge in the product safety field. The 2022 program focused on Crisis Management's role in Professional Development. The theme for the 2023 program will be developing and managing a company compliance program during periods of transition. This course is designed for product

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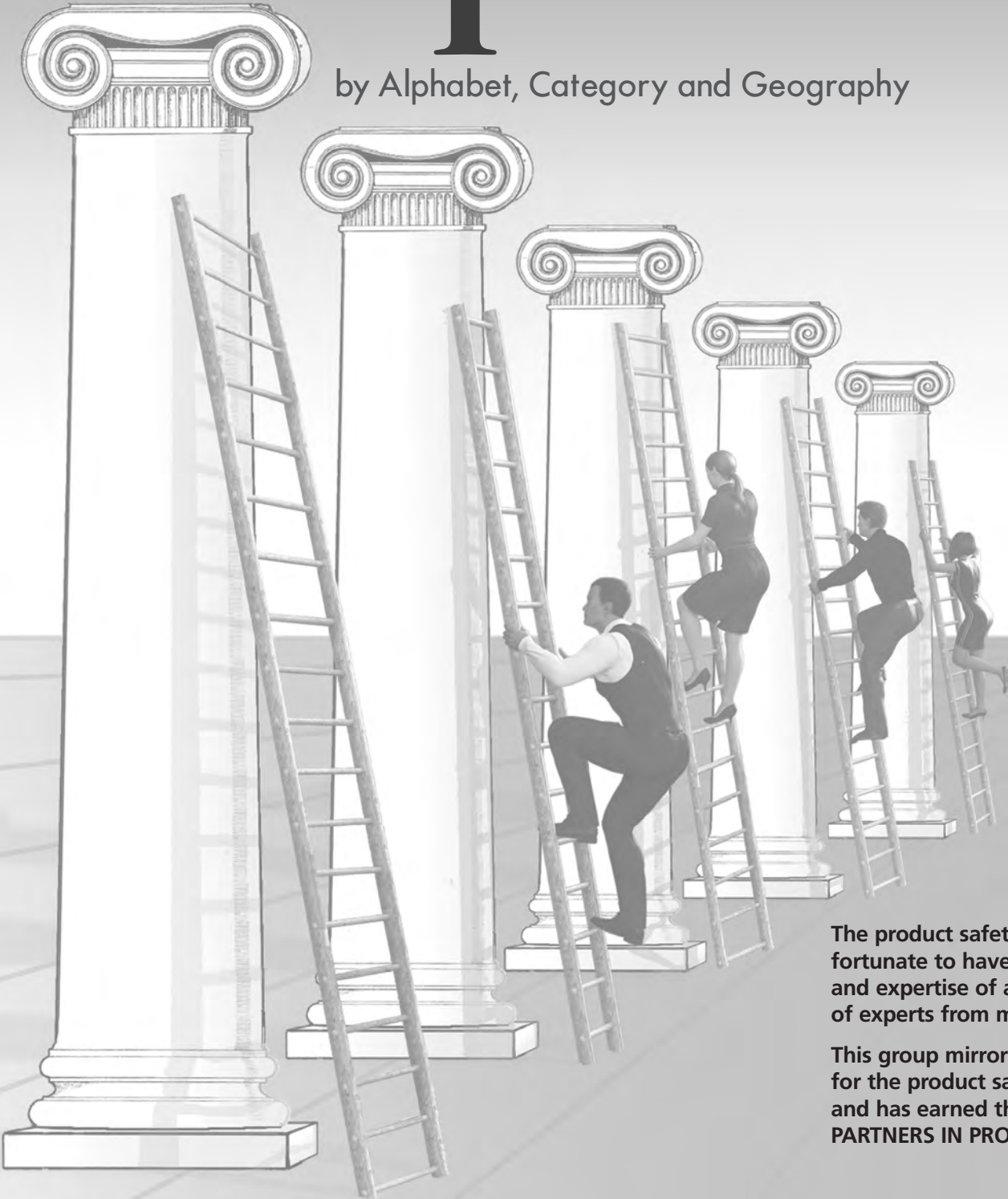
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SECTION I

# SERVICE PROVIDERS

by Alphabet, Category and Geography



The product safety profession is fortunate to have the support and expertise of a wide range of experts from many fields.

This group mirrors the passion for the product safety mission and has earned the title:  
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# SECTION I SERVICE PROVIDER LISTINGS

<b>ADK Information Services, LLC</b>		<b>Karmonick, Jennifer</b>		<b>Temple, Claire</b>	
Education and Training	27	Arnold & Porter, Kaye Scholer, LLP		Cooley (UK), LLP	
General Services	28	Attorney	23	Attorney	26
<b>Applied Safety + Ergonomics</b>		<b>Kuppens, John</b>		<b>Turtle, Edward</b>	
Product Safety Consultants.	30	Nelson Mullins Riley		Cooley (UK), LLP	
<b>Bartl, Ales</b>		Attorney	23	Attorney	27
Keller and Heckman, LLP		<b>leConsumo SL</b>		<b>UL</b>	
Attorney	20	Product Risk Assessment	30	Independent Test Lab	32
<b>Bichet, Emma</b>		<b>Maskell, Julia</b>		<b>Virginia Tech University</b>	
Cooley (UK), LLP		Cooley (UK), LLP		Product Safety Education	28
Attorney	20	Attorney	24	Executive PhD	28
<b>Bischofberger, Tracey</b>		<b>May, Belinda</b>		<b>Walker, Jean-Cyril</b>	
Cooley (UK), LLP		Dentons US LLP		Keller and Heckman	
Attorney	20	Attorney	24	Attorney	27
<b>Citera, Francis A.</b>		<b>Millar, Sheila A.</b>		<b>Wang, Jessica</b>	
Greenberg Traurig, LLP		Keller and Heckman LLP		Arnold & Porter Kaye Scholer, LLP	
Attorney	20	Attorney	24	Attorney	27
<b>ClearTrack</b>		<b>Motlagh, Jasmin</b>		<b>STANDARDS ORGANIZATIONS</b>	
Technology & Software Services	30	Cooley (US), LLP		<b>BY COUNTRY</b>	<b>32</b>
<b>Cooley (UK) LLP</b>		Attorney	24	<b>ARGENTINA</b>	
Product Safety Consultants	30	<b>O'Connor, William</b>		National System of Standards,	
<b>Duggan, Fergal</b>		Cooley (US), LLP		Quality and Certification	32
Cooley (UK), LLP		Attorney	25	<b>AUSTRALIA</b>	
Attorney	20	<b>Product Integrity Consulting Services</b>		The Joint Accreditation System of	
<b>Ettinger, David J.</b>		Product Safety Consultants	30	Australia and New Zealand	32
Keller and Heckman, LLP		<b>ProductIP</b>		The National Association of	
Attorney	21	Technology & Software Services	31	Testing Authorities (NATA)	32
<b>Freeman, Rod</b>		<b>Product Safety &amp; Recall Directory</b>		National Measurement Institute	32
Cooley (UK), LLP		<b>(ADK)</b>		Standards Australia	32
Attorney	21	General Services	28	<b>BRAZIL</b>	
Product Safety Consultants	30	<b>QIMA</b>		Brazilian National Standards	
<b>Gillice, Michelle</b>		Independent Test Lab	31	Organization (ABNT)	33
Arnold & Porter, Kaye Scholer, LLP		<b>Rahman, Anushka N.</b>		<b>CANADA</b>	
Attorney	21	Keller and Heckman LLP		British Columbia Safety Authority	
<b>Eric Gotting</b>		Attorney	25	(BC Safety Authority)	33
Keller and Heckman		<b>Robinson, Corinne</b>		Bureau De Normalisation Du Quebec	
Attorney	21	Cooley (UK) LLP		(BNQ)	33
<b>Holley, Carol</b>		Attorney	25	National Research Council Institute	
Cooley (UK), LLP		<b>Ross, Kenneth</b>		for National Measurement Standards	
Attorney	22	Bowman and Brooke LLP		(NRC-INMS)	33
<b>Howsare, Matt</b>		Attorney	25	The Standards Council of Canada	
Cooley (US), LLP		<b>Rubel, Eric</b>		(SCC)	33
Attorney	22	Arnold & Porter, Kaye Scholer, LLP		<b>CHINA</b>	
<b>Humphreys, Jamie</b>		Attorney	26	Certification and Accreditation	
Cooley (UK), LLP		<b>Sedgwick   Brand Protection</b>		Administration of the Republic of	
Attorney	22	Call Center	27	China (CNCA)	33
<b>International Consumer Product Health</b>		Product Collection	29	Standardization Administration of	
<b>&amp; Safety Organization (ICPHSO)</b>		Product Recall Management	29	the Republic of China (SAC)	33
Education and Training	28	Product Return Management	29	<b>CHINA-HONG KONG</b>	
General Services	28	<b>Schoem, Alan H.</b>		Hong Kong Standards	
<b>Intertek</b>		Law Office of Alan H Schoem LLC		and Testing Center (STC)	33
Independent Test Lab	31	Attorney	26	<b>EUROPEAN UNION</b>	
<b>Joern, Charles</b>		<b>S-E-A</b>		European Committee for	
Joern Law Firm		Independent Test Lab	31	Standardization or Comité Européen	
Attorney	23	<b>Skolky, Shawn</b>		de Normalisation (CEN)	34
<b>Jones, Harriet</b>		Cooley LLP		European Committee for	
Cooley (UK), LLP		Attorney	26	Electrotechnical Standardization	
Attorney	23	<b>Society of Product Safety Professionals</b>		(CENELEC)	34
		Education and Training	28	European Telecommunications	
		General Services	29	Standards Institute (ETSI)	34
				Institute for Reference Materials	
				and Measurements (IRMM)	34

<b>INDIA</b>	
Bureau of Indian Standards (BIS)	34
Standardization Testing and Quality Certification (STQC)	34
<b>JAPAN</b>	
Japan Toy Association	35
Japanese Industrial Standards Committee	35
<b>MALAYSIA</b>	
Department of Standards Malaysia (DSM)	35
<b>MEXICO</b>	
ANCE	35
NORMEX	35
<b>NEW ZEALAND</b>	
Joint Accreditation System of Australia and New Zealand Standards New Zealand (SNZ)	36
<b>SINGAPORE</b>	
SPRING Singapore	36
<b>SOUTH KOREA</b>	
Korea Agency for Technology and Standards (KATS)	36
Korea Research Institute of Standards and Science (KRISS)	36
<b>UNITED STATES</b>	
American National Standards Institute (ANSI)	36
American Society for Testing and Materials (ASTM)	36
American Society of Mechanical Engineers (ASME)	36
Association of Pool & Spa Professionals (APSP)	37
National Institute of Standards and Technology (NIST)	37
UL Standards	37
<b>VIETNAM</b>	
Directorate for Standards, Metrology and Quality (STAMEQ)	37
Vietnam Standards and Consumers Association (VINASTAS)	37
<b>SERVICE PROVIDERS LISTED BY GEOGRAPHY</b>	
	38

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## Best Practice tips and techniques from a variety of product safety specialists.

pages 53 – 59

### BUILDING RECALL-READINESS THROUGH EFFECTIVE PROFESSIONAL DEVELOPMENT

*Chris Harvey*

### VALUING THE PRODUCT SAFETY PROFESSIONAL

*Don Mays*

### KNOWLEDGE IS POWER

*Jennifer Moore*

### PROFESSIONAL DEVELOPMENT FOR PRODUCT SAFETY CAREERS

*John Kupsch*

### ICPHSO STUDENT MENTORSHIP PROGRAM

*Marc J. Schoem*

### PRODUCT SAFETY LEADERS CAN LEVERAGE TECHNOLOGY TO STAY RELEVANT & RE-INVENT THEMSELVES WHILE TRANSFORMING THE ORGANIZATION

*Don Mabry*



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**Educated:** Charles University in Prague, Czech Republic (Ph.D. in law)

**Admitted to Bar:** Brussels Bar (B-List), Czech Barr

**Practice Areas:** Product Safety Consultation, Product Recall

**Practice Description:** Ales has a broad experience in EU product regulatory law, including REACH, CLP, POPs, biocidal legislation, food law, medical devices, electronic products and product and food safety. He advises on regulatory compliance of a broad range of products marketed in the EU and represents clients before EU and national competent authorities on compliance and enforcement issues. Ales also advises on product recalls and withdrawals.

Ales focuses on EU regulation of chemicals and food, including representing clients in various procedures before the European Chemicals Agency (ECHA) and European Food Safety Authority (EFSA). Prior to joining Keller and Heckman, Ales interned at the European Commission and worked for almost ten years as an EU regulatory associate at two international law firms in Brussels. Mr. Bartl is fluent in English, French, Czech, and Slovak.

**Industries Served:** Clients requiring support on EU regulation of chemicals and food, including medical devices, electronic products and product and food safety.

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**Educated:** University of Cambridge (BA) and College of Europe (Masters in EU Law)

**Admitted to Bar:** New York and Brussels bar - B list

**Practice Areas:** Product Safety Consultation, Product Recall, Product Liability Defense, Complex And Multi District

**Practice Description:** Emma Bichet is a new addition to the Cooley International Products Law Team. She is based in Brussels. Emma brings a broad international perspective to her work, amongst other things having studied in the UK, Spain, and Belgium, having worked at the European Parliament, and being admitted to the New York Bar. Emma has extensive experience advising clients primarily in EU and UK regulatory, environmental and products law. This includes matters in the field of chemicals (REACH, CLP, biocides and pesticides), climate change and industrial emissions, electrical and electronic equipment (the WEEE and RoHS Directives), eco-design and eco-labelling, pharmaceuticals and veterinary medicines, and GMOs. She also advises international product manufacturers on EU consumer protection law, including labelling and product safety issues. Her work includes litigation, risk advisory and due diligence on corporate transactions.

**Industries Served:** Consumer products, electrical and electronic equipment, home appliances, chemicals, plastics, textile and apparel, food and drink, automotive.

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**Educated:** Monash University

**Admitted to Bar:** Supreme Court of Victoria, Australia

**Practice Areas:** Product Safety Consultation, Product Recall, Product Liability Defense, Class Action Defense

**Practice Description:** Tracey Bischofberger is a professional support lawyer in our product compliance and liability team. She provides advice on consumer law, product safety and regulatory issues to clients in the technology and consumer products sectors. Tracey has experience delivering complex multi-jurisdiction projects. She provides advice on global product launches and co-ordinates worldwide recalls and corrective actions. Tracey also has experience working on large group actions helping manufacturers to defend

product liability claims. She has a particular interest in regulatory issues associated with new technologies and helps clients monitor forthcoming initiatives that may affect their products.

**Industries Served:** Consumer products, electrical and electronic equipment, Internet of Things and connected devices, home appliances, toys, sporting goods, clothing and textiles, machinery and telecommunications.

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**Educated:** University of Miami, J.D., Columbia University, B.A. 1980

**Admitted to Bar:** Illinois

**Practice Areas:** Product Safety Consultation, Product Recall, Product Liability Defense, Complex And Multi District, Class Action Defense

**Practice Description:** Frank has over 37 years of litigation experience. He counsels clients on risk management and product safety matters, including toxic tort defense, for both consumer and industrial products. In this capacity, he has been responsible for matters pending before various federal and state agencies and committees regulating the importation and sale of goods in the United States. In connection with these efforts, Frank also has counseled clients on crisis management and crisis communications.

**Federal Agency Representation:** Consumer Product Safety Commission (20 years), Food and Drug Administration (15 years), Environmental Protection Agency (10 years), National Highway Traffic Safety Administration (15 years), Health Canada (15 years), Electrical Safety Authority (15 years).

**Industries Served:** Retail, Apparel, Jewelry, Consumer Products

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**Educated:** Oxford University

**Admitted to Bar:** England and Wales

**Practice Areas:** Product Safety Consultation, Product Recall, Product Liability Defense, Complex And Multi District

**Practice Description:** Fergal Duggan is an associate in Cooley's London litigation department, and is part of the international product liability and product compliance team. Fergal advises global companies spanning a wide-range of sectors and jurisdictions on their international product compliance, safety and liability obligations, especially concentrating on new and innovative products. Fergal has experience in coordinating business-critical multi-jurisdictional projects, including in relation to product launches, regulatory investigations/inquiries, product recalls and consumer claims.

**Industries Served:** Consumer products, electrical and electronic equipment, Internet of Things and connected devices, home appliances, toys, sporting goods, clothing and textiles, food and drink, medical devices, machinery and motor vehicles.

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**Educated:** Pace University School of Law (J.D.); Kings College London (LL.M.) **Admitted to Bar:** District of Columbia, New York, Connecticut

**Practice Areas:** Consumer Product Safety; Product Compliance; Product Recall

**Practice Description:** Keller and Heckman's Shanghai office is geographically situated to help domestic and multinational corporations ensure its products fully comply with the laws and regulations of China.

With its technical staff to assist, the firm counsels clients on regulatory compliance, strategic advice, advertising and labeling and crisis management.

**Federal Agency Representation:** State Administration for Industry & Commerce of PRC (SAIC), General Administration of Quality Supervision, Inspection and Quar-

antine of PRC (AQSIQ), National Health and Family Planning Commission of PRC (NHFPC), and local Chinese Entry-Exit Inspection and Quarantine Bureaus (CIQs)

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**Educated:** University of Sydney

**Admitted to Bar:** England and Wales, Australia (New South Wales)

**Practice Areas:** Product Safety Consultation, Product Recall, Product Liability Defense, Complex And Multi District, Class Action Defense

**Practice Description:** Rod Freeman is an international products lawyer. With an unique perspective on the global risk environment, he works to solve international problems for product manufacturers and suppliers wherever they may arise. Rod is routinely ranked as a leading product liability lawyer in the major legal directories, where he is described as "...the outstanding go-to specialist for product liability matters," and "without a shadow of a doubt the most knowledgeable product liability lawyer in the European space." He works alongside the world's leading global companies, and those at the cutting edge of innovation, to help them solve their product-related issues, protect their reputations, defend their products and build more successful businesses around the world. With a background in high stakes product liability litigation and more than 20 year's devoted to international products law, Rod understands the challenges faced by international brand names and those investing in new technologies in an increasingly risky global environment. Rod serves as a director of ICPHSO (the International Consumer Product Safety and Health Organisation) where he is responsible for its International Program, and he is a long-standing sustaining member of the Product Liability Advisory Council. Rod also serves as an industry representative on the OECD Working Party on Product Safety.

**Industries Served:** Consumer products, electrical and electronic equipment, Internet of Things and connected devices, textiles, food and drink, medical devices, machinery, pharmaceuticals and vaccines, motor vehicles, telecommunications, asbestos

## **Gillice, Michelle Arnold & Porter Kaye Scholer LLP**

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**Educated:** American University, Washington College of Law (JD); Syracuse University (BS, cum laude)

**Admitted to Bar:** District of Columbia

**Practice Areas:** Product Safety Consultation, Product Recall

**Practice Description:** Michelle Gillice is an Arnold & Porter Partner who represents companies in product safety matters including investigations, reporting obligations, recalls, civil penalty proceedings, premarket compliance review and internal controls, and other regulatory and enforcement matters. Michelle has over nine years of experience as a compliance attorney in CPSC's Office of the General Counsel and office of Compliance and Field Operations, serving as the lead attorney on numerous complex investigations, recalls, and civil penalty matters.

**Federal Agency Representation:** Consumer Product Safety Commission

**Industries Served:** Manufacturers, importers, distributors, retailers of clothing, toys and other children's products, household appliances, furniture, heating and cooling equipment, computer equipment, premiums, packaging, cosmetics, and other products

## **Eric Gotting Keller and Heckman**

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**Educated:** University of Michigan, B.S., 1991 with distinction, Environmental Science and Policy University of Michigan Law School, J.D., 1996

**Practice Areas:** Product Safety Consultation, Product Liability Defense, Complex And Multi District, Class Action Defense

**Practice Description:** Eric Gotting represents Keller and Heckman's clients in litigation and related matters, specializing in complex civil and appellate matters, internal investigations, and regulatory compliance. With an extensive background in environmental law, he has expanded his practice over the years to cover many of Keller and Heckman's industry sectors and regulatory areas. Eric is a former Am Law 50 litigation partner and U.S. Department of Justice, Civil Division, Trial Attorney. Eric's practice spans a broad range of legal issues, including administrative and constitutional law, agency enforcement actions, toxic torts, product liability, general business litigation, and regulatory advice. He works with a diverse set of industries, including chemicals, plastics, pesticides, fuels and pipelines, food and packaging, consumer goods, telecommunications, and e-cigarettes. As a litigator, Eric has tried cases to verdict and argued appeals before federal and state courts across the country. His experience includes class actions, mass tort litigation, AAA arbitrations, and agency proceedings. Eric has also litigated challenges to federal and state statutes, regulations, and orders. He has particular expertise involving the Administrative Procedure Act (APA), the Dormant Commerce Clause, the First Amendment, the Due Process Clause, and federal preemption. He has also filed amicus briefs in litigation involving regulatory issues facing a variety of industry sectors.

### **Holley, Carol** **Cooley (UK) LLP**

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**Educated:** Oxford University

**Admitted to Bar:** England and Wales

**Practice Areas:** Product Safety Consultation, Product Recall, Product Liability Defense, Complex And Multi District, Class Action Defense

**Practice Description:** Carol Holley is an associate in Cooley's International Product Liability and Product Compliance team. She advises world leading brands on regulatory matters and litigation, ranging from new product launches, to issues that can arise throughout the life of a product, including handling consumer claims. Carol has a particular interest in policy work and regularly advises clients on new leg-

islation that will affect their business and how to prepare for changes. Carol has spent 7 months on secondment at a global e-commerce business, providing product safety and compliance support. She also has a keen interest in the processes and implications of Britain's exit from the European Union, and assists clients in identifying and understanding areas that may impact their business.

**Industries Served:** Consumer products, electrical and electronic equipment, home appliances, cosmetics and e-commerce.

### **Howsare, Matt** **Cooley LLP**

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**Educated:** Wofford College

**Admitted to Bar:** District of Columbia, South Carolina

**Practice Areas:** Product Safety Consultation, Product Recall, Product Liability Defense

**Practice Description:** Matt is the chair of Cooley's North American product compliance and product liability practice and a leading global consumer product safety and compliance lawyer who counsels manufacturers, retailers, distributors, trade associations, and consumer product companies on issues within all aspects of a product's life cycle. Matt previously served as the Chief of Staff at the U.S. Consumer Product Safety Commission. From preventative and compliance counseling incorporated before a product launch, to manufacturing and defect management, and recall strategies and governmental compliance adherence, Matt's experience spans the most challenging product related issues faced by companies around the world. Specifically, Matt helps clients find solutions in response to concerns surrounding regulatory compliance, product safety reporting, recalls, defect investigations, civil penalties, inspections, import seizures, internal compliance programs, litigation resulting from product liability and safety related incidents, and many other issues faced by consumer product companies. Matt advises clients across a wide array of consumer product categories such as personal electronics, appliances, apparel, children's toys, fitness equipment,

office supplies, household furniture, products requiring child resistant packaging, arts & crafts materials, books, recreational and sporting equipment, lighters, heating and cooling equipment, home decorations, promotional products, household cleaners, and numerous other types of consumer products. Matt is actively involved in the U.S. and international product safety community. He has served on the Board of Directors of the International Consumer Product Health and Safety Organization (ICPHSO) since 2016, including election to the Executive Committee and as President of the organization. He also serves as the Vice Chair of the ABA's Consumer Product Regulation Committee.

**Federal Agency Representation:** Consumer Consumer Product Safety Commission (13 years), Federal Trade Commission (13 years), Health Canada (13 years)

**Industries Served:** Retailers, manufacturers, importers, private labelers, distributors, trade associations, testing laboratories

### **Humphreys, Jamie** **Cooley (UK) LLP**

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**Educated:** Leeds University

**Admitted to Bar:** England & Wales

**Practice Areas:** Product Safety Consultation, Product Recall, Product Liability Defense, Complex And Multi District, Class Action Defense

**Practice Description:** Jamie is a litigation and regulatory lawyer. He is a strategic advisor to clients who face critical threats to their business at all stages of the product life-cycle, working with them to ensure the most favourable outcome and manage any reputational impact. He also provides policy advice to clients on proposed legislation and regulations that may introduce profound changes to their business.

He has acted on high profile litigation across a range of different industries, internal investigations into allegations of fraud by global products manufacturers, major corruption investigations for Governments, and B2B product liability disputes, international recalls and consumer claims for well-known global brands.



He is passionate about the impact that new technologies such as 3D printing, AI and Internet of Things will have in the products space and works with clients to ensure they prosper within a dynamic regulatory environment. He is a special counsel in Cooley's litigation department and qualified in 2008.

**Industries Served:** 3D printing, artificial intelligence, consumer products, electrical and electronic equipment, Internet of Things and connected devices, home appliances, machinery, motor vehicles, and telecommunications.

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**Educated:** Knox College 1973, University Of Colorado Graduate School of Public Affairs 1976, DePaul University School of Law 1980

**Admitted to Bar:** Bar of Illinois, U.S. District Court for Northern District of Illinois, U.S. Appeals Court Seventh Circuit, U.S. Supreme Court

**Practice Areas:** Product Safety Consultation, Product Recall, Product Liability Defense

**Practice Description:** Legal representation of manufacturers, importers, distributors and retailers in the area of consumer product safety laws and product liability litigation. Counseling of clients in CPSC regulatory compliance, mandatory reporting obligations, investigations, recalls, and civil penalty matters.

**Federal Agency Representation:** Consumer Product Safety Commission (7 years)

**Industries Served:** Consumer product manufacturers, importers, distributors and retailers.

### Jones, Harriet *Cooley (UK) LLP*

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**Educated:** Southampton University

**Admitted to Bar:** England and Wales

**Practice Areas:** Product Safety Consultation, Product Recall, Product Liability Defense, Complex And Multi District, Class Action Defense

**Practice Description:** Harriet regularly advises clients on a range of disputes in the construction, home appliance, cosmetics and life sciences sectors. Her work ranges from day to day pre-action/litigation management to providing strategic oversight on claims.

With experience of large-scale investigations, crisis management and recalls, Harriet helps in circumstances where there is a significant threat to the business or reputation of our clients.

**Industries Served:** Consumer products, electrical and electronic equipment, home appliances, chemicals, cosmetics and medical devices

### Karmonick, Jennifer *Arnold & Porter Kaye Scholer, LLP*

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**Educated:** George Washington University Law School

**Admitted to Bar:** District of Columbia

**Practice Areas:** Product Safety Consultation, Product Recall

**Practice Description:** Jennifer Karmonick has extensive experience as a product safety lawyer helping companies assess their compliance with CPSC regulations and other product safety laws and standards, improve internal controls, determine when it is appropriate to notify the CPSC of potential safety issues and report on such potential safety issues, develop effective recall plans, and defend CPSC enforcement actions as well as client decisions that a recall is not warranted.

**Federal Agency Representation:** Consumer Product Safety Commission (17 years)

**Industries Served:** Manufacturers, importers, distributors and retailers of clothing, toys and other children's products, household appliances, furniture, heating and cooling equipment, computer equipment, premiums, packaging, cosmetics and other products.

### Kuppens, John F. *Nelson Mullins Riley*

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**Educated:** Clemson University; University of South Carolina School of Law

**Admitted to Bar:** 1989

**Practice Areas:** Product Safety Consultation, Product Recall, Product Liability Defense, Complex And Multi District, Class Action Defense

**Practice Description:** More than 30 years of experience representing product manufacturers, including serving as North American counsel for a leading manufacturer of consumer products.

Evaluates products to assess compliance with consumer product safety regulations, including products governed by the U.S. Consumer Product Safety Commission.

Evaluates corporate product safety risk management systems and counsels regarding regulatory compliance and liability prevention.

Counsels clients regarding product liability risk prevention issues, and evaluates product literature, warnings, labeling, and warranties.

Handles product liability litigation, and has experience with principles of accident reconstruction, metallurgy, design, biomechanics, manufacturing processes, and warnings.

Has defended product liability cases involving a wide range of products, including boilers, lawn and garden products, building products, food products, medical devices, electrical and gas-fired appliances, aerial lifts, and textile machinery.

