

STORK CRAFT RECALLS MORE THAN 2.1 MILLION BABY CRIBS DUE TO DROP-SIDE DEFECT WHICH CAN LEAD TO INFANT/TODDLER ENTRAPMENT

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On November 23, 2009, the U.S. Consumer Product Safety Commission (CPSC), in cooperation with Stork Craft Manufacturing, Inc., of Canada, announced the voluntary recall of more than 2.1 million Stork Craft drop-side cribs, including nearly 150,000 cribs with a Fisher-Price logo. Approximately 1.2 million of the recalled cribs were distributed in the United States.

According to the recall notice, deficiencies with the plastic hardware in the drop-side rail can result in detachment, leading to a dangerous gap between the rail and crib mattress where infants and toddlers can become trapped. Stork Craft reported 110 incidents of drop-side detachment. CPSC, Health Canada and Stork Craft reported 15 incidents of infant/toddler entrapment, with 12 in the U.S.; 4 of the entrapments resulted in suffocation. In cases where the drop-side completely detached from the crib, the recall notice reported 20 falls from the cribs with injuries ranging from concussions to bumps and bruises. The recall does not involve Stork Craft cribs without a drop-side, nor does it involve cribs with metal rod drop-side hardware. The recall is focused on those cribs with the plastic hardware. The scope of the recall includes manufacturing and distribution dates between January, 1993 and October, 2009. Those Stork Craft cribs with the Fisher-Price logo have

manufacturing dates between October, 1997 and December, 2004, and the Fisher-Price logo-bearing cribs were first sold in the United States in July, 1998. Major retailers in the United States and Canada which sold the recalled cribs include BJ's Wholesale Club, JCPenney, K-Mart, Meijer, Sears, USA Baby, and Wal-Mart stores. On-line retailers include Amazon.com, BabiesRUs.com, Costco.com, Target.com, and Walmart.com.

This is the second Stork Craft recall this year. In January, Stork Craft recalled over 500,000 cribs due to mattress support bracket failures. Stork Craft received reports that the metal support brackets would break, causing the mattress to collapse, which in turn lead to a risk of entrapment and suffocation. The CPSC revised the recall notice in May to indicate that 92,000 of the recalled cribs bore the Fisher-Price logo.

Product recalls such as the Stork Craft crib recall can result in significant losses up and down the distribution chain, as well as catastrophic bodily injury claims. Product recall losses frequently involve complex insurance coverage issues. Cozen O'Connor's Food Contamination/Product Recall Practice Group has substantial experience in representing insurers in connection with these types of claims.