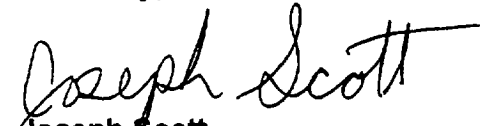


Disclosure of this information requested by the Commission and supplied in confidence would not be fair in the circumstances.

Sincerely,


Joseph Scott
Director of Administration

enc.

cc: Marvin Griffin
Aaron Locker

47

DAISY MANUFACTURING COMPANY,

INCORPORATED



ROGERS ~ ARKANSAS U.S.A.

Box 220
Rogers, AR 72757-0220
U S A

(501) 636-1200
Fax (501) 636-1601
Telex 53-6476

December 5, 1994

Mr. Marc J. Schoem
Acting Director
Division of Corrective Actions
Office of Compliance and Enforcement
U. S. Consumers Products Safety Commission
Washington, D. C. 20207

Re: CPSC RP950029
Daisy Manufacturing Company, Inc.
BB Pistol #179

Dear Mr. Schoem:

In accordance with your letter dated November 16, 1994, I am enclosing the "Full Report" information specified by 16 C.F.R. S 1115.13 (d) on pages 200-201 of the Federal Register notice which accompanied your letter. Please note that six (6) samples were sent under separate cover.

The information forwarded is confidential to the company and is to be treated as exempt from disclosure under the provisions of the Freedom of Information Act and Section 6 of the Consumer Product Safety Act (15 U.S.C. Section 2055 and 16 CFR Part 1101) of the Commission's regulations.

The company further treats this information as information submitted under section 15 of the Consumer Product Safety Act and confidentiality is therefore claimed pursuant to the provisions of Section 6 (b)(5) of the Consumer Product Safety Act and 16 CFR Part 1101.61, et. seq.

Pursuant to the provisions of Section 6 (b) of the Consumer Product Safety Act, the disclosure of information is barred if a disclosure is not fair in the circumstances.



D A I S Y A I R R I F L E S
WORLD'S LARGEST AND OLDEST MANUFACTURER OF NON-POWDER GUNS AND AMMO



48

The Engineering Department evaluated the fourteen (14) units of the Model 179 BB pistol still in inventory, with two units exhibiting the condition described previously (Reference internal memo dated 11/3/94).

Phoned Aaron Locker to alert him to the above problem and discussed reportability requirements to the CPSC.

Located the 1,479 guns in route to The Sportsman's Guide and made arrangements for them to be returned to Daisy (received 11/4/94).

Friday - November 4, 1994 - Notified The Sportsman's Guide by phone and letter to stop shipping the product to customers. (See attached letter from HMT Marketing, Inc., Daisy's manufacturing representative).

Aaron Locker made initial telephone report to the CPSC pursuant to Section 15 (b).

Monday - November 7, 1994 - Finished sampling 219 of the 1,479 guns, four (4) had the malfunction. Engineering confirmed that the "fix" would correct the malfunction. Two (2) guns were repaired and tested to 500 shots without the condition occurring. (Reference memo dated 11/8/94).

Wednesday - November 9, 1994 - Three (3) employees travelled to The Sportsman's Guide to rework the 1,967 guns in their warehouse inventory. Employees returned to Rogers 11/13/94). Each gun was checked after being repaired.

Letter by Aaron Locker to Ms. Terry Rogers confirming the initial telephone report pursuant to Section 15 (b) of the Consumer Product Safety Act.

49

Memorandum

To: Joe Scott
From: Mike Small
Date: November 8, 1994
Subject: Model 0179 Pistol Return for Partial Fire

Problem: Main spring to sear latch disengagement.

The above problem was investigated and listed are the causes for the problem and repair instructions for each:

First, the main spring retaining screw not thoroughly tightened - repair by tightening the screw.

Second, the gun not greased at sear to main spring latch point - repair by removing sear and grease at latch point and reinstall sear.

