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https://www.100test.com/kao_ti2020/127/2021_2022_GMAT_E8_80_83_E8_AF_95_c89_127486.htm 66. In determining whether manufacturers should be accountable for all injuries resulting from the use of their products, one must weigh the interests of consumers against those of manufacturers. On balance, holding manufacturers strictly liable for such injuries is unjustifiable. Admittedly, protecting consumers from defective and dangerous products is an important and worthwhile goal. No doubt nearly all of us would agree that health and safety should rank highly as an objective of public policy. Also, compelling a high level of safety forces manufacturers to become more innovative in design, use of materials, and so forth. Consumers and manufacturers alike benefit, of course, from innovation. However, the arguments against a strict-liability standard are more compelling. First, the standard is costly. It forces manufacturers to incur undue expenses for overbuilding, excessive safety testing, and defending liability law suits. Consumers are then damaged by ultimately bearing these costs in the form of higher prices. Second, the standard can be unfair. It can assign fault to the wrong party. where a product is distributed through a wholesaler and/or retailer, one of these parties may have actually caused, or at least contributed to, the injury. The standard can also misplace fault where the injured party is not the original consumer. Manufacturers cannot ensure that second-hand users receive safe products or adequate "instructions and warnings. Finally, where the

injured consumer uses the product for a purpose or in a manner other than the intended one, or where there were patent dangers that the user should have been aware of, it seems the user, not the manufacturer, should assume the risk of injury. In sum, despite compelling interests in consumer safety and product innovation, holding manufacturers accountable for all injuries caused by their products is unjustifiably costly to society and unfair to manufacturers.

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