

Stanley W. Landfair

Senior Counsel



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Overview

Stanley W. Landfair counsels and represents companies in the chemicals, aerospace, electronics and other manufacturing industries on environmental compliance matters and represents them in environmental enforcement proceedings and other litigation matters. He has represented clients before administrative forums, state and federal trial and appellate courts and the US Supreme Court.

Stan is known for his experience in the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and counterpart laws in California that regulate the manufacture, distribution, sale and use of pesticides. He counsels clients regarding their requirements under these laws, and has defended numerous federal and state enforcement actions against manufacturers and distributors. Stan also is known for his vigorous defense of intellectual property rights of companies that submit trade secret health and safety testing data to federal and state agencies under FIFRA and state laws.

Stan is similarly well-known for his experience in the Toxic Substances Control Act (TSCA) and similar laws in other countries that regulate the manufacture, distribution and use of chemicals in the United States and around the world. He has defended manufacturers of chemical, petroleum, aerospace and electronic products in TSCA enforcement actions.

In California, Stan is a recognized authority on "Proposition 65," the State's Safe Drinking Water and Toxic Enforcement Act of 1986. He has defended over a thousand companies against "failure to warn" claims under the Act, arising from the sale and use of products such as asphalt roofing materials, orthodontic devices, intravenous feeding devices, dental amalgam, firearms and bullets, cookware, pipe nipples, smoking cessation devices, dry cleaning fluid, tobacco smoke, bulk chemicals, paints, and spray paints. Stan won landmark victories in the case of *As You Sow v. Shell Oil Company*, resulting in a ruling Proposition 65 cannot be enforced against out-of-state manufacturers of workplace chemical products; and *Consumer Defense Group v. ARCO*, resulting in a ruling that the Proposition 65 "discharge prohibition" does not give rise to claims for the "passive migration" of chemicals after a discharge occurs.

Stan also advises and represents companies and industry task forces in preventing the unwarranted listing of chemicals under Proposition 65. He has appeared numerous times before the Cancer Identification and Developmental and Reproductive Toxicant Identification Committees, regarding chemicals such as PFOA, Bisphenol-A, PFOS, Chlorpyrifos, and others.

Stan Landfair co-authored the *TSCA Handbook* (Government Institutes, Fourth Edition, 2006) and contributed to the *Environmental Law Handbook* (Government Law Institutes, Twentieth Edition, 2009).

Recognition

Stan Landfair has been recognized by *Chambers USA* in the category of California: Environment since 2012.

Insights

- "US Food and Drug Administration, Federal Trade Commission Step-Up Enforcement of Product Misbranding and Efficacy Claims Related to COVID-19," Dentons client alert, April 16, 2020
- "US EPA announces COVID-19 enforcement discretion policy," Dentons client alert, March 27, 2020
- "Caveat emptor: EPA limits hearing rights for some conditional registrants under FIFRA," Dentons client alert, May 10, 2016
- "Senate Passes TSCA Reform Bill," Dentons client alert, January 5, 2016
- "California to Focus on Seven Product Categories for Green Chemistry Scrutiny," Dentons client alert, April 17, 2015
- "California Consumer Products Targeted for Safety Review: What Can We Learn From DTSC's Initial Priority Product List?," Dentons client alert, March 19, 2014
- "Panelists at hearing express optimism that a compromise on TSCA modernization can be reached but substantial policy differences remain," Dentons client alert, November 19, 2013
- "Senate EPW Committee agrees to modernize TSCA, but compromise remains elusive," August 7, 2013
- "Issues the Chemical Safety Improvement Act does not address," Dentons client alert, July 24, 2013
- "Proposition 37 Advisory III: Frequently Asked Questions," Dentons client alert, October 23, 2012
- "Proposition 37 Advisory II: A Framework for Analysis," Dentons client alert, October 11, 2012
- "California's Proposition 37: Right-to-Know Initiative Would Require Labeling for "Genetically Engineered" Foods," Dentons client alert, October 1, 2012
- Co-author, *Pesticide Regulation Handbook*, McKenna Long & Aldridge, LLP, 2007
- Co-author, *The TSCA Handbook*, 4th Edition, Government Institutes, 2006
- Co-author, "Judging the Effectiveness of the Proposition 65 Reforms: Is the Worst (Best) Over, or is the Worst (Best) to Come?," Prop 65 News Conference and Seminar, March 29, 2004, co-authored with Ann G. Grimaldi

Activities and Affiliations

Presentations

- Co-presenter, "The Regulation of Efficacy Claims for COVID-19 Products," Society of Chemical Hazard Communication webinar, August 18, 2020
- Co-panelist, "Food Law-Regulation, Compliance and Litigation," American Conference Institute, Virtual conference, July 2020

Memberships

- State Bar of California
- The District of Columbia Bar
- Virginia State Bar

Areas of focus

Practices

- Litigation and Dispute Resolution
- Public Policy and Regulation
- Environment and Natural Resources
- Environmental Regulation
- Clean Up of Contaminated Land (North America)
- Chemicals, Pesticides and Product Regulation
- Prop 65
- Environment and Natural Resources in the United States
- Pesticides
- Nanomaterial Regulation

Industry sectors

- Defense and Space
- Chemicals and Petrochemicals

Region

- Sacramento

Education

- Georgetown University Law Center, 1978, JD
- Butler University, 1975, BA

Admissions and qualifications

- California
- District of Columbia
- Supreme Court of the United States
- US Court of Appeals for the Fourth Circuit

- US Court of Appeals for the Ninth Circuit
- US Court of Appeals for the Third Circuit

Languages

- Spanish