Vaccines are subject to a special preemption regime. The National Childhood Vaccine Injury Act\(^{276}\) sets up a federal no-fault compensation program for vaccine-related injuries. The Supreme Court has held that the statute precludes design defect claims, although claims based on side effects that could have been avoided by proper manufacture or proper warnings may be preserved in some circumstances.\(^{277}\)

**Footnotes**

276 \(^{257}\) 42 U.S.C. § 300aa-22(b)(1).


**Source:** National Consumer Law Center, Consumer Warranty Law [5th ed.], updated at www.nclc.org/library

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