May 22, 2014

Frank S. Borris II, Director
Office of Defects Investigation Enforcement
Email notification to Mr. John Abbott and Mr. Scott Yon at john.abbott@dot.gov, scott.yon@dot.gov, and to ODI_IRresponse@dot.gov

Re: Response to Information Request for EA13-001 (Infant Child Seat Harness Buckles)

Dear Mr. Borris,

Please find a copy of Britax Child Safety Inc.'s request for confidentiality as submitted to the Office of Counsel regarding the ID referenced above.

Sincerely,

Kenneth Wittenauer
Vice President and General Counsel
Britax Child Safety, Inc.
4140 Pleasant Road
Fort Mill, SC 29708
Direct Phone (704) 409-1705
Fax (704) 409-1710

Enclosures

May 22, 2014

Mr. Otto Matheke
Office of Chief Counsel
National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E., NCC-111, Room W41-227
Washington, DC 20590

Re: Response to Information Request for EA13-001 (Infant Child Seat Harness Buckles)

Dear Mr. Matheke,

Today, Britax Child Safety, Inc ("Britax") is submitting its response to a request from the Office of Defects Investigation for investigation number EA13-001, involving allegations that the harness buckles of certain rear facing infant seats manufactured by Graco Children's Products Inc., are difficult to unlatch or become stuck in a latched position. Britax requests that portions of this submission be treated as confidential under Exemption 4 of the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552(b)(4), and NHTSA's regulations at 49 C.F.R. Part 512.

The information required by your regulations is set forth below.

A. Description of the Information (49 C.F.R. § 512.8(a))

The information is comprised of vital production, and sales data of Britax child restraints.

B. Confidentiality Standard (49 C.F.R. § 512.8(b))

At least since *Center for Auto Safety v. NHTSA*, 244 F.3d 144 (D.C. Circ. 2001), this agency's practice has been to treat voluntary submissions to information requests as confidential. Thus, the standard set forth in 49 C.F.R. § 512.15(d) is applicable to the instant request for confidential treatment.

C. Justification for Confidential Treatment (49 C.F.R. § 512.8(c))

Voluntarily-submitted information should be accorded confidential treatment if its release to the public could cause substantial competitive harm to the Britax Brand. *E.g.*, 5 USC § 552(b)(4); *Freedom of Information Act*. Britax does not ever, much less customarily, disclose to the public the information for which confidential is sought. To the contrary, Britax's practice is to protect the confidentiality of such information, restricting its dissemination even within the company to those who need it in the performance of their employment-related duties.

Britax Child Safety, Inc.
4140 Pleasant Road
Fort Mill, SC 29708
USA

A Britax Childcare Group Ltd. company

Tel: 704-409-1700
Fax: 704-409-1710

D. Class Determination (49 C.F.R. § 512.8(d))

The information is not subject to a class determination.

E. Duration for Which Confidential Treatment Is Sought (49 C.F.R. § 512.8(e))

Some of the information for which confidential treatment is being sought is anticipated to be disclosed to the public, however in an effort to retain its competitive value, Britax requests that the information be accorded confidential treatment for a period of five years.

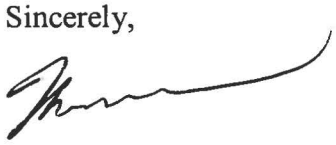
F. Contact Information (49 C.F.R. § 512.8(f))

Please direct all inquiries and responses to the undersigned.

Britax is supplying two copies of the entire submission, together with a "public" copy that does not include the confidential information. We have marked each page containing information claimed to be confidential "CONTAINS CONFIDENTIAL BUSINESS INFORMATION."

If you receive a request for disclosure of the information for which confidential treatment is being sought before you have completed your review of our request, Britax respectfully requests notification of the request(s) and an opportunity to provide further justification for the confidential treatment of this information, if warranted.

Sincerely,



Kenneth Wittenauer
Vice President and General Counsel
Britax Child Safety, Inc.
4140 Pleasant Road
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Certificate in Support of Request for Confidentiality

I, Bradd Michael, pursuant to the provisions of 49 C.F.R. Part 512, state as follows:

(1) I am Vice President of Finance and I am authorized by Britax to execute documents on behalf of Britax;

(2) I certify that the information described in the accompany request for confidential treatment is confidential and proprietary data and is being submitted with the claim that it is entitled to confidential treatment under 5 U.S.C. 552(b)(4);

(3) I hereby request that the information contained in the enclosed documents be protected on a permanent basis;

(4) This certification is based on the information provided by the responsible Britax personnel who have authority in the normal course of business to release the information for which a claim of confidentiality has been made to ascertain whether such information has ever been released outside Britax;

(5) Based upon that information, to the best of my knowledge, information and belief the information for which Britax has claimed confidential treatment has never been released or become available outside Britax, except for disclosures to suppliers and contractors with the understanding that such information must be maintained in strict confidence;

(6) I make no representations beyond those contained in this certificate and in particular, I make no representations as to whether this information may become available outside Britax because of unauthorized or inadvertent disclosure (except as stated in paragraph 5); and

(7) I certify under penalty of perjury that the foregoing is true and correct.

