INFORMATION REDACTED PURSUANT TOTHE FREEDOM
OF INFORMATION ACT (FOIA), 5 U.S.C.552(B)(6)

May 28, 2020

Mr. Scott Yon
Chief, VDD-B Division
Office of Defects Investigation
National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

RE: DP20-003
NEF-0102
Britax Child Safety Inc.

Dear Mr. Yon:

This responds to your letter of April 17, 2020 requesting certain information about the Britax Frontier Click Tight child seat. As you requested, Britax is repeating each question before each response. The last date that information was gathered for this response was May 27, 2020.

1. State, by model and model year, the number of subject child seat Britax has manufactured for sale in the United States. Separately, for each subject child seat manufactured to date by Britax, state the following

a. Brand name;
b. Model name;
c. Model number;
d. Serial number; and
e. Date of manufacture.

Provide the table in Microsoft Access 2010, or a compatible format, entitled "PRODUCTION DATA."

Britax's response: See attached excel labeled "PRODUCTION DATA."

[redacted]

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 alleged defect in the subject child seat:

a. Consumer complaints;

Britax's response: 0

b. Field reports, including retailer field reports;

Britax's response: 0

c. Reports from retailers and distributors, and from seat providers and installers (including Child Passenger Seat Technician (CPST), but not limited to hospital, police department, SAFEKIDS, field reports etc.);

Britax's response: 1 (this is the same report as described in the Petition)

d. Property damage claims;

Britax's response: 0

e. Third-party arbitration proceedings where Britax is or was a party to the arbitration;

Britax's response: 0

f. Lawsuits, both pending and closed, in which Britax is or was a defendant or codefendant.

Britax's response: 0

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 file number or other identifier used;
b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
c. Child seat owner, street address, email address and telephone number;
d. Child seat's serial number and date and manufacture;
e. Child seat's brand, model name, and model number;
f. Child seat's age at time of incident;
g. Child seat's location (position) in the vehicle;
h. Installation method used to secure the child seat to the vehicle;
i. Britax's assessment of the child seat's performance in the crash event;
j. Incident date;
k. Report or claim date;
l. Number of alleged injuries, if any; and
m. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2010, or a compatible format, entitled "REQUEST NUMBER TWO DATA."

Britax's response: See attached excel labeled "REQUEST NUMBER TWO DATA."

4. Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method Britax used for organizing the documents. Describe in detail the search methods and search criteria used by Britax to identify the items in response to Request No. 2.

Britax's Response: See PDF entitled "REQUEST NUMBER FOUR DATA" for documents related to Request No. 2. Britax further responds that it reviewed records of its NHTSA EWR submissions beginning with the first production of the subject child seat in 2014 and continuing through the latest submission for Q4 2019 for reports within the scope of the alleged defect. Britax also reviewed its records of lawsuits and alleged injuries for reports regarding the subject child seat within the scope of the alleged defect.

5. Describe the standard warranty coverage period for the subject child seats, and also state the recommended usage period (life time), by model, model number and production year.

Britax's Response: See attached excel labeled "REQUEST NUMBER FIVE DATA."

6. Describe all modifications or changes made by, or on behalf of, Britax in the design, material composition, manufacture, quality control, supply, or installation of the subject child seat, from the start of production to date, which relate to, or may relate to, the structural strength, the structural integrity, and/or the crashworthiness of the subject seat during a vehicular crash. For each such modification or change, provide the following information:

a. The date or approximate date on which the modification or change was incorporated into child seat production;
b. A detailed description of the modification or change;
c. The reason(s) for the modification or change;
d. The part number(s) (service and engineering) of the original component;
e. The part number(s) (service and engineering) of the modified component;
f. Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;
g. When the modified component was made available as a service component; and
h. Whether the modified component can be interchanged with earlier production components.

Also, provide the above information for any modification or change that Britax is aware of which may be incorporated into child seat production within the next 120 days.

Britax's Response: See attached excel labeled "REQUEST NUMBER SIX DATA."

7. Furnish Britax's assessment of the alleged defect in the subject child seat, including:

a. The causal or contributory factor(s);

b. The failure mechanism(s)/failure mode(s);

c. The risk to child seat safety that it poses;

d. What warnings, if any, the child seat owner or caregiver would have that the alleged defect was occurring; and

e. The report related to this inquiry.

