

## **Warning Labels are Not Always Enough to Cover Liability**

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It is the responsibility of the manufacturer to warn consumers of any dangers or hazards associated with the use of their products. If one or more individuals are harmed by a product that has been discovered to be unsafe, a list of entities may be liable. These include designers, manufacturers, distributors and vendors.

Product warnings are intended not only for those who actually purchase an item but for anyone who could “reasonably” be expected to be harmed by its use. Since product liability claims have a tendency to be wide open and somewhat subjective, a number of laws and guidelines have been established to offer clarification:

***Restatement of the Law Third, Torts: Products Liability*** - This law clarified the three major categories of defective products; manufacturing defects, design defects and warning defects. It covers the risks, adequacy of warnings and care in design expected before a product is offered to the public.

### **Warnings Still May Not Be Enough**

The manufacturer of a product has a “duty to warn” the public of any known danger that may be present involving that product’s “reasonable” or “expected” use. This is usually done by a combination of labels and literature. Even so, lawyers may determine that warnings were inadequate when presented with a prospective product liability case.

Law firms that specialize in product liability are well aware that sometimes the lines between “adequacy” and “inadequacy” can be blurred with regard to product warnings. Product liability attorneys will often focus on strict liability which focuses on the product itself and not necessarily any presumed negligence on the part of the manufacturer.

Overall, manufacturers must take great care in the development of warning labels for their goods. Every possible hazard must meticulously outlined for the customer. However, depending on the circumstances surrounding harm caused by a product, protection from a lawsuit is not always guaranteed.