

WAC 230-16-045 Defective punch boards, pull-tabs, or pull-tab dispensers. (1) If we determine that punch boards, pull-tabs, or pull-tab dispensers do not meet our requirements, the director may order manufacturer(s) to recall all defective products and all similarly constructed or printed products.

(2) If the director orders a recall, we immediately notify the manufacturer of the:

- (a) Product to be recalled; and
- (b) Reason for the recall; and
- (c) Effective date of the recall; and
- (d) Any other specific requirements.

(3) We follow verbal notice with a written notification.

(4) Immediately upon receiving oral notification, manufacturers must cease shipping affected product in the state and initiate actions to ensure complete compliance with the recall.

(5) Manufacturers must notify all distributors within seventy-two hours of:

- (a) The items recalled; and
- (b) The effective date of recall; and
- (c) The arrangement for the prompt return of the defective items.

(6) Once they've been notified, distributors must immediately stop sales and delivery of the product. We notify each licensed distributor, in writing, of:

- (a) The recall; and
- (b) The effective dates; and
- (c) The products involved; and
- (d) Any special instructions.

(7) Before any reintroduction of any recalled or similar item, the manufacturer must first submit the revised or reworked item to us for review, evaluation, and approval. We notify the manufacturer, in writing, of the approval or disapproval.

(8) The manufacturer must send a copy of the approval letter to distributors with the next five shipments of the reworked item.

(9) Manufacturers must reimburse distributors the actual cost the distributor paid for each punch board, pull-tab series, or pull-tab dispenser the director orders recalled. Manufacturers of recalled punch boards, pull-tab series, or pull-tab dispensers must compensate distributors for time and expenses incurred during a recall. Compensation must not exceed fifty cents per punch board or pull-tab series the distributor actually returned to the manufacturer or twenty-five dollars per pull-tab dispenser.

[Statutory Authority: RCW 9.46.070. WSR 07-19-069 (Order 615), § 230-16-045, filed 9/17/07, effective 1/1/08.]