Britax's Response:

Britax has investigated the allegations contained in the March 25, 2020 Petition for Defect and Recall (the "Petition") submitted by Alisa Baer to the National Highway Traffic Safety Administration ("NHTSA"). Britax's investigation and analysis demonstrates that the Britax Frontier ClickTight: (i) does not contain a defect; (ii) meets or exceeds the requirements of Federal Motor Vehicle Safety Standard ("FMVSS") No. 213; and (iii) poses no unreasonable risk to motor vehicle safety as compared to any other child seat in a vehicle that satisfies FMVSS No. 213.

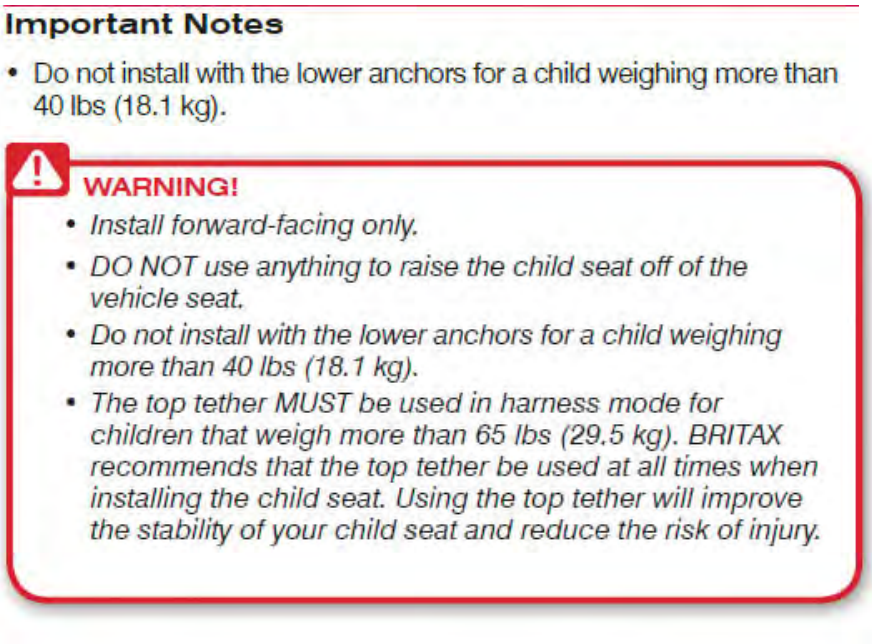
In connection with this Petition, Britax further assessed the dynamic crash testing of the subject child seat. In addition to Britax's internal dynamic crash testing, the subject child seat was initially tested and certified by MGA in 2013 and tested each fiscal year thereafter through 2019 in connection with NHTSA's ongoing compliance testing. The subject child seat passed all tests conducted by Britax and MGA in strict conformance with the test procedures of FMVSS No. 213 since its launch in 2013.

As part of Britax's investigation and in accordance with this information request, Britax reviewed its alleged injury records, lawsuits, and field reports for the subject child seat and did not identify any reports that relate to, or may relate to, the alleged defect. Over the past seven years, and with an estimated 397,938 units in use, Britax has not received any reports of the subject child seat failing structurally during, or otherwise incurring structural damage as a result of, a vehicular crash event, except for the incident identified in the petition

Britax conducted additional dynamic crash testing of the subject child seats with a 2015 date of manufacture in efforts to simulate the reported vehicular crash event. Britax performed dynamic testing with a weighted 3-year-old test dummy (40 pounds) harnessed in the subject child seat with lower anchors and tethers for children (LATCH) installation in accordance with FMVSS No. 213. The seat passed FMVSS No. 213, the rip stitching tore, and no structural failure was identified. Britax also performed dynamic testing with a weighted 6-year-old test dummy (65 pounds) harnessed in the subject child seat with LATCH installation. Although this is not a permissible test configuration pursuant to FMVSS No. 213 because the weight limit exceeds the amount permitted by

LATCH installation, the seat passed the parameters of FMVSS No. 213, the rip stitching tore, and no structural failure was identified despite such overload testing. NHTSA's safety standard establishes minimum and acceptable performance requirements for motor vehicles or items of motor vehicle equipment through the use of specific values for particular parameters, and the subject child seat meets or exceeds these parameters. Thus, there is not an unreasonable risk to motor vehicle safety posed by the subject child seat.