Third, the spread at upper sear pin nest is over tolerance (Print call out $.132 \pm .005$) part is $.141$ - repair by staking upper sear pin nest with sear and sear pin in place using special staking tool.

See repair procedure for complete repair and testing.

Mike Small

Mfg Engineer

TEST REQUEST

Testing Job 226.)
PROJECT NO. _____

REQUESTED BY Joe Scott

DATE 11-8-94

ITEM (NAME, NO., OTHER) Model 179 - 3 guns
CONFIGURATION (SPECIAL FEATURES) _____

PURPOSE OF TEST _____

NO. OF UNITS 3 guns CYCLES REQ. ON TEST 500 each NEEDED BY _____

DATA

WHAT DATA IS REQUIRED: 500 shots each, shooting BBs.

Record results by register number. C.L.

Register numbers of guns: 3E14257, 3A00309, 3A03358

RECORD

RECORDED BY TEST SECTION: 3E14257 - completed 500 shots OK.

3A00309 - stopped at 250 shots because the cocking link (along w/ the hammer) was sticking in the all the way back position*.

3A03358 - did finish 500 shots, but during the last 100 the link seemed to be sticking sometimes.

SIGNED BY: C.L.

SUMMARY BY ORIGINATOR

* gun would not fire / J.S.

SL

DATE: _____

ORIGINAL TO TESTER _____ ORIGINAL BACK TO ORIGINATOR
COPY TO ORIGINATOR _____ COPY TO CONCERNED PARTIES

M-213

USE EXTRA SHEET
IF NECESSARY

Date 11/8/94

NOV 09 1994

TO: Service Department
FROM: Tim DeGener

Please issue UPS PICKUP from:
RALPH STAFFIERI
44 Ashley St 2ND FLOOR
Boston, MA
~~02128~~ 02128-2623

For: PR 617-567-7078^r

*Purchased from
Sportsman's Guide
(Page 10 - line 54)*

Quantity	Item Number
<u>1</u>	<u>179</u>

They will be packed in 1 cartons.

Date issued _____

By _____

Material received _____

By _____

*MAY
shoot
without
pulling
trigger
Repair &
Return*

CC Joe Scott

57

NOV 09 1994

Date 11-9-94

TO: Service Department

FROM: Cathy

Please issue UPS PICKUP from:

John Zimmermann
717 Park Ave
Laurel Springs, NJ 08021
Ph 609-783-8790

*Purchased from
Sportman's Guide
(Page 4 - Unit 10)*

For:

Quantity	Item Number
<u>1</u>	<u>179</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

They will be packed in 1 cartons.

Date issued

By

Material received

By

54

NOV 28 1994

Ray Olsen

RFD # 8, Drewville Road, Brewster, N.Y., 10509

Let # 3A02599

Nov 7, 1994

**Daisy Manufacturing Company
2111 South 8th St.
Rogers Arkansas, 72756**

Dear Sirs,

I am sending you my Daisy Model 179 BE gun that I tried to fix myself. When you cock the hammer the BB shoots out before you pull the trigger. You will hear a small click and the BB fires. I hope you can fix it. I am sending you a check for \$8.00 for repairs. Please send repaired pistol to the following address;

**MEDED
372 Danbury Road
Wilton, Connecticut
06897
Attention: Ray Olsen**

*1-179
Pd 8-*

Sincerly yours,
Ray Olsen
Ray Olsen

Day Phone #(203) 834-1811

Home #(914) 278-6379

56

Joe Scott
Joe Carr

179 Malfunction and Daily Progress Report from November 4th thru 21st.

Friday, November 4th, malfunction was brought to my attention by Joe Scott. Gun would partially fire, enough to emit B.B. I found this was caused by the sear failing to hold the main spring.

I took three guns apart that were found to be malfunctioning. After dis-assembly I found the main spring retaining screw loose, also the sear pin pivot slot at top pivot point in gun had excessive movement, after measuring pivot point slot, I found the slot to be out of tolerance (measured .141) it should have been .132 +/- .005, and I also found that the sear to main spring latch area and sear to hammer cam point had not been greased.