**Federal Agency Representation:**

Consumer Product Safety Commission (11 years), Health Canada

**Industries Served:** Product manufacturers and distributors.



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**Educated:** Nottingham University, BPP  
Law School

**Admitted to Bar:** England and Wales

**Practice Areas:** Product Safety Consultation,  
Product Recall, Product Liability Defense,  
Complex And Multi District

**Practice Description:** Julia works with companies on a range of product compliance and safety matters, including international recalls, consumer disputes and regulatory investigations. She has experience working with companies across Cooley's global platform in industries including technology, consumer products, medical devices and insurance.

**Industries Served:** Consumer products, electrical and electronic equipment, Internet of Things and connected devices, home appliances, toys, chemicals, sporting goods, cosmetics, clothing and textiles, food and drink, medical devices, machinery, pharmaceuticals and vaccines, and telecommunications.

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**Educated:** Saint Louis University, John M. Cook School of Business, Center for Supply Chain Management Studies, Graduate Certificate in Product Safety Management, Washington University School of Law, J.D., Washington University Law Quarterly

**Admitted to Bar:** District of Columbia (2009), Missouri Bar (1990)

**Practice Areas:** Product Safety Consultation,  
Product Recall

**Practice Description:** Belinda May is a partner in Dentons' Consumer Products, Regulatory and Litigation and Dispute Resolution practice. She concentrates on regulatory compliance, disputes and litigation

arising in connection with the manufacture and sale of consumer products, having been acknowledged by Chambers as a nationwide recognized practitioner in the area of Product Liability. Belinda is also Past President of ICPHSO, having served as President, Chairwoman of ICPHSO's Annual Symposium, and Treasurer. Belinda is also a member of ASTM International and serves on Committee F15 for Consumer Products.

Belinda has experience in all aspects of consumer products law, involving the entire lifecycle of a product, spanning design, development, safety, manufacturing and production.

This includes an immense range of topics, such as product safety design and the human factors "Inclusion" point-of-view, including "Disabilities and Accessibility" - historically known as disabled, hazard and supply chain analysis, product advertising claims, regulatory challenges and contested proceedings with competitors, consumers and applicable agencies.

Belinda is passionate about her dedication to "Inclusion" and was recently named Co-Chair of Dentons Diversity & Inclusion: Disabilities and Accessibility Initiative, as part of her ongoing commitment to Diversity & Inclusion.

Belinda works extensively on Consumer Product Safety Commission and other regulatory matters. She has handled a wide range of CPSC and regulatory compliance and enforcement matters covering numerous consumer products. She also has extensive experience handling consumer-products-related class action litigation and dispute resolution.

**Industries Served:** Belinda represents manufacturers, retailers and other supply chain stakeholders in connection with a wide array of consumer products, including household appliances, decorative products, consumer electronics, bicycles, exterior household products, kitchen and bath items, furniture, light fixtures, office supplies, building materials, plumbing products, heating and cooling elements, electrical meters, children's toys and other products, to name a few.

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**Educated:** American University, Washington College of Law

**Admitted to Bar:** District of Columbia

**Practice Areas:** Product Safety Consultation,  
Product Recall, Product Liability Defense

**Practice Description:** Keller and Heckman has one of the preeminent product safety practices in the country.

With its technical staff to assist, the firm counsels clients on regulatory compliance, public policy, strategic advice, advertising and liability defense.

**Federal Agency Representation:** Consumer Product Safety Commission (31 years), Federal Trade Commission (31 years), Environmental Protection Agency (30 years)

**Motlagh, Jasmin  
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**Educated:** University of California  
**Admitted to Bar:** California

**Practice Areas:** Product Safety Consultation,  
Product Recall, Product Liability Defense,  
Complex And Multi District,  
Class Action Defense

**Practice Description:** Jasmin Motlagh focuses her practice on defending product manufacturers in litigation, with extensive experience in the aviation industry.

Her litigation experience ranges from complex product liability matters and mass tort litigation to catastrophic personal injury claims and wrongful death matters.

Jasmin's clients include airlines, aviation product manufacturers, various aviation services companies, as well as consumer product manufacturers.

Jasmin was a Sayre Macneil Scholar at Loyola Law School, a title awarded to the top five percent of each class.

She also served as a judicial extern to the Honorable Robert Gary Klausner, US District Court Judge for the Central District of California.

**Industries Served:** Consumer products and aviation products.

## O'Connor, William V. Cooley (US) LLP

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**Educated:** Georgetown University Law Center

**Admitted to Bar:** California, 2001

**Practice Areas:** Product Safety Consultation, Product Recall, Product Liability Defense, Complex And Multi District, Class Action Defense

**Practice Description:** Bill regularly counsels clients on a wide range of product issues, including regulatory compliance, risk assessment and mitigation, warning and labelling, and crisis management. Bill's product liability advisement and litigation experience covers a wide range of product segments, including consumer products, medical devices, automotive, robotics and autonomous systems, and industrial equipment. Bill's litigation experience includes the trial and arbitration of commercial disputes relating to patent license agreements, supply contracts, partnerships, real estate and insurance and reinsurance. His six-month secondment to the general counsel team of Amlin, PLC, the largest Lloyd's insurer in the London market, has given him particular insight into the international insurance industry, and Bill routinely advises clients on risk management issues. Bill serves on the Board of Governors for the San Diego chapter of the Association of Business Trial Lawyers and is a barrister in the Honorable J. Clifford Wallace Chapter of the American Inns of Court. As an experienced pilot, Bill understands the technical aspects involved in aviation-related litigation. Bill has been involved in several high-profile aviation accident cases, including the Alaska Airlines Flight 261, Gol Flight 1907 and Air France Flight 447 multi-district litigations. Bill also represents aircraft and helicopter manufacturers in product liability litigation filed in the US and abroad. Bill maintains a significant airports disputes practice, which involves the representation of airport proprietors and FBOs in controversial matters. For example, Bill led the representation of the City of Santa Monica in litigation against the FAA, which resulted in a landmark settlement to close the Santa Monica Airport. Bill also represents aviation clients in commercial and regulatory matters,

FAA enforcement proceedings, Part 16 cases, and DOT investigations. Bill is also involved in cutting-edge legal matters involving unmanned aircraft. His success in the aviation field has been recognized by Chambers USA and Legal 500.

**Industries Served:** Consumer products, medical devices, automotive, robotics and autonomous systems, and industrial equipment.

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**Educated:** Duke University School of Law

**Admitted to Bar:** New York, District of Columbia

**Practice Areas:** Product Safety Consultation, Product Recall, Product Liability Defense

**Practice Description:** Anushka Rahman practices in the areas of consumer product safety, hazardous materials transportation, and environmental matters, as well as privacy and cybersecurity, advertising and promotions. Ms. Rahman counsels clients on compliance with domestic and international regulations, advising them on safety and risk management strategies. Ms. Rahman also assists clients facing government enforcement actions. Prior to joining Keller and Heckman, Ms. Rahman worked in private practice, as well as for the U.S. Environmental Protection Agency. While in law school, Ms. Rahman served as an editor for the Duke Environmental Law and Policy Forum.

## Robinson, Corinne Cooley (UK) LLP

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**Educated:** University of Edinburgh, University of Law

**Admitted to Bar:** England and Wales

**Practice Areas:** Product Safety Consultation, Product Recall, Product Liability Defense, Class Action Defense

**Practice Description:** Corinne is an associate in Cooley's London litigation department and is part of the international product liability and product compliance team. Corinne advises on consumer law, product safety and regulatory issues for global companies across wide-ranging sectors. Corinne has experience coordinating multi-jurisdictional projects including in relation to product launches, product recalls and consumer claims.

**Industries Served:** Consumer products, electrical and electronic equipment, Internet of Things and connected devices, home appliances, toys, sporting goods, clothing and textiles, food and drink, medical devices, machinery and motor vehicles.

## Ross, Kenneth Bowman and Brooke LLP

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**Educated:** UCLA School of Law

**Admitted to Bar:** Utah, California, Missouri, Minnesota

**Practice Areas:** Product Safety Consultation, Product Recall, Product Liability Defense

**Practice Description:** Ken has been counseling manufacturers and product sellers for over 40 years on the legal and practical aspects of meeting their pre-sale and post-sale duties, including regulatory compliance. This includes safety management, design, warnings and instructions, contracts, document management, advertising, preparing for recalls, reporting to government agencies, implementing recalls in the U.S. and around the world, defending recalls, and presenting public and inhouse product safety training programs. He has also served as a consulting expert and expert witness for manufacturers and product sellers in litigation involving recalls and safety issues.

**Federal Agency Representation:** Consumer Product Safety Commission (41 years), Food and Drug Administration (26 years), National Highway Traffic Safety Administration (13 years), Health Canada (13 years)

**Industries Served:** All industries with a focus on Consumer Products, Medical De-

vices, Industrial/Commercial Products, Gas and Electrical Appliances and Products, Farm Equipment, Construction Equipment, and Motor Vehicle Equipment, including auto parts, trailers and RV's.

**Rubel, Eric**  
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**Educated:** George Washington University Law School

**Admitted to Bar:** District of Columbia

**Practice Areas:** Product Safety Consultation, Product Recall, Product Liability Defense, Complex And Multi District, Class Action Defense

**Practice Description:** Eric Rubel is Senior Counsel for Arnold & Porter. He was General Counsel of CPSC from 1994-1997. He represents companies, both large and small, at all levels of the distribution chain in product safety matters and related litigation, including consumer class actions. Eric has extensive experience with the full range of CPSC matters-e.g. pre-market product review and internal controls, reporting requirements, recalls, penalties, and CPSIA compliance.

**Federal Agency Representation:** Consumer Product Safety Commission (21 years)

**Industries Served:** Manufacturers, importers, distributors and retailers of clothing, toys and other children's products, sporting goods, household appliances, furniture, heating and cooling equipment, computer and telecommunications equipment, premiums, building materials, fire safety equipment, packaging, off-road vehicles, pharmaceutical drugs, cosmetics, and other products

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**Educated:** University of Maryland; American University Washington College of Law

**Admitted to Bar:** 1973

**Practice Areas:** Product Safety Consultation, Product Recall

**Practice Description:** As the former Director of CPSC's office of Compliance (1997-2004, Mr. Schoem provides legal advice and guidance to companies on product safety-related issues including, CPSC "Section 15" reporting, product recalls, civil penalties, importation detention issues, and developing product recall and reporting procedures and manuals. Mr. Schoem also provides expert witness testimony.

**Federal Agency Representation:** Consumer Product Safety Commission (44 years)

**Industries Served:** Consumer Product

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**Educated:** Emory University School of Law; Georgia Institute of Technology  
**Admitted to Bar:** 2015

**Practice Areas:** Product Safety Consultation, Product Recall, Product Liability Defense, Complex And Multi District, Class Action Defense

**Practice Description:** Shawn Skolky is a trusted regulatory adviser and litigator for multinational companies seeking representation on product safety reporting obligations, recalls, safety investigations and enforcement matters involving the US Consumer Product Safety Act, the Canada Consumer Product Safety Act, the US Food, Drug and Cosmetic Act, and other federal and state regulations. Shawn advises on safety, design, and regulatory issues (pre- and post-market), and how to deal with regulatory authorities and handle crises, including global recalls. Shawn also guides companies through the recall process and has helped clients avoid recalls of consumer goods ranging from children's products to home furnishings to fitness equipment.

**Federal Agency Representation:** Consumer Product Safety Commission (5 years), Food and Drug Administration (1 years), Federal Trade Commission (5 years), National Highway Traffic Safety Administration (1 years)

**Industries Served:** Consumer products, electrical and electronic equipment, Internet of Things and connected devices, home appliances, toys, sporting goods, fitness equipment, cosmetics, clothing and textiles

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**Educated:** University of Sheffield

**Admitted to Bar:** England and Wales

**Practice Areas:** Product Safety Consultation, Product Recall, Product Liability Defense, Complex And Multi District, Class Action Defense

**Practice Description:** Claire is a Special Counsel in our product compliance and liability team. She specialises in advising clients on regulatory risk, compliance and litigation issues. She helps clients who deal with products and consumers. Claire works with them to help bring both digital and physical products to market, advising on labelling, packaging, regulatory approvals and engaging with regulators and consumers. She also has significant expertise in coordinating and delivering business critical international regulatory and compliance advice and delivering complex multi-jurisdictional projects. Claire also advises clients when things go wrong such as dealing with regulatory and compliance issues, crisis management, handling and coordinating regulatory crises, product recalls and product liability matters, managing customer relations and claims and investigating and defending regulatory investigations and prosecutions.

**Industries Served:** Consumer products, electrical and electronic equipment, Internet of Things and connected devices, home appliances, toys, chemicals, sporting goods, cosmetics, clothing and textiles, food and drink, medical devices, machinery, motor vehicles and telecommunications.

## Turtle, Edward Cooley (UK) LLP

Dashwood  
London, EC2M1QS  
United Kingdom

**Phone:** +44-207-5834055

**Email:** [eturtle@cooley.com](mailto:eturtle@cooley.com)

**Web:** [cooley.com](http://cooley.com)

**Blog:** [products.cooley.com](http://products.cooley.com)

**Twitter:** [twitter.com/cooleyllp](https://twitter.com/cooleyllp)

**Link to Biography:** [cooley.com/eturtle](http://cooley.com/eturtle)

**Educated:** Cambridge University

**Admitted to Bar:** England and Wales

**Practice Areas:** Product Safety Consultation, Product Recall, Product Liability Defense, Complex And Multi District, Class Action Defense

**Practice Description:** Edward Turtle is a products lawyer, regulatory advisor and litigator with particular experience in the technology, healthcare and consumer product sectors. Edward helps clients with compliance and safety issues, including in the development, launch and marketing of new products.

He undertakes European policy work, advising stakeholders on submissions in the context of forthcoming legislation and guidance.

Edward is experienced at dealing with regulatory authorities and handling product crises, including global recalls and mass consumer claims.

Edward has advised on a wide range of product liability disputes, with an emphasis on multi-jurisdictional claims, including class actions and group litigation.

He has acted in relation to one of the key European product liability actions in recent years, and advised on products claims in North America, Asia, Africa and Australasia.

Edward joined Cooley in early 2018, after six years at Freshfields. He has spent time on secondment in Germany, and at a major US technology company.

**Industries Served:** Consumer products, electrical and electronic equipment, Internet of Things and connected devices, home appliances, toys, chemicals, sporting goods, cosmetics, clothing and textiles, food and drink, medical devices, machinery, pharmaceuticals and vaccines, motor vehicles and telecommunications.

## Walker, Jean-Cyril Keller and Heckman LLP

1001 G Street N.W.  
Washington, DC 20001  
United States

**Phone:** (202) 434-4181

**Email:** [walker@khlaw.com](mailto:walker@khlaw.com)

**Link to Biography:**

[khlaw.com/Jean-Cyril-Walker](http://khlaw.com/Jean-Cyril-Walker)

**Educated:** University of Maryland School of Law

**Admitted to Bar:** District of Columbia

**Practice Areas:** Product Safety Consultation, Product Liability Defense

**Practice Description:** Keller and Heckman has one of the preeminent product safety practices in the country. With its technical staff to assist, the firm counsels clients on regulatory compliance, public policy, strategic advice, advertising and liability defense.

**Federal Agency Representation:** Consumer Product Safety Commission (7 years), Environmental Protection Agency (16 years)

**Industries Served:** Chemical, Plastics, Packaging, Electronics, Consumer Products

## Wang, Jessica Arnold & Porter Kaye Scholer, LLP

601 Massachusetts Ave., NW  
Washington, DC 20001  
United States

**Phone:** 202-942-5792

**Email:** [Jessica.Wang@arnoldporter.com](mailto:Jessica.Wang@arnoldporter.com)

**Web:** [arnoldporter.com](http://arnoldporter.com)

**Link to Biography:**

[arnoldporter.com/en/people/w/wang-jessica-l](http://arnoldporter.com/en/people/w/wang-jessica-l)

**Educated:** George Washington University Law School (JD); University of Michigan (BA)

**Admitted to Bar:** District of Columbia, Michigan

**Practice Areas:** Product Safety Consultation, Product Recall

**Practice Description:** Jessica's practice is focused on assisting clients in evaluating and meeting their compliance obligations under U.S. Consumer Product Safety Commission regulations, including reporting obligations and recall planning, and defending civil penalty investigations and other enforcement matters.

**Federal Agency Representation:** Consumer Product Safety Commission

**Industries Served:** Manufacturers, importers, distributors, retailers of clothing, toys and other children's products, household appliances, furniture, heating and cooling equipment, computer equipment, premiums, packaging, cosmetics, and other products

## CALL CENTERS

### Sedgwick Brand Protection

6026 Lakeside Blvd  
Indianapolis, IN 46278  
United States

**Phone:** 888-732-3901

**Web:** [Sedgwick.com/brandprotection](http://Sedgwick.com/brandprotection)

**Blog:** [sedgwick.com/news](http://sedgwick.com/news)

**Twitter:** @Sedgwick

**Contact:** Chris Harvey

**Email:** [Brand.protection@sedgwick.com](mailto:Brand.protection@sedgwick.com)

**Years in Business:** 27

**Services:** Sedgwick Brand Protection specializes in establishing and implementing rapid, highly scalable recall communications services to notify affected parties and indirect customers that may be in possession of recalled products. Over the past 27 years, Sedgwick Brand Protection has successfully managed over 5,000 of the most sensitive and time-critical product recalls across 60+ countries and 50+ languages. Our services include traceable physical notification, voice broadcast, text and e-mail with 24/7 online reporting, multilingual documentation and management of a customer's recall response. Our trained global contact center representatives manage customer's frequently asked questions, appointment scheduling, coordination of replacement product(s), website registration, consumer complaints and adverse events. We respond quickly with expertise and sensitivity from event initiation to final closeout.

**Industries Served:** Pharmaceutical, Medical Device, Consumer Products, Food & Beverage, and Automotive.

## EDUCATION AND TRAINING

### ADK Information Services, LLC

4579 Laclede Ave. #326  
St. Louis, MO 63108  
United States

**Phone:** 314-497-1797

**Web:** [adksafetyinfo.com](http://adksafetyinfo.com)

**Primary Contact:** Donald Kornblet

**Email:** [dkornblet@adkprg.com](mailto:dkornblet@adkprg.com)

**Years in Business:** 41

**Industry:** Education and information programs

**Programs Offered:** Product Safety Professional Certification Courses, Advanced Product Safety Management Certificate Course, and customized programs for industry professionals.

**Program Location:** Virginia Tech Research Center, Arlington, VA. On campus, online and at client locations

**University Affiliation:** Virginia Tech Research Center, Arlington, Virginia

## International Consumer Product Health & Safety Organization (ICPHSO)

Marc J. Schoem, Executive Director  
c/o Association Headquarters  
1120 Route 73 - Suite 200  
Mount Laurel, NJ 08054  
United States

**Phone:** 301-774-3020 or 301-728-2360

**Web:** icphso.org

**Primary Contact:** Marc J. Schoem

**Email:** mschoem@icphso.org

**Years in Business:** 26

**Industry:** ICPHSO provides training and education programs for health and safety professionals

**Programs Offered:** ICPHSO provides its members and non-member participants an annual meeting and training symposium, an international symposium, and regional training workshops.

Its programs are designed to provide current information on product health and safety developments, including emerging safety hazards, and compliance training to meet global regulatory requirements. ICPHSO regional workshops offer manufacturers, suppliers and others a more in-depth one day training workshop on regulatory requirements and compliance obligations.

**Program Location:** Annual Symposium: Orlando, FL/Washington, D.C.; International: Various; Regional Workshop: Various in North America

**Industries Served:** Consumer product health and safety professionals including industry, regulators, consumer and other NGOs.

## Society of Product Safety Professionals (SPSP)

4579 Laclede Ave. #326  
St. Louis, MO 63108  
United States

**Web:** productsafetyprofessionals.org

**Primary Contact:** Sheila Gottschalk

**Email:**

info@productsafetyprofessionals.org

**Years in Business:** 4

**Industry:** SPSP, a non-profit organization, in 2017 was established to provide professional development programs and services to the product safety professional field.

**Services:** SPSP provides educational programs, including webinars, workshops, and conferences on various topics relevant to product safety professionals.

The group supports the Consumer Product Safety Certification Services organization as it develops requirements which can lead to the credential designation of "certified product safety professional."

**Industries Served:** Product safety professionals in the consumer product supply chain

## Virginia Tech Continuing & Professional Education

Blacksburg, VA 24061  
United States

**Phone:** 540-231-5182

**Web:** cpe.vt.edu

**Primary Contact:** Shelly Jobst

**Email:** sjobst@vt.edu

**Industry:** Education

**Programs Offered:** From certificate programs designed for rising executives to customized training programs for forward-thinking organizations, we connect the vast resources of Virginia Tech with curious and ambitious minds around the world.

**Program Location:** Campus locations, online, and client locations

**University Affiliation:** Virginia Polytechnic Institute and State University

**Industries Served:** All industries and organizations seeking professional education opportunities, upskilling, and or reskilling

## Virginia Tech Executive PhD Virginia Tech

Falls Church, VA 22043  
United States

**Phone:** n/a

**Web:** execphd.vt.edu

**Primary Contact:** Annabelle Ombac

**Email:** executivephd@vt.edu

**Industry:** Education

**Programs Offered:** Part-time, research intensive business PhD, with concentrations in business information technology, management, marketing, finance, and

hospitality. Research focused on product safety is welcomed, and doctoral assistantships for product safety research may be available.

**Program Location:** Falls Church, Virginia; Blacksburg, Virginia, and online

**University Affiliation:** Virginia Tech

**Industries Served:** All industries

## GENERAL SERVICES

### ADK Information Services, LLC

4579 Laclede Ave. #326  
St. Louis, MO 63108  
United States

**Phone:** 314-497-1797

**Web:** adksafetyinfo.com

**Primary Contact:** Donald Kornblet

**Email:** dkornblet@adkprg.com

**Years in Business:** 41

**Industry:** Education and information programs

**Programs Offered:** Product Safety Professional Certification Courses, Advanced Product Safety Management Certificate Course, and customized programs for industry professionals.

**Program Location:** Virginia Tech Research Center, Arlington, VA. On campus, online and at client locations

**University Affiliation:** Virginia Tech Research Center, Arlington, Virginia

## International Consumer Product Health & Safety Organization (ICPHSO)

Marc J. Schoem, Executive Director  
c/o Association Headquarters  
1120 Route 73 Suite 200  
Mount Laurel, NJ 08054  
United States

**Phone:** 301-774-3020 or 301-728-2360

**Web:** icphso.org

**Primary Contact:** Marc J. Schoem

**Email:** mschoem@icphso.org

**Years in Business:** 26

**Industry:** ICPHSO provides training and education programs for health and safety professionals

**Programs Offered:** ICPHSO provides its members and non-member participants an annual meeting and training symposium, an international symposium, and regional training workshops. Its programs are designed to provide current informa-

tion on product health and safety developments, including emerging safety hazards, and compliance training to meet global regulatory requirements. ICPHSO regional workshops offer manufacturers, suppliers and others a more in-depth one day training workshop on regulatory requirements and compliance obligations.

**Program Location:** Annual Symposium: Orlando, FL/Washington, D.C.; International: Various; Regional Workshop: Various in North America

**Industries Served:** Consumer product health and safety professionals including industry, regulators, consumer and other NGOs.

## Society of Product Safety Professionals (SPSP)

4579 Laclede Ave. #326  
St. Louis, MO 63108  
United States

**Web:** productsafetyprofessionals.org  
**Primary Contact:** Sheila Gottschalk  
**Email:** info@productsafetyprofessionals.org  
**Years in Business:** 6

**Industry:** SPSP, a non-profit organization, in 2017 was established to provide professional development programs and services to the product safety professional field.

**Industry:** SPSP, a non-profit organization, was established in 2017 to provide professional development programs and services to the product safety professional field.

**Services:** SPSP provides educational programs, including webinars, workshops, and conferences on various topics relevant to product safety professionals.

The group supports the Consumer Product Safety Certification Services organization as it develops requirements which can lead to the credential designation of "certified product safety professional."

**Industries Served:** Product safety professionals in the consumer product supply chain

## PRODUCT COLLECTION

### Sedgwick | Brand Protection

6026 Lakeside Blvd  
Indianapolis, IN 46278  
United States

**Phone:** 888-732-3901  
**Web:** sedgwick.com/brandprotection  
**Blog:** sedgwick.com/news  
**Twitter:** @Sedgwick  
**Primary Contact:** Chris Harvey  
**Email:** Brand.protection@sedgwick.com  
**Years in Business:** 27

**Services:** Sedgwick Brand Protection responds quickly and efficiently to a variety of retrieval, quality audit and store visit challenges in order to protect your brand, ensure compliance, and minimize disruption to your daily business. Our integrated suite of services include product collection, reverse logistics and infrastructure support to safely remove and secure impacted products – from a single unit to a full-scale recall. Our global team can mobilize thousands of field representatives within 24 hours to visit any number of locations, including consumer residences, to provide worldwide, end-to-end removal, processing, storage and destruction of affected products. And Sedgwick has the surge capacity to handle the influx of product until the final event closeout. We also manage customers' data and maintain detailed regulatory reports. Over the past 27 years, Sedgwick Brand Protection has successfully managed over 5,000 of the most sensitive and time-critical product recalls and in-market remediations across 60+ countries and 50+ languages. Other services include retail quality audits, recall retrieval and effectiveness checks, and detailed web-based reporting.

**Industries Served:** Pharmaceutical, Medical Device, Consumer Products, Food & Beverage, and Automotive.

## PRODUCT RECALL

### Sedgwick | Brand Protection

6026 Lakeside Blvd  
Indianapolis, IN 46278  
United States

**Phone:** 888-732-3901  
**Web:** Sedgwick.com/brandprotection  
**Blog:** sedgwick.com/news  
**Twitter:** @Sedgwick  
**Primary Contact:** Chris Harvey  
**Email:** Brand.protection@sedgwick.com  
**Years in Business:** 25

**Specialisms:** Product recall planning and management, product remediation, reverse logistics.

**Services:** Product recalls affect thousands of companies every year – impacting sales, customer relationships, daily operations, supply chains and reputations. Without

the appropriate planning, training, expertise and processes in place, a recall event can cause irreparable damage to a company's brand. Over the past 27 years, Sedgwick Brand Protection has successfully managed over 5,000 of the most sensitive product recalls across 60+ countries and 50+ languages. With extensive knowledge, and command of best practices combined with nearly three decades of proven experience, Sedgwick Brand Protection expertly navigates the full end-to-end recall process – from preparation, through execution, to event close-out with regulatory agencies or any part in between. We offer mock recalls, planning and training, in addition to being on-call during a crisis. Trusted by the world's leading brands and businesses, we help companies of all sizes protect their customers, their revenue, their brand and their public image.

**Industries Served:** Pharmaceutical, Medical Device, Consumer Products, Food & Beverage, and Automotive.

## PRODUCT RETURN MANAGEMENT

### Sedgwick | Brand Protection

6025 Lakeside Blvd.  
Indianapolis, IN 46278  
United States

**Phone:** 1-866-732-3901  
**Web:** Sedgwick.com/brandprotection  
**Blog:** sedgwick.com/news  
**Twitter:** @Sedgwick  
**Primary Contact:** Chris Harvey  
**Email:** Brand.protection@sedgwick.com  
**Years in Business:** 25 years

**Specialisms:** Reverse logistics: end-to-end removal, processing, storage and destruction of impacted product.

**Services:** Sedgwick Brand Protection responds quickly and efficiently to a variety of retrieval, quality audit and store visit challenges to protect your brand, ensure compliance and minimize disruption to your daily business. Our global team can mobilize thousands of field representatives within 24 hours to visit any number of locations, including consumer residences, to provide worldwide, end-to-end removal, processing, storage and destruction of affected products. We ensure compliance and help maintain your routine business operations whether it is a single unit under investigation or a full-scale recall. Over the past 27 years, Sedgwick Brand Protection has successfully managed over 5,000 of the most sensitive and time-critical product recalls and in-market re-

mediations across 60+ countries and 50+ languages. Other services include retail quality audits, recall retrieval and effectiveness checks, and detailed web-based reporting.

