



Potential Liability for Virginia Retailers of Children's Products

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Earlier this year, the Virginia General Assembly amended the Virginia Consumer Protection Act to prohibit the sale or manufacture of any children's products that the U.S. Consumer Product Safety Commission has recalled. The statute creates a rebuttable presumption that the retailer knew about the recall if the Consumer Product Safety Commission has continuously posted a notice for thirty or more days. To avoid liability under this rule, retailers must therefore take a proactive approach to ensure compliance.

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