I found that by tightening the main spring screw that the gun would function correctly, but it was still marginal on sear to main spring engagement due to the excessive movement at sear pivot point. By staking the sear pivot and correctly greasing the sear I was able to attain the correct sear to main spring engagement and correct gun function.

On Saturday, November 5th, I assisted in getting more gun samples. On Monday, November 7th, I proceeded in getting to gether the tools required to fix the guns and repaired three more guns for q.c. testing for function per Joe Scott's request.

On Tuesday, November 8th, I wrote a repair proceedure and put together tooling and repair team which consisted of three people including myself to travel to Sportsman Guide warehouse to repair their inventory of guns. I also repaired two more guns and left them open (apart) to show where the fix was required for Joe Carr to present at a meeting. I also presented my proposed changes to Ron Joyce for tooling corrections.

November 9th thru 12th was spent at Sportsman Guide warehouse repairing guns.

November 14th, we started unpacking guns in Daisy warehouse for repair. November 15th, we started in house repairs. November 16th, upgraded repair proceedure and met with Joe Scott on findings at Sportsman Guide and repair progress.

November 17th, continued in house repairs and sent 280 guns to Sportsman Guide to change out balance of guns that were not repaired.

November 18th, continued repairs. Ordered all exsisting molded frames for the right half be sent to machine area for repair before they could be built. Had a luncheon meeting with Joe Carr and fellow repair team members to discuss and address ways of

preventing any kind of similiar occurance in the future.

November 21st, finished in house repair of assembled pistol except for 280 guns to be returned from Sportsman Guide.

Mike Small
Manufacturing Engineer

MS:nb

5/8

DAISY MANUFACTURING COMPANY,

INCORPORATED



ROGERS ~ ARKANSAS U.S.A.

Box 220
Rogers, AR 72757-0220
U S A

(501) 636-1200
Fax (501) 636-1601
Telex 53-6476

RECALL NOTICE

November 21, 1994

Dear Consumer:

Your name and address were obtained from The Sportsman's Guide, as a purchaser of a combination Daisy airgun kit - Model 1894 BB rifle and Model 179 BB Pistol.

We have determined that the sear may not fully engage on a few of the Model 179 BB pistols, which may permit it to discharge without pulling the trigger. Daisy has elected to voluntarily recall all of the Model 179 BB pistols shipped by The Sportsman's Guide and retrofit the pistol as applicable. The Consumer Product Safety Commission (CPSC) has been notified and will be monitoring the recall. THIS RECALL PERTAINS ONLY TO THE MODEL 179 BB PISTOL PURCHASED FROM THE SPORTSMAN'S GUIDE, NOT THE MODEL 1894 RIFLE.

Enclosed is a colored label addressed to Daisy Manufacturing Company for the return of your Model 179 BB pistol, via United Parcel Service (UPS), direct to Daisy Manufacturing Company. You will be reimbursed for your freight costs when the pistol is repaired and returned to you. The pistol should be unloaded before it is returned.

Please include your name, address and phone number inside the package. We presently anticipate that it will be approximately two weeks to repair and return your pistol. If you have any questions, please call 1-800-354-8841, ext. 246.

Sincerely,

Joseph Scott
Director of Administration

enc.

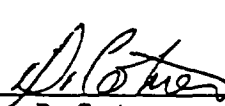
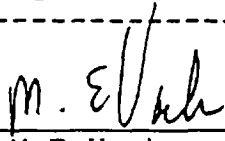
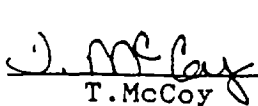


DAISY AIR RIFLES
WORLD'S LARGEST AND OLDEST MANUFACTURER OF NON POWDER GUNS AND AMMO



Standard Quality Assurance Procedures

S.Q.A.P.# 05-039
Page 1 of 2

  2/23/93 
D. Cotner M.E. Vachon T. McCoy
Mfg. Manager Quality Assurance Mgr. Procedure Author

DEPARTMENT: Dept. 05, Sub-Assembly
SUBJECT: Final Inspection
MODEL(S) AFFECTED: 179
EFFECTIVE DATE: 2/23/93

179 FINAL INSPECTION

"This procedure is to be performed under the supervision of your supervisor, lead person, or a trained operator."