**Industries Served:** Pharmaceutical, Medical Devices, Consumer Products, Food & Beverage, and Automotive.

## PRODUCT SAFETY CONSULTANTS

### Applied Safety + Ergonomics A Rimkus Company

3909 Research Park Drive  
Ann Arbor, MI 48108  
United States

**Phone:** 734-994-9400

**Web:** [appliedsafety.com](http://appliedsafety.com) / [rimkus.com](http://rimkus.com)

**Primary Contact:** Charles Burhans

**Email:** [info@appliedsafety.com](mailto:info@appliedsafety.com)

**Years in Business:** 26

**Services:** Applied Safety + Ergonomics, A Rimkus Company, (ASE) offers services in both consultation and expert witness capacities, including performing hazard analyses and risk assessments, developing and testing safety symbols, providing custom training in product safety and warnings, evaluating warnings and instructions, implementing consumer product safety management strategies, developing industry-wide warnings and standards, ensuring compliance with industry standards, and assisting clients in developing product safety labeling, warnings, and user instructions. Since 1994, ASE has answered technical questions about human factors in product safety, incident investigation, and warnings design and evaluation. ASE consultants have been involved in projects or worked for clients in all 50 U.S. states, and multiple countries around the world. ASE consultants have been involved with ANSI Z535 for over 25 years, and also contribute to international safety communication standards. Roles have included Z535 committee vice-chair, chair of the subcommittees for product safety labels and for owner's manuals, membership in all Z535 subcommittees, and U.S. delegate for ISO safety symbol standards.

In 2020, Rimkus Consulting Group, Inc. (Rimkus), a worldwide provider of forensic engineering and technical consulting services, announced the strategic acquisition of ASE. Rimkus and ASE are aligned in their shared vision of being a global leader in engineering and consulting services.

**Industries Served:** ASE has experience across a wide range of products, including

industrial and household chemicals, children's products, toys, cosmetics, consumer electronics, flooring, furniture, industrial equipment, helmets and other protective equipment, medical devices, bicycles and accessories, power tools and equipment, recreational vehicles, sporting goods, hunting equipment, automotive products, home appliances, watercraft, and many others. ASE has worked with the U.S. Consumer Product Safety Commission by conducting research responsive to their technical questions during administrative actions and by presenting on behalf of manufacturer and industry groups.

### Cooley (UK) LLP

22 Bishopsgate  
London, EC2N4BQ  
United Kingdom

**Phone:** +442075564430

**Web:** [www.cooley.com](http://www.cooley.com)

**Blog:** <https://products.cooley.com/>

**Twitter:** [twitter.com/cooleyllp](https://twitter.com/cooleyllp)

**Primary Contact:** Rod Freeman

**Email:** [rffreeman@cooley.com](mailto:rffreeman@cooley.com)

**Years in Business:** 31

**Industry:** Litigation Support

**Practice Description:** Rod Freeman is an international products lawyer. With an unique perspective on the global risk environment, he works to solve international problems for product manufacturers and suppliers wherever they may arise. Rod is routinely ranked as a leading product liability lawyer in the major legal directories, where he is described as "...the outstanding go-to specialist for product liability matters," and "without a shadow of a doubt the most knowledgeable product liability lawyer in the European space." He works alongside the world's leading global companies, and those at the cutting edge of innovation, to help them solve their product-related issues, protect their reputations, defend their products and build more successful businesses around the world.

With a background in high stakes product liability litigation and more than 20 year's devoted to international products law, Rod understands the challenges faced by international brand names and those investing in new technologies in an increasingly risky global environment.

Rod serves as a director of ICPHSO (the International Consumer Product Safety and Health Organisation) where he is responsible for its International Program, and he is a long-standing sustaining member of the Product Liability Advisory Council. Rod also serves as an industry representative on the OECD Working Party on Product Safety.

**Industries Served:** Consumer products, electrical and electronic equipment, Internet of Things and connected devices, home appliances, toys, chemicals and textiles, food and drink, medical devices, machinery, pharmaceuticals and vaccines, motor vehicles, telecommunications, and asbestos.

### leConsumo SL

Carrer del Doctor Trueta, 15  
Barcelona, 08005  
Spain

**Phone:** +34-639-756-999

**Web:** [productsafetymanagement.com](http://productsafetymanagement.com)

**Primary Contact:** Tica Bosch

**Email:** [tbosch@ieconsumo.org](mailto:tbosch@ieconsumo.org)

**CEO:** Josep Tous

**Years in Business:** 20

**Industry:** Product Risk Assessment

**Services:** Notification to authorities in the worldwide recall process, Product risk assessment, hazard identification, and product safety EU legal requirements.

### Product Integrity Consulting Services

3191 Brockway  
St. Palatine, IL 60067  
United States

**Phone:** 630-253-1903

**Primary Contact:** Don Moffett

**Email:** [don.moffett@comcast.net](mailto:don.moffett@comcast.net)

**Industry:** Product Risk Assessment

**Services:** Product Risk Assessment Training, Product Evaluation (Risk Assessments), Quality / Product Safety / Business Consulting.

**Industries Served:** Children's Products (Toys, etc.), Children's Clothing, Consumer Goods.

## TECHNOLOGY & SOFTWARE SERVICES

### ClearTrack a MercuryGate subsidiary

5301 Virginia Way, Suite 210  
Brentwood, TN 37027  
United States

**Phone:** 615-377-4400

**Toll Free Phone:** 877-377-4400

**Web:** [mercurygate.com](http://mercurygate.com)

**Primary Contact:** Don Mabry

**Email:** [don.mabry@mercurygate.com](mailto:don.mabry@mercurygate.com)

**CEO:** Joe Juliano

**Years in Business:** 21

**Services:** Acquired by MercuryGate International in 2022, ClearTrack adds global sourcing and compliance best practice



software applications and services to the MercuryGate Connected™ Supply Chain Solutions suites. The combined offering includes comprehensive solutions including order compliance, event risk monitoring and visibility across multi-tier supply networks including the monitoring, measurement and reporting of product safety, quality, and compliance to reduce costs, improve efficiency and minimize risks.

**Industries Served:** Retail, Automotive, Consumer Brands, Manufacturing, Distribution and Logistics Service Providers.

## ProductIP

Rubensstraat 211  
Ede, 6717VE Netherlands

**Phone:** +31318700622  
**Web:** productip.com  
**Blog:** productip.com  
**Twitter:** @productip  
**Primary Contact:**

Maarten J. van der Dussen  
**Email:** maaretn@productip.com  
**CEO:** Maarten van der Dussen  
**Years in Business:** 11

**Services:** Companies use ProductIP as their trusted source for product requirements and technical specifications for the products they source in China and other parts of the world. And they use the efficient web based ProductIP collaboration platform to create, manage and share product compliance evidence in the supply chain.

Now they can effectively demonstrate to customers and authorities that their products meet relevant customer requirements and legislation.

ProductIP's online SAAS solution ensures your supply chain, your customers and authorities to speak the same language, use the same reference. The platform provides quick and easy access to a com-

plete list of applicable legal and company specific requirements for European non-food consumer goods. The platform is currently expanding to cover the whole world.

It also enables users to collect, manage and share product compliance evidence documents quickly and easily. ProductIP users have reduced their labor costs on compliance by over 50%. And if the responsibility is passed to the supplier through ProductIP the cost/time savings may increase to 75%.

Already more than 13,500 users from leading companies worldwide rely on ProductIP as their trusted source. They have created 100,000's of technical files with a trade value of over 50 billion euros.

**Industries Served:** Retail, trade, manufacturing, licensing

## TEST LABS – INDEPENDENT SERVICE PROVIDERS

### Intertek

545 E. Algonquin Road  
Arlington Heights, IL 60005  
United States

**Toll Free Phone:** 1-800-967-5352  
**Web:** intertek.com/products-retail  
**Blog:** intertek.com/blog  
**Twitter:** twitter.com/Intertek\_CG  
**Primary Contact:** Brandy Triplett  
**Email:** product.testing@intertek.com  
**CEO:** André Lacroix  
**Years in Business:** 131

**Testing Specialties:** Calibration, Chemical, Construction Materials, Electrical, Environmental, Information, Non Destructive

**Industries Served:** Retail, Consumer Electronics, Furniture, Toys, Apparel & Footwear, Sporting Goods, Housewares & Home Decor, Lighting, Juvenile Products, PPE

**International Locations:** Intertek is a leading Total Quality Assurance provider to industries worldwide. Our network of more than 1,000 laboratories and offices in more than 100 countries, delivers innovative and bespoke Assurance, Testing, Inspection and Certification solutions for our customers' operations and supply chains. Intertek Total Quality Assurance expertise, delivered consistently with precision, pace and passion, enabling our customers to power ahead safely. Please visit [intertek.com/contact/](http://intertek.com/contact/) for information about specific locations.

### MSR Laboratories

348 Bedford Street  
Lakeville, MA 02347  
United States

**Phone:** (781) 297-2030  
**Web:** msrlaboratories.com  
**Primary Contact:** Mark Simonds  
**Email:** mark.simonds@msrlabs.com  
**Years in Business:** 17

**Testing Specialties:** Chemical, Powersports, Ignition Strength Propensity Testing, Candle Testing, Toys, Children's Products, Furniture, Consumer Goods, Sporting Goods, Seasonal Apparel & Decor, Housewares & decor

**Industries Served:** Retail, Consumer Goods, Furniture, Toys, Sporting Goods, Housewares & Home Decor, Juvenile Products, Seasonal Apparel & Decor, Powersports, Governmental Agencies

### QIMA

352 Sonwil Dr.  
Buffalo, NY 14225  
United States

**Phone:** 716-635-1180  
**Toll Free Phone:** 888-264-8988  
**Web:** qima.com  
**Twitter:** twitter.com/qimagroup  
**Primary Contact:** Karolyn Helda  
**Email:** customerservice@qima.com  
**CEO:** Sebastien Breteau  
**Years in Business:** 16

**Testing Specialties:** Chemical

**Industries Served:** Garments & apparel, textiles & fabrics, footwear, eyewear, e-bikes & EPACs, electrical & electronics, toys & recreational, jewelry, promotional products, cosmetics, technical parts and other softlines and hardlines.

**International Locations:** QIMA, (formerly AsiaInspection), is a leading provider of supply chain compliance solutions, that partners with brands, retailers and importers to secure, manage and optimize their global supply network..

QIMA has on-the-ground presence in 85 countries, combining industry-leading experts for onsite inspections, supplier audits and lab testing with a digital platform that brings accuracy, transparency and intelligence for quality and compliance data.

For all our clients in 120 countries who use the QIMA platform and benefit from 24/7 support in over 20 languages, QIMA is Your Eyes in the Supply Chain.

### S-E-A

7001 Buffalo Parkway  
Columbus, OH 43229  
United States

**Phone:** 800-782-6851  
**Fax:** 614-885-8014  
**Web:** SEALimited.com  
**Primary Contact:** Jared Henthorn  
**Email:** jhenthorn@sealimited.com  
**CEO:** Jason Baker  
**Years in Business:** 52  
**Expert Witness Availability:** Yes

## SECTION I SERVICE PROVIDER LISTINGS

**Testing Specialties:** Chemical, Construction Materials, Electrical, Environmental, Geotechnical, Non Destructive

**Industries Served:** Electrical, Biomechanical, Biomedical, Materials/Metallurgical, Construction/Structural, Mechanical, Vehicular, Environmental, Geotechnical, Retail

**UL**

85 John Road  
Canton, MA 02184  
United States

**Phone:** 781-644-1600  
**Toll Free Phone:** 877-854-3577

**Fax:** 781-821-9266

**Web:** [ul.com/CRS](http://ul.com/CRS)

**Primary Contact:** Michele Jones

**Email:** [Michele.Jones@ul.com](mailto:Michele.Jones@ul.com)

**CEO:** Jenny Scanlon

**Years in Business:** 120+

**Industries Served:** Dietary Supplements; Food and Beverage; Household Cleaners; Jewelry and Watches; OTC and Pharmaceuticals; Promotional Products; Licensed Goods: Toy Premiums; Toys; Juvenile Products; Textiles and Apparel; Footwear International

**Locations:** Agoura Hills, CA USA; Bentonville, AR USA; Canton, MA USA; Los Angeles, CA

USA; Mount Pocono, PA USA; Rogers, AR USA; Winsor, CT USA; Lima, Peru; Los Morales, Mexico DF; Sao Paulo, Brazil; Barcelona, Spain; Cabiante, Italy; Cologne, Germany; Istanbul, Turkey; Saint-Aubin, France; Reading, United Kingdom; Ho Chi Minh City, Vietnam; Kowloon, Hong Kong; Kwai Chung, New Territories, Hong Kong; Makati City, Philippines; Nansha District, Guangzhou P.R. China; Seoul, Korea; Shanghai, P.R. China; Shenzhen, P.R. China; Singapore; Taipei City, Taiwan; Bangalore, India; Dhaka, Bangladesh; Gurgaon-Haryana, India; Tunis, Tunisia; Casablanca, Morocco; Mississauga, Canada; Warsaw, Poland

## STANDARDS ORGANIZATIONS

## ARGENTINA

### National System of Standards, Quality and Certification

[iram.org.ar](http://iram.org.ar)

The National System of Standards, Quality and Certification was set up in 1994 and has authority to "promote minimum mandatory safety requisites for products." It is made up of two organizations. The Argentine Accreditation Board is a private organization to accredit certification bodies and laboratories under ISO guidelines.

A consumer representative sits on its Executive Council and consumer associations can join as "active members," within "Group B: Consumer and Public Interest Sectors." The Argentine Standards Institute (IRAM, Instituto Argentino de Normalización), also a private organization, is the national body of standardization.

IRAM standards are accepted as national standards. Consumers have one representative on the IRAM Council. IRAM procedures are conducted according to ISO guidelines on consensus.

**Office:** Instituto Argentino de Normalización y Certificación – IRAM  
Perú 552/556, AR-C1068AAB Buenos Aires  
**Phone:** +54 11 43 46 06 48  
**Fax:** +54 11 43 46 06 51  
**Email:** [ltrama@iram.org.ar](mailto:ltrama@iram.org.ar)

## AUSTRALIA

### The Joint Accreditation System of Australia and New Zealand

[jas-anz.com.au](http://jas-anz.com.au)

The JAS-ANZ is a not-for-profit international organization that operates the

joint accreditation system in Australia and New Zealand.

The JAS-ANZ offers accreditation programs such as a management systems certification, product certification, personnel certification and greenhouse gas validation and verification.

The JAS-ANZ is one of the four organizations in Australia's standards and conformance infrastructure, which includes National Association of Testing Authorities, Standards Australia and the National Measurements Institute.

**Mail Address:**

GPO Box 170,  
Canberra ACT 2601, Australia  
**Phone:** (02) 6232 2000  
**Fax:** (02) 6262 7980

### The National Association of Testing Authorities (NATA)

[australia.gov.au/directories/australia/nata](http://australia.gov.au/directories/australia/nata)

The NATA's responsibilities include ensuring all member facilities comply with the relevant international and Australian standards, and so are qualified to provide reliable testing, calibration, measurement and inspection data to government and industries.

NATA also works to facilitate trade by reducing barriers such as technical barriers to trade.

NATA is one of the four bodies that form Australia's standards and conformance infrastructure.

**Office:** New South Wales

7 Leeds St., Rhodes, NSW 2138 Australia  
Postal Address: O. Box 7507  
Silverwater NSW 2128  
**Phone:** 61 2 9736 8222  
(toll-free: 1 800 621 666)  
**Fax:** 61 2 9743 5311

### National Measurement Institute

[measurement.gov.au](http://measurement.gov.au)

The National Measurement Institute (NMI) is the top measurement body in Australia. It is responsible for biological, chemical, legal, physical, and trade measurement.

The NMI is a division within the Department of Innovation, Industry, Science and Research. The NMI also provides the technical framework for disseminating measurement standards for the Australian economy. The NMI website contains many useful links, as well as news and publications.

**Office:** Bradfield Road, West Lindfield NSW 207

**Phone:** +61 2 8467-360

**Fax:** +61 2 8467-361

**Email:** [info@measurement.gov.au](mailto:info@measurement.gov.au)

### Standards Australia

[standards.org.au](http://standards.org.au)

Standards Australia is the top non-government standards organization in Australia. Standards Australia's responsibilities include accreditation of standards development organizations, standards development, design assessment programs and international standards information coordination.

Their website features a wealth of information on the organization itself, as well as separate sections on developing standards in Australia and the roles that Standards Australia plays in standardization activities.

**Office:** Level 10, The Exchange Centre, 20 Bridge St., Sydney, GPO Box 476, Sydney NSW 2001

**Phone:** 1800 035 822

From Overseas:

+61 2 9237 6171 **Fax:** 02 9237 6010

**Email:** [mail@standards.org.au](mailto:mail@standards.org.au)

## BRAZIL

## Brazilian National Standards Organization (ABNT)

[abnt.org.br](http://abnt.org.br)

The Brazilian Association of Technical Standards (ABNT) is the body responsible for technical standardization in the country, providing the necessary basis for technological development in Brazil.

It is a private, nonprofit organization, recognized as the only National Forum for Standardization by Resolution No. 07 of CONMETRO of 24.08.1992. It is a founding member of ISO (International Organization for Standardization), the COPANT (Pan-American Commission of Technical Standards) and AMN (MERCOSUR Standardization Association). ABNT is the official representative in Brazil of ISO, IEC and regional standardization bodies COPANT (Pan-American Commission of Technical Standards) and AMN (MERCOSUR Standardization Association).

**Office:** Associação Brasileira de Normas Técnicas Av. 13 de Maio, n 13, 28 andar R-20031-901 – Rio de Janeiro-RJ  
**Phone:** +55 11 30 17 36 00  
**Fax:** +55 11 30 17 36 33  
**Email:** [abnt@abnt.org.br](mailto:abnt@abnt.org.br)

## CANADA

## British Columbia Safety Authority (BC Safety Authority)

[safetyauthority.ca/](http://safetyauthority.ca/)

The British Columbia Safety Authority is British Columbia's delegated authority, and it mandates the safe installation and use of technical equipment. It is a nonprofit organization that administers safety standards through education. The BC Safety Authority also promotes compliance to standards to ensure consistency, and conduct on-site inspections.

## Bureau De Normalisation Du Quebec (BNQ)

[bnq.qc.ca/en/](http://bnq.qc.ca/en/)

Founded in 1961, the Bureau De Normalisation De Quebec (BNQ) is a member of the National Standards System of Canada.

It operates in the fields of standards development, product, services, process and personnel certification, as well as the certification of quality and environmental management systems.

Primary goals of the BNQ include development of consensual standards, implementation of certificate programs, and the registration of management systems.

**Tel:** 418-652-2238 or 1-800-386-5114  
**Fax:** 418-652-2292

### System Certification and Laboratory Assessment

**Tel:** 418-652-2238 or 1-800-386-5114  
**Fax:** 418-652-2221 or 514-383-3260

## National Research Council Institute for National Measurement Standards (NRC-INMS)

[nrc.canada.ca/en](http://nrc.canada.ca/en)

The NRC Institute for National Measurement Standards (NRC-INMS) is one of the institutes of the National Research Council (Canada).

It is responsible for primary standards of physical measurements. The three main goals that the NRC-INMS focuses on include development of measurement standards, dissemination of measurement science, and support for the Canadian National Measurement System.

**Office:** NRC Communications & Corporate Relations  
 1200 Montreal Road, Bldg. M-58  
 Ottawa, Ontario, Canada K1A 0R6 45

**Tel:** (613) 993-9101  
**Fax:** (613) 952-9907  
**Toll-free:** 1-877NRC-CNRC (672-2672)  
**TTY:** (613) 949-3042  
**Email:** [info@nrcnrc.gc.ca](mailto:info@nrcnrc.gc.ca)

## The Standards Council of Canada (SCC)

[scc.ca/en](http://scc.ca/en)

The Standards Council of Canada (SCC) is a federal crown corporation with the responsibility of promoting efficient and effective voluntary standardization. Based in Ottawa, Ontario, the organization facilitates the development and use of national and international standards.

The SCC reports to Parliament through the Ministry of Industry, and oversees Canada's National Standards System. The SCC accredits the many conformity assessment bodies, including testing and calibration laboratories and personnel certification bodies.

**Office:** 270 Albert Street, Suite 200  
 Ottawa ON K1P 6N7, Canada  
**Tel:** +1 613 238 3222  
**Fax:** +1 613 569 7808

## CHINA-HONG KONG

## Certification and Accreditation Administration of the Republic of China (CNCA)

[cnca.gov.cn](http://cnca.gov.cn)

The CNCA is one of the standards and conformity assessment bodies within the ministry of agriculture; however it is responsible for the inspection regimes used for both domestic and foreign products. The CNCA is also responsible for submitting current PRC technical regulations, standards, and quality evaluation procedures to the WTO. The website includes documents detailing regulations and rules for products including toys, vehicles, appliances and medical equipment.

**Office:** Certification and Accreditation Administration of the People's Republic of China  
 9A Madian Street, Haidian district, Beijing 100088, PR China

**Tel:** +86 (10) 8226-2749  
**Fax:** +86 (10) 8226-0799

## Standardization Administration of the R. of China (SAC)

[sac.gov.cn/templet/english](http://sac.gov.cn/templet/english)

The SAC was established in 2001, and authorized by the State Council to exercise administrative responsibilities by supervising and coordinating standardization works in China. Main responsibilities of the SAC include drafting and administration of laws regarding standardization in China, development and revision of national standards, and to represent China in international standards organizations such as ISO and IEC. The website offers information on the organization itself, current laws, and leadership.

No.9 Madian Donglu Haidian District  
 Beijing 100088, China  
**Tel:** +86 010-82262609

## Hong Kong Standards and Testing Center (STC)

[customs.gov.hk](http://customs.gov.hk)

The Hong Kong Standards and Testing Center was established as Hong Kong's first independent, not-for-profit testing, certification and inspection.

The STC tests and certifies most products in its laboratory to make sure they meet the Hong Kong's safety, quality, reliability and performance requirements.

The STC also specializes in several types of consumer goods, such as audio/visual electromagnetic, condoms, and footwear.

The STC website contains an "about me" section, as well as sections on services and products, customer services, news and events, and a solution finder tab that may be useful to businesses.

**Office:** 10 Dai Wang Street,  
Tai Po Industrial Estate  
Tai Po, New Territories, Hong Kong

**Tel:** (852) 2666-1888  
**Fax:** (852) 2664-4353  
**Email:** hkstc@hkstc.org

## EUROPEAN UNION

In the European Union, standards created by CEN, CENELEC and ETSI are recognized as "European standards." CENELEC, ETSI and EN form the European system for technical standardization.

### European Committee for Standardization or Comité Européen de Normalisation (CEN) [cen.eu/cen](http://cen.eu/cen)

The European Committee for Standardization (CEN) is a non-profit organization that provides the infrastructure to interested parties for the development, maintenance and distribution of standards and specifications. The CEN is officially recognized as a European standards body by the European Union, and represents all sectors other than Electrotechnical and telecommunications. The CEN's 31 national members work together to develop voluntary European standards. The CEN (together with CENELEC) own and run the Keymark, a voluntary quality mark for products and services.

**Office:**  
CEN-CENELEC Management Centre  
Avenue Marnix 17 B-1000 Brussels

**Tel:** +32 2550 08 11  
**Fax:** +32 2550 08 19

### European Committee for Electrotechnical Standardization (CENELEC) [cenelec.eu](http://cenelec.eu)

The European Committee for Electrotechnical Standardization (CENELEC) is the standards organization for the European Union in the area of Electrical engineering. Together with ETSI and CEN, CENELEC are members of the system of standardization in Europe. CENELEC is a non-profit

organization under Belgian law, operating out of Brussels and its members are national electrotechnical standardization bodies of many European countries. Although CENELEC works closely with the European Union, it is not an institution of the EU.

**Office:** CENELEC  
17, Avenue Marnix, B-1000 Brussels

**Tel:** +322519687  
**Fax:** +3225196919

### European Telecommunications Standards Institute (ETSI) [etsi.org](http://etsi.org)

The European Telecommunications Standards Institute (ETSI) is an independent, non-profit standards organization in the telecommunications industry. ETSI has successfully standardized Low Power Radio, Short Range Device, and GSM Cell phone systems in most European countries. Based in Sophia Antipolis, France, ETSI is officially responsible for standardization of Information and Communication Technologies.

**Office:** 650, Route des Lucioles  
06921 Sophia-Antipolis Cedex, France

**Tel:** +33(0)492944200  
**Fax:** +33(0)493654716  
**Email:** info@etsi.org

### Institute for Reference Materials and Measurements (IRMM) [irmm.jrc.be](http://irmm.jrc.be)

The Institute for Reference Materials and Measurements (IRMM), based in Geel, Belgium, is one of the seven institutes of the Joint Research Centre (JRC). The Institute works on producing and disseminating quality assessment tools, such as validated methods, reference materials, reference measurements and training in best practices.

The six main areas that the IRMM focuses on include Reference Materials, Food Analysis, Bioanalysis, Chemical Reference Measurements, Radionuclide metrology, and Neutron Physics.

**Tel:** +32 (0)14 571 705  
**Fax:** +32 (0)14 590 406  
**Email:** jrc-irmm-rm-sales@ec.europa.eu

**Office:** European Commission, Joint Research Centre Institute for Reference Materials and Measurements  
Retieseweg 111, B-2440 Geel, Belgium  
**Tel:** +32 (0)14 571 211  
**Fax:** +32 (0)14 584 273

## INDIA

### Bureau of Indian Standards (BIS) [bis.org.in](http://bis.org.in)

The Bureau of Indian Standards (BIS) is the national standards body of India working under the aegis of Ministry of Consumer Affairs, Food & Public Distribution, Government of India. All foreign manufacturers of products who intend to export to India are required to obtain a BIS product certification license. Towards this, BIS launched its Product Certification Scheme for overseas manufacturers in the year 1999. Under the provisions of this scheme, foreign manufacturers can seek certification from BIS for marking their product(s) with BIS Standard Mark. The activities of BIS can be broadly grouped under the following heads: Standards Formulation, Certification: Product/Systems, Laboratory Services, Sales of Indian Standards/other publications, International Activities, Consumer Related Activities, Promotional Activities, Training Services, Information Services, Financial, Resources, Mobilization and Utilization etc.

**Office:** Manak Bhavan, 9 Bahadur Shah Zafar Mar  
New Delhi 110 002, India  
**Tel:** +91 11 23230131, 23233375, 23239402 (10 lines)  
**Fax:** +91 11 23234062, 23239399, 2323938  
**Email:** info@bis.org.in

### Standardization Testing and Quality Certification (STQC) [stqc.nic.in](http://stqc.nic.in)

Standardization Testing and Quality Certification (STQC) Directorate is an attached office of the Department of Information Technology (DIT), Government of India. It provides quality assurance services in the area of Electronics and IT through a countrywide network of laboratories and centers. The services include testing, calibration, training and certification to public and private organizations. These laboratories have national/international accreditation and recognitions in the area of testing and calibration. Besides testing and calibration STQC has specialized institutions such as Indian Institute of Quality Management (IIQM) for quality related training programs; Centre for Reliability (CFR) for reliability related services; and Centre for Electronics Test Engineering (CETEs) for skill based trainings.

**Office:** Dept. of Information Technology  
Ministry of Communication & Information Technology Electronics Niketan, III

Floor, 6, CGO Complex, Lodi Road,  
New Delhi – 110 003

**Contact:** Director General,  
Dr. Gulshan Rai

**Tel:** 011 – 2436308

**Email:** grai@mit.gov.in

## JAPAN

### Japan Toy Association [toys.or.jp](http://toys.or.jp)

The Japan Toy Association was founded in 1967 in order to contribute to the comprehensive development of the toy industry both in Japan and abroad. The Japan Toy Association deals with issues with production, distribution, exports and usage of toys in Japan. The Japan Toy Association runs the "ST Mark" program, which is the toy safety standard in Japan. The website only has basic information of the Japan Toys Association in English; everything else is in Japanese.