According to the Office of the Chief Medical Examiner State of Maryland, the child weighed 44 pounds, which exceeds the weight requirements for the reported use of LATCH installation. The subject child seat has several warnings and instructions about lower anchor limits throughout its User Manual (see below examples):



Important Notes

- Do not install with the lower anchors for a child weighing more than 40 lbs (18.1 kg).

WARNING!

- *Install forward-facing only.*
- *DO NOT use anything to raise the child seat off of the vehicle seat.*
- *Do not install with the lower anchors for a child weighing more than 40 lbs (18.1 kg).*
- *The top tether MUST be used in harness mode for children that weigh more than 65 lbs (29.5 kg). BRITAX recommends that the top tether be used at all times when installing the child seat. Using the top tether will improve the stability of your child seat and reduce the risk of injury.*

Lower Anchors with CLICKTIGHT

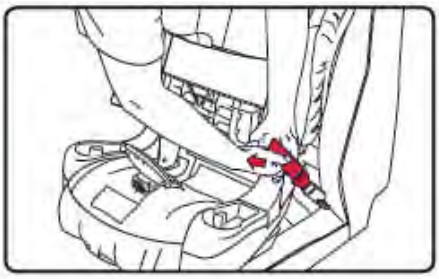
Before you begin:

- *Check that your vehicle has lower anchors.*
  - * Use the vehicle belt (not lower connectors) for harness mode installations with children who weigh more than 40 lbs (18.1 kg).
- *Check that your vehicle has a top tether anchor.*
  - * The top tether MUST be used in harness mode for children that weigh more than 65 lbs (29.5 kg). BRITAX recommends that the top tether be used at all times when installing the child seat. Using the top tether will improve the stability of your child seat and reduce the risk of injury. Check your vehicle owner's manual for tether anchor locations.
- *Loosen the tether and place it over the child seat back to keep it from becoming pinned between the child seat and vehicle seat during installation.*
- *Adjust the child seat to desired position and place forward facing on the vehicle seat.*

In addition, the subject child seat in the Petition was reported to have four inches of movement after examination by the Child Passenger Safety Technician. This exceeds the User Manual instruction of only one inch of permitted movement for a secure installation. See below examples from the User Manual:

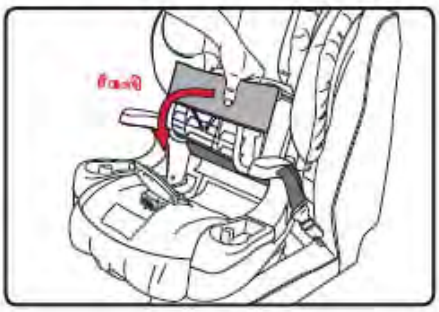
3 *Pull the end of the lower connector strap to remove slack.*

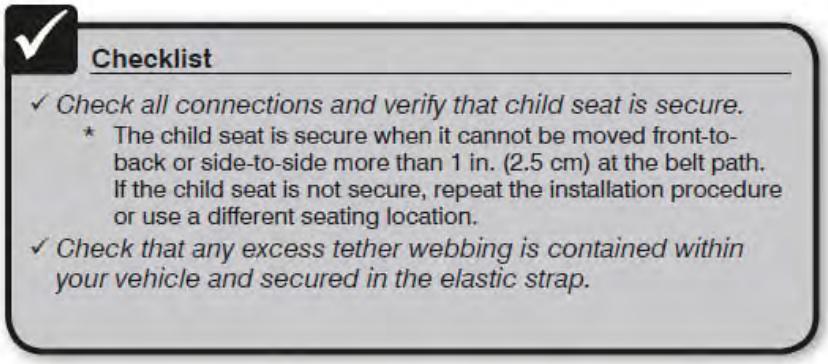
IMPORTANT: *Only remove slack from the lower connector webbing. Overtightening the webbing may prevent the CLICKTIGHT from properly securing.*



4 *Close the CLICKTIGHT.*

- * A click confirms the CLICKTIGHT is secure.
- * The child seat is secure when it cannot be moved front-to-back or side-to-side more than 1 in. (2.5 cm) at the belt path. If the child seat is not secure, repeat the installation procedure or use a different seating location.





It is Britax's assessment that further investigation of the issue raised in the Petition is not warranted. Britax respectfully requests that ODI deny the Petition.

Sincerely,

Julia Lentini
Director of Compliance