1. Load three (3) BB's into the gun and check shot follower for function and appearance.
2. Fire all three (3) BB's and check for gapped barrel; if barrel is gapped repair it.
3. Dry fire three (3) "cleansing" shots.

IF YOU CAN NOT ACCOUNT FOR ALL BB'S PUT INTO THE GUN, IMMEDIATELY TAKE THE GUN APART AND CONTACT YOUR SUPERVISOR TO DETERMINE THE CAUSE OF DEFECT.

4. Check muzzle screws and tighten if necessary.
5. Check screws for appearance and tighten if necessary.
6. Pull hammer back to the cocked position.
7. Put safety ON.
8. Try to fire the gun - it should not fire.

60

9. Work safety on and off to ensure that it is working properly.
10. With safety off, check for "hanger" by pulling on trigger as the hammer is slowly let down. At the same time, check to ensure that the draw link does not rub the left side of the frame or the bottom of the feed.
11. Pull hammer back to the cocked position.
12. Fire the gun - it should fire.
13. Check grips for holes and mismatch.
14. Check lot number.
15. Check lettering on barrel.
16. Check paint and touch up if necessary.
17. Put safety ON.
18. Each hour two (2) guns from each operator are to be checked for velocity using S.Q.A.P. = 05-036 (179 Test Procedure).

61

DAISY MANUFACTURING COMPANY,

INCORPORATED



ROGERS ~ ARKANSAS U.S.A.

Box 220
Rogers, AR 72757-0220
U S A

(501) 636-1200
Fax (501) 636-1601
Telex 53-6476

RECALL NOTICE

November 23, 1994

Mr. Dave Pundnack
Mimbach Fleet Supply
755 Mayhew Lake Road N. E.
St. Cloud, MN. 56304

Dear Mr Pundnack:

This letter is to confirm Mr. Tarr's telephone conversation of November 22, 1994, wherein he asked you to return the 5 units of our stock number 13-03-1879. These should be returned by UPS to Daisy Manufacturing Company, Inc., 2111 South Eighth Street, Rogers, AR. 72756. You were to include a note as to your cost and freight charges, which we will reimburse direct to you.

The referenced air rifle and BB pistol combination set (#13-03-1879) was purchased through Wheatbelt in June 1994.

As mentioned, we have determined that the sear may not fully engage on a few of the Model 179 BB pistols, which may permit it to discharge without pulling the trigger. The BB is discharged at less than full velocity and there have been no reported injuries resulting from this condition. Daisy has elected to voluntarily recall all of the Model 179 BB pistols shipped in 1994. The Consumer Product Safety Commission (CPSC) has been notified and will be monitoring the recall.

If you have any questions, please call 1-800-354-8841, ext. 246.

Sincerely,

Joe Scott
Director of Administration



DAISY AIR RIFLES
WORLD'S LARGEST AND OLDEST MANUFACTURER OF NON POWDER GUNS AND AMMO



Handwritten initials 'b2' and a checkmark

DAISY MANUFACTURING COMPANY,

INCORPORATED



ROGERS ~ ARKANSAS U.S.A.

Box 220
Rogers, AR 72757-0220
U S A

(501) 636-1200
Fax (501) 636-1601
Telex 53-6476

RECALL NOTICE

November 23, 1994

Ms. Marile Schmalen
C & H Supply
Hwy 18 W.
Sheldon, IA. 51201

Dear Ms. Schmalen:

This letter is to confirm Mr. Tarr's telephone conversation of November 22, 1994, wherein he asked you to return the 5 units of our stock number 13-03-1879. These should be returned by UPS to Daisy Manufacturing Company, Inc., 2111 South Eighth Street, Rogers, AR. 72756. You were to include a note as to your cost and freight charges, which we will reimburse direct to you.

