

Safety Defect and Noncompliance Report Guide for Vehicles
PART 573 Defect and Noncompliance Responsibility and Report

On July 22, 2009, Central Purchasing, LLC ("CP") learned that (a defect which relates to motor vehicle safety)(a noncompliance with Federal Motor Vehicle Safety Standard No. 110) exits in the trailers manufactured by Changzhou Nanxiashu Tool Co. ("MFR") and listed below, and MFR is furnishing notification to the National Highway Traffic Safety Administration in accordance with 49 CFR Part 573 Defect and Noncompliance Responsibility Reports.

Date this report was prepared: July 22, 2009

Furnish the manufacturer's identification code for this corrective compliance (if applicable):

1. Identify the full corporate name of the fabricating manufacturer of the vehicle that is subject to this corrective compliance action. If the subject vehicle is imported, provide the name and address of the designated agent as prescribed by 49 U.S.C. §30164.

Central Purchasing, LLC
3491 Mission Oaks Blvd.
Camarillo, CA 93012

Identify the corporate official, by name and title, whom the agency should contact with respect to this corrective compliance.

Mark Alexanian, Associate Counsel
Telephone Number: 805-388-1000 x4555 Fax Number: 805-445-4902
Name and Title of Person who prepared this report.

Mark Alexanian
Associate Counsel

Signed: 

I. Identify the Vehicle Models Involved in the Corrective Compliance

2. Identify the Vehicles Involved in this corrective compliance matter, for each make and model or applicable vehicle lines (provide illustrations or photographs as necessary to describe the vehicle), provide:

Make(s):Changzhou Nanxiashu Model Years Involved: 2005 – 2007 Model(s): 90154

Production Dates: Beginning: September, 2005 Ending: July, 2007

VIN Range: Beginning: 37812 Ending: 70886

Vehicle Type: Trailer Body style: _____

Descriptive information which characterizes/distinguishes the vehicles subject to corrective compliance from those vehicles not subject to the corrective compliance:

The trailers that are subject to this corrective compliance are missing: (i) the tire placard required under FMVSS No. 110 and (ii) certain information required under Regulation Part 575 sections 575.6(a)(4) and 575.6(a)(5)(ii).

Make(s):Changzhou Nanxiashu Model Years Involved: 2005 – 2007 Model(s): 90153

Production Dates: Beginning: September, 2005 Ending: July, 2007

VIN Range: Beginning: 7994 Ending: 17603

Vehicle Type: Trailer Body style: _____

Descriptive information which characterizes/distinguishes the vehicles subject to corrective compliance from those vehicles not subject to the corrective compliance:

The trailers that are subject to this corrective compliance are missing: (i) the tire placard required under FMVSS No. 110 and (ii) certain information required under Regulation Part 575 sections 575.6(a)(4) and 575.6(a)(5)(ii).

Make(s):Changzhou Nanxiashu Model Years Involved: 2005 – 2007 Model(s): 42709

Production Dates: Beginning: September, 2005 Ending: July, 2007

VIN Range: Beginning: 30187 Ending: 41300

Vehicle Type: Trailer Body style: _____

Descriptive information which characterizes/distinguishes the vehicles subject to corrective compliance from those vehicles not subject to the corrective compliance:

The trailers that are subject to this corrective compliance are missing: (i) the tire placard required under FMVSS No. 110 and (ii) certain information required under Regulation Part 575 sections 575.6(a)(4) and 575.6(a)(5)(ii).

Make(s):Changzhou Nanxiashu Model Years Involved: 2005 – 2007 Model(s): 42708

Production Dates: Beginning: September, 2005 Ending: July, 2007

VIN Range: Beginning: 20106 Ending: 31060

Vehicle Type: Trailer Body style: _____

Descriptive information which characterizes/distinguishes the vehicles subject to corrective compliance from those vehicles not subject to the corrective compliance:

The trailers that are subject to this corrective compliance are missing: (i) the tire placard required under FMVSS No. 110 and (ii) certain information required under Regulation Part 575 sections 575.6(a)(4) and 575.6(a)(5)(ii).

Make(s):Changzhou Nanxiashu Model Years Involved: 2005 – 2007 Model(s): 92174

Production Dates: Beginning: September, 2005 Ending: July, 2007

VIN Range: Beginning: 001 Ending: 155

Vehicle Type: Trailer Body style: _____

Descriptive information which characterizes/distinguishes the vehicles subject to corrective compliance from those vehicles not subject to the corrective compliance:

The trailers that are subject to this corrective compliance are missing: (i) the tire placard required under FMVSS No. 110 and (ii) certain information required under Regulation Part 575 sections 575.6(a)(4) and 575.6(a)(5)(ii).

