

# CHECKLIST | PRODUCT LIABILITY EVALUATION

Presented by HRO Resources

This checklist is designed to help you proactively evaluate product liability concerns. It takes into account various departments, policies and procedures. For more information on product liability and to secure the proper coverage to transfer your product liability risk, contact your insurance broker today.

ADMINISTRATION	YES	NO	N/A
Have you created and communicated a product safety policy?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do you have a committee or group that proactively addresses product safety and liability?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do you have a designated person who is responsible for coordinating product safety activities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PRODUCT RISK EVALUATION	YES	NO	N/A
Do you have a process in place for identifying and evaluating product hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are hazard analysis reports reviewed by your product safety group?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do you regularly evaluate products to ensure they meet regulatory requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
When evaluating risks, do you take the potential environmental impact of the product into account?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESEARCH, DEVELOPMENT AND ENGINEERING	YES	NO	N/A
Do you use up-to-date standards for all of your product lines? Are they used as minimum design criteria?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are your in-house design criteria documented and supported by research, calculations or other scientific analysis?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do you use system safety techniques to evaluate product designs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do you take possible misuse and the human error as part of the product design process?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PURCHASING	YES	NO	N/A
Does your legal counsel review your purchase documents? Do suppliers, vendors and sub-contractors hold your company harmless in these documents?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does your company obtain certificates of product liability insurance from suppliers?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*This checklist is merely a guideline. It is neither meant to be exhaustive nor meant to be construed as legal advice. It does not address all potential compliance issues with federal, state or local standards. Consult your licensed commercial property and casualty representative at HRO Resources or legal counsel to address possible compliance requirements. © 2019 Zywave, Inc. All rights reserved.*

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QUALITY ASSURANCE	YES	NO	N/A
Do you use a quality assurance program?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does your quality assurance program meet applicable standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is your quality assurance program accurately reflected in your company's policies and procedures?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are all quality control procedures documented?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do you seek the assistance of third parties (e.g., outside laboratories or consultants) periodically to audit your quality assurance procedures?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

INSTRUCTIONS AND WARNINGS	YES	NO	N/A
Do you verify that product labels meet applicable industry and government safety standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do labels and other warnings address hazards related to product misuse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do you have a process in place to ensure instruction manuals and package labels are useful, understandable and readily available?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does your product safety committee and legal counsel review all labels, warnings and instructions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SALES AND ADVERTISING	YES	NO	N/A
Do you regularly review advertising materials, warranties, guarantees and sales representation agreements alongside legal professionals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do you provide product liability prevention training to marketing and sales representatives, distributors and dealers?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are sales personnel instructed to report product safety problems to the appropriate parties?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PACKAGING AND SHIPPING	YES	NO	N/A
When selecting packaging, do you take product safety and liability into account?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does product packaging meet applicable shipping and transportation safety requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does legal counsel review packaging, particularly any included warnings and safety?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

INCIDENT AND CLAIM HANDLING	YES	NO	N/A
Does your company have effective procedures for handling the following concerns? <ul style="list-style-type: none"> <li>• Customer complaints and product incidents</li> <li>• Product abuse and misuse</li> <li>• Product liability claims</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do you periodically analyze incident, complaint and claim data to pinpoint trends and potential concerns?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PRODUCT RECALL AND DISPOSAL	YES	NO	N/A
Are your critical materials, components and packaging coded and traceable to the original manufacturer?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are production and sales records created, reviewed and retained?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do you have procedures in place for product recalls?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PROGRAM AUDITS	YES	NO	N/A
Does your company regularly audit product safety programs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

For more information, please contact:

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