**Office:** 22-4, Higashi-Komagata  
4-chome, Sumida-ku,  
Tokyo, 130-8611 Japan  
**Tel:** +81-3-3829-2513  
**Email:** otoiawase2010@toys.or.jp

### Japanese Industrial Standards Committee [jisc.go.jp](http://jisc.go.jp)

The Japanese Industrial Standards Committee (JISC) is a standards organization and is the International Organization for Standardization member body for Japan. It is also a member of the International Electrotechnical Commission. The JISC establishes and maintains the Japanese Industrial Standards. The website contains information on standardization (JIS, ISO/IEC), conformity assessment (JIS mark, ISO9000), and JISC's annual report.

**Office:** 1-3-1 Kasumigaseki,  
Chiyoda-ku, Tokyo 100-8901, Japan 47  
**Email:** jisc@meti.go.jp

## MALAYSIA

### Department of Standards Malaysia (DSM) [standardsmalaysia.gov.my](http://standardsmalaysia.gov.my)

The Department of Standards Malaysia is an agency under the authority of Ministry of Science, Technology and Innovation (MOSTI). It is governed by the Standard Malaysia Act 1996 and is established to undertake the statutory roles in national standardization formerly carried out by the Standards and Industrial Research In-

stitute of Malaysia (SIRIM) after its corporatization. DSM's functions include carrying out the activities of standardization and accreditation for organizations and companies. Among DSM functions are to develop, promulgate and promote the usage of Malaysian Standards (MS). MS is a technical document that specifies the minimum requirements of quality and safety for voluntary use by the public.

**Office:** Century Square, Floor 1 & 2,  
Block 2300,  
Jalan Usahawan, 63000  
Cyberjaya Selangor, Malaysia

**Tel:** 03-8318 0002 **Fax:** 03-8319 3131

**Email:**  
central@standardsmalaysia.gov.my

## MEXICO

### ANCE [ance.org.mx](http://ance.org.mx)

The Association for Standardization and Certification, is a team specialized in ensuring quality and safety of products and services. ANCE's certificates of products include the electricity, gas and industrial sectors as well as agribusiness, information verification and shopping centers. They exercise authority over fire extinguishers and management system certification, laboratory testing, verification of certification for food and beverage, as well as Christmas trees, lumber, and sustainability of forests.

They also provide training and technical assistance nationally and internationally. The website is a platform that ANCE uses to spread information about the Mexican Conformity Assessment System and Standardization. Every relation ANCE has abroad nowadays was planned, negotiated and obtained by International Operations Division.

**Tel:** (52 55) 5747-4550  
**Email:** international@ance.org.mx

### NORMEX [normex.com.mx/](http://normex.com.mx/)

NORMEX is the first National Agency for Standardization and Certification with over 50 years of experience in the technology sector for quality.

NORMEX consists of three national institutions: Universidad del Valle de Mexico (UVM), the National Polytechnic Institute (IPN) and the National Chamber of Industry (CANACINTRA), so NORMEX has the representation of the academic scientific, technological and industrial areas.

NORMEX is accredited and approved by various public agencies and accreditation

bodies: Ministry of Economy (SE), Ministry of Health (SS), Ministry of Tourism (SECTUR), Ministry of Communications and Transportation (SCT), Mexican Accreditation Entity (EMA), and Standardization and Certification Council of Competition (CONOCER).

Services NORMEX offers to companies include standards that are registered in ten sectors covering 34 industries. It participates in the national standards program in nine Mexican National Standardization Technical Committees.

Their programs mainly include verification that a product complies with various decrees and regulations issued by an authority.

**Office:** San Antonio Ave #256, Piso 7,  
Col. Naples Extension, Del. Benito  
Juárez, Mexico  
Federal District, 03840, Mexico

**Tel:** (01 55) 5598-3036

## NEW ZEALAND

### Joint Accreditation System Of Australia And New Zealand [jas-anz.com.au](http://jas-anz.com.au)

The JAS-ANZ is a not-for-profit international organization that operates the joint accreditation system in Australia and New Zealand. The JAS-ANZ offers accreditation programs such as a management systems certification, product certification, personnel certification and greenhouse gas validation and verification. JAS-ANZ is the government-appointed accreditation body for Australia and New Zealand responsible for providing accreditation of conformity assessment bodies (CABs) in the fields of certification and inspection. Accreditation by JAS-ANZ demonstrates the competence and independence of these CABs. JAS-ANZ accredits 92 CABs who in turn certify some 70,000 organizations. Including accreditations and technical assistance projects JASANZ provides services in over 20 countries.

JAS-ANZ is a signatory to a number of bilateral, regional and international agreements.

**Office:** Level 6 Deloitte House,  
10 Brandon St., Wellington 6011

**Postal address:** Medsaf, New Zealand  
Medicines and Medical Devices Safety Authority  
PO Box 5013, Wellington 601

**Tel:** 04 819 6800 **Fax:** 04 819 6806  
**Email:** becci\_slyfield@moh.govt.nz

## Standards New Zealand (SNZ) *standards.co.nz*

Standards New Zealand (SNZ) is New Zealand's leading developer of standards and standards-based solutions and is the trading arm of the Standards Council, a Crown entity operating under the Standards Act 1988. SNZ specializes in developing and marketing national, regional and international standards, offering an independent, efficient and cost-effective service to a wide range of organizations. SNZ represents New Zealand representative at the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC). SNZ contains guidance on: general and materials, electrical and electronics, building and civil engineering, mechanical and transportation, information technology, telecommunications and radio.

**Office:** Standards New Zealand Radio New Zealand House  
Level 10, 155 the Terrace, Wellington 6011

**Free phone:** 0800 782 632

**Tel:** +64 4 498 5990

**Fax:** +64 4 498 5994

**Email:** enquiries@standards.co.nz

## SINGAPORE

### SPRING Singapore *spring.gov.sg*

SPRING Singapore is the enterprise development agency responsible for helping Singapore enterprises grow. It serves as the country's national standards and accreditation body. The agency develops and promotes an internationally-recognized standards and quality assurance infrastructure to support Singapore enterprises, products and services, thereby enabling their global competitiveness and facilitating global trade.

**Office:** 1 Fusionopolis Walk, #01-02 South Tower Solaris, Singapore 138628

**Tel:** (65) 6278 6666 **Fax:** (65) 6278 6667

## SOUTH KOREA

### Korea Agency for Technology and Standards (KATS) *kats.go.kr*

The Korean Agency for Technology and Standards (KATS) was established in 1883 originally as the analysis and testing laboratory under the Mint Office. Functions

related to industrial criteria and product safety were integrated later into the organization. KATS also runs the Korea Laboratory Accreditation Scheme (KOLAS), and the product safety certification system in Korea. The KATS website offers information for business on how to get products certified, international standardization activities and standards on different products.

**Office:** 96, Gyoyukwongil, Gwacheon-Si, Gyonggi-Do, Republic of Korea, 427-723

Product Safety & Quality Policy Division

**Tel:** +82-2-509-7238

**Fax:** +82-2-509-7305

**Email:** product@kats.go.kr

General Inquiries International Standards Cooperation Division

**Tel:** +82-2-509-7400

**Fax:** +82-2-507-6875

**Email:** standard@kats.go.kr

### Korea Research Institute of Standards and Science (KRISS) *www.kriss.re.kr/eng/main/main.html*

The Korea Research Institute of Standard and Science provides measurement technologies, measurement solutions and testing and analysis in order to meet regulations on food quality, public health, medicine, safety, and other important standards. Other responsibilities include exploring measurement technologies for emerging industries.

**Office:** 267 Gajeong-ro, Yuseong-gu, Daejeon 305-340 Republic of Korea

**Phone:** +82-42-868-511

**Fax:** +82-42-868-5252

**Email:** sky0512@kriss.re.kr

## UNITED STATES

### American National Standards Institute (ANSI) *ansi.org*

The American National Standards Institute (ANSI) is a private non-profit standards organization that oversees the development of voluntary standards for products, services, systems and personnel in the United States. ANSI also coordinates US standards with international standards. In addition, ANSI promotes US standards internationally, and advocates US policy and technical positions in both international and local standards organizations.

**Office:** 1899 L Street, NW  
11th Floor  
Washington, DC 20036

**Tel:** 202.293.8020

**Fax:** 202.293.928

**Email:** info@ansi.org

### American Society for Testing and Materials (ASTM) *astm.org*

ASTM International, or the American Society for Testing and Materials (ASTM), is an international standards organization that develops and publishes voluntary standards for a wide range of products, systems and services.

ASTM is headquartered in West Conshohocken, Pennsylvania. Each year, ASTM publishes the Annual Book of ASTM Standards in print, CD and online versions.

ASTM International only publishes voluntary standards, and plays no role in requiring or enforcing compliance with its standards.

**Office:** 100 Barr Harbor Drive  
West Conshohocken, Pennsylvania, USA

**Tel:** (610) 832-9500

**Fax:** (610) 832-9555

### American Society of Mechanical Engineers (ASME) *asme.org/kb/standards*

ASME is a not-for-profit membership organization that enables collaboration, knowledge sharing, career enrichment, and skills development across all engineering American Society of Mechanical Engineers (ASME) disciplines, toward a goal of helping the global engineering community develop solutions to benefit lives and livelihoods.

ASME was founded in 1880. The organization has over 200 sections and 32 technical divisions.

It has developed 600 technical standards improving the safety and efficiency of boilers, elevators, cranes, nuclear energy, pipelines, and many other areas.

**Office:** Three Park Avenue  
New York, NY 10016-5990

**Tel:** 800-843-2763 (U.S./Canada)

001-800-843-2763 (Mexico)

973-882-1170 (outside North America)

**Email:** CustomerCare@asme.org

## Association of Pool & Spa Professionals (APSP) [apsp.org/standards/ansiapsp-standards](http://apsp.org/standards/ansiapsp-standards)

The Association of Pool & Spa Professionals (APSP) is the world's largest international trade association representing the swimming pool, spa and hot tub industry.

APSP's mission is ensuring consumer safety and enhancing the business success of its members.

APSP member companies include manufacturers, distributors, manufacturers' agents, designers, builders, installers, retailers, and service professionals. Since 1983, APSP has been the accredited Standards Development Organization for the nation's pool and spa standards and now counts 15 American national standards under its purview.

These national standards establish voluntary minimum guidelines that, when adopted by governments and agencies, have the force of law.

**Office:** The Association of Pool & Spa Professionals (APSP)  
2111 Eisenhower Avenue, Suite 500  
Alexandria, VA 22314-4695

**Tel:** 703.838.0083  
**Fax:** 703.549.0493  
**Email:** [memberservices@aps.org](mailto:memberservices@aps.org)

## National Institute of Standards and Technology (NIST) [nist.gov](http://nist.gov)

The National Institute of Standards and Technology (NIST) is an agency of the US Department of Commerce and was founded as the first federal government physical science research laboratory.

The Institute's main responsibility is to advance measurement science, standards and technology in order to enhance US innovation and industrial competitiveness. The NIST supplies industry, academia and government with over 1,300 Standard Reference Materials.

**Office:** NIST, 100 Bureau Drive  
Stop 1070  
Gaithersburg, MD 20899-1070

**Tel:** (301) 975-NIST (6478)  
**TTY:** Federal Relay Service  
(800) 877-8339  
**Email:** [inquiries@nist.gov](mailto:inquiries@nist.gov)

## UL Standards [ulstandards.ul.com](http://ulstandards.ul.com)

UL Standards encompass UL's extensive safety research, scientific expertise and focus on quality. UL Standards are used to assess products; test components, materials, systems and performance; and evaluate environmentally sustainable products, renewable energies, food and water products, recycling systems and other innovative technologies. UL Standards development covers more than just products; it also includes testing of systems and services. UL develops a wide variety of standards to measure and validate performance, environmental health and sustainability. UL supports harmonization to minimize redundant or conflicting standards where support for such harmonization exists.

**Office:** 2600 N.W. Lake Rd.  
Camas, WA 98607-8542

**Tel:** 1.877.UL.HELPS (854.3577)  
**Fax:** 1.360.817.6278  
**Email:** [cec.us@us.ul.com](mailto:cec.us@us.ul.com)

## VIETNAM

### Directorate for Standards, Metrology and Quality (STAMEQ) [tcvn.gov.vn](http://tcvn.gov.vn)

STAMEQ is the primary regulatory authority overseeing consumer product safety in Vietnam. In addition, STAMEQ also serves as the primary standards organization in Vietnam. Vietnam's standards system currently consists of over 6,000 national standards (TCVN-based on the Vietnamese language). Vietnam's weights and measures standards are based on the Metric system. The Law on Standards and Technical Regulations was adopted by the National Assembly in June 2006 and took effect on January 1, 2007. This law marked a turning point for standardization activities in Vietnam and comprehensively reformed the system. Under this law, standards and technical regulations are simplified to three levels: national standards (TCVNs) and organization's standards (TCCSs), national technical regulations (QCVNs) and local technical regulations (QCDPs). While standards are applied voluntarily, technical regulations are mandatory. The Law also clearly identified the Ministry of Science and Technology as the responsible agency for issuing and managing national standards, while line ministries are responsible for developing national technical regulations.

**Office:** 8, Hoang Quoc Viet Road  
VN-Hanoi

**Tel:** +8443791163 **Fax:** +84437911595  
**Email:** [pth@tcvn.gov.vn](mailto:pth@tcvn.gov.vn)

## Vietnam Standards and Consumers Association (VINASTAS) [consumersinternational.org/members/members/vietnam-standards-and-consumers-association-vinastas](http://consumersinternational.org/members/members/vietnam-standards-and-consumers-association-vinastas)

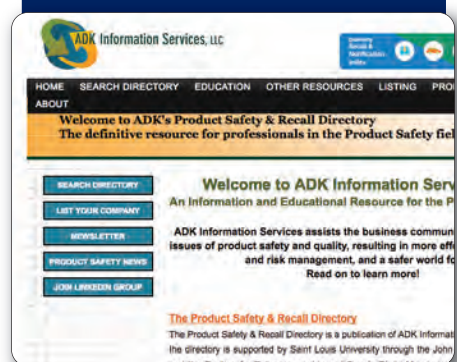
VINASTAS, the Vietnam Standard and Consumers Association, is a not-for-profit non-government organization working at the national level which was founded in 1988. Its mission is twofold: to promote standardization and product safety and to improve consumer protection in Vietnam. 28 province and city based consumer associations are members of VINASTAS.

Its main activities are: contributing to national legislation and policies, consumer information, publishing (The Consumer), handling individual consumer complaints and campaigning for consumers in areas such as competition, fair trade, anti fake goods, tobacco control, energy saving. The website allows users to read the recent news and report about quality and safety of food and consumer products in Vietnam market.

**Office:** Do Gia Phan (Vice-president)  
214/22 Ton That Tung, Hanoi, Vietnam

**Tel:** +84 4 852 7769  
**Fax:** +84 4 852 7769  
**Email:** [info@nguoiitiedung.com.vn](mailto:info@nguoiitiedung.com.vn)

List your organization's capabilities and profile, at [adksafetyinfo.com](http://adksafetyinfo.com) see "List Your Company."



## SECTION I SERVICE PROVIDER LISTINGS

**ARGENTINA**

National System of Standards,  
Quality, and Certification. . . . . 32  
Standards Organization  
Phone: +54 11 43 46 08 48  
Email: ltrama@iram.org.ar

**AUSTRALIA**

Joint Accreditation System of Australia  
and New Zealand . . . . . 32  
Accredited Test Labs  
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1 800 386 5114  
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2022 HEADLINES REVIEW

PRODUCT SAFETY NETWORK NEWS® HEADLINES

ADK's Product Safety Network News® is issued electronically each Tuesday and Thursday. From a body of 6,000 news sources, PSNN presents a carefully selected wide range of articles related to product safety from around the globe. If you are currently not receiving these e-mails each Tuesday and Thursday, click "Newsletter" and enter your information at adksafetyinfo.com.

December 2021

New CPSC online tool makes it easier for businesses to report hazards and protect consumers

Consumer Reports investigation finds product safety warning system is broken

Product recalls across industries increased in Q3

Tesla solar roof fires subject of federal investigations

Commissioner Feldman: New penalty caps may provide insufficient deterrence against the largest e-commerce platforms.

baby sleep products, fights federal rule

CPSC approves new federal safety standard for crib mattresses to provide a safer marketplace

March 2022

More than a third of fake fashions contain unsafe chemicals

New bipartisan Senate bill bans crib bumpers

Magnetic ball toys recalled because children could swallow them

Older adults risk more injury, death from consumer products

FAQs for businesses contacted by a Consumer Product Safety Commission investigator

Lawmakers push for faster release of information on potentially dangerous products

April 2022

Europe to slap new regulations on Big Tech, beating U.S. to the punch

A sticking point in the upcoming China competition bill: What to do about fake products

Testing finds toxic chemicals in 50% of dollar store goods

Congressional Blog: It's time to mandate safety standards for portable generators

Spinning to popping: How manufacturers can address popular product misuse

Cancer warning on label halts

Charlotte schools' rollout of clear backpacks

May 2022

367,500 refrigerators recalled for choking hazard from ice maker

Massachusetts AG Healey sues 13 companies for manufacturing toxic chemicals found in drinking water, firefighter foam

CPSC warns of fall risk from BabyRescue Rapid Evacuation Devices

UK Government to make it a crime for companies to write fake reviews

January 2022

Elevator Union commends CPSC for protecting children from residential elevators

Three home elevator companies agree to recalls to fix child entrapment hazard

NYC building space heater malfunction sparks fire that kills 19, including 9 children

Lawyers: 'Buckle up' for PFAS regulation, litigation in 2022

February 2022

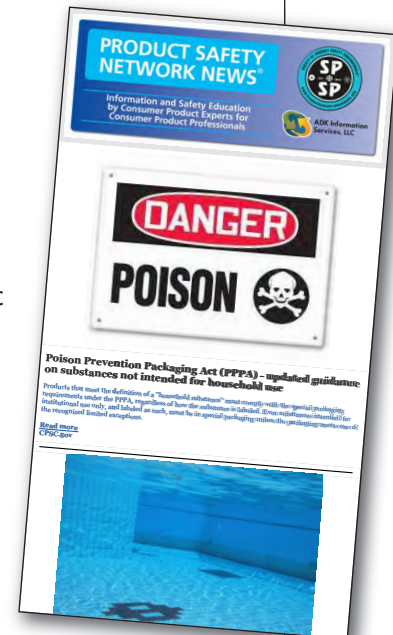
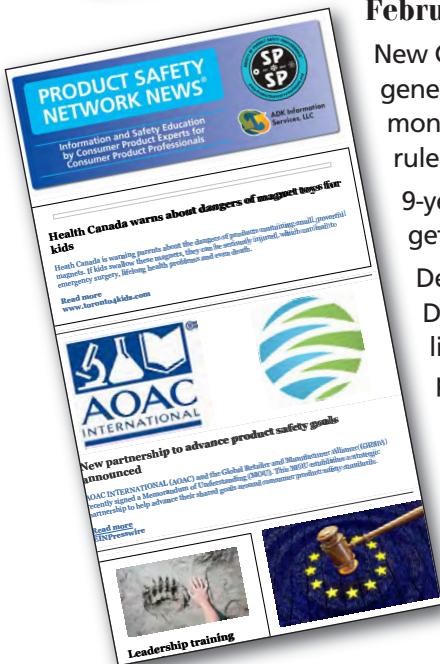
New CPSC report on portable generators and carbon monoxide supports mandatory rulemaking process

9-year-old dies after her hair gets stuck in pool drain

Defective: Congressional Democrats say it's time to lift the veil of secrecy on potentially harmful household products

Furniture group opposes new federal stability standard

Finnbinn, maker of



PRODUCT SAFETY NETWORK NEWS®

Health Canada set to enforce new rules on corded window blinds

**June 2022**

Congress investigates portable generator manufacturers following carbon monoxide deaths

Mary T. Boyle sworn in as CPSC Commissioner

Federal regulators restrict the sale of in-bed sleepers and several other infant sleep products

Fisher-Price, Consumer Product Safety Commission issue baby rocker warning after 13 deaths

**July 2022**

PFAS update: July 2022 state-by-state consumer products regulations

North Carolina Gov. Cooper signs 'Weston's Law' to make elevators safer in rental homes

Guidance on the application of human factors to consumer products

Why are electric vehicles catching fire in India? Panel blames lack of basic safety systems

**August 2022**

Segway Powersports assessed \$5 million civil penalty for unlawfully importing ATVs

CPSC Chair and Commissioner Statements on Segway Powersports Civil Penalty

CPSC Chair to Meta CEO: "Strengthen Meta's efforts to prevent the posting of banned and recalled consumer products for sale on Meta platforms"

What companies regulated by the FDA need to know about the Consumer Product Safety Commission

**September 2022**

States take on PFAS 'forever chemicals' with bans, lawsuits

REI members nationwide rally at REI stores following "company inaction"

Child dies from smoke inhalation in lithium-ion battery-triggered fire

Bilateral tensions affecting U.S. companies' operations in China

The CPSC promises higher civil penalties and more aggressive enforcement

**October 2022**

AHFA opposes Consumer Product Safety Commission approved Tip-Over rule

CPSC approves new federal safety standard for dressers and other clothing storage units

Robert S. Adler: Reflections of an unapologetic safety regulator

CPSC enforcement trend: Unilateral press releases

**November 2022**

"Action Needed to Improve CPSC Preparedness for Product Disruptions"

On CPSC 50th Anniversary, Sen. Cantwell highlights action to protect children from residential elevator hazards

CPSC Chairman: Why the agency rejected an ASTM Revised Voluntary Standard for children's folding chairs and stools

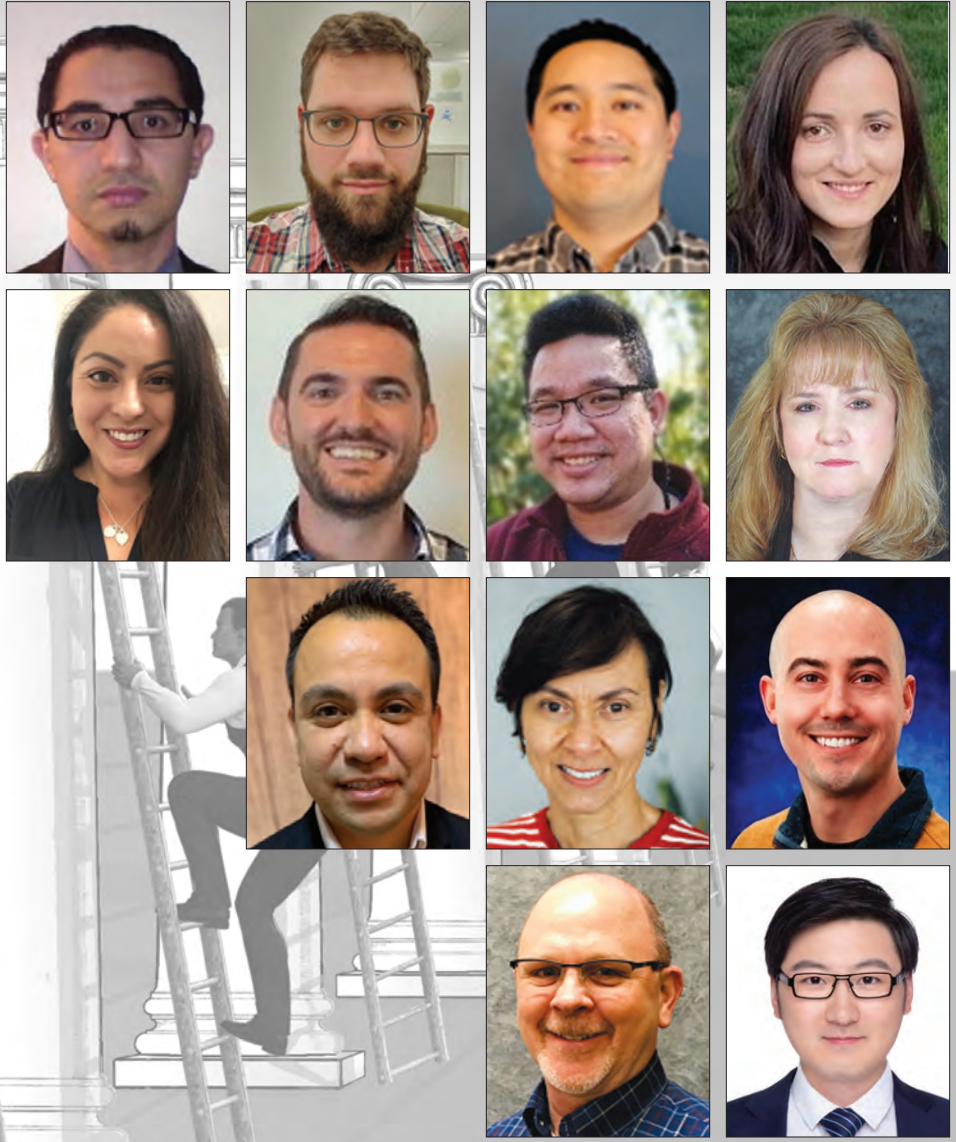
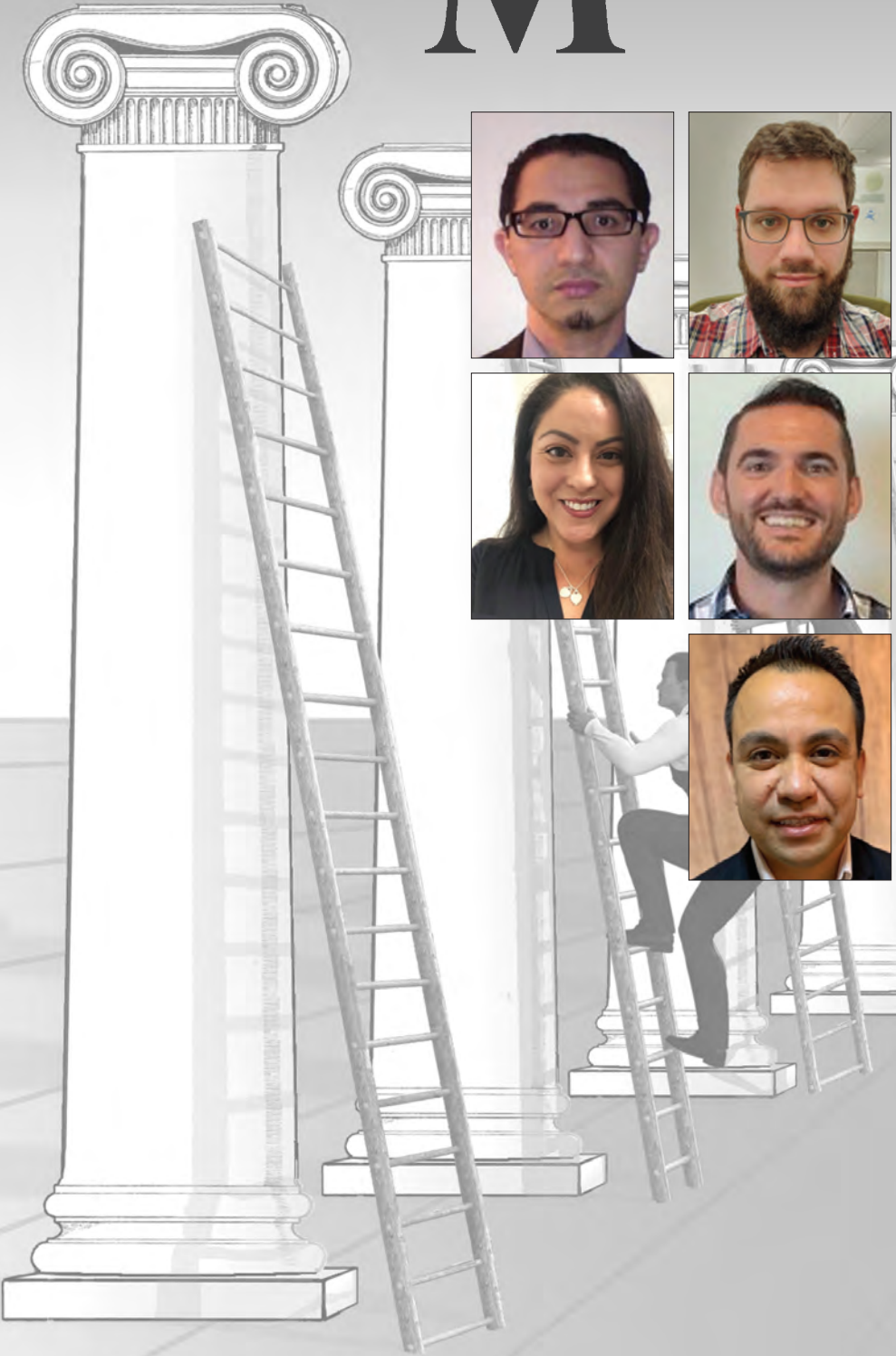
CPSC tells manufacturers, importers, distributors and retailers they must protect infants by complying with Infant Sleep Product Rule

Textile trade group to again seek textile standard testing exemption for Spandex



SECTION II

# CRISIS MANAGEMENT



The articles in this CRISIS Management section were developed by participants in the recent 2022 Consumer Product Safety Leadership in Practice series, with the theme, "Crisis Management's Role in Professional Development."