Make(s):Changzhou Nanxiashu Model Years Involved: 2005 – 2007 Model(s): 2948

Production Dates: Beginning: September, 2005 Ending: July, 2007

VIN Range: Beginning: 4750 Ending: 6954

Vehicle Type: Trailer Body style: _____

Descriptive information which characterizes/distinguishes the vehicles subject to corrective compliance from those vehicles not subject to the corrective compliance:

The trailers that are subject to this corrective compliance are missing: (i) the tire placard required under FMVSS No. 110 and (ii) certain information required under Regulation Part 575 sections 575.6(a)(4) and 575.6(a)(5)(ii).

Make(s):Changzhou Nanxiashu Model Years Involved: 2005 – 2007 Model(s): 2575

Production Dates: Beginning: September, 2005 Ending: July, 2007

VIN Range: Beginning: 942 Ending: 1266

Vehicle Type: Trailer Body style: _____

Descriptive information which characterizes/distinguishes the vehicles subject to corrective compliance from those vehicles not subject to the corrective compliance:

The trailers that are subject to this corrective compliance are missing: (i) the tire placard required under FMVSS No. 110 and (ii) certain information required under Regulation Part 575 sections 575.6(a)(4) and 575.6(a)(5)(ii).

Make(s):Changzhou Nanxiashu Model Years Involved: 2005 – 2007 Model(s): 94564

Production Dates: Beginning: September, 2005 Ending: July, 2007

VIN Range: Beginning: 601 Ending: 4257

Vehicle Type: Trailer Body style: _____

Descriptive information which characterizes/distinguishes the vehicles subject to corrective compliance from those vehicles not subject to the corrective compliance:

The trailers that are subject to this corrective compliance are missing: (i) the tire placard required under FMVSS No. 110 and (ii) certain information required under Regulation Part 575 sections 575.6(a)(4) and 575.6(a)(5)(ii).

Identify the approximate percentage of the production of all the trailers subject to corrective compliance manufactured by your company between the inclusive dates of manufacture provided above that the trailers subject to corrective compliance population represents. For example, if the corrective compliance involved Vehicles equipped with certain items of equipment from January 1, 1996 through April 1, 1997, then what was the percentage of the vehicles subject to corrective compliance of all Vehicles manufactured during that time period.

All trailers identified in this report were missing the tire placard label and required information in the owner's manual.

II. Identify the Population of the trailers subject to corrective compliance

3. Furnish the total number of vehicles subject to corrective compliance potentially containing the noncompliance.

<u>Model</u>	<u>Year</u>	<u>Approximate Number of Vehicles Potentially involved</u>
90154	2005-2007	31,860
90153	2005-2007	9,610
42709	2005-2007	11,824
42708	2005-2007	10,825
2948	2005-2007	2,300
2575	2005-2007	325
94564	2005-2007	4,170
92174	2005-2007	155

Total Approximate Number Potentially Affected by the corrective compliance issue: 71,069

4. Furnish the approximate percentage of the total number of vehicles estimated to actually contain the defect or noncompliance: 100%

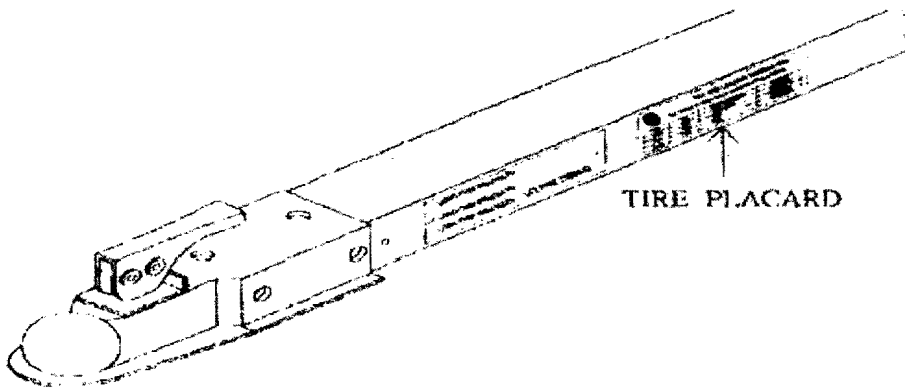
Identify and describe how the population of trailers subject to corrective compliance was determined--in particular how those models were selected and the basis for the beginning and final dates of manufacture of the vehicles subject to corrective compliance:

1. On or after September, 2005, all trailers subject to the Federal regulations cited herein must include a tire placard label permanently affixed near the VIN plate.
2. Each trailer has a corresponding VIN assigned to that trailer.
3. Trailers manufactured from September 1, 2005 through July, 2007 were imported without the tire placard until MFR was notified of the legal requirement in 2007 at which point, MFR promptly complied with the requirement.