The referenced air rifle and BB pistol combination set (#13-03-1879) was purchased through Wheatbelt in June 1994.

As mentioned, we have determined that the sear may not fully engage on a few of the Model 179 BB pistols, which may permit it to discharge without pulling the trigger. The BB is discharged at less than full velocity and there have been no reported injuries resulting from this condition. Daisy has elected to voluntarily recall all of the Model 179 BB pistols shipped in 1994. The Consumer Product Safety Commission (CPSC) has been notified and will be monitoring the recall.

If you have any questions, please call 1-800-354-8841, ext. 246.

Sincerely,

Joe Scott
Director of Administration



D A I S Y A I R R I F L E S
WORLD'S LARGEST AND OLDEST MANUFACTURER OF NON POWDER GUNS AND AMMO



DAISY MANUFACTURING COMPANY,

INCORPORATED



ROGERS ~ ARKANSAS U.S.A.

Box 220
Rogers AR 72757 0220
U S A

(501) 636-1200
Fax (501) 636-1601
Telex 53-6476

RECALL NOTICE

November 23, 1994

Ms. Angi Jackson
Parker Cassidy Supply
1940 Lincoln Way
Clinton, IA. 53732

Dear Ms. Jackson:

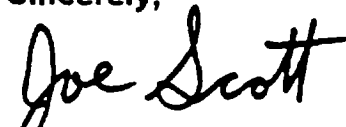
This letter is to confirm Mr. Tarr's telephone conversation today, November 23, 1994, wherein he asked you to return the 8 units of our stock number 13-03-1879. These should be returned by UPS to Daisy Manufacturing Company, Inc., 2111 South Eighth Street, Rogers, AR. 72756. You were to include a note as to your cost and freight charges, which we will reimburse direct to you.

The referenced air rifle and BB pistol combination set (#13-03-1879) was purchased through Wheatbelt in June 1994.

As mentioned, we have determined that the sear may not fully engage on a few of the Model 179 BB pistols, which may permit it to discharge without pulling the trigger. The BB is discharged at less than full velocity and there have been no reported injuries resulting from this condition. Daisy has elected to voluntarily recall all of the Model 179 BB pistols shipped in 1994. The Consumer-Product Safety Commission (CPSC) has been notified and will be monitoring the recall.

If you have any questions, please call 1-800-354-8841, ext. 246.

Sincerely,


Joe Scott
Director of Administration

69



D A I S Y A I R R I F L E S
WORLD'S LARGEST AND OLDEST MANUFACTURER OF NON POWDER GUNS AND AMMO



TEST REQUEST

Proj- Job 159

PROJECT NO. _____

REQUESTED BY

B. T. Santos

DATE

1/26/93

ITEM (NAME, NO., OTHER)

Model 179 Feed Follower

CONFIGURATION (SPECIAL FEATURES)

Test tie Feeding at beginning

Test at 500 intervals throughout test

PURPOSE OF TEST

Life Test Function of Feed Follower

NO. OF UNITS

2

CYCLES REQ. ON TEST

10,000

NEEDED BY

2/1/93

DATA

WHAT DATA IS REQUIRED: _____

RECORD

RECORDED BY TEST SECTION:

Test completed. Both guns fed OK. Also the 'handles' did not break off of the followers.

SIGNED BY:

CL

SUMMARY BY ORIGINATOR

DATE: _____

ORIGINAL TO TESTER _____

ORIGINAL BACK TO ORIGINATOR _____

COPY TO ORIGINATOR _____

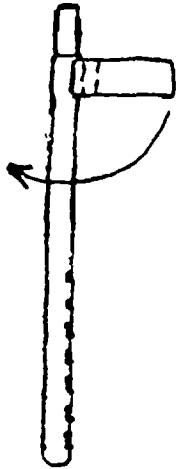
COPY TO CONCERNED PARTIES _____

M-213

USE EXTRA SHEET IF NECESSARY

CL

Break Test: Model 179 Feed Follower.