Three teams were given different challenges around "unfolding crises" and how they would address them under pressure of the 24-hour news cycle and ever-present social media.

The case study development required individual skills of judgment, analysis and communications. Creativity was necessary to build a foundation from the general circumstances presented to each student group.

The case studies were supported by articles published in the *Product Safety Letter*, which we appreciate and wish to acknowledge.

## CLASS ROSTER



**RIAD BOUZAHER** is currently Director of Product Integrity at CEER Motors, Riad holds a master's degree in Electronics engineering with 20 years' experience, working in Engineering, Quality & Safety with well-known organizations such as Autoliv, Valeo, Ricardo, McLaren Applied and Vinfast. Riad is a Chartered Engineer (CEng) of the Institution of Engineering and Technology (IET). He is also member of other international engineering communities like International Council on Systems Engineering (INCOSE), Society of Automobile Engineers (SAE), Society of Product Safety Professionals (SPSP) and Safety-Critical Systems Club (SCSC). He is most proud of helping to design safe products by using proven principles and techniques. His main goal, as life-long learner, is to strive to reinvent himself to have a positive impact on the future and new technologies such as Electric mobility, Connected and Autonomous mobility, Robotics or Artificial Intelligence.



**CHARLES CHILSON** is a Regulatory Engineer 1 at Keurig Dr. Pepper. He says "Our team works with UL, NSF and Intertek to certify brewers to their appropriate standards. I also work with our internal lab to test products to internal standards and design goals. I work with our customer care and triage team to analyze data and chart the data. He was previously employed by Raytheon. In describing an accomplishment, he says "I got into Keurig as a contractor lab technician. I am now in my cur-

rent entry level safety engineer position at Keurig." His goals for the Crisis Management program are: "Learning as much as I can about safety mindsets, experiences, and standards from other professionals: As a newer safety professional I am curious to understand what frame of reference and point of view experienced professionals take when it comes to safety. I also am very interested in this course with crisis management to learn how others have handled either a recall or a known failure/shortcoming of an existing product. How to manage the information and communication and best practices if anything similar should happen in my career." Charles graduated from the University of Massachusetts – Lowell through the Mechanical Engineering Program.



My name is **CHRIS CHIN** and I work in California. I am nearing completion of my first year at Best Choice Products and my title is Senior Product Quality Specialist. My primary roll consists of collecting data and investigating root cause and solutions to customer issues with our products, prioritizing those with potential safety issues. Prior to this, I had spent 5+ years at the e-commerce company Colony Brands performing similar product investigations, as well as identifying and define product features for a wide assortment of consumer goods. I got my start in the industry with an internship with Consumer Reports, which has driven my approach to convey understandable and comparative product information to the consumer. My goal for this program is to get a stronger understanding of how to classify issues and what and when action should be taken with outside parties.



My name is **MARIYA DYTSO**. I am a Research Engineer at Intertek and have been with the company for 4.5 years. My educational background is in bioengineering. Here at Intertek our group focuses on providing safety consultation services to our clients in the consumer product safety field, pet products, juvenile products, and consumables. In addition to consulting services, we provide product safety trainings and assessments. We evaluate products at any point of the developmental process, from idea to mass production. Oftentimes, part of my daily work life requires me to deal with critical situations, and I am hoping that this training will help me better manage and deal with crisis. Additionally, hoping to meet new people who are as passionate about product safety as I am!



**VANESSA HORA** is currently a Quality Engineer at SpinMaster. Her responsibilities include establishing and implementing the overall quality, safety and reliability of company policies and procedures throughout the development of the product. Product lines she oversees include Paw Patrol, Bakugan and others. Her role ensures SpinMaster products are within compliance for global markets, by ensuring government and state regulations, internal company requirements, and customer retailer requirements are being met within an established timeline

Previous positions included engineer positions at The Walt Disney Company, Munchkin, and work in the aviation field.

She notes: "One accomplishment I am proud of is I established and trained a third-party review team in a new review and reporting process that quantified data allowing elimination of waste and huge cost saving for both company and licensees. My goal for the SPSP program is to learn from, and apply the strategies provided in this program to my work and company."



**JAMES MUELLER** started with Intertek as a Senior Project Manager in March 2022. This is his first role in product safety. He previously worked in non-profit organization and management locally in Chicago and globally and subsequently worked in the public and private education sectors in Chicago. He has a bachelor's degree in Spanish and International Relations from the University of Illinois at Urbana-Champaign. He is excited to learn more about the field in general and how to aid in prioritizing and promoting safety in the variety of situations that can arise.



**NATHAN MUI** is a Safety Engineer at Intertek for the RiSE (Research, Innovation, Safety, and Solutions Engineering) team and have been with the company for three years. He notes: "I have a bachelor's degree in Systems Engineering and Design from the University of Illinois – Urbana Champaign. As a Safety Engineer for Intertek, I assist clients and my team with their product safety requests. My responsibilities include product design review, design hazard analysis, designing and performing hazard assessments, and interpreting assessment data and results. In this course, I am looking forward to learning more about best practices in product safety and exchanging ideas with my peers in the industry. I am also looking forward to collaborating with others within the virtual setting and building professional connections."



**MELINDA MILLER** currently serves as the Director, Global Merchandise Compliance for Universal Parks & Resorts (UPR), the theme parks division of NBCUniversal, Inc. She joined Universal in August 2000. Her team works to ensure that Universal theme parks remain in compliance with product safety & quality compliance-related objectives for development and distribution of retail merchandise. Melinda is

proud of her team's recent major accomplishment which was building a comprehensive merchandise compliance program in preparation for the grand opening of Universal Studios Beijing last year – from home and during a pandemic. Melinda is also proud of establishing and leading the NBCUniversal Product Safety Center (PSC), which was created to assist NBCU business units in mitigating the product safety risks from merchandise activities through the provision of product safety consulting, training, and other resources. Melinda looks forward to taking time for her own professional development through her continuing associations with ICPHSO, SPLICE, SPSP, and ADK.



**ANDRÉS CANALES ROBLES** joined Hasbro in 2022 as a Senior Reliability Engineer, responsible to provide guidance on evaluations of product concepts and samples early in their development to ensure safety, compliance, durability, and reliability concerns are addressed including performing risk assessments to address product-specific concerns. Additional responsibilities include monitoring consumer complaints with finished products, addressing and implementing corrective actions and building test plans to ensure products meet or exceed global regulatory standards. Prior to this position he spent 11 years at a quality engineer and quality manager in the Mexican manufacturing facilities working on products such as battery-operated ride-ons, toys, highchairs, swings, booster seats, baby bouncers, bathtubs, and infant walkers. He notes: "My goals and expectations for this program are to learn tools that can be used in real life situations to help me be a better change agent within my organization and mentor others around me in how to handle or cope with change in today's ever-changing environment both inside and outside of organizations. As a side goal I'd love to meet other product safety professionals and connect with peers in other industries to learn from each other."



**BRENDA A TORRES** is a veteran product safety professional whose career has touched many different segments of the field. She is a Certified Product Safety Professional™ and graduated with the inaugural program in 2019. Brenda is currently Manager of Safety and Compliance at

woom Bikes USA. Her responsibilities include the safety and compliance of woom products, children's bikes, helmets, and accessories, sold in the US. She is involved with the evolving the safety and compliance systems for global woom. She was previously at SC Johnson as Lead Development Engineer. Prior to that she was a Senior Safety Engineers for Intertek RAM. Brenda is active with the Society of Product Safety Professionals, ICPHSO (International

Consumer Products Health and Safety Organization), and the Human Factors & Ergonomics Society. She says, "I am proud to have achieved the designation of Certified Product Safety Professional™, especially in the inaugural year for the certification. I hope to be a contributor to the SPSP board as I am very devoted to its mission of helping to raise the level of expertise and recognition for achievements made by product safety professionals."



**LEE TYMPANICK** explains: "I am a passionate safety and compliance professional with ten years of experience in the toy industry. I am currently a Senior Reliability Engineer at Hasbro in Pawtucket, RI. I have been with Hasbro for six years. Previously, I worked as a technician at a 3rd party independent testing laboratory called TTL Labs. My primary role at TTL was evaluating toys and general consumer goods to relevant US and Canadian standards (CPSIA, ASTM F963, CCPSA)." Lee graduated from the University of Massachusetts Lowell with a Bachelor of Science (B.S.), Biology, General 2007-2011.



**THOMAS WISE** is the Director of Product Safety and Compliance for Sauder Woodworking Company. He is responsible for product safety and compliance related to industry, state and federal standards and regulations, and represents the company at industry and regulatory events on product safety and compliance. He provides guidance to executive leadership on product safety matters/issues

He previously worked for Worthington Industries and Ferro Corporation. Thomas is involved with several associations and trade groups. He is a member of the Society of Product Safety Professionals, ASTM, BIFMA, ASQ, and AHFA. He is particularly proud of work that he did with a products liability attorney to develop a

"Product Success" class. His goals for the Crisis Management course are to become a more knowledgeable, proficient safety professional, to accelerate my understanding of crucial product safety elements and tasks, and to broaden my understanding and application of the key elements of a product safety plan.



**YUCHEN DAVID YAN**, is Sr. Product Quality Specialist in Design Assurance for Best Choice Products. He has spent 4 years in quality and safety roles in the E-commerce area. His responsibil-

ities at Best Choice include ensuring products are designed to meet internal standards as well as federal, state, and local regulatory requirements; and ensuring that quality assurance standards and product specifications are adequate and recommend improvements and additions to the standards and specifications as needed. He holds a Master of Science in Human Resource Management in Human Resource Management and Management from University of Manchester – Manchester 2013 to 2014; and Bachelor of Science (Hons) in Business Economics in Business Economics, University of Bradford – Bradford 2009 to 2013.

## THE CHALLENGE GROUP 1

**Y**ou own an electric scooter company. One renter crashed and threatens a story about how you do not provide head gear and that is why he has suffered a brain injury. They plan to show pictures of him in the hospital with his 2 young children.

We know he was riding in an erratic fashion. He ran into a stationary object. There were no witnesses.

This week, the community board is having a hearing about the safety of scooters and whether they should be banned.

### THE CASE STUDY

As owners of a scooter rental company, we were contacted by a disgruntled customer. This man claims to have suffered a brain injury, resulting from a collision with a stationary object while riding one of our scooters. Blaming their situation on our lack of headgear, he has threatened to take his story to the media, along with pictures of him in the hospital with his 2 young children. Prior to this contact, we were aware, and planning to attend, a community board hearing to discuss the safety of scooters and whether they should be banned.

We must take a two-prong approach to de-escalate the situation with the renter and validate that our product did not malfunction, as well as curry favor of the community, with this curve ball thrown in the mix.

Drawing from our experiences, and knowledge from the Crisis Management course, this is how our team of four decided to manage this crisis

As we learned from CPSC commissioners Tenenbaum and Burkle; keep emotions in check, don't overreact, get the

### THE TEAM MEMBERS

**Andres Canales Robles, Hasbro;**

**Christopher Chin, Best Choice Products;**

**Mariya Dytso, Intertek; Brenda A.**

**Torres, woom**

facts, pull in critical thinkers that you trust, and make a plan. With the need for external communications to the media, it is critical to take charge, and communicate quickly.

As the newly formed Crisis Management team for our company, an internal crisis plan did not exist, so we built ours on the fly.

### Actions included

- First, assure everyone is on the same page: Define and agree upon the problem(s) requiring attention
- Deliver a situational awareness report to internal and top management
- Build a dedicated response team with a clear communication tree
- Create and share a centralized, but controlled, relevant document/data hub
- Generate, prioritize, and delegate task with defined status updates, making sure to address the product, business model, & public perception/reception
- Instill the mindset to have internal debrief at the end to create/improve the crisis management plan



Lead by our team, we assembled a quick response team of representatives of the following departments:

- C-Suite & HR – Awareness and approval of major actions
- Safety/Quality (PQ) – Assure product/design performs safely and as intended
- Regulatory & Compliance (Reg) – Compliance with product, industry, & government rules & regulations
- Business Intelligence/Data Analytics - Provide insight and direction of our business & product data
- Database Administration/IT - (With no in-person transactions, our data is the core of our business)
- PR/Customer Service – Develop & aid in positive public image & communication
- Legal –Legal console regarding both acts against the company and intellectual property
- Product Maintenance (M) – Validate and assure consistent product maintenance and performance

After gathering and reviewing details of the incidents, we validated that our product functioned as intended.

As such, we planned to lean heavily on our customer-facing teams to follow the de-escalation standing operating procedure (SOP) which guides our agent to negotiate terms to prevent negative media exposure.

This SOP needed to be collectively prepared by representatives of customer service, safety, and legal departments in advance of an incident event. In the event that the renter still chooses to go public, the PR team must be ready with a counter statement.

Our action plan was assembled to address both issues with priority levels 1-5 (1 as the highest)

#### Level 1:

- Daily communication between all members of the quick response team is held and managed by a central point of contact with a central data hub
- Validate up-to-date products compliance with all regulatory standards
- Monitoring and reviewing injury claim history
- Validate customer claim details. 1. They are our customer (registered in our system with the signed waiver) and were not using a competitor's product, mistakenly associating us. 2. Our scooter rental records match the day/time they claim
- De-escalating an issue with the renter before it becomes publicized and deciding on compensation and NDA if needed

#### Level 2:

- Initiating a public survey of user perception of safety and head-gear usage
- Coordinate a PR campaign that will include social media content, clinics including training on proper scooter riding, and company-branded helmets giveaway to encourage safe riding
- Define a list of reporters/outlets to contact if a public response is necessary
- Monitor social media reviews

#### Level 3:

- Initiate partnering with sales/marketing to use this opportunity to create brand engagement with the local community
- Validate service and maintenance logs for scooter are up to date & are recording appropriately
- Review any recent and upcoming changes to the mobile app

#### Level 4:

- Confirm no notable recent changes were made from/by suppliers
- Review all past product recalls as well as competitor's products
- Review the user data that includes max uptime, range per user, and unique users per day

#### Level 5:

- Calculate and evaluate potential monetary losses
- Review the expected lifespan of scooters and the criteria for retirement
- Work on a proposal for discounts on rental when sharing a proof of helmet usage

### LESSONS LEARNED

Our team noted the necessity of alignment and agreement on the details of the situation. Details matter and can drastically change how the situation is managed or the possible implications from the issue at hand. One should never assume, as that could have an impact on how the emergency is handled and could influence the outcome. This facilitated forming the "problem to solve" statement and define the crisis to be addressed.

It is always best to handle critical situations with a pre-formed crisis management team. Setting priorities and deadlines is a key in addressing the crisis in a timely manner. Keep things simple. A problem in crisis is not stable enough to think about corrective actions, you first need to focus on de-escalating to a point where risk is minimized in such a way that now you can work on procedure changes and actions to prevent the issue from arising ever again, but you shouldn't be spending your time thinking on how to correct the issue in the long-run prior to solving the immediate threat.

During this course, we were introduced to corporate styles of communication; what and how messages are received by different personalities. One takeaway from the course was to build relationships and trust throughout the career at a company with stakeholders and professionals who may be on your fast response team. Another important aspect to consider are the personalities of the parties involved, so you can plan to effectively communicate with them, especially when dealing with a crisis. Communicating to a "Producer" type needs a more direct and succinct approach, they want the facts and to know that you're on top of things. An "Administrator" likes order and procedures. They need more detail to be convinced that things are under control. If you have both in your meeting, you may want to approach the administrator ahead of time to provide more information and meet their information needs.

These days, a consumer can quickly post a video or statement that reaches millions in no time. We learned that reaction time to these types of threats is critical. The more you can prepare up front, the quicker you can respond.

## THE CHALLENGE GROUP 2

**Y**our supply chain has been disrupted. In order to meet current demand, you will need to change suppliers. The ones with available capacity do not have the best reputations.

We know there will be risks associated with switching. These include not meeting standards, not complying with safety mandates, and potentially less quality.

### **THE TEAM MEMBERS**

**Melinda Miller, Universal Parks and Resorts; James Mueller, Intertek; Lee Tympanick, Hasbro; Tom Wise, Sauder Woodwork Company**

### **THE CASE STUDY**

Situational Awareness Report – Captain Awesome

April 4, 2021

#### **Executive Summary**

During a recent COVID-19 assessment, our Quality team identified an urgent situation that we need to make you aware of.

- Last week, we confirmed with Happy Fortune China (our primary toy vendor in China) that they are currently unable to produce and deliver the Captain Awesome game in time for the upcoming holiday season.
- Happy Fortune China is currently shut down due to the ongoing pandemic and a timeline for re-opening is not yet clear. There is a strong chance that when they do re-open, their production capacity will be significantly reduced, and they might need to shut down again at some point.
- This vendor is responsible for producing our number one toy, Captain Awesome. Captain Awesome is primed to be a hot toy this holiday season and is key to our success this year. In order to protect our product launch, the Product Development & Quality teams are actively exploring possible solutions to make sure Captain Awesome meets the November 20th on-shelf date.
- As one possible solution, the Quality & Social Compliance teams are exploring moving Captain Awesome to Juguetes Para La Vida (our newest toy vendor in Mexico) who has capacity to produce and deliver the product on time and at minimal additional cost per unit.

- We have an executed Toy Manufacturing Agreement and a Certificate of Insurance on file with Juguetes Para La Vida.
- The vendor has completed Steps 1 - 3 of our Vendor Compliance On-boarding process.
- Juguetes Para La Vida has shown a great willingness to collaborate with us and are in the process of addressing all of red flag findings identified in the initial factory audits.
- The vendor has experience manufacturing for other global toy companies, but they have not produced a product for Super Toys to date.
- We are partnering with the vendor on a testing and quality control plan to ensure the Captain Awesome product meets all applicable Super Toys Quality and Safety requirements prior to shipment.

### **Additional Context**

With the advent of the global COVID-19 pandemic, Super Toys is facing an evolving situation with our top toy vendors in China.

As you are aware, COVID-19 has caused supply chain strains across many industries, including toys, and is set to affect the global economy for the foreseeable future.

In addition to challenges with specific vendors, we are facing other headwinds in China as a result of the pandemic.

These include increased shipping and production costs as vendors battle factory labor shortages and increased costs & lead-times to get our products imported into the US, our primary geographic distribution.



## THE CHALLENGE GROUP 3

**Y**our computers have been hacked. All of a sudden there are rumors that your products use unapproved materials that can harm consumers. These are spread by the dark web and have no basis in fact. However, the hackers have published fake emails that indicate your management team is aware of the problems and hiding them from the public.

We know the truth, but the sensationalism of the stories is taking on a life of its own.

### THE CASE STUDY

#### Situation

Our company computers have been hacked and suddenly there are rumors of our product using unapproved materials that can harm consumers. These rumors are spread by the dark web and have no basis in fact. Hackers have published fake emails that indicate management team is aware of the problems and are hiding them from the public. To efficiently remedy the situation, our team has identified the main problems that must be addressed which include managing/containing the false information within the company and consumers and identifying the cause and reasons for the IT security breach.

#### Plan of Action

Our company has assembled teams from IT, legal, and PR/marketing, and HR to work together to assist in the crisis created by the hack within the company. Using a war room method style of meetings, the teams will meet and update each other on their progress within the crisis management process.

The main problems identified include managing/containing the false information within the company and consumers, and identifying the cause and reasons for the IT security breach.

The safety/regulatory team will need to gather material reports and sourcing reports of all the materials used in the product which may include contacting a 3rd party safety lab.

The supply chain/manufacturing team will need to gather data on the manufacturing locations and inspection reports.

PR/Marketing could produce videos of the product showing the use of the product in everyday situations and dispelling simple physical fears propagated by the false information.

With the help of the legal team, information could be released to the public on a website owned by the company detailing the attributes (materials, compositions, yellow

### THE TEAM MEMBERS

*Riad Bouazher, CEER Motors;*

*Charles Chilson II, Kuerig*

*Dr. Pepper; Vanessa Haro,*

*SpinMaster; Nathan Mui, Intertek;*

*Yuchen David Yan, Best*

*Choice Products*

cards, test results that are not confidential and certifications) that are not confidential and available to the public.

With this process, this will provide one convenient place for people to check quickly and dispel any rumors of unsafe materials. Legal team can also contact social media sites for and begin a process for containing and handling the false information.

Concurrently while the PR/marketing and legal teams are working on gathering material reports and a public statement, the company must start the IT breach/hack investigation and plan.

First, the IT department needs to secure and lockdown the system immediately and if available contact a 3rd party investigation team, along with any service providers. The system lockdown will prevent any additional critical information from being lost and will include shutting down any affected equipment but not turned off until 3rd party investigation team arrives.

The next step is to investigate and fix the vulnerabilities within the system. While identifying the vulnerabilities, a root cause analysis can be used to further identify the source of the breach.

The misinformation and rumors of the unapproved materials within social media sites and the alleged emails have to be contained and managed.

The IT division of crisis management team will work to remove the misinformed posts but contacting the appropriate parties/companies. The team will also notify and work law enforcement, and with the assistance of experts trace and attempt to apprehend the hacker and find out the purpose of the breach and reasons for the misinformation.

Once this information is confirmed, PR/marketing and legal teams will collaborate for a proper response to the shareholders and the public.

## Addendum #1

### Unsafe Material and Public Response

#### Initial Public Response

We at Generic Brand Inc. would like the opportunity to respond to the false reports about our product. We can assure you that the SidePal 3000 is a certified and safe product. We are investigating this breach of our private data and will provide updates in the coming months. Customer security is paramount, and we will do everything in our power to address any affected individuals.

We take our products and our customers seriously. We will be providing information about the product in a future update. The SidePal 3000 uses known materials with test records and data sheets. There have been 3rd party studies to qualify the Side Pal 3000 for sale and use. The data is publicly recorded and stored and viewable here (provide website link or the like)

If you have any questions, please feel free to connect with our team with questions or concerns and we will do our best to answer them as accurately and quickly as we can.

Thank you.

## Addendum #2

### IT Response of employees

IT department needs to hold an Emergency Meeting right away to investigate the issue and provide a conclusion within one week to collaborate with other departments:

- When this breach happened? Did our IT security employee notice this and report it immediately to the higher manager?
- After the breach, what documents/information were stolen/touched? Is this information lost? Can we recover the deleted/lost file? What information did they get? What is the size of the breach?
- How they accessed the system? Is any vulnerability in our system or our employees' mistaken operation?
- Who were they? Can we trace the IP address with the help of 3rd party/police?
- Why do they attach to us for fun or vicious competition to reduce the company's reputation?
- How long can we fix the system breach? Can we still use the current system? Will there be a risk in using them now for the company's regular operation?
- How we prevent it happens again? Do we need to invest new system? Do we need professional training for employees?

After we get the answers to the seven main questions, the IT manager needs to write down a detailed report to stakeholders and leadership to analyze the risk of the data breach.

Meanwhile, the IT department must make announcements to internal employees to educate them on how they safely use the system to prevent data breaches.

## Addendum #3:

### Situation Analysis

#### Crisis key takeaway and timeline:

Sept. 20th: Our computers have been hacked. Hackers group known as RabH.

Sept. 23rd: First tweets, our products use unapproved and noxious materials.

Sept. 25th: First fake emails, our management team is aware of the problems and hiding them from the public.

Sept. 26th (today): We need to act! Act quickly...

#### Preliminary results from internal investigations:

- Breach went through IT software. Material database integrity intact.
- "unfounded allegations towards our material and/or supply chain.
- Risk analysis and potential effects/damages: Safety (no damage in fact), Reputation (High), Financial (High), Operation (High).
- Similar attacks were reported last year. See report for further insights and company profiles.

#### Response:

#### In accordance with crisis management workflow:

1. Gather our subject matter experts, and other relevant departments to form a task force. Bring external consultant only if necessary.
2. Conduct further internal and/or independent investigations.
3. Prepare press release and communicate, as appropriate, with relevant stakeholders (agencies, investigators, media, consumer associations).
4. Daily war room meetings.

## Lessons Learned

As a team we learned that in order for a company to respond to a crisis, a proper, well-conceived and thought-out response requires more than one person, and more than one team.

### The main lesson learned is creation of a crisis management team.

By having a crisis management team pre-assembled, it enabled the team to have a quicker response to a crisis, as certain responsibilities, and actions are understood due to being part of a crisis management response team.

By having systems that store material information, test reports, datasheets, supply chain records and all other information that has to do with the manufacture and transportation of a product are regularly updated and/or can be easily accessed when needed; key crisis management team members can easily access relevant information needed to create a report for the larger crisis management team.

We learned that a "war room" type meeting structure allows each team to present to the larger team.

Having this structure, with each team that is involved present, we are able to address what the problem is, and the several ways in which it is to be resolved. By having a Reporting meeting, all team members are present and are able to participate in the teams ideas, questions, answers and direction going forward.

We learned continued Progress meetings in war room style, will be needed to address the progress of all directions each team is taking to resolve issues, and a Decision meeting is needed so that each team knows what direction to take and what the expected deliverables should be. In our example IT teams pursued a different investigation and plan of action than marketing, which was different from QA, however no single team was/is able to resolve the issue alone and information from all teams is an absolute must.

We learned postmortem meetings are needed to address the issue, how it was resolved, steps taken, and lessons learned to avoid the situation from happening again.

The meeting should deliver to the public and to the internal company the results of the crisis/misinformation and what steps the company has taken to avoid this from happening in the future.

For this particular exercise, the take lesson learned for this company was the need for additional training provided by the IT department. Implementing awareness training on various IT related topics such as security breaches or types of attack to employees may assist in preventing future IT security concerns.

This will provide knowledge to the employees on identifying threats and procedures on reporting suspicious activities, and communicate quickly.

As the newly formed Crisis Management team for our company, an internal crisis plan did not exist, so we built ours on the fly.

### ***An outstanding team of instructors led the Crisis Management program:***

#### ***1. Growth and development of the professional's career.***

**Marie Claude Simard**, product safety manager with Canada-based BRP recreational products manufacturer, organized a panel discussion to examine the skills and progression of a product safety professional. She selected as her co-panelists, Guillermo Rodriguez, Global Senior Director of Product Safety and Compliance, and Kimberly Mason, Senior Direct, Compliance, for Five Below.

#### ***2. Managing CPSC pre-and-post CPSIA.***

Former CPSC Chairman **Inez Tenenbaum** arrived at the agency during the initial implementation of the Consumer product Safety Improvement Act (CPSIA). Added to this challenge was the investigation of "Chinese Drywall" which was closely monitored by Congress, consumers, and the media. "Responding to this pressure helped set the tone for the rest of my term as Chairman," she says. **Don Mays**, SPSP Vice President interviewed both Ms. Tenenbaum and Ms. Buerkle (below).

#### ***3. Managing During a Time of Transition***

**Marie Ann Buerkle**, former Commissioner and Acting Chair of the CPSC, was in a variety of positions at the State, Regional, National, and International levels prior to her appointment by a Democratic President to the agency in 2013 as a Republican member. In 2017 she was named as Acting Chairman of the agency during a period when there was a Republican President. She dealt with these governing dynamics that were in constant transition. It was a period of continued growth and challenge that she was able to reflect on.

#### ***4. Crisis Management Workshop***

**Steve Epner** is on the business faculty at Saint Louis University. For the crisis management program he utilized team exercise that examine 3 different processes that are critical to crisis management and professional growth.