III. Describe the Defect or Noncompliance

5. Describe the defect or noncompliance. The description should address the nature and physical location of the defect or noncompliance. Illustrations should be provided as appropriate.

1. Trailers sold between 2005 - 2007 were missing a tire placard label (tire loading information)
2. This tire placard should be permanently affixed near the VIN plate.
3. Attached please see the location of the tire placard label as illustration.



missing a tire placard label.

Describe the consequence(s) of the defect or noncompliance condition.

The customer is unable to reference the cargo carrying capacity of the trailer on the tire placard.

Identify any warning which can (a) precede or (b) occur.

N/A

If the defect or noncompliance is in a component or assembly purchased from a supplier, identify the supplier by corporate name and address.

MFR

Identify the name and title of the chief executive officer or knowledgeable representative of the supplier:

IV. Provide the Chronology in Determining the Defect/Noncompliance

If the corrective compliance is for a defect, complete item 6, otherwise item 7.

6. With respect to a defect, furnish a chronological summary (including dates) of all the principle events that were the basis for the determination of the defect. The summary should include, but not be limited to, the number of reports, accidents, injuries, fatalities, and warranty claims.

On February 10, 2009 the National Highway Traffic Safety Administration ("NHTSA") informed MFR in writing through its registered agent for service of process, CP, that two (2) trailers identified in the letter and purchased by customers of CP do not comply with FMVSS No. 110 nor Regulation Parts 575. There are no known reports, accidents, injuries, fatalities or warranty claims relating to the defects described in this report. Pursuant to the notice provided by NHTSA, MFR and CP have investigated the matter in order to prepare this report.

7. With respect to a noncompliance, identify and provide the test results or other data (in chronological order and including dates) on which the noncompliance was determined.

N/A

V. Identify the Remedy

8. A description of the manufacturer's program for remedying the defect or noncompliance. This program shall include a plan for reimbursing an owner or purchaser who incurred costs to obtain a remedy for the problem addressed by the corrective compliance within a reasonable time in advance of the manufacturer's notification of owners, purchasers and dealers, in accordance with §573.13 of this part. A manufacturer's plan may incorporate by reference a general reimbursement plan it previously submitted to NHTSA, together with information specific to the individual corrective compliance. Information required by §573.13 that is not in a general reimbursement plan shall be submitted in the manufacturer's report NHTSA under this section. If a manufacturer submits one or more general reimbursement plan, the manufacturer shall update each plan every two years, in accordance with §573.13. The manufacturer's remedy program and reimbursement plans will be available for inspection by the public at NHTSA headquarters.

See response to Number 9 below.

9. Furnish a description of the manufacturer's remedy for the defect or noncompliance. Clearly describe the differences between the corrective compliance condition and the remedy.

1. MFR's trailers imported from September, 2005 through July, 2007 failed to comply with requirement of FMVSS No. 110 and Regulation Part 575 sections 575.6(a)(4) and 575.6(a)(5)(ii).
2. MFR/CP shall send each known affected trailer owner a tire placard label requesting the owner to permanently affix this label to the trailer as depicted herein.
3. MFR/CP shall send each known owner an updated owner's manual containing the information required under Regulation Part 575 sections 575.6(a)(4) and 575.6(a)(5)(ii).
4. MFR/CP shall remedy that noncompliance without charge.

Clearly describe the distinguishing characteristics of the remedy component/assembly versus the component/assembly subject to corrective compliance.

1. Tire placard and updated owners manual shall be in compliance with applicable Federal regulations.

Identify and describe how and when the corrective compliance condition was corrected in production. If the production remedy was identical to the corrective compliance remedy in the field, so state. If the product was discontinued, so state.

1. After July, 2007, MFR has delivered trailers containing the required vehicle placard and owner's manual.

VI. Identify the Corrective compliance Schedule

10. Furnish a schedule or agenda (with specific dates) for notification to other manufacturers, dealers/retailers, and purchasers. Please, identify any foreseeable problems with implementing the recal.

1. MFR/CP shall prepare the required tire placards and updated manuals within 1 month from the date that this report is executed.
2. MFR/CP will identify effected owners within 1 month from date that this report is executed.
3. MFR/CP will mail the tire placards and updated manuals within 6 weeks from the date that this report is executed.