Foot pounds of force applied
in a twisting motion.

Force required to break the
handle off of the part (or failure).

Samples - taken from supply inventory 1/25/93.

1	.15	f- / lb .
2	.15	"
3	.2	"
4	.15	"
5	.15	"
6	.15	"
7	.2	"
8	.15	"
9	.15	"
10	.15	"

65

MODEL 179 PISTOL OUT OF KIT 1879
TAKEN FROM SERVICE DEPARTMENT
11-03-94

NO.	MALFUNCTIONING	IDENTIFICATION NO.
1	YES	2K27677
2	NO	2G07804
3	NO	3A02038
4	NO	3A03312
5	NO	3D32704
6	NO	2K19781
7	NO	3D32320
8	NO	2H04051
9	NO	3A02755
10	NO	2H01872
11	YES	3A03358
12	NO	3E14257
13	NO	3A03316
14	NO	3A02844

64

H M T marketing, inc.
manufacturers' representatives
4822 Park Glen Road
Minneapolis, Minnesota 55416

Phone (612) 922-8823
Fax (612) 922-8910

TO: Mike Wicks
Sportsman's Guide

FROM: Frank Harriman
HMT

DATE: November 4, 1994

SUBJECT: Daisy Pistol Rifle Combo

Mike:

As per our phone conversation, halt all shipments of the Daisy Pistol Rifle Combo #1894-179 that is currently being featured in your catalog. Due to a potential unforeseen problem, we are checking over shipments and will know in a couple of days that everything is satisfactory to Daisy's quality.

If you have any question please feel free to call Lynn Scott or myself.

Sincerely,

Frank

Frank Harriman
HMT Marketing, Inc.

cc: Lynn Scott - Daisy

67

11/08/94

TO: JOE SCOTT

FROM: TERESA MCCOY

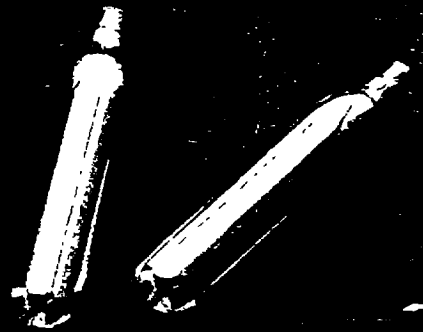
SUBJECT: MODEL 179 AUDIT

An audit was performed on the guns that Daisy brought back to the plant. 219 guns were pulled from a total of approximately 1,479 guns. Four out of the 219 guns audited fired off with the cocking hammer in the cocked position.

