



**Air Transportation Management,
M.Sc. Programme**

**Air Law, Regulation and
Compliance Management**

Course material:

Manufacturers' Liability

Module 16

Source:

American Law Institute, *Restatement of the Law Second, Torts*

AMERICAN LAW INSTITUTE

RESTATEMENT (SECOND) OF TORTS

1. RESTATEMENT (SECOND) OF TORTS § 402A (1965).

Section 402A provides:

(1) One who sells any product in a defective condition unreasonably dangerous to the user or consumer or to his property is subject to liability for physical harm thereby caused to the ultimate user or consumer, or to his property, if

(a) the seller is engaged in the business of selling such a product, and

(b) it is expected to and does reach the user or consumer without substantial change in the condition in which it is sold.

(2) The rule stated in Subsection (1) applies although

(a) the seller has exercised all possible care in the preparation and sale of his product, and

(b) the user or consumer has not bought the product from or entered into any contractual relation with the seller.