U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

MAR 27 2012

1200 New Jersey Avenue SE.
Washington, DC 20590

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Terry Emerson
Director of Quality Assurance
Child Restraints and Regulatory Affairs
Dorel Juvenile Group
2525 State Street
Columbus, IN 47201-7494

NVS-212jfa
EA10-005sup2

Dear Mr. Emerson:

This letter supplements the Office of Defects Investigation (ODI) Engineering Analysis (EA) information request (IR) letter of December 28, 2010 to investigate allegations of the occupant harness slipping through the Center Front Adjuster (CFA) in child seats manufactured by Dorel Juvenile Group (DJG).

As part of this EA investigation, this letter requests updated consumer complaint information regarding the subject child seats.

Unless otherwise stated in the text, the following definitions apply to these information requests:

- **Subject child seats:** all child seats manufactured by DJG in MY 2008 and MY 2009 that are equipped with a CFA supplied by IMS (Safety Plus).

- **Subject components:** the center front adjuster and all related components, including but not limited to, mounting hardware and harness straps.

- **DJG:** Dorel Juvenile Group, all of its past and present officers and employees, whether assigned to their principal offices or any of their field or other locations, including all of their divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of their headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of DJG (including all business units and persons previously referred to), who are or, during all times that DJG was manufacturing child seats equipped with a CFA supplied by IMS (Safety Plus), were involved in any way with any of the following related to the alleged defect in the subject child seats:
  a. Design, engineering, analysis, modification or production (e.g. quality control);
  b. Testing, assessment or evaluation;

c. Consideration, or recognition of potential or actual defects, reporting, record-keeping and information management, (e.g., complaints, field reports, warranty information, part sales), analysis, claims, or lawsuits; or
d. Communication to, from or intended for zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers.

- **Alleged defect:** any failure of the subject components that impedes the ability of the CFA to lock the occupant harness in an intended adjustment position, or results in loosening of the harness, including loosening due to child movement or other non-crash related causes.

- **Document:** "Document(s)" is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), faxes, mailgrams, telegrams, cables, telex messages, notes, annotations, working papers, drafts, minutes, records, audio and video recordings, data, databases, other information bases, summaries, charts, tables, graphics, other visual displays, photographs, statements, interviews, opinions, reports, newspaper articles, studies, analyses, evaluations, interpretations, contracts, agreements, jottings, agendas, bulletins, notices, announcements, instructions, blueprints, drawings, as-builts, changes, manuals, publications, work schedules, journals, statistical data, desk, portable and computer calendars, appointment books, diaries, travel reports, lists, tabulations, computer printouts, data processing program libraries, data processing inputs and outputs, microfilms, microfiches, statements for services, resolutions, financial statements, governmental records, business records, personnel records, work orders, pleadings, discovery in any form, affidavits, motions, responses to discovery, all transcripts, administrative filings and all mechanical, magnetic, photographic and electronic records or recordings of any kind, including any storage media associated with computers, including, but not limited to, information on hard drives, floppy disks, backup tapes, and zip drives, electronic communications, including but not limited to, the Internet and shall include any drafts or revisions pertaining to any of the foregoing, all other things similar to any of the foregoing, however denominated by DJG, any other data compilations from which information can be obtained, translated if necessary, into a usable form and any other documents. For purposes of this request, any document which contains any note, comment, addition, deletion, insertion, annotation, or otherwise comprises a non-identical copy of another document shall be treated as a separate document subject to production. In all cases where original and any non-identical copies are not available, "document(s)"also means any identical copies of the original and all non-identical copies thereof. Any document, record, graph, chart, film or photograph originally produced in color must be provided in color. Furnish all documents whether verified by the DJG or not. If a document is not in the English language, provide both the original document and an English translation of the document.

- **Other Terms:** To the extent that they are used in these information requests, the terms "claim," "consumer complaint," "dealer field report," "field report," "fire," "fleet," "good will," "make," "model," "model year," "notice," "property damage," "property damage claim," "rollover," "type," "warranty," "warranty adjustment," and "warranty claim," whether used in singular or in plural form, have the same meaning as found in 49 CFR 579.4.