VII. Furnish Corrective compliance Communications

11. Furnish a final copy of all notices, bulletins, and other communications that relate directly to the defect or noncompliance and which are sent to more than one manufacturer, distributor, or purchaser. This includes all communications (including both original and follow-up) concerning this corrective compliance from the time your company determines the defect or noncompliance condition on, not just the initial notification. A DRAFT copy of the notification documents should be submitted to this office by Fax (202-366-7882) or by E-Mail to RMD.ODI@dot.gov for review prior to mailing.

Note that these documents are to be submitted separately from those provided in accordance with Part 579.5 requirements.

The Privacy Act of 1974 - Public Law 93-579, As Amended: This information is requested pursuant to the authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your response may be used to assist the NHTSA in determining whether a manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administration enforcement or litigation against a manufacturer, your response, or statistical summary thereof, may be used in support of the agency's action.

CHANGZHOU NANXIASHU

Room 411, Sealand Plaza, Guanghua St., Changzhou, Jiangsu, P.R. China
Tel: 86-519-86667099 Fax: 86-519-86667266 E-mail: nxsh@nanxiashu.com

Dear Customer:

This notice is sent to you in accordance with the requirements of the National Traffic and Motor Vehicle Safety Act.

Changzhou Nanxiashu Tool Co., Ltd, has determined that all of its trailers manufactured between September, 2005 through July, 2007 and sold through its importer, Harbor Freight Tools, fail to conform to Federal Motor Vehicle Safety Standard No. 110 and Regulation Part 575, Sections 575.6(a)(4) and 575.6(a)(5)(ii). Specifically, the above-referenced trailers:

1. Lack a tire placard label, which provides the tire size, tire pressure and cargo should not exceed the cargo-carrying capacity described therein.
2. Contain an owner's manual that is missing some of the information required under Regulation Part 575 sections 575.6(a)(4) and 575.6(a)(5)(ii).

What are Changzhou Nanxiashu Tool Co., Ltd and Harbor Freight Tools doing to resolve the issue?

1. Enclosed is a tire placard label in compliance with the applicable Federal regulations. Please affix this tire placard next to the VIN plate affixed on your trailer in accordance with the directions provided.
2. Please update your current owner's manual with the enclosed updated owner's manual insert that has been prepared in accordance with applicable Federal regulations.

We apologize for any inconvenience this may cause but your safety is our main concern.

Sincerely,

Changzhou Nanxiashu Tool Co., Ltd

2000 DEC 12 10 11

OMB No. 2127-0040
Expiration Date: mm/dd/yyyy

Paperwork Reduction Act Burden Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2127-0040. Public reporting for this collection of information is estimated to be approximately 30 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, National Highway Traffic Safety Administration, 400 7th St, SW Washington, DC 20590, Washington, D.C. 20590.

**APPENDIX: SUGGESTED DESIGNATION
OF AGENT FOR SERVICE OF PROCESS
UNDER 49 U.S.C. § 30164 and 49 C.F.R. Part 551, Subpart D**

PART A: DESIGNATION BY FOREIGN MANUFACTURER

Pursuant to 49 U.S.C. § 30164 and 49 C.F.R. Part 551, Subpart D, the Foreign Manufacturer listed below hereby designates the following Agent on whom service of all administrative and judicial processes and notices may be made. This designation is for service of process only and for no other purpose. It shall remain in effect until it is withdrawn or another Agent is designated in accordance with the requirements of 49 U.S.C. § 30164 and 49 C.F.R. Part 551, Subpart D.

The Manufacturer identified below hereby certifies:

1. This designation is in valid form and binding on the Manufacturer under the laws, corporate bylaws or other requirements governing the making of designations at the place and time where it is made.
2. The full legal name, principal place of business and mailing address of the Manufacturer are:
CHANGZHOU NANXIASHU TOOLS CO., LTD
FENGSHU VILLAGE, NANXIASHU TOWN, WUJIN DISTRICT OF CHANGZHOU, JIANGSU PROVINCE
CHANGZHOU JIANGSU PROVINCE CHINA 213166
NXSH@PUBLIC.CZ.JS.CN
3. The Manufacturer's products will be sold under the following trade or brand names, marks, logos or other designations of origin (List all names, marks, logos or designations):
NANXIASHU
4. The full legal name, principal place of business, mailing address and telephone number of the Agent are:
CENTRAL PURCHASING INC.
3491 MISSION OAKS BLVD P O BOX 3169 CAMARILLO CA 91302