- Understanding Knowledge (what we know, what we don't know and what we don't know we don't know)
- Understanding Time (when must a decision be made)

- Understanding Reality (the need to course correct when theory and reality diverge)

Steve explores how people respond to circumstance and each other, and to use this knowledge in handling crisis situations.

#### ***5. Case Study: Building an International Program During Crisis***

In 2015 **Tim Sullivan's** firm, a large children's toy and entertainment company, received three notifications in Europe of broken plastic noses on a very high-profile plush toy product line. The size, shape, position of these nose parts is historically vulnerable to child abuse impacts and very sensitive in design and manufacturing details for assurance to specifications. The company has well refined policies for plastic parts on plush toys. Tim elaborated on how this and other challenges that were addressed based on analyzing the issue and developing responses to each challenge.

#### ***6. Product Safety Investigations Under Pressure***

**Brandan Mueller** is a Partner with Husch Blackwell. He has had extensive experience in product investigations and the demands that are in play during such investigations from business partners, government regulators and other parties. These circumstances create stressors on the investigatory process and an organization's ability to conduct a thorough investigation. Brandan's presentation addressed how to balance those pressures while working towards the resolution of the investigation.

#### ***7. Ethics in Product Safety: Crossing Boundaries***

**Kenneth d'Entremont** has based his entire career on practicing ethics in the design of products that reflect safety engineering. Though the settings may change, his focus on values and safety has not changed at all. He is known for his holistic approach to product safety and engineering ethics across many products, fields, and industries. His popular textbook, "Engineering Ethics and Design for Product Safety," is a significant addition to the literature of product safety. His new book, which focuses on doing "the right thing," provides the product safety world with an important view by a leader who has devoted his professional life to product safety.

## SECTION III

# BEST PRACTICES



These BEST PRACTICES include tips and techniques to help you in your daily activities as a product safety professional and to strengthen your company's product safety program, particularly as we face both day-to-day challenges and an ever-changing business environment.

We would like to express our appreciation to those who have provided these Best Practices.

## BUILDING RECALL-READINESS THROUGH EFFECTIVE PROFESSIONAL DEVELOPMENT

*Chris Harvey*

**R**ecall-readiness requires vigilance. But as regulators increase scrutiny over product safety and consumers and the news media pay closer attention to the increasing number of product-related crises, it's more important than ever for companies to be prepared for an adverse event that can damage their reputation.

### KEY TAKEAWAYS

- Recall-readiness training should be prioritized as part of ongoing professional development.
- Training exercises need to be updated to account for constant changes in product safety and new regulations or laws.
- The ultimate test of recall-readiness is a mock recall event, which can serve as a measure of professional development.

Establishing a recall-readiness program as a key part of professional development can improve teamwork and develop leaders while ensuring consistency of performance across both teams and business units when the inevitable crisis arises.

“It's vitally important to ensure that your training programs have been updated to reflect all regulatory updates and that your team has practiced working within them.”

Prepare and practice your team's response now so you can be ready when a crisis hits.

By taking the time to prepare,

you can ensure that you are in the best position to protect your brand, reputation, and bottom-line in any circumstance.

**Chris Harvey** is Senior Vice President of Client Services at Sedgwick Brand Protection. He can be reached at [Chris.Harvey@sedgwick.com](mailto:Chris.Harvey@sedgwick.com).



These programs need to be included in a company's recall or crisis plans and should be continuously reviewed and updated to ensure they adhere to current best practices.

Professional development is a continuing process, of course. As such, training for recall responses should be performed on a regular basis so that your company is up-to-date with the regulations governing product safety.

## VALUING THE PRODUCT SAFETY PROFESSIONAL

*Don Mays*

**H**eading product safety for a company is often a lonely and thankless job. When there's bad news to tell the C-suite, you are the unwelcomed door-darkener who has just ruined someone's day. But when things are going well, you are hardly noticed.

Corporate executives very often undervalue the role of the product safety department. They may put more trust in the legal department, which works to mitigate collateral damage in the face of a product safety problem. But a well-functioning

“Corporate executives often undervalue the role of the product safety department.”

product safety department can proactively prevent product safety crises altogether. They may use tools such as FMEA and Fault Tree Analyses to assess and mitigate risks, and apply human factors expertise to assure product safety under foreseeable-use conditions. In the throes of a crisis, a product safety team can both determine the root cause and prescribe effective corrective actions.

When companies face a product safety crisis, their response is often to cast blame on the consumer for not using the



product correctly, or to minimize the problem by citing a small incident rate compared to the number of units sold. Their public response is often, "Safety is our number one priority!" But is it?

Companies place their priorities on making money. In his textbook "Engineering Ethics and Design for Product Safety," Prof. Kenneth D'Entremont states that product safety should be a value, not a priority.

Priorities come and go but values remain. A value is something that professionals hold because it is the right thing to do. Placing value on product safety will help change company culture so that safety is entrenched in every aspect of a company's operations.

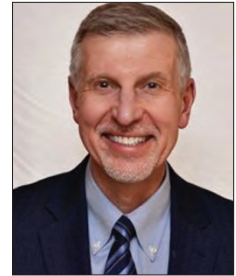
How does a product safety professional promote his or her value in a company? Cathy Choffin, Global Compliance

and Safety at McDonalds, advocates for refining your elevator pitch.

Take advantage of snippets of time when you can herald the work of your product safety team.

Heading off a recall or mitigating an unforeseen risk may be good talking points. Communication is key so that your work is not only appreciated, but also valued.

**Don Mays** provides consulting services under Product Safety Insights LLC. He is VP of the Society of Product Safety Professionals, Chairman of ASTM F15 Committee on Consumer Products, and board member for Kids In Danger. He can be reached at **917-561-2906**.



Don Mays

## KNOWLEDGE IS POWER

*Jennifer Moore*

### KEY TAKEAWAYS

- Having a niche skillset of product safety knowledge can be incredibly powerful. It can and will likely influence your everyday purchasing choices
- Knowledge is Power. Use this knowledge wisely. Not only can it help you grow in your career, as it pertains to product, but it can lead to better decision making at home too.

**W**hat will my family be exposed to during our upcoming renovations? New paint, new floors, new carpet. Car seat safety for your kids each and every time you head out on the road. What seems to be

“It’s not only about raw materials, ingredients, processing, manufacturing, and finishing it’s about how will the product actually be used in the customer’s home.”

‘They’ say knowledge is Power. Having the power of product safety knowledge can definitely be a blessing and curse. You don’t want to find the negative in everything.

Unfortunately, sometimes you can’t help but wonder how safe the foods, medications, and consumer products around you really are. You want so bad to fully trust the brands that you have always known and loved. This type of knowledge can cause you to question everyday things ranging from the clothing you wear, the bedding you sleep on every night, all the way down to the shampoo or body wash sitting in your shower.

Having this niche skillset can be incredibly powerful. It can influence your everyday purchasing choices. What foods you eat. What products you bring into your home. What you will or will not expose your family to.

the never-ending food recalls posted weekly, if not daily on social media. Let’s not forget about the ‘kid-friendly’ paint my kid is using to finish up his latest art project for school.

These are all thoughts and questions that likely run through the head of a product safety professional, outside of work.

We work day in and day out with testing labs, reviewing reports, and seeing what harmful chemicals can do to our bodies. In most cases, we can’t help but think about these things outside of the office as well.

Yes, work-life balance is key to any career, in any field. This one, like many others, tends to spill over into your personal life, but not always in a bad way. Having product safety knowledge can and will help you make better, smarter decisions...even outside of work.

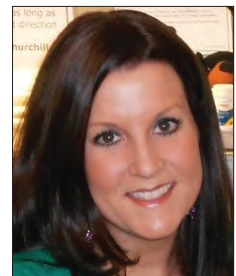
Understanding the importance of what products you bring home to your family, to your kids and even to your pets.

Product Safety knowledge is not just something you think about at work, as it pertains to your everyday job function, but in reality, it can have an impact on your daily life.

In some respects, your role may be to think that you’re in your position to ‘trust but verify’.

However, anyone with powerful product safety knowledge knows that there is so much more to it than that. It’s not only about raw materials, ingredients, processing, manufacturing, and finishing, it’s about how the product will actually be used in the customer’s home.

**Jennifer Moore** is the Manager of Regulatory Compliance & Product Safety at Shutterfly. She can be contacted at 843-507-2751 or at [jenmoore@shutterfly.com](mailto:jenmoore@shutterfly.com).



Jennifer Moore

## PROFESSIONAL DEVELOPMENT FOR PRODUCT SAFETY CAREERS

*John Kupsch*

### KEY TAKEAWAY

- Continuous education is key to professional growth in product safety by leveraging experiences, formal education, certifications, internal organizational development programs and external resources
- A wide variety of professional networks, product types and uses, markets, technical perspectives, decision criteria, and multidisciplinary stakeholder objectives accelerate and strengthen professional development

That doesn't mean we need to attend every seminar offered, but we can leverage external resources to stay current. Some examples of resources include:

- Laboratories listed by the CPSC
- Retailers, especially those in highly regulated markets
- Licensors
- Manufacturers
- Universities & Colleges
- Regulatory Bodies
- Voluntary Standards Organizations
- Health & Safety Organizations
- Law Firms
- Consumer Advocacy Organizations

The ISO quality cycle for our products is typically the "Plan-Do-Check-Act" loop and this principle can also be applied to the quality of our professional development as well.

Planning involves looking at what areas you need to strengthen in your current position and future career path to stay ahead of product safety regulatory changes and product development trends. This could involve the chemical, environmental, physical, thermal or electrical

**P**roduct innovation is constant and when combined with regulators' efforts to keep consumers safe, staying current in our product safety careers is a daily challenge.

Thankfully, there are a multitude of resources available to help professional development for a successful career in product safety.

There are thousands of folks engaged locally and globally in product safety, ranging from raw material suppliers to providers of finished goods or product compliance services.

**“Acting includes taking the necessary measures to align your professional development needs with your career goals in product safety.”**

properties of the products with which we are involved, their foreseeable uses, and making sure that we are involved with the most current methodologies, research, and diverse third-party perspectives for proper risk management.

The doing includes hands-on daily work and team collaboration on product safety policy definition, standards development, risk assessment tools, testing, and evaluation techniques.

Facility tours and expert seminars are helpful for proactively developing a toolkit for in-house training and establishing systems and processes that help everyone stay current and prepare for the next stage of their career, from identifying product safety opportunities to recommending corrective actions, implementing a commercially viable plan and managing an enterprise-wide product safety program.

Checking involves continuous comparison of your policies, practices, perspectives and processes with thought leaders in the product safety profession who have global and local subject matter expertise.

In addition to your company's learning opportunities, every factory tour, laboratory visit or professional networking event is a great opportunity to discuss and adopt successful measures and lessons learned.

Acting includes taking the necessary measures to align your professional development needs with your career goals in product safety.

Continuing education courses, programs and seminars offered by the external resources mentioned above can be invaluable to understanding the principles and commercial realities of toxicity, human factors, market regulations, and hazard assessment, creating peer to peer collaboration sessions, and taking your career to the next level.

A book written by Tichy & Sherman about General Electric's former CEO Jack Welch's business principles and entitled "Control Your Destiny or Someone Else Will" can be applied in professional development to remind us that the product safety field is changing constantly, and successful careers in product safety require constant calibration and learning.

If you'd like to discuss more about professional development in the area of product safety, please email me at [jkupsch@amscan.com](mailto:jkupsch@amscan.com). Stay Safe! **John Kupsch** is SVP, Product Safety & QA Party City Holdings Inc.



# ICPHSO STUDENT MENTORSHIP PROGRAM

Marc J. Schoem

## Introduction

ICPHSO launches Student Mentorship Program at its 2022 Annual Meeting and Training Symposium. With this mentorship program, ICPHSO in cooperation with Amazon and Intertek Assuris, seeks to support and encourage attendee growth, provide opportunities for skill building, facilitate cross-organizational understanding, and improve social networks within the product safety community.

Last year, ICPHSO launched its inaugural class for the Mentorship Program during our 2022 Annual Symposium. With generous financial support from Amazon and additional funding from Intertek Assuris, ICPHSO was able to design a program that remained in line with our Strategic Plan and our commitment to Inclusion and Diversity within the organization. Mark Fellin from Amazon, and Keith Rhoades from Intertek Assuris, served as co-founders and chairs for the program launch.

Leading up to last year's symposium, we received over 30 applicants from students in colleges and universities all over the world. We also had over 15 ICPHSO members volunteer their time to serve as mentors. We were excited and proud to offer the program to ten students from five universities across the US.

Once students were notified of their selection, they were then interviewed to determine their backgrounds and interests. The Mentorship Committee then paired students with volunteer mentors from industry; professionals with pertinent experience to help guide them on their professional journey, while showing them what it was to be a product safety professional.

"ICPHSO is a wonderful organization that has created so many opportunities for me," said program co-founder Keith Rhoades from Intertek Assuris. "The idea came up in conversation as 'who or what did we need when we were starting our professional careers?' and let's make that happen for the future of our profession."

During the Symposium, the mentorship program allowed students to network with one another as well as other mentors in the program. The highlight, however, which we are planning to expand throughout the 2023 symposium, was the program's "Fireside Chats." The fireside chat sessions featured a prominent industry professional interviewed discussing their career path, interests, challenges, and advice in a candid and intimate way.

While 2022 was just the start of the program, we're already seeing results and I want to share a few inspiring statistics.

- In 2022, the Mentorship program had 10 students from 5 universities attend the annual symposium.
- Leaders in the product safety field, donated their time to

give fireside chats, and the program had over 10,000+ social media views on LinkedIn. As part of our post conference analysis, we surveyed the students about their experience.

- Prior to the conference, 1 in 8 participants suggested they were interested in a career in product safety.
- After the conference, 7 out of 8 participants said they would be interested in opportunities with half of the respondents applying for roles in the industry over the course of the past 6 months.

"This program exemplifies hiring and developing the best," noted Mark Fellin. "The success we've seen thus far is the result of the time and energy ICPHSO members have donated to help build leaders of leaders. While mentorship is a key part of every craft, what's exciting about this program is how we have opened up new opportunities to an exciting new cohort. We are creating horizons for young people similar to the ones each of us have enjoyed in our lives."

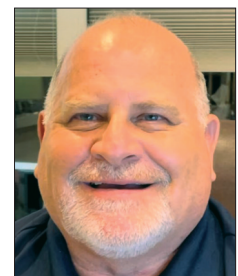
As ICPHSO continues to evolve as an organization, it is important that we collectively address known gaps in the organization, primarily the need to both diversify and replenish membership with new product safety professionals. Ryan Kahn, a career coach, founder of The Hired Group, star of MTV's Hired, and author of Hired! The Guide for the Recent Grad, notes that: "By investing in others you're also investing in yourself. For example, as you move forward in your career, you'll need to be able to identify and recruit fresh talent. Having a strong network of mentees can help you find and grow these rising stars."

The ICPHSO Mentoring Program will continue to support and encourage attendee growth, provide opportunities for skill building, facilitate cross-organizational understanding, and improve social networks within the product safety community while advancing the collective growth of ICPHSO as an organization which exists to bring together all product safety stakeholders to take advantage of training, education, and networking opportunities.

This important program also plays an important role in advancing ICPHSO's commitment to inclusion and diversity. We believe it is important that all

## KEY TAKEAWAY

- Advance the collective growth of ICPHSO as an organization that exists to bring product safety stakeholders together to receive training, education, and networking opportunities.



voices are represented within our community. The scholarship funds that are available allow us to ensure we are continuing to provide opportunities for under-represented groups to attend, participate, and hopefully find a career in the product safety field.

Internal networks remain critical to accelerating performance within a company and the Mentorship program is an important tool in creating those networks. Job-focused, information-rich networks have a tremendous impact on improving an individual's potential to be promoted to, and succeed at, the next level within a given organization.

Further, effective mentoring programs benefit the mentor and the organization by promoting a development culture, increasing knowledge sharing, driving performance, and expanding networks. We have identified numerous benefits to both the students and the Mentors and look forward to expanding our mentorship program during our 30th Anniversary Symposium in February 2023 in Orlando, Florida.

**Marc J. Schoem** is the executive director of the International Consumer Product Health and Safety Organization (ICPHSO). More details on the Student Mentorship Program can be found at [www.icphso.org](http://www.icphso.org) or email [marc.schoem@icphso.org](mailto:marc.schoem@icphso.org).

## PRODUCT SAFETY LEADERS CAN LEVERAGE TECHNOLOGY TO STAY RELEVANT & RE-INVENT THEMSELVES WHILE TRANSFORMING THE ORGANIZATION

*Don Mabry*

**T**oday's product safety leaders who set out to reshape how their companies ensure the integrity and compliance of goods by applying advanced technologies often realize to transform the organization, they first must transform themselves.

It is no surprise with the accelerating pace of new technologies with use cases directly applicable to the monitoring, measurement, and analysis of product safety activities; leaders can find it overwhelming to stay on top of digitization trends. However, have no fear. You do not have to be a "coder" to influence and leverage technology to take the organization's product safety management to the next level by leaning into

### KEY TAKEAWAYS

- You don't have to be a "coder" to champion technology for the organization and career success.
- Savvy product safety leaders leverage readily available content and collaboration with subject matter experts and vendors to keep up with technology trends and industry use cases.

the following strategies to help you transform your technology acumen as a key professional development dimension.

### **Read Technology Books, Publications & Social Media**

A proven way to learn about the latest technology and trends is to seek out books, professional publications, and social media with correlation to challenges and opportunities in the

product safety arena. Recent favorite publications & online resources include *Driving Digital: The Leader's Guide to Business Transformation* (Sacolick, 2022), [www.cio.com/digital-transformation/](http://www.cio.com/digital-transformation/), and <https://twitter.com/digitaltdaily>.

### **Watch Explainer Videos**

For those who are more inclined to visual learning, you can find almost any type of online tutorial on technology tools and techniques. Best bets are YouTube ([youtube.com](http://youtube.com)), MIT Open Learning ([ocw.mit.edu](http://ocw.mit.edu)) and ([edx.org/learn/digital-transformation](http://edx.org/learn/digital-transformation)) where oftentimes the videos are free and for fee sites including Udemy ([udemy.com](http://udemy.com)), Coursera ([coursera.com](http://coursera.com)), and

LinkedIn Learning ([linkedin.com/learning](http://linkedin.com/learning)) offering an extensive library of instructional materials.

### **Join a Technology User Group or Council**

Technology user groups are a great way to connect with communities of users who share common interests and challenges. User groups function as forums to actively share knowledge, experiences, and learn about new trends and technologies. User group formats may be online, in person, or a hybrid of both.

Technology user groups worth putting on your list to check out include [techrepublic.com/forums/](http://techrepublic.com/forums/); [reddit.com/r/technology](http://reddit.com/r/technology), and [linkedin.com/in/digitaltransformation-usrgpr](http://linkedin.com/in/digitaltransformation-usrgpr).

Local technology councils provide great opportunities to meet others with similar interests in technology, as well as offer a full schedule of educational events. Just go to your favorite web search engine and type in your "city" and "technology council" for guidance on where your local council meets and an upcoming calendar of events.

### **Engage Technology Solution Vendors**

An often-overlooked source with relevant, industry specific technology knowledge and experience, product safety and compliance technology solution vendors are eager to share 'real world' experiences of how they have helped similar organizations embark on the digitalization journey, as well as provide perspectives on the future direction of technology - all giving you a leg up on areas to consider for professional development.

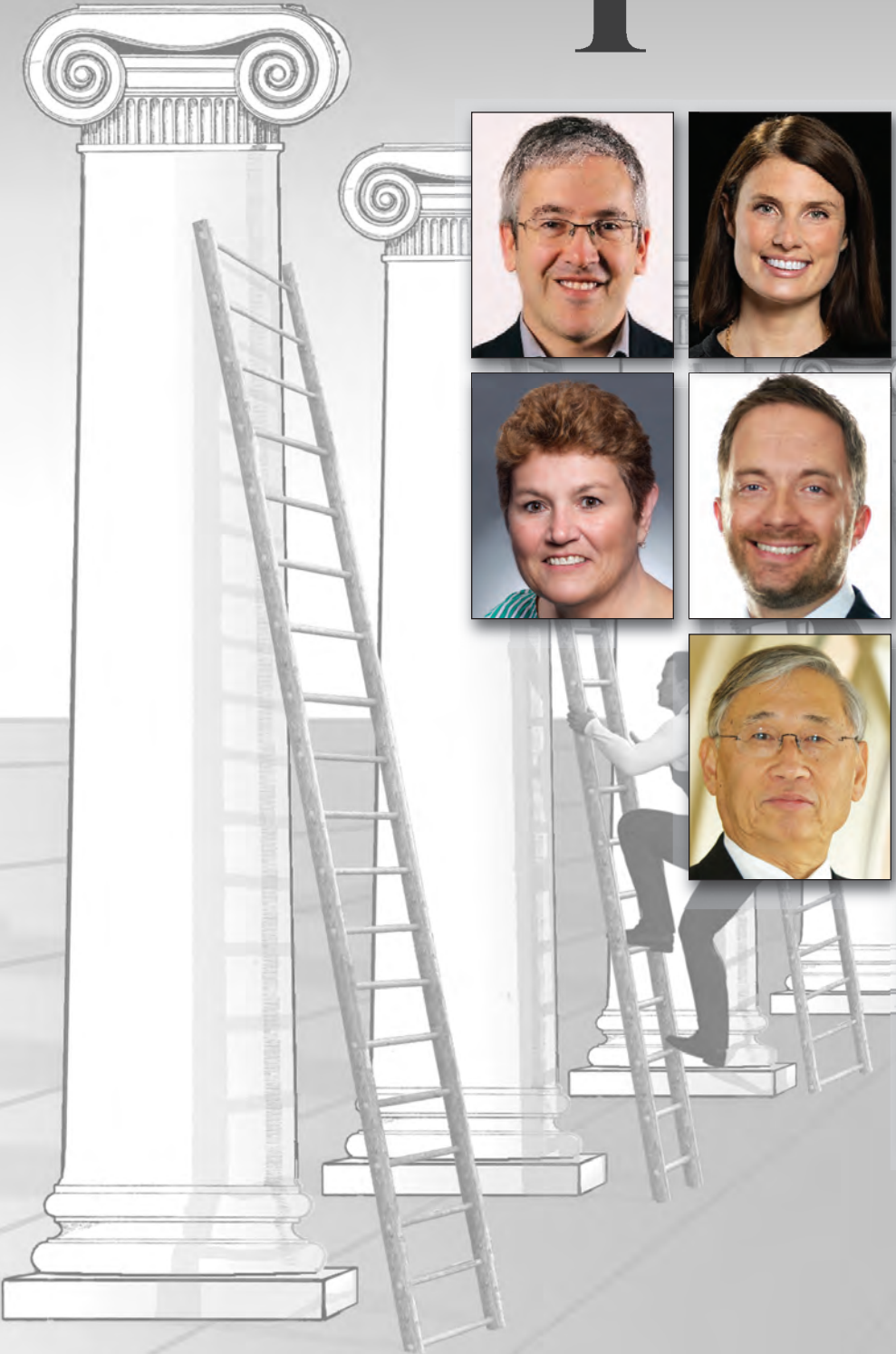
In these fast-moving times of continual technical turbulence, it's easy to fall behind on the latest trends and techniques; however, by tapping into the wealth of information and collaboration available, you'll be on your way to lead the product safety enterprise into the digital future.

**Don Mabry** is SVP – Global Trade Solutions MercuryGate International. He can be contacted at [Don.Mabry@mercurygate.com](mailto:Don.Mabry@mercurygate.com).



SECTION IV

# VIEWPOINTS



As those who practice product safety around the world face a challenging business climate, we hope this collection of VIEWPOINTS proves to be interesting and useful. These articles address a number of different issues and are based on the authors' real life and academic experiences.

We would like to express our appreciation to those who have provided these ViewPoints.



## OPINION: HOW CAN HIGHER ED HELP THE PRODUCT SAFETY PRACTITIONER COMMUNITY?

*Alan S. Abrahams*

Improving product safety is enormously challenging, and modern product safety practitioners, from compliance officers to product designers, find themselves assaulted with an avalanche of consumer-contributed text data. Limited resources, both financial and time, make it hard to stay on top of inbound risk indicators and difficult to act both reactively and proactively. Higher Ed can help. Here's how: Training, and Tools.

### KEY TAKEAWAYS

- Product safety training experiences – such as those offered through *Virginia Tech's Continuing and Professional Education* office in our new collaboration with ADK and the *Society of Product Safety Professionals (SPSP)* – can enrich your product safety knowledge and efforts
- Product safety research can be undertaken with product-safety-enthusiast faculty, in Virginia Tech's full- and part-time business, and engineering, PhD offerings.
- No-cost software tools – such as PamTag, Fumeus, and MARS – are available to support your risk identification and characterization efforts

Virginia Tech's proximity to global corporate headquarters, national regulators, policymakers, and our own product safety and injury prevention experts in our Blacksburg Virginia home campus make our Arlington, Virginia location ideally situated to bring together key stakeholders in the product safety community.

For those interested in training in research methods, research-based terminal degrees, like the PhD, may be of interest to practitioners keen on developing novel protocols and mechanisms for risk management and product safety advancement. Virginia Tech offers outstanding full-time PhD programs in Engineering and Business, as well as a unique

part-time Executive PhD in business, for working professionals. Candidates with particular interest in product safety research may qualify for partial financial support, which we hope to offer from Fall 2023 to candidates pursuing this specialty product-safety focus.

### Tools

As a top-tier research-intensive land grant institution, our *Ut Prosim* ("That I May Serve") motto embodies Virginia Tech's heavy investment in serving our nation through research of benefit to society. In years gone by, starting as an agriculture school, this may have involved researching the best crop protection methods, and sharing study findings with farmers via our Cooperative Extension specialists.

In the modern data-centric world, software tools are a novel modality of outreach service that we can provide for our communities. For the product safety practitioner community, our research group provides no-cost tools to support

### Training

Higher Ed is increasingly engaged in training product safety practitioners to provide foundational knowledge in identifying and managing product safety issues. The new partnership – launching in

“As a top-tier research-intensive land grant institution, our *Ut Prosim* ("That I May Serve") motto embodies Virginia Tech's heavy investment in serving our nation through research of benefit to society.”

Spring 2023 – between ADK, the Society of Product Safety Professionals, and Virginia Tech's Continuing and Professional Education, is a great example of such an endeavor. Virginia Tech's Executive Briefing Center in Arlington, Virginia, a short drive from downtown Washington DC, and only a few DC Metro subway stops from Washington Dulles (IAD) and Washington Reagan (DCA) airports.

Virginia Tech's proximity

to global corporate headquarters, national regulators, policymakers, and our own product safety and injury prevention experts in our Blacksburg Virginia home campus make our Arlington, Virginia location ideally situated to bring together key stakeholders in the product safety community.

- **PamTag:** Allows users to upload large datasets of consumer postings, specify constraints on how these postings should be labeled (e.g. what injury timing and severity labels are valid), and assign volunteer teams for labeling. A dashboard allows progress and reliability tracking, and export of the labeled data. Over a thousand students at Virginia Tech and our partners – such as Thailand's famed triple-crown-accredited Thammasat University – have volunteered an hour or two of their time to learn about safety concern labelling, and label actual text postings with actual or potential injury types and severities.

Collaboratively, this group of community-minded injury-prevention apprentices have labelled hundreds of thousands of consumer postings, yielding both direct insights and vast, fertile training datasets for automated, Artificial Intelligence (AI) safety-concern classification methods.

