product the product still cannot be made safe for its reasonable foreseeable use and the manufacturer knows or through the use of reasonable care should know about the dangerous condition and that it is not obvious to the user of the product, the manufacturer has the duty to give an adequate warning of the danger.

A failure to fulfill that duty is negligence.

Under both the negligence and strict liability theories of liability, the manufacturer is held to the knowledge and skill of an expert.

The manufacturer status as an expert means that at a minimum the manufacturer must keep abreast of the scientific knowledge, discoveries, and advances and is presumed to know what is imparted thereby.

Industry standards and state of the art are not synonymous.

State of the art includes all of the available knowledge on a subject at a given time, and this includes scientific, medical, engineering, and