

Shifting Liability for Non-Conforming Paper to the Merchant or Mill

By Frederic G. Antoun, Jr., Esq.

An informal survey of GPO vendors recently indicated that many do not list the GPO contract number and/or the JCP paper code number on purchase orders for paper.

While it is much easier to do business over the telephone – and not issue purchase orders or written confirmation of paper orders in writing – it can be very, very dangerous for the printer. In the event there is a problem with the paper used on any particular GPO contract, that problem could result not only in a price reduction, but also in rejection of the entire order.

The defenses of “it looked okay to me” or “we use that stock all the time and have never had a problem”, etc. don’t hold up against a GPO Paper Testing Division defect report.

Since most printers don’t hold themselves out to be paper experts, and few if any have the capability to do even basic tests on stock, the liability for supplying conforming paper which meets specifications should be on the paper merchant or mill. But the only way to place it there is to clearly advise the paper merchant or mill in writing at the time the order is placed as to the requirements the paper must meet. This should be done in your purchase order or in a letter confirming a telephone order by listing both the GPO contract number and the JCP paper code required by the contract. There is no need to attach JCP specs, as paper merchants and mills have ready access to the government paper specifications. If the paper is specifically described in the contract, it is appropriate to attach the specifications.

Should a problem arise after the job is awarded and/or produced, there will be no question that the merchant or mill contracted with the printer to provide a specific paper required by the contract.

Without such written documentation, the battle between printer and paper supplier is based on the printer’s account of verbal statements, which are always difficult to prove.

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