

CARB Fines Retailers for Selling Products in Violation of Consumer Product Regulations

February 2020

If your business sells products that have a “Not for Sale in California” warning on the label, you may be in violation of California Air Resources Board (CARB) regulations that require consumer products sold in California to contain only a certain quantity of volatile organic compounds (“VOCs”). VOCs are chemicals used in many of our household products such as hair spray, deodorant, and cleaning products.

The CARB [regulations](#) consist of 5 Articles that became legally effective in the 1990s. Under these regulations, retailers, distributors, importers, and manufacturers of consumer products are responsible for ensuring the products they sell comply with California’s VOC limits.

Recently, CARB assessed fines on [well-known retailers](#) for failing to adhere to the consumer product regulations. Every day a non-complying product is offered for sale in California, a company may be in violation. Retailers that sell non-complying products can face fines up to \$50,000 per day.

Investigators from the CARB Consumer Products program purchase samples of regulated products from businesses all over California. The label and contents of the product are inspected. If any violations are found, investigators then present them to prosecutors.

The steep fines may be imposed on retailers regardless of whether they are the manufacturer of the product or not. Even retailers that import products from abroad assume liability under the CARB regulations. As such, it’s important for those in supply chain businesses to ensure that they are compliant with existing regulations, in order to avoid an enforcement action and subsequent penalties.

For more information on this subject, please contact us at Contact@HartmanKingLaw.com.

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