

LEGAL LIABILITY OF GARAGE SALE VENDORS



Did you know that with the enactment of the Canada Consumer Product Safety Act, that everyone holding a garage sale is legally responsible for ensuring that products being sold, whether new or used, are safe and meet current regulatory requirements?



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If you sell a product that is: banned in Canada, defective and will cause injury to the user, part of a product recall where a repair kit is supposed to be provided to address the recall, or the product is supposed to be taken out of circulation, then you will be responsible for anyone getting hurt who uses the product you sold them.

Here are some tips to follow when selecting items for a garage sale:

- Find out if the item has been banned in Canada. Check the Health Canada Quick Reference Guide to Hazardous Products and lists banned items:
http://www.hc-sc.gc.ca/cps-spc/pubs/indust/reference_guide-consultation_rapid/index-eng.php
- Find out if the product has been recalled. Check the Health Canada Consumer Product Safety – Product Recall page:
<http://cpsr-rspc.hc-sc.gc.ca/PR-RP/home-accueil-eng.jsp>
- Infant products such as playpens, car seats, strollers, etc., should still have the manufacturers label including model and date of manufacture on it. Typically car seats have a life of 6 years or as specified by the manufacturer.
- Toys with loose parts such as buttons or knobs should not be sold as the loose components can become choking hazards.

If your product has been banned or recalled, or is defective in any way, then it should be discarded. For more information visit the Health Canada webpage at www.hc-sc.gc.ca

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