

Scott Cohn

SENIOR COUNSEL

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FOCUS AREAS

Consumer Products and
Services
Corporate
Emerging Companies
FDA Regulatory, Healthcare,
and Consumer Products
Federal Trade Commission
Government Investigations

EXPERIENCE

Scott Cohn is senior counsel in the New York office of Wilson Sonsini Goodrich & Rosati, where he specializes in consumer product regulation, innovation, compliance, safety, and recalls, including FDA-regulated products. Scott provides legal counsel to major global and domestic retailers, importers, distributors, and manufacturers of consumer products in all aspects of consumer product regulation, product safety and compliance, and product labeling and advertising claims, including Made in USA claims and e-warranties, as well as California Proposition 65 warnings, compliance, and defense work. His practice also includes representing and counseling on product safety recalls in the U.S. and abroad, and he has experience in the management and defense of civil and criminal investigations conducted by governmental agencies that regulate product safety and advertising. Scott practices before numerous federal agencies, including the U.S. Consumer Product Safety Commission (CPSC), the Food and Drug Administration (FDA), the Federal Trade Commission (FTC), the U.S. Department of Agriculture (USDA), the U.S. Fish and Wildlife Service (FWS), and U.S. Customs and Border Protection (CBP), as well as state and local agencies. He also performs regulatory due diligence reviews for M&A transactions and day-to-day business activities.

Scott's work involving federal and state agencies includes:

- CPSC: product safety evaluations, product recalls, testing protocols, defect reporting, civil penalty defense, compliance manuals, sourcing agreements, failure analysis, and emerging and new technology product compliance (AI and IoT) for all consumer product industries, most notably electronics, gaming, apparel, footwear, appliances, fitness, toys, children's products, and sleepwear;
- FDA: wellness devices and wearables, dietary supplements, new dietary ingredient notifications (NDIN), 510k pre-market approvals, food facility registrations, import alerts and petitions for removal, cosmetics regulation (MoCRA), cGMP audits, and import for export;
- FTC: advertising substantiation, Made in USA claims, environmental claims and Green Guides, textile and apparel labeling, care labeling, warranty disclosures, internet and catalog disclosures, and fair packaging and labeling act (FPLA) requirements;
- CBP: country of origin labeling and determinations, tariff classification, import valuation issues, and fish and wildlife compliance including CITES endangered and threatened species;
- States: upholstery and bedding labeling/tagging as required by individual states and state chemical restrictions and reporting requirements;
- Proposition 65: defense of Notices of Violation, warnings on products and online, and testing and compliance programs; and,
- Autonomous Vehicle Regulation: state and federal regulation of autonomous commercial vehicles.

Prior to joining the firm, Scott practiced in the consumer products, fashion and retail, food and drug, and made in USA practice groups at Arent Fox LLP, and previously at a customs and international trade boutique firm in New York City.

CREDENTIALS

Education

- J.D., University of Miami School of Law, 1983
- B.B.A., Accounting, University of Miami, 1980

Associations and Memberships

- Participating Member, ASTM International

Admissions

- State Bar of New York
- U.S. Court of International Trade