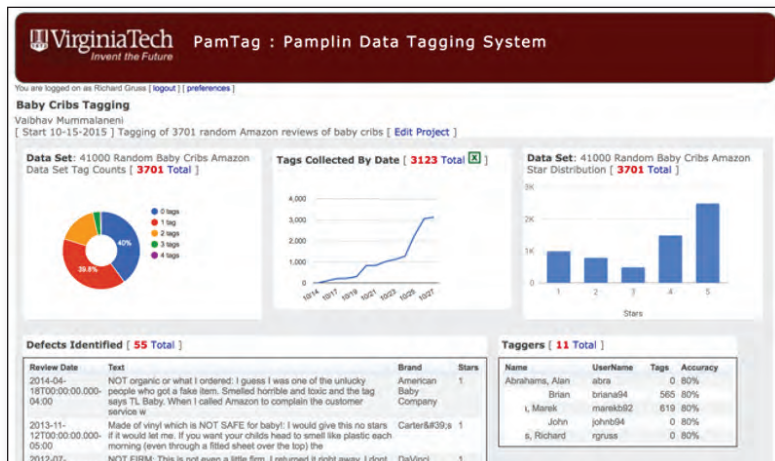
- **Fumeus:** Allows users to upload labelled (with safety concern categories) datasets of consumer postings and determine what words and phrases ("smoke terms") are most indicative of safety concern mentions. The generated smoke term dictionaries can be used to score new postings to rapidly assess their likelihood of containing safety concern mentions.

- **MARS:** Allows users to train, and then employ, common off-the-shelf AI algorithms to label pieces of text as safety concerns or non-concerns. MARS also allows user to upload output files from their in-house AI, and determine which AI methods identify unique (distinct) safety concerns that were mistakenly overlooked by alternative AI methods.

The illustrations below show samples of the use of our various tools; provide the relevant web-site addresses; and some citations to the research papers describing the underlying methods.

Please reach out to us at [abra@vt.edu](mailto:abra@vt.edu) to learn more about our product safety research and teaching and join us on our journal to *Invent the Future* of product safety research and practice. Swamped by consumer-contributed text data? Need support in your risk identification and characterization efforts? Higher Ed can help.

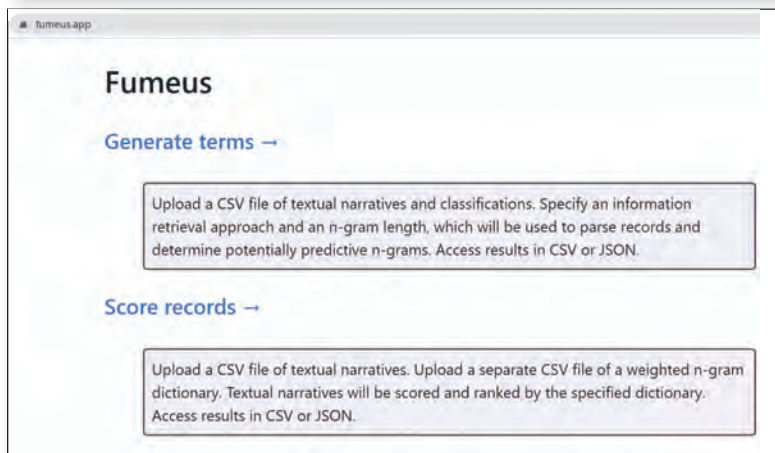
Alan Abrahams is an Associate Professor, Business Information Technology, Virginia Tech and Associate Director, Executive PhD Program, Virginia Tech. Contact Alan at [abra@vt.edu](mailto:abra@vt.edu) or [bit.vt.edu/faculty/directory/abrahams.html](http://bit.vt.edu/faculty/directory/abrahams.html)



**PamTag:**

A free tool for massive scale collaborative labeling of safety concern mentions in consumer postings

<http://pamtag.pamplin.vt.edu>



**Fumeus:**

A free tool for identifying words and phrases indicative of safety concerns, and scoring consumer postings to indicate which are most likely to mention safety concerns

<https://fumeus.app>

Cite:

- DM Goldberg, RJ Gruss, AS Abrahams, Fumeus: A family of Python tools for text mining with smoke terms, *Software Impacts*, 2022, Volume 12 (May), 1-4.



**MARS:**

A tool for assessing which Artificial Intelligence algorithms are best at identifying unique safety concern in a dataset, that are not spotted by alternative AI algorithms

<https://mars-classifier-evaluation.herokuapp.com>

Cite:

- Restrepo F, Mali N, Abrahams AS, and Ractham P. Formal definition of the MARS method for quantifying the unique target class discoveries of selected machine classifiers, *F1000 Research*.
- Mali N, Restrepo F, Abrahams AS, and Ractham P. (2022). Implementation of MARS metrics and MARS charts for evaluating classifier exclusivity: the comparative uniqueness of binary classifier predictions. *Software Impacts*, Volume 12 (May), 1-6.

# THE FUTURE OF PRODUCT SAFETY REGULATION: CURRENT HOT TOPICS DRIVING PRODUCT SAFETY POLICY REFORM AROUND THE WORLD



*Rod Freeman, Emma Bichet, Fergal Duggan*

**H**umans tend to obsess over the future – combing over the runes to identify trends which may help provide a slight strategic advantage going forward. We do this with varying levels of success; however, in certain cases, like predicting the future of product safety regulation, the trends are so well-defined, the pace of change so rapid, and the importance so critical, that this future-focused fixation becomes not only helpful, but a necessity.

In this article, we will explore three hot topics driving product safety policy reform globally: (1) the regulation of new technologies; (2) the convergence of sustainability with product safety; and (3) the drive for increased enforcement.

## ***The regulation of new technologies***

One of the key challenges facing policy makers around the world is whether the current legislative framework is capable of adapting to technological development. In the case of product safety, although new technologies do not necessarily create unique risks which require policy reform, they challenge the concepts which underpin our legal frameworks, including the definition of what a “product” is and how we understand “safety”.

Where disruptive new technologies enter the market, policy makers are faced with a choice as to whether they update existing legislation, introduce new legislation or adopt a “wait and see” approach, possibly offering guidance where required.

Looking globally, within the last year, we have seen all three approaches play out.

For example, in the EU, the fitness check of the General Product Safety Directive (the **GPSD**) identified that the “*rapid development of new technologies*” raised questions as to whether the GPSD was clear enough to “provide certainty for businesses and protection to consumers”.

The General Product Safety Regulation (the **GPSR**), which will replace the GPSD, expands the definition of “safety”, to include cybersecurity aspects that have an impact on safety, despite pushback from industry requesting that the law remain technology-neutral. The GPSR also expressly identifies “*the evolving, learning and predictive functionalities of a product*” as being a key to determining whether a product is safe – a step change clearly focused on new technologies.

For some new technologies, regulators believe that new laws are necessary. For example, in the EU, two big pieces of tech regulation are currently being negotiated; the AI Act and the Cyber Resilience Act.

The proposed AI Act focuses primarily on regulating AI systems identified as “high-risk”. “High-risk AI systems”, which are those that are deemed to pose significant risks to the health and safety or fundamental rights of a person, will

“Where disruptive new technologies enter the market, policy makers are faced with a choice as to whether they update existing legislation, introduce new legislation or adopt...”

have to comply with a set of mandatory requirements for trustworthy AI (on, amongst others, risk management, data governance and human oversight) and follow specific conformity assessment procedures before being placed on the market in the EU.

In contrast, the UK government has proposed a “light touch” approach grounded in a set of cross-sectoral principles, including that “AI is used safely”. The principles generally track the EU’s approach in the AI Act but lack the proposed statutory underpinning of that legislation.

Similarly, there is no overarching federal legislation related to AI in the US, with a number of administrative agencies (FTC, DoC, FDA etc.) considering how best to ensure this new technology remains safe.

Other countries are also not too far behind. For example, Australia is also considering whether, and how, to regulate to address concerns relating to cybersecurity, and Singapore establishing a new Law Reform Commission to consider the impact of robotics, AI systems and autonomous vehicles.

## **KEY TAKEAWAYS**

- The pace of legislative change in established regimes is unlike anything we have seen previously.
- The twin challenges of addressing concerns relating to sustainability and new technologies are front and centre of policy makers’ minds.
- We are also seeing increased enforcement of product safety rules in the form of civil and criminal actions. The risk of enforcement is heightened by greater cooperation between market surveillance authorities.

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## ***The convergence of sustainability with product safety***

In parallel to the regulation of new technologies, sustainability is now central to large parts of new product safety legislation globally and is showing no signs of abating. Product safety legislation is increasingly being used as a tool to increase the durability and recyclability of products with regulators seeking to address green concerns through the entire product lifecycle – from ensuring supply chains are environmentally friendly, to regulating the design phase, and determining a product’s repairability, reusability or recyclability at end of life.

In terms of hot topics, right to repair and the availability of spare parts are front and center of many policy makers’ minds – and the prospect of legislative change here is significant.

For example, in March 2022, the European Commission published the proposed Regulation on Ecodesign for Sustainable Products (the **Regulation**). If adopted, the Regulation would repeal the existing Ecodesign Directive and establish a new framework broader in respect of both the products in scope (potentially applicable to any product, including intermediates) and the requirements in place.

The Regulation proposes establishing technical requirements relating to product design (covering, amongst others, a product’s durability, repairability and carbon footprint).

It would also create a framework for the introduction of a digital product passport, so sustainability credentials of a product are accessible, and introduce restrictions on the destruction of unsold goods.

Similarly, in the US, the recently introduced New York State Digital Fair Repair Act will require manufacturers to make diagnostic and repair information for digital electronic parts and equipment available to independent repair providers and consumers if such parts and repair information are also available to OEM authorized repair providers.

Reducing the number of products actually placed on the market where possible is also a key driver for policy makers, with a particular aim to reduce e-waste.

The EU recently passed legislation requiring manufacturers to create a common charging solution for certain products, ensure consumers have information about product chargers and unbundle the supply of chargers from electronic devices. Following this legislation being passed, similar calls have been issued in the US and India for a common charger proposal.

This is just scratching the surface of the numerous topics relevant to sustainability which we could focus on – from the extraction of raw materials needed to create the product, to sustainability claims and “greenwashing” practices used in advertising.

Each of these concerns is accompanied by legislative change and we urge companies to closely consider the impact of relevant legislation.

“In terms of hot topics, right to repair and the availability of spare parts are front and center of many policy makers’ minds – and the prospect of legislative change here is significant.”

## ***The drive for increased enforcement***

Last, but very much not least, we must consider the enforcement regime which gives the requirements discussed above their teeth. Whilst we recognise that the threat of penalty is at times sufficient to ensure companies comply with the law, what is now clear is that regulators are no longer curtailed by issuing threats alone.

We are broadly seeing changes to enforcement regimes occur in two ways: (1) mature regulatory regimes are increasingly requiring strict compliance with regulations and stepping up enforcement in respect of these; and (2) emerging new regulatory and liability regimes are being established in countries which previously did not have strong regimes in place.

Looking at established regimes first, in the US, the CPSC has issued a number of significant civil penalties in 2022 following the fallow years of the Trump administration, and the Commissioners have called for penalties, including potential criminal conduct, to be used liberally in response to the worst conduct.

Indeed, as an indication of this new drive for increased enforcement, the Chairman of the CPSC urged Congress to “remove or dramatically increase the existing limits on CPSC’s civil penalty authority”. Similarly, in the EU, the Consumer Rights Directive and Unfair Commercial Practices Di-

rective have been updated to give the authorities more power, with the introduction of new penalties provisions accompanying the stricter recall and incident reporting requirements set out in the GPSR.

We are also seeing third parties increasingly being empowered to participate in the enforcement of product safety regulation in the EU. For example, the new EU Representative Actions Directive will allow certain “qualified organisations” (generally consumer organisations) to bring representative actions in the EU in the collective interests of consumers, including in respect of breaches of product safety legislation.

Similarly, online marketplaces are being given something of a quasi-regulatory role, with increasing obligations to report safety incidents and cooperate with the regulators.

Turning to emerging regimes, we are aware of certain authorities taking extremely strict approaches to legislation and, for example, treating certain product quality issues in a similar way to safety concerns.

These regimes are increasingly benefitting from increased cooperation with more established regimes, significantly escalating the risk for companies operating in multiple jurisdictions.

**Rod Freeman, Emma Bichet and Fergal Duggan** are with the international tech-focused law firm Cooley LLP. They can be reached at [rfreeman@cooley.com](mailto:rfreeman@cooley.com), [ebichet@cooley.com](mailto:ebichet@cooley.com), and [fduggan@cooley.com](mailto:fduggan@cooley.com).



## SAFETY STARTS WITH CARE... CUSTOMER CARE

*Don Mays*

**T**he first indication a company has a safety problem with a product often comes through the customer care department. Call center staff process complaints from consumers about product quality, performance, usability, and, of course, safety. Calls citing safety problems require special attention ... and escalation to the product safety committee.

### KEY TAKEAWAYS

- Training call center agents is critical to ensure accurate and complete recording of consumer safety complaints.
- Advanced analytics can help sort and escalate safety issues from call center records.
- Post-sale failure analysis can be strongly influenced by customer care records.

Customers injured by products are often emotional and may exaggerate the severity of an incident. For that reason, it's important for call center agents to be empathetic, but also inquisitive in an attempt to capture as much accurate and complete information as possible. Knowing the correct questions to ask and recording the answers accurately is helpful for informing a future investigation by engineers.

Training call center staff to drill down on safety issues is a critical—but frequently overlooked—part of the safety process. The training must be developed with the help of the engineers who are able to anticipate consequences of failures that might be expected and lawyers who can assist with the right way to ask questions and document responses. Using their knowledge, companies can equip their call-center agents with drop-down forms to use when communicating with customers, helping ensure that the right information is collected.

Say, for example, a consumer calls a company and claims that the company's product caught fire. Did the product actually catch fire or did it almost catch fire? Were there visible flames or was it just smoke or did the product get very hot?

Were the flames contained in the product itself, or did they escape the product? Was anyone or anything burned? If someone was burned, did they seek professional medical treatment for the burn or did they self-treat? If professional medical treatment was sought, was the treatment in a clinic or a hospital emergency room? Were they admitted to the hospital? Was there a diagnosis citing of the severity of the injury ... first-, second-, or third-degree burn, for example?

Can they provide any documentation or a photo or video evidence of problem? And should the agent ask for the customer to return the product for further examination by the companies' engineers?

More sophisticated call centers use advanced or big data analytics to help sort and escalate safety issues. Use of "smoke" words extracted from a lexicon of safety issues is common. Less common is analysis of phrases that can differentiate between expressions such as "a cut above in quality" and "a cut above my eye."

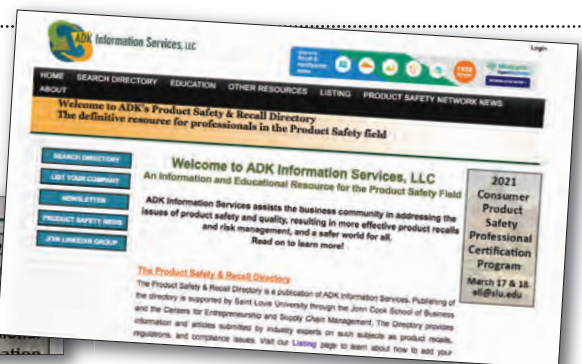
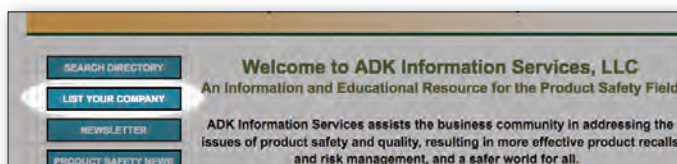
Though it's not 100 percent accurate, some companies also supplement call center records with speech-to-text technology that can help pick out the "smoke signals."

Now comes the hard part – evaluating the calls and product returns to determine if there is truly a product safety issue. Forensic engineers can try to replicate the problem by following the exact operating conditions cited by the consumer, and preferably on the exact product returned by the consumer.

If the product is not easily returned, engineers can inspect the product in the consumer's home, which would allow them to collect even more information for their investigation.

**Don Mays** provides consulting services under Product Safety Insights LLC. He is VP of the Society of Product Safety Professionals, Chairman of ASTM F15 Committee on Consumer Products, and board member for Kids In Danger. He can be reached at **917-561-2906**.

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## TRAINING AND DEVELOPMENT: INVESTING IN YOUR EMPLOYEES

*Jennifer Moore*

I've always found it important in any job search to look at how the company supports their employees and what training and professional development they offer. I started my career early, in what was perceived, at the time, to be an 'inside' sales position. I thought when I

### KEY TAKEAWAYS

- Never underestimate the power of proper training for your employees. You will help shape careers, not just jobs.
- Invest in your employees training & development, or someone else will.

wanted a 'career', something long-term. Not just 'job' or something to do for a paycheck. I was young, eager and willing to do what it took to succeed in this 'outside' sales world.

A great opportunity came knocking, so I got my resume ready and quickly passed it along. Not long after submitting my resume, I invited for an interview. Without hesitation, I obliged, and an interview was scheduled. During the interview there was a lot of discussion about direct communication with customers, managing orders and the need to handle customer complaints. Ok, great. Sounds like something I can do. "It's inside sales, how hard can it be?" I thought to myself. Fast forward to a few weeks later...I got the job and started immediately with the company. I was nervous yet excited and wanted to see firsthand what all the fuss was about and why this trend of 'sales' was so great.

I quickly learned, I had not accepted a role in 'inside' sales, I had accepted a role as a customer service representative. Although, I was now working for a great company in the industry, it was definitely not what I thought I was interviewed for. Did they mislead me, or did I let my excitement take over and I assumed what the role was going to be. Either way, I was here now and wanted to make the best of it. Completely driven and I just continued to tell myself, "It's a steppingstone. I'm sure this is part of the training to get into 'outside' sales." Right? Wrong. I felt unstoppable. I was proud of myself for taking a chance with a role that was a bit outside of my comfort zone.

I worked with a lot of really great people. Had a few great managers. However, I found myself day after day, week after week glued to my desk, wearing a headset and most of the time, answering the same questions over and over. Sounds

interviewed that this was the perfect role for me. A lot of my friends had 'outside' sales jobs in the medical or pharmaceutical industry. They made really great money. Traveled. Fancy dinners. They all seemed to really enjoy their 'job'.

I say 'job' because I knew early in my days that I

**"This customer service gig wasn't anything like what my friends were doing. I didn't get to dress fancy, travel or go to nice dinners, but one thing I did get to do was LEARN the ins and outs of our company."**

boring, right? Well, not exactly. This customer service gig wasn't anything like what my friends were doing. I didn't get to dress fancy, travel or go to nice dinners, but one thing I did get to do was LEARN the ins and outs of our company. Most importantly the products, our manufacturing, our safety and quality and our customers. I stayed in this role a lot longer than I planned. I moved around, learning more and more as the years went by.

Until one day, I was given the opportunity to begin working with the marketing team on a few campaigns. It sparked my interest in the marketing side of things, as well as product development. Within a few months, the individual I was working with decided to leave the company to pursue a different career path and before he did, he said to me, "you should apply for my position, I think you'd be great". I didn't think much of it. However, I had a lot of respect for this individual, more than he likely would ever know. I appreciated and trusted that he saw something in me that I didn't even know was there. I'm so glad I listened. I applied for the position and after many long interviews, I got the position. Again, super excited and eager to learn...but what did this mean for me?

I quickly learned that we were lacking a training and development program for people like me.

People who weren't just looking for a paycheck or their next job. People who were in it for the long haul. I realized after accepting this new marketing promotion, that this had the potential of being way better than any 'outside' sales job my friends had. At least that's what I kept telling myself.

I go on to work closely with sale reps, research & development, quality, regulatory, you name it, I interacted with them. Years later, I was still in the marketing role and succeeding. Not only did I dive in on helping to train our employees and customers about our products, but I also launched a training website for medical professionals that is still used today. Granted the site and company look drastically different today, the basic design and functionality is still there. One thing I tried to implement with our own sales team was the thought of requiring them to have a few days of 'live' training, with our customer service team. That is where you can learn the true ins and outs of the company, the products and most importantly the customers.

Before working for this company, I worked in a hospital, where I was sometimes responsible for triage. That is one of the most hectic places, especially working the night shift. However, you quickly learn to risk assess and be organized, hold your tongue and remain professional when you have to tell someone 'No'. I carried this skill over to my customer service role and now into marketing. My thought around

Jennifer Moore

teaching sales reps to spend time in customer service, was this, “you’re better off learning what the customers may ask you or complain about over the phone than in person. That way if you don’t know the answer, you can place caller on hold and find out. You can’t do that standing in front of them. You can’t ‘waffle’ on your response. They trust you and expect you to know what you’re talking about and tell them the truth.”

The tides began to change within the organization, and I found myself without warning, displaced from a role I thoroughly enjoyed. I carried with me, the experience and the desire for more growth & development into my next job search. I wanted my next gig to be great also. I wanted to continue learning, growing and helping others. My next role and the one following were with companies that really invested in the learning & development programs. They both had systems set in place to require (at minimum) quarterly training. They also offered optional trainings for employees

on all levels from entry to executive.

This is a fundamental feature of any company that is truly invested in the development their employees.

Currently, knowing that there is an unlimited amount of training and development opportunities at my fingertips, alongside great people, make my everyday role a little less stressful. We are encouraged to attend relevant conferences, classes (in-person or online), reading and a lot of cross-functional collaboration. LinkedIn Learning is an amazing tool available. We also utilize specific tech-based programs to ensure our engineers have what they need at their fingertips too. I consider myself lucky to work for a company that makes great strides to focus on the latest and greatest training for their employees.

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John Kuppens, Kelly Reid



## PRODUCT LIABILITY LAW EDUCATION FOR PRODUCT SAFETY PROFESSIONALS

*John Kuppens, Kelly Reid*

**L**egendary UCLA basketball coach John Wooden is remembered for winning. He won 620 games in 27 seasons, including four perfect, 30-0 seasons and 10 NCAA championship titles during his last 12 years. Remarkably, however, John Wooden did not talk to his teams about winning. Instead, his coaching philosophy emphasized preparation. As Wooden said: “How you run the race – your planning, preparation, practice, and performance – counts for everything. Winning or losing is a by-product and aftereffect, of that effort.”

Preparing for a basketball game looks a lot different than preparing your company to manage product liability concerns, but some of the same principles apply:

1. First, you need to understand the players in the game. It is critical to be knowledgeable of the legal and regulatory environment for your product.
2. Second, you need a playbook. Developing written internal procedures to help identify, escalate, and address product safety concerns is key in mitigating your liability risks.
3. Third, your preparation has to extend from tip-off to the final buzzer. Product safety should be emphasized from initial design through final sale.

Much like sports, careful preparation in managing the legal risks involved in the

design, manufacture, marketing, distribution, and sale of products can make all the difference when plaintiffs’ lawyers and government agencies come knocking.

### ***I. Be Aware of the Legal and Regulatory Landscape.***

A product liability issue can arise in many ways, including a single plaintiff lawsuit, a class action lawsuit, government investigations, hefty fines from regulatory agencies, and even recall mandates.

Thus, the first step in any proactive product safety strategy should be to identify and understand the specific laws and regulations that apply to your product.

“A product liability issue can arise in many ways, including a single plaintiff lawsuit, a class action lawsuit, government investigations, hefty fines from regulatory agencies, and even recall mandates.”

Products liability claims are typically brought under theories of negligence, breach of contract/warranty, and strict liability. You should understand how your company could be liable under any of these

### **KEY TAKEAWAY**

- When it comes to managing product liability risks, a proactive approach is the best policy.
- Companies that understand the legal and regulatory landscape, develop written procedures for identifying and addressing product safety concerns, and emphasize product safety from initial design through final sale can often avoid hefty regulatory fines and better defend themselves in instances of litigation.

theories and take proactive steps to eliminate or mitigate that liability. Keep in mind that what is required to prove and defend against these types of claims can vary from state to state and product to product.

Understanding which federal agency has jurisdiction over your products is essential in proactively managing product liability risks. The three primary agencies charged with matters related to product safety include the Consumer Product Safety Commission (“CPSC”), the National Highway Traffic Safety Commissions (“NHTSA”) and the Food and Drug Administration (“FDA”).

Each agency has jurisdiction over a specific subset of products. The CPSC has jurisdiction over consumer products; the FDA has jurisdiction over food, drugs, medical devices, and cosmetics, and the NHTSA has jurisdiction over motor vehicles and related equipment.

The federal regulations enforced by these agencies set forth strict requirements as to exactly how products must be manufactured, tested, certified, packaged, labeled, and distributed, as well as when information related to certain product safety concerns must be reported. Failure to comply with these regulations can result in criminal liability and enormous civil penalties.

“In addition to a compliance program, you should consider developing a recall plan in the event you need to act quickly with regard to a serious product safety concern.”

## ***II. Establish Written Internal Procedures to Identify and Address Product Safety Concerns.***

One effective way to improve your ability to identify product safety risks, defend corporate decisions, and minimize the likelihood of adverse regulatory action is to develop a written compliance program establishing protocols for identifying, escalating, and addressing product safety concerns.

Your compliance program should be tailored to meet the specific needs of your company and its legal and regulatory obligations.

At minimum, however, it is recommended that a compliance program do the following:

1. State your company’s dedication to maintaining a safety-conscious culture, including the commitment of senior management to the program and product safety overall;
2. State how your company receives feedback on issues related to product safety (i.e., customer complaints, warranty claims, etc.) and how that information is escalated and addressed;
3. Establish a product safety committee to assess escalated product safety concerns and determine what action, if any, needs to be taken (i.e., reporting the information to a federal agency, issuing a voluntary recall, etc.);
4. Include a whistleblower provision that encourages your employees to report potential product safety concerns without fear of reprisal;
5. Include a document retention policy of no less than five years; and

6. Be regularly reviewed and updated as your company and its products evolve.

In addition to a compliance program, you should consider developing a recall plan in the event you need to act quickly with regard to a serious product safety concern.

Merely having a written compliance program or recall plan in place won’t make much of a difference unless your employees are actually trained on those policies and procedures.

Training employees on how to spot and properly document product safety issues can pay dividends when plaintiffs’ lawyers or government agencies come knocking.

## ***III. Emphasize Product Safety from Initial Design Through Final Sale.***

Proactive management of product liability risks starts with the initial design of the product. From the outset, your company should be working to identify any hazards that a product may present and to assess

the risks of those hazards.

For example, you may want to consider some of the following issues:

- The foreseeable use and misuse of your produce;
- Whether there is a safer design that could be implemented;
- Whether the product has been thoroughly and rigorously tested;
- Whether any defect can arise during manufacturing or assembly and what can be done to mitigate that risk;
- Whether you have sufficiently warned against identified hazards; and
- Whether your design, testing, manufacturing, and assembly complies with any applicable federal regulations.

Asking these types of questions from the outset can help you manage your product liability risk by eliminating, guarding against, and warning users of potential hazards.

You should also strive to build safety into your supply chain. Consider including contractual provisions with your suppliers to ensure the use of safe materials, visiting supplier factories, or spot-checking products to ensure compliance.

When it comes to managing your product liability risks, preparation is key. Companies that take a page from John Wooden’s playbook and emphasize a proactive approach to product safety can often avoid regulatory fines and better defend themselves in instances of litigation.

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## PRODUCT SAFETY TRAINING FROM A LAWYER'S PERSPECTIVE

*Kenneth Ross*

I have many thoughts on the need for providing product safety training to product safety professionals and to those company professionals who design, make and sell products but do not work full-time in the product safety area. These thoughts are based on my 45 years of presenting seminars to lawyers and non-lawyers on product safety, regulatory compliance, and product liability.

In 1977, as an in-house attorney at Westinghouse Electric, I was asked to explain product liability to Westinghouse engineers who were taking courses at the Westinghouse Education Center.

Explaining product liability law to non-lawyers was challenging and would only be valuable if I could relate it to what they did in their daily jobs. So I tried to show how the law might be helpful in determining how to design and make products.

This challenge got me immediately interested in something called "preventive law." Preventive law advocated that lawyers get involved before their clients have problems and help them identify the legal and business risk and identify ways to minimize or avoid them. This included preparing to defend the adequacy of the product in case there was a problem that resulted in a lawsuit.

Company personnel involved in product safety had no guideposts for determining how safe is safe enough. If there were standards applicable to their particular product, they tried to comply.

And that was usually all they did. However, there are many problems with standards and legally, they are viewed as a minimum requirement. Therefore, mere compliance with a standard may not be a defense in a product liability case.

When engineers learn that they may have to exceed the applicable standards, they ask when they should do it, and by how much should they exceed it.

Unfortunately, there are no general answers to those questions. It is very dependent on the product, the risk, whether competitor's products just comply with the standard or exceed it, and whether there have been any accidents on the company's or competitor's products.

And ultimately, it is up to the company to decide how willing it is to assume the risk of accidents and the need to defend themselves.

