

Failure to Warn in a Defective Product Case

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There's no feeling worse than paying your hard-earned money for a product, only to be injured by it due to a manufacturing or design defect. Manufacturers and sellers have a responsibility under California to warn consumers of any dangers they might encounter in the everyday use of a product. ***If you have suffered an injury, illness or even the death of a loved one due to a lack of adequate warnings on a product, you may be owed damages.*** The personal injury lawyers at Johnson Attorney Group can help you determine whether to pursue a defective product case against a negligent seller or manufacturer and can help you receive the compensation you are owed. **Call 1-800-235-6801 for a free consultation.**



Defective Product Cases in California

California law allows consumers to bring a case against manufacturers and sellers if a product has a design, manufacturing or marketing defect that harms the consumer.

- **Design Defect:** If something in the design of a good is hazardous, it can lead to a design defect in the finished product.
- **Manufacturing Defect:** When a product comes off the assembly line, and it has a flaw that was not in the design, it has a manufacturing defect.
- **Marketing Defect:** If a finished product does not have proper warning labels on it or if the instruction manual is incomplete or flawed, the product has a marketing defect.

The "failure to warn" in a defective product case usually falls under the marketing defect category.

Duty of Care

All sellers and manufacturers have a reasonable duty of care to the consumers who buy products from them. ***This means that companies have a responsibility to warn the purchasers of any potential hazards that the product can pose.*** If a company knows or reasonably should have known that a product can cause harm, that company has a duty to warn the consumers about it through proper labeling and instruction manuals. California residents have a further layer of protection under our state laws because even out-of-state manufacturers can be sued for damages if their product is sold in California and causes an injury.

Conspicuous Warnings

Under the duty of care, companies must provide warning labels on products that are highly visible to the user. A manufacturer cannot simply place a warning about a product hazard inside of a dense instruction manual and be freed from liability if the product injures someone. This is why you often see warning labels on many everyday products, from power tools to children's swing sets. ***Product warning labels must be easy to understand and situated in a location where the user is likely to see it.***

Contact Johnson Attorneys Group for a Free Failure to Warn Case Evaluation

The personal injury lawyers are ready to help if you have been injured by a defective product. We have 12 convenient locations throughout California to assist you. Johnson Attorneys Group has helped our clients recover more than \$98 million in damages that were owed to them, and we ensure that every client understands the legal process from start to finish. ***Our phone lines are open 24 hours a day, seven days a week, so call us at 1-800-208-3538 for a free case evaluation today.***