Executed on this 22 day of May 2014.

Bradd Michael
Vice President of Finance
Britax Child Safety, Inc.

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CONTAINS CONFIDETNIAL BUSINESS INFORMATION
May 22, 2014

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Email notification to Mr. John Abbott and Mr. Scott Yon at john.abbott@dot.gov, scott.yon@dot.gov, and to ODI_IRresponse@dot.gov

Re: Response to Information Request for EA13-001 (Infant Child Seat Harness Buckles)

Dear Mr. Borris:

In response to the Office of Defects Investigation (EA13-001) involving allegations that the harness buckles of certain rear facing infant seats manufactured by Graco Children's Products Inc., are difficult to unlatch or become stuck in a latched position, Britax submits the following information for comparative assessment:

1. State the number of all subject child seats Britax has manufactured, or imported for sale, in the United States, by model name/model number, production year, buckle manufacturer, buckle model/type, (i.e., hinged or floating button). Provide the data by annual production volumes.

Make	Model	ProdYear	Type	TotalProduction (Confidential)	Buckle Manufacturer	Buckle Type
BRITAX	E9L69-CHAPERONE	2009	RI	Confidential	IMMI	floating button
BRITAX	E9L69-CHAPERONE	2010	RI	Confidential	IMMI	floating button
BRITAX	E9L69-CHAPERONE	2011	RI	Confidential	IMMI	floating button
BRITAX	E9LE5-B-SAFE	2011	RI	Confidential	IMMI	floating button
BRITAX	E9BE5-B-SAFE	2012	RI	Confidential	IMMI	floating button
BRITAX	E9L69-CHAPERONE	2012	RI	Confidential	IMMI	floating button
BRITAX	E9LE5-B-SAFE	2012	RI	Confidential	IMMI	floating button
BRITAX	E9LG7-CHAPERONE	2012	RI	Confidential	IMMI	floating button
BRITAX	E9BE5-B-SAFE	2013	RI	Confidential	IMMI	floating button
BRITAX	E9LE5-B-SAFE	2013	RI	Confidential	IMMI	floating button
BRITAX	E9LG7-CHAPERONE	2013	RI	Confidential	IMMI	floating button
BRITAX	E9BE5-B-SAFE	2014	RI	Confidential	IMMI	floating button
BRITAX	E9LE5-B-SAFE	2014	RI	Confidential	IMMI	floating button

Information Source: EWR Data
Last Date Information Gathered: 4/11/14

2. State the number of each of the following, received by Britax, or of which Britax is otherwise aware, which relate to, or may relate to, the subject condition in the subject child seats:

Consumer complaints	5
Field reports, including reports from retailers	2
Reports involving a fire, crash, injury, or fatality, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by the alleged defect in a subject components, property damage claims, consumer complaints, or field reports	0
Third-party arbitration proceedings where Britax is or was a party to the arbitration	0
Lawsuits, both pending and closed, in which Britax is or was a defendant or codefendant	0

Information Source: AX and Syteline data systems
Last Date Information Gathered: 5/16/14

3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:
   a. Britax's reference number or other identifier used;
   b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, lawsuit, etc.)
   c. Child seat model name/model number;
   d. Child seat production year;
   e. Child seat date of manufacture;
   f. Harness buckle manufacturer and model/type;
   g. Incident date;
   h. Report or claim date;
   i. Whether the harness buckle was allegedly unable to be opened;
   j. Whether the harness was allegedly cut to facilitate removal of the child occupant;
   k. Number of alleged injuries; and,
   l. Number of alleged fatalities.

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a.	b.	c.	d.	e.	f.	g.	h.	i.	j.	k.	l.
12-70208	Consumer Complaint	E9LE5-B-SAFE	2011	05/19/11	IMMI floating button	N/A	3/13/12	Yes	No	0	0
12-9190	Consumer Complaint	E9LE5-B-SAFE	2011	07/09/11	IMMI floating button	N/A	4/9/12	Yes	No	0	0
12-9190	Field Report*	E9LE5-B-SAFE	2011	07/09/11	IMMI floating button	N/A	4/9/12	Yes	No	0	0
12-31720	Consumer Complaint	E9L69-CHAPERONE	2011	03/06/11	IMMI floating button	N/A	11/13/12	Yes	No	0	0
13-17828	Consumer Complaint	E9L69-CHAPERONE	2011	03/01/11	IMMI floating button	N/A	5/29/13	Yes	No	0	0
13-17828	Field Report*	E9L69-CHAPERONE	2011	03/01/11	IMMI floating button	N/A	5/29/13	Yes	No	0	0
12330	Consumer Complaint	E9LE5-B-SAFE	2012	10/30/12	IMMI floating button	N/A	9/11/13	Yes	No	0	0

***Note that the Field Reports were initially received as a Consumer Complaint**

Information Source: AX and Syteline data systems
Last Date Information Gathered: 5/16/14

This response contains confidential business information for which a request for Confidentiality has also been submitted. Please contact the undersigned with any questions related to this response.

Very truly yours,

Kenneth L. Wittenauer
Vice President and General Counsel
Britax Child Safety, Inc.

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