In order for my staff to evaluate the alleged defect, certain information is required. Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. Insofar as DJG has previously provided a document to ODI, DJG may produce it again or identify the document, the document submission to ODI in which it was included and the precise location in that submission where the document is located. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the organization of this information request letter (including all individual requests and subparts). When documents are produced and the documents would not, standing alone, be self-explanatory, the production of documents shall be supplemented and accompanied by explanation.

Please repeat the applicable request verbatim above each response. After DJG's response to each request, identify the source of the information and indicate the last date the information was gathered.

1. State, by child seat model name and child seat model year, the number of each of the following, received by DJG, or of which DJG is otherwise aware and not previously provided, which relate to, or may relate to, the alleged defect in the subject child seats:
   a. Consumer complaints;
   b. Reports from retailers or distributors;
   c. Reports involving a crash, injury, or fatality, based on claims against DJG involving a death or injury, or notices received by DJG alleging or proving that a death or injury was caused by the alleged defect in a subject child seats; and
   d. Lawsuits, both pending and closed, in which DJG is or was a defendant or codefendant.

   For subparts "a" through "d," state the total number of each item (e.g., consumer complaints, reports from retailers, etc.) separately. Multiple incidents involving the same child seats are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

   In addition, for item "c" provide a summary description of the alleged problem(s) identified in the report or notice, and causal and contributing factors and DJG's assessment of the problem(s), with a summary of the significant underlying facts and evidence. For item "d", identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

2. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 1, state the following information:

a. DJG's file number or other identifier used;
b. The category of the item, as identified in Request No. 1 (i.e., consumer complaint, report from retailer, etc.);
c. Child seat owner's name, address, and telephone number;
d. Child seat brand name;
e. Child seat model name;
f. Child seat model number;
g. Child seat model year;
h. Child seat date of manufacture;
i. CFA date of manufacture;
j. Incident date;
k. Report or claim date;
l. Number of alleged injuries; and
m. Number of alleged fatalities.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "REQUEST NUMBER TWO DATA UPDATE_SUP2."

3. Produce copies of all documents related to each item within the scope of Request No. 1. Organize the documents separately by category (i.e., consumer complaints, reports from retailers, etc.) and describe the method DJG used for organizing the documents.

This letter is being sent to DJG pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49 and to request reports. It constitutes a new request for information. DJG's failure to respond promptly and fully to this letter could subject DJG to civil penalties pursuant to 49 U.S.C. § 30165 or lead to an action for injunctive relief pursuant to 49 U.S.C. § 30163. (Other remedies and sanctions are available as well).

If DJG cannot respond to any specific request or subpart(s) thereof, please state the reason why it is unable to do so. If on the basis of attorney-client, attorney work product, or other privilege, DJG does not submit one or more requested documents or items of information in response to this information request, DJG must provide a privilege log identifying each document or item withheld, and stating the date, subject or title, the name and position of the person(s) from, and the person(s) to whom it was sent, and the name and position of any other recipient (to include all carbon copies or blind carbon copies), the nature of that information or material, and the basis for the claim of privilege and why that privilege applies.

DJG's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by April 17, 2012. **All business confidential information must be submitted directly to the Office of Chief Counsel as described in the following paragraph and should not be sent to this office.** In addition do not submit any business confidential information in the body of the letter submitted to this office. Please refer to EA10-005Sup2 in DJG's response to this letter and in any confidentiality request submitted to the Office of the Chief Counsel. If DJG finds that it is unable to provide all of the information requested within the time allotted, DJG must request an extension from D. Scott Yon at (202)

366-0139 no later than five business days before the response due date. If DJG is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information DJG then has available, even if an extension has been granted.

If DJG claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b) (4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, DJG must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 CFR Part 512, to the Office of Chief Counsel (NCC-11), National Highway Traffic Safety Administration, Room W41-326, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590. DJG is required to **submit two copies of the documents containing allegedly confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted.** Please remember that the word "CONFIDENTIAL" must appear at the top of each page containing information claimed to be confidential, and the information must be clearly identified in accordance with 49 CFR § 512.6.

Please send email notification to John Abbott (John.Abbott@dot.gov) and to ODI_IRresponse@dot.gov when DJG sends its response to this office and indicate whether there is confidential information as part of DJG's response.

If you have any technical questions concerning this matter, please call John Abbott of my staff at (202) 366-5221.

Sincerely,

Frank S. Borris, Director
Office of Defects Investigation
Enforcement