So, my firm conclusion is that lawyers who are familiar with product liability and how companies can make safe products have an important role in educating company

personnel, whether or not these personnel are product safety professionals.

So, let's examine briefly some key concepts in product liability law that might be helpful in giving some guidance to design engineers and product

*"Preventive law advocated that lawyers get involved before their clients have problems and help them identify the legal and business risk and identify ways to minimize or avoid them."*

safety professionals. Negligence is the original concept in product liability. The company was negligent if they did something wrong. That could be that the product was unsafe in design, or the design was adequate but it was manufactured incorrectly. So, the injured party must prove that the manufacturer was at fault and that this product caused the accident.

Negligence was very hard to define, and it has been difficult to prove who was at fault. As a result, the law created a new theory called strict liability. This theory didn't require the injured party to prove fault.

The focus was on whether the product was defective and unreasonably dangerous when it left the control of the manufacturer and whether the defect caused injury.

The law provides guidance on what is defective. The focus is on whether the product could have been designed or made safer and whether the accident would not have occurred with that safer product.

There were a number of factors that the jury could consider when deciding whether the product should have been made safer. These include cost, product usability and marketability, the obviousness of the hazard to users, and the level and type of hazard.

I have told people at my programs that they should consider how they will be able to justify the level of safety built into the product to an injured party or their lawyer. Therefore, a part of the design and manufacturing process should be devoted to "preparing a defense" in case the product's safety is being challenged in court or by the government. Some people might think that this sounds too defensive and might be an admission that they are sure that the product will injure people and they will be sued.

### KEY TAKEAWAYS

- Training of company personnel should always include a lawyer knowledgeable in product liability law and litigation and product safety.
- Product safety professionals and all personnel involved with designing, making, and selling products need to attend such training.

It could and therefore when making these preparations, they should be done carefully and not primarily to provide a defense.

Designing a product involves evaluating the type and seriousness of foreseeable hazards and considering alternative designs that might reduce or prevent the risk. An example of "preparing to defend yourself" is the company evaluating each of the alternative designs and then making a decision on the final design. Then, the manufacturer should keep documents of the alternative designs and the reasons why these designs were not selected.

These documents might be harmful in that they could allow a plaintiff to argue that the company should have picked an alternative design that would have provided more safety.

“Personnel who receive training should be given enough information so that they understand what the law expects them to do when designing and making products.”

However, with these records, the company can say they considered alternative designs proposed by the plaintiff and did not use them for good reasons.

These are good examples of why a discussion of a company's "legal responsibility" to provide a reasonably safe product and what they need to do to be able to defend themselves is important in training company personnel.

It will help them do adequate analysis and make informed decisions and be able to truthfully document their process so that it can be explained later to a plaintiff's lawyer, a jury or a government agency.

Personnel who receive training should be given enough information so that they understand what the law expects them to do when designing and making products.

And then the company should tailor their procedures in risk assessment, design, warnings and instructions, quality, manufacturing, and documentation to help present a defense if necessary.

Also important is that training should identify the areas that cannot be answered in a vacuum and are very dependent on a number of facts. Teaching employees where the risks are and when they can make decisions on their own and when they should consult others in the company makes the training very useful.

So employees should understand when to ask questions and whom to ask – the product safety manager, a company lawyer, or someone else.

Also, training should encourage employees to raise issues about how to improve or clarify the safety procedures that the company develops and issues.

It is very hard to create clear procedures that allow employees to exercise their own judgement. Rarely is

there one answer and there might be disagreements among the design team. So, they need to know how to resolve disagreements and document the process and when can they vary from the process and how do they do it.

Training is very dependent on the extent of safety procedures that have been issued by the company and how specific or general they are. And hopefully these procedures will be improved over time as employees work with them. Training is an important part of any product safety program and one that will allow everyone to learn what works and what doesn't.

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Each team was given a different challenge around an "unfolding crisis." The articles in this section show how they addressed them.

PAGE 46

### THE CHALLENGE GROUP 1

*Andres Canales Robles, Hasbro; Christopher Chin, Best Choice Products; Mariya Dytso, Intertek; Brenda A. Torres, woom*

PAGE 48

### THE CHALLENGE GROUP 2

*Melinda Miller, Universal Parks and Resorts; James Mueller, Intertek; Lee Tympanick, Hasbro; and Tom Wise, Sauder Woodwork Company*

PAGE 50

### THE CHALLENGE GROUP 3

*Riad Bouazher, CEER Motors; Charles Chilson II, Kuerig Dr. Pepper; Vanessa Haro, SpinMaster; Nathan Mui, Intertek; Yuchen David Yan, Best Choice Products*



## CHANCE FAVORS THE PREPARED MIND

*Shelia Gottschalk*

### KEY TAKEAWAYS

- Crisis can occur in many areas within a business but when compliance and safety are a factor it is a call to action for the product safety professional.
- When, not if, a crisis occurs a prepared safety professional will have the tools needed to react

Crisis can occur in many areas within a business, but when compliance and safety are a factor it is a call to action for the product safety professional. It is a time when they must be at their best, demonstrate leadership, control chaos, and build trust and confidence. Advanced preparation is the best way to achieve the skills needed and ensure good decisions will be made to protect the consumer and ultimately the brand.

Crisis preparation can be achieved when the compliance area has a documented procedure. The procedure should include detailed information on what, where, and how to obtain factual information and conduct an investigation.

The compliance area should lead the investigation with key business partners. These could be areas like legal, marketing, engineering, and manufacturing. The procedure should detail what roles, position, and titles must be included versus identifying people by name. Job movement can make names inaccurate, but a role or position rarely changes. The procedure should clearly identify what position is responsible for communicating to stakeholders. Ideally the position will be from the compliance department, but it could be legal, public affairs, or a business designate.

**D**o you remember this quote from the movie *Under Siege 2* or perhaps you knew it was a statement from Louis Pasteur, the 19th century scientist. Pasteur used it to describe his ability to invent and innovate across a complex set of problems. I contend that it should be a guiding principle for safety professionals, especially when dealing with a crisis.

“Crisis preparation can be achieved when the compliance area has a documented procedure.”

A good procedure will include a guide for how and where to document information. Information such as how many and where was product shipped? Is production still occurring? Is any in transit? Could similar product be affected? Answers to these questions lead to actions. Is a notification to the CPSC needed? Is the crisis unwarranted and no action is needed? The safety professional should be familiar with the procedure and able to implement it quickly.

An example of a documented crisis procedure is a recall/withdrawal procedure. I recommend mock recalls be executed annually to check for gaps in the procedure or missing information. All needed business partners and stakeholders should be included in the mock recall. Mock recalls benefit the safety professional in numerous ways. They provide an opportunity for business partners to see the leadership skills of the product safety professional during a potential crisis and create trust in their ability to handle situations.

Frequently the safety professional position is like a ghost and only seen or thought of in bad times. Mock recalls can create a partnership with business leaders and provide opportunities for the compliance and safety department to show the value and need for inclusion early in product development.

When, not if, a crisis occurs a prepared safety professional will have the tools needed to react appropriately. They will include all needed business partners and ensure actions and reactions are fact based.

I frequently mention that every business interaction is job interview. Crisis management is no exception. How the safety professional manages crisis can lead to better stronger relationships with business partners and expanded job opportunities. A quote from Eleanor Roosevelt is as true today as it was when spoken years ago – “If you prepare yourself at every point as well as you can... you will be able to grasp opportunity for broader experience when it happens.”

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# PROFESSIONAL AND PERSONAL GROWTH IN THE PRODUCT SAFETY FIELD

Donald R. Kornblet and Ik-Whan Kwon, Ph.D.

Product safety professionals are in a unique position. They are in a multi-disciplinary field comprised of a variety of disciplines that are skill-based, knowledge-specific, and network-dependent. In identifying critical areas of knowledge necessary to success in product safety, a team of product safety professionals, regulatory attorneys, and testlab specialists spent nearly a year in developing what became the Five Pillars of Knowledge developed by the Society of Product Safety Professionals in 2017.

## Understanding Basic Responsibilities of the product safety professional

The Five Pillars are a convenient way to focus on the areas of knowledge that a skilled product safety professional needs to master in order to grow as a professional. The components of these areas are basic to the defined responsibilities that identify core areas of knowledge:

### 1. Corporate Culture:

The Culture pillar covers the knowledge necessary to contribute to the company's culture as a responsible business and corporate citizen. It includes policy development, stakeholder communication, advocacy for senior management support for the product safety mission, advising senior management on all product-related program activities and important incidents, working with company leaders to determine whether to report incidents to regulatory bodies when warranted.

This pillar also delves into ethical practices and speaks to the importance of educating personnel about the organization's product safety mission and its impact on the company and consumers.

### 2. Consumer Product Safety Assurance and Risk Management

The safety assurance and risk management pillar include knowledge of the elements of a broad product safety assurance program that enables product safety professionals to make appropriate decisions on matters of product risk and hazard assessment. It looks at product development functions and recognizes the product safety role in product design with foreseeable consumer behavior in mind. Also included is the testing of related programs, including methods, standards, and assessment of marketing materials and product instructions for safety issues.

### 3. Regulatory Compliance

The regulatory compliance pillar describes the knowledge of rules, regulations, standards, bans, and restrictions applica-

ble to a company's products; use of information sources to stay up-to-date on standards and regulations with continuous efforts to research and learn about new information related to their organization's industry; communicates a company's overall safety vision and requirements across the supply chain, while noting that the overall program's focus is primarily on the United States market at the federal, state, and local levels.

### 4. Incident Management

The incident management pillar overviews the comprehensive cor-

“The Five Pillars are a convenient way to focus on the areas of knowledge that a skilled product safety professional needs to master.”

received by phone, email, mail, warranty and other claims, legal actions, on-line and social media complaints that may indicate safety related product issues, including a knowledge of consumer safety information sources such as the Consumer Product Safety Commission's (CPSC) SaferProducts.gov website, and CPSC's National Electronic Injury Surveillance System (NEISS). and other regulatory agencies. This area also reviews product recalls of products similar to those manufactured/sold by the company, manages resources to forensically determine root causes of failures, evaluates the effectiveness of corrective actions, and maintains all records necessary for product safety actions and for corrective actions both internally and externally.

### 5. Product Recalls and Product Withdrawals

This includes communication and coordination of product sales and shipping-holds; reverse logistics; recalls and other corrective actions including safety notices, corrective action preparation and coordination with the appropriate regulatory agency and company personnel. The product recall and withdrawals pillar also look at the coordination of consumer communications and remunerations, including notification of a

## KEY TAKEAWAYS

- The Five Pillars of Product Safety knowledge are a convenient way to focus on the areas of knowledge that a skilled product is *expected to master as a professional*.
- Professionals must weave professional development and growth into a *planned behavior*. Knowledge does not come accidentally. It requires effort and focus.
- Commitment to growth encompasses taking part in *networking activities and identifying mentors* who can influence the direction of your career

porate system through which all product safety-related complaints, incidents, injuries, lawsuits, liability claims, warranty claims, etc. are compiled in a data management system. This pillar monitors field complaints

product defect or failure; the system for return, repair, replacement, repurchase and disposal plans; and modification of future production to eliminate the identified risk that led to recall or corrective action. He/she needs to coordinate and monitor and report corrective actions activity as required by law. This includes maintenance of all records for product destruction, returned inventories, repaired or refurbished products, etc.

Against this background of professional responsibilities, and the knowledge required to engage in all areas of the Five Pillars, it is realistic to expect that one person can have expertise in one, or possibly two, of all of these areas. What is required beyond this level, is that professionals have a general understanding of the areas where they may not be expert, but where their day-to-day activities may require judgement in determining when expert support must be enlisted to deal with a particular problem or opportunity that the organization faces.

This factor leads us to an examination of what skills are required to deal with varying levels of responsibility for various incidents and events.

### ***Skills required of an effective product safety professional***

There are three fundamental skills that product safety professionals need to have or further develop:

1. **Analytical ability** is required so that the professional can look at a particular situation, process, or personal interaction and be able to realistically analyze what the particular “take aways” are in terms of necessary action, and what priority it should hold under the circumstances. Analytical ability is a core requirement for the professional.
2. **Judgement** is necessary to decision-making so that the professional can confidently do what is felt to be necessary under the circumstance. Examples of what such judgement might be in determining: what risk is involved, who needs to know about the situation, and what are the logical next steps in dealing with the situation. Judgement is integral to the skill set required of a professional.
3. **Communication skills** are essential to a product safety professional’s effectiveness. It is among the most critical skills that need to be mastered by a professional. Its importance is intimately involved in every situation that may come up within the scope of the 5 Pillars of Knowledge. Professionals need to constantly self-assess, and where appropriate, improve their communication abilities.

### ***Weaving professional development and growth into a planned behavior***

We have examined the scope of responsibilities that the typical product safety professional is expected to have and understand, and what some of the critical individual skills

that will help the professional navigate in the various settings that may be involved in an event or incident. At this point, we can explore some of the personal attributes that will support the individual’s growth as a professional. These attributes include:

**Knowledge** that is essential for a professional to carry out the responsibilities they have. This knowledge relates to many different areas of knowledge opportunity that can advance one’s readiness to grow in terms of responsibility. The knowledge base consist in such forums as:

- 1) formal knowledge gained from educational programs offered through universities, industry associations, or even from within the company itself,
- 2) job-related or product-related, incident-related knowledge can be gained from reading industry publications, formal reports that cross your desk, or business publications and other news sources;
- 3) interface with company peers, industry peers, supply chain peers, standards organizations, or regulators can lead to an very important sources of knowledge-conversations with others. Media, social advocates, service providers, or consumers can bring fresh insights and perspectives that may benefit you, and be a source of information you can bring back to your company.

**Commitment** to the field and their participation as a professional. The passion that an individual feels about their job and the field of product safety radiates. It says that this individual has the type of commitment that would be expected of a leader or future leader of the field. Those who demonstrate a seriousness about their work, but without taking themselves too seriously can stand out as valuable resources to others.

**Commitment to growth** is demonstrated by your behavior. Are you engaged in educational and organizational activities that contribute to your personal and professional growth? Do you maintain appropriate contact and communications with individuals who are important to the success of product safety within the organization? Hint: the best investment you can make in starting a working new relationship with a peer in your organization is in the communication session that you initiate before there is a product safety incident or challenge, rather than after an incident occurs.

**Networking** should be a constant factor in the professional’s thinking. Its advantages include: sharing of knowledge, where you both share with and learn from others through interacting with peers within and outside of your organization. If there are formal or informal gatherings that you are able to participate in, grab the opportunity; if it doesn’t pan out the way you hoped, you can always leave after 20 or 30 minutes. Industry organizations, standards groups, and regulator-related presentations or events are all places where you can gain the benefits of networking.

“Against this background of professional responsibilities, and the knowledge required to engage in all areas of the Five Pillars, it is realistic to expect that one person can have expertise in one, or possibly two, of all of these areas.”

**Mentoring** is an activity that you can benefit from, or share with those less experienced individuals. You can have a mentor or you can be a mentor to others. There are benefits to both roles. Some organizations actually sponsor mentorship programs among employees. Many people who move up professionally in their field have accelerated their progress as a result of learning information or techniques from more experienced professionals.

**Summary:**

As a multi-disciplinary job, product safety management requires hard work to begin building your career. You are expected to have the knowledge required to address the responsibilities of a professional in the field. You are expected to have developed personal skills such as analytical ability, judgement, and communication skills. Your experience will be the laboratory where your knowledge and skills face the challenge of the various positions you have held, and accumulating practical education. It is commonly recognized that product safety work does not exist in black and white situations, but in gray areas.

An effective manager must be comfortable with ambiguity, and recognize that one may not have all of the information required to make good decisions, knowing that all of the

necessary data may not be in your possession. That being said, most practitioners in the field go about their work with passion, commitment and enthusiasm, proud of their work, the company they work for, and the consumers who receive the benefits of well designed and manufactured products that do not pose unreasonable risks for consumers exposed to their products.

“An effective manager must be comfortable with ambiguity, and recognize that one may not have all of the information required to make good decisions, knowing that all of the necessary data may not be in your possession.”

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**BEST PRACTICES**

PAGE 54

**BUILDING RECALL-READINESS THROUGH EFFECTIVE PROFESSIONAL DEVELOPMENT**

*Chris Harvey*

PAGE 54

**VALUING THE PRODUCT SAFETY PROFESSIONAL**

*Don Mays*

PAGE 55

**KNOWLEDGE IS POWER**

*Jennifer Moore*

PAGE 56

**PROFESSIONAL DEVELOPMENT FOR PRODUCT SAFETY CAREERS**

*John Kupsch*

PAGE 57

**ICPHSO STUDENT MENTORSHIP PROGRAM**

*Marc J. Schoem*

PAGE 58

**PRODUCT SAFETY LEADERS CAN LEVERAGE TECHNOLOGY TO STAY RELEVANT & RE-INVENT THEMSELVES WHILE TRANSFORMING THE ORGANIZATION**

*Don Mabry*



## SAFETY IN NUMBERS: ADOPTING A HOLISTIC APPROACH TO RECALL READINESS

*Chris Harvey*

**R**ecalls and other product-related crises can be a company's worst nightmare. But there are steps all companies can, and should, take to put themselves in the best position to manage them. At the top of that list is embracing a holistic approach to recall-readiness that spans from the C-suite to employees on the floor, to partners throughout the supply chain.

As recall-readiness emerges as a new buzzword for many industries, and with regulatory agencies like the U.S. Food and Drug Administration (FDA) issuing guidelines for handling recalls, it's important to take a step back and understand what it means to be recall-ready and the preparation it requires.

It doesn't matter what industry you operate in, or where your company fits in the supply chain – being recall-ready should be a top concern for any company looking to protect its brand, its hard-won reputation, and its bottom-line.

Recall-readiness at its core is a mindset. It means creating and maintaining a recall plan that outlines, step-by-step, the process your company will implement to maintain meticulous records, identify and remove a product from the market, communicate clearly and effectively with all key stakeholders and understand how to coordinate all those efforts with federal and state regulators.

All of that requires training so that everyone in the company – from receptionist to CEO – understands their individual roles when a crisis occurs.

With product recalls becoming more high-profile events in the news and gaining traction on social media, it is increasingly important for companies to embrace a thorough recall-readiness program. While recall-readiness is an ongoing process, companies are well-advised to begin with the following steps:

**Recall-readiness is a holistic effort that requires assigning responsibility to every employee and incorporating their continuous training into professional development programs.**

The most successful recall and crisis plans involve the entire company and assign tasks – big and small – to a specific person or group of people. The organizational chart and everyone's responsibilities in a recall response should be clearly delineated and shared across the company to ensure there is no confusion over assignments and that important tasks do not go undone. Consider building teams to handle tasks in a crisis scenario where one person is (or multiple people are) absent. How will these roles and responsibilities be filled?

Development of these recall teams needs to happen individually and collectively. At the individual level, this means training people on their role in a product-related crisis and the

tasks they will need to conduct. These training sessions may look similar within divisions of the company, but should focus on specific responsibilities at the individual level. The collective training should occur after the individual training and should focus on how individuals' roles fit into the broader picture of what the team must accomplish.

**It is important to establish recall protocols and train your team in advance. The initiation of a product recall is not the time to learn about the many logistical, communications and compliance challenges in play.**

Making sure your team is adequately trained should

happen long before you face a product-related crisis. This doesn't just mean training to remove the impacted products from the market at various levels in the supply chain. It also involves media interview and message development training; training for responding to customer inquiries; and determining in advance which third-party experts you will call in for help, from recall insurance to regulatory lawyers, to crisis communications firms, and reverse logistics providers.

These third-parties should also be involved in mock recall drills to ensure your employees know how they partner with the experts and when they should be engaged. Mock recalls also offer the opportunity to test your recall response in a high-stakes simulation that has all the hallmarks of a real live event without the risks to your company that come with an actual crisis. As evidence of how important these mock recalls are to recall-readiness, the FDA recently recommended that mock recalls be regularly conducted to test the recall plans food companies are mandated to create under the Food Safety Modernization Act.

**Once your company is recall-ready, it is important to remember that the process is not finished. The most**

### KEY TAKEAWAYS

This article reviews the key factors for recall-readiness and how recall training should be considered as part of professional development for most employees to ensure they're prepared for any product-related crises.

- Nearly every employee will have a role or responsibility in executing a recall or response to another product-related crisis.
- Training your team in advance is crucial – if a recall or crisis occurs, it's already too late to do so.
- Recall-readiness is not a 'one-and-done' process, but requires regular training, simulations, and updates to recall and crisis response plans.

**successful companies conduct continuous training and updates for recall and crisis response plans.**

The definition of product safety is ever-changing, and as regulatory agencies update rules to adjust, companies must reevaluate their training programs. By continuously training employees, companies will be in the best position to respond to recall events that are related to evolving challenges, such as cybersecurity attacks.

Beyond conducting continuous training, it is also important to test your recall-readiness by running mock recall events at least once, and probably twice, each year. These simulate

every aspect of a real recall event and should involve every stakeholder who has a responsibility in your recall or crisis plan. By conducting mock recalls, you can ensure that no gaps

exist in your response and that everyone is adequately trained and prepared for a real product-related crisis.

By viewing recall response training as part of professional development and incorporating a continuous training program, companies can become truly recall-ready.

“Recall-readiness is a holistic effort that requires assigning responsibility to every employee and incorporating their continuous training into professional development programs.”

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## Now Accepting Applications For the 2023 Product Safety Education Programs

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### Product Safety Leadership Fundamentals June 5 – July 24, 2023

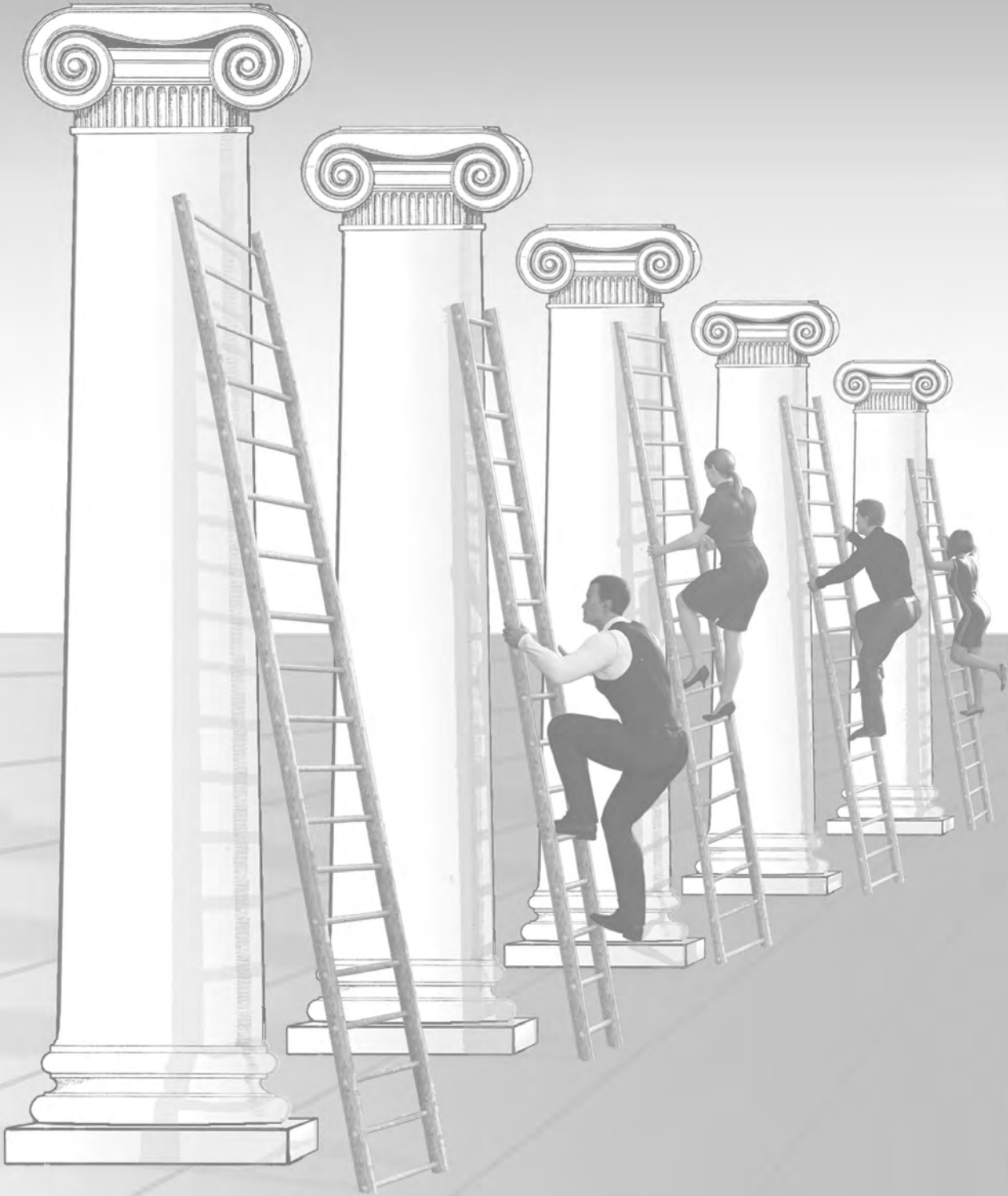
The Leadership Fundamental's course is offered to a range of product safety experience from 1 or 2 years of experience to those with 20 years of experience seeking to update some their knowledge on best practices and trends in the field. The course is a "how to" course to enhance the skills and knowledge of product safety managers in such areas as product design, compliance programs, regulatory affairs management, risk assessment and product assurance, incident management programs and investigations, and product recall and return program. The program extends over a 2-month period. It combines classroom instruction, distance learning modules with instructor webinars and teleconferences, case study presentations, and communications techniques for dealing with various stakeholders concerned about a product's safety. Instructors are experienced product safety professionals who often become long-term resources to members of the class as they pursue their careers.

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This course focuses on areas that will contribute to the product safety professional's general knowledge of core areas of understanding, combined with management insight into basic business leadership principles, including culture, ethics, communications, and effective outcomes. Designed for individuals with responsibilities to protect their companies and its brands, as well as consumers in the area of product safety, each program relates to areas of challenge in the product safety field. The 2022 program focused on Crisis Management's role in Professional Development. The theme for 2023 will be developing and managing a company compliance program during periods of transition. Designed for product safety professionals with a minimum of five years of experience or a certificate holder from product safety programs from an accredited university or professional development organization, and intended for those with backgrounds in risk management, product development, compliance, engineering, chemists and toxicologists, operations, product integrity, and quality assurance personnel. It is a leadership training program that emphasizes peer networking and relationship building.

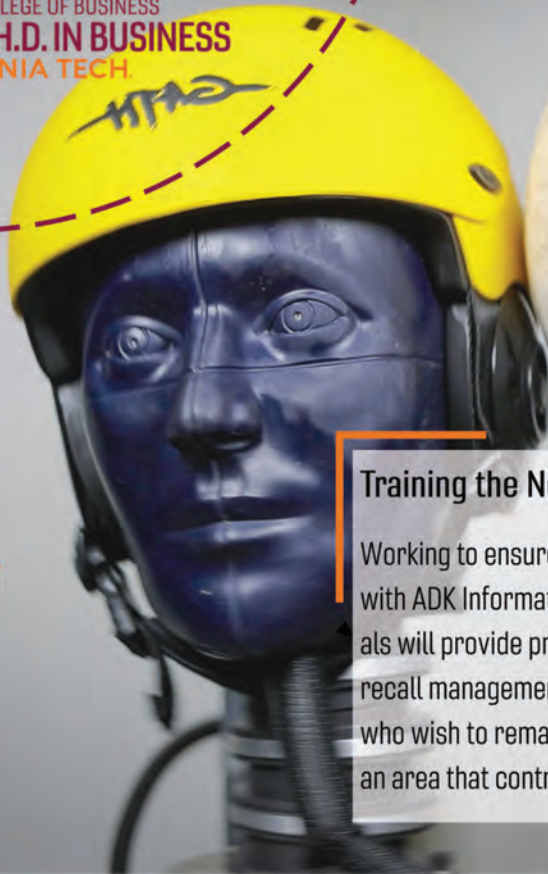


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