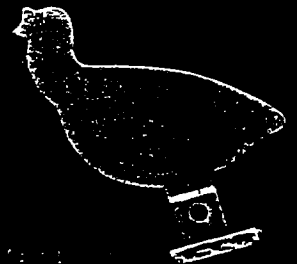
68

1993 AIRGUNS

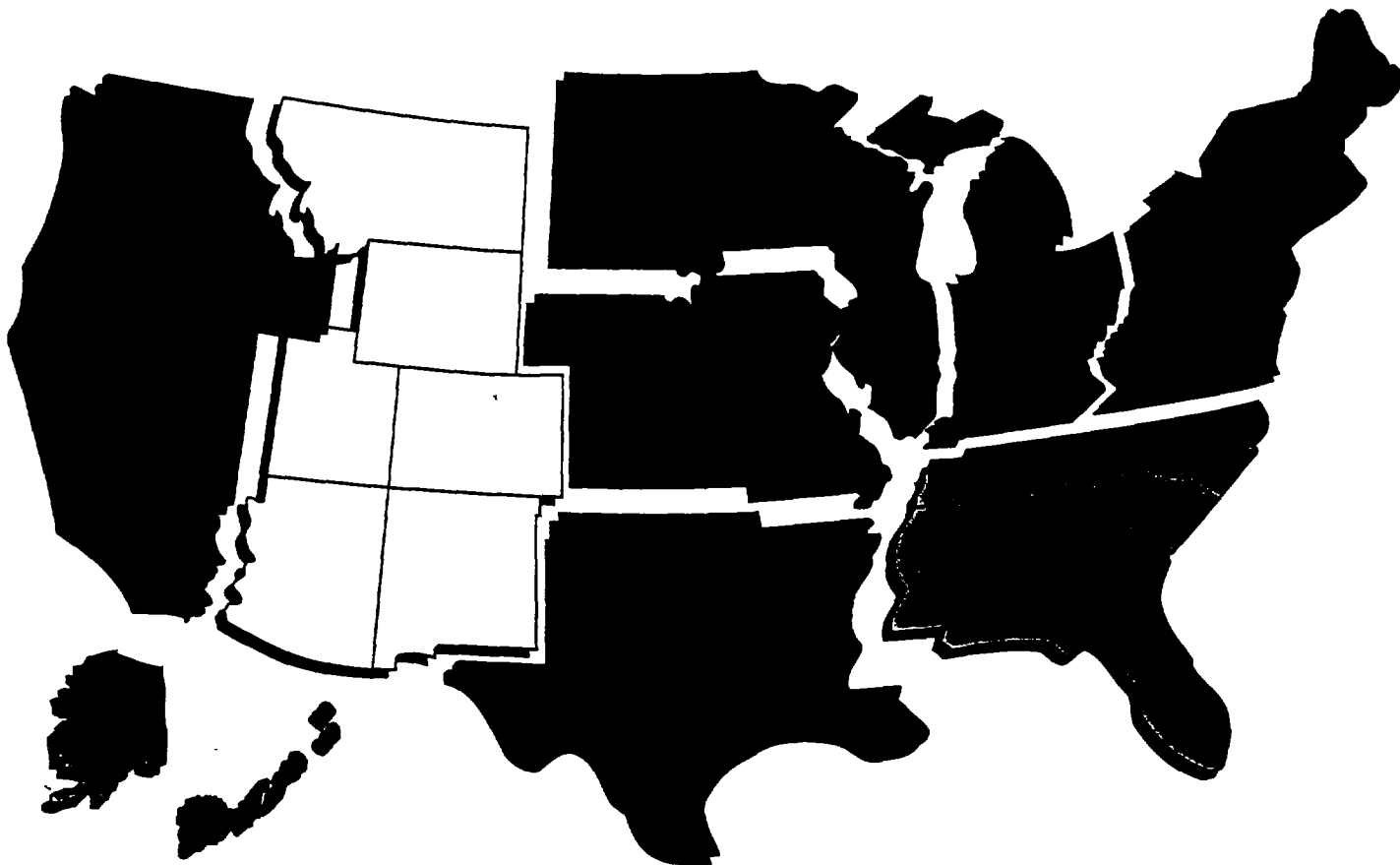
AMMO & ACCESSORIES



Daisy[®]
FIRST IN AIRGUNS.



SALES NETWORK



■ **Thomas F. Gowen and Sons**
1040 Old Sproul Road
Springfield, PA 19064
215/544-3700
FAX: 215/328-6820
Mailing Address:
P.O. Box 231
Drexel Hill, PA 19026

■ **More & Molloy, Inc.**
4742 South Brown Street
Murray, UT 84107
801/269-0197
FAX: 801/262-6897

■ **More & Molloy, Inc.**
11565 W. 76th Way
Arvada, CO 80005
Phone & FAX: 303/422-6663

■ **H M T Marketing, Inc.**
4725 Excelsior Boulevard
Suite 401
Minneapolis, MN 55416
612/922-8823
FAX: 612/922-8910

■ **Carter, Brewer & Assoc., Inc.**
3580 Schooner Ridge
Alpharetta, GA 30202
404/442-1799
FAX: 404/740-9434

■ **Carter, Brewer & Assoc., Inc.**
P.O. Box 609
20162 Lovers Lane
Long Beach, MS 39560
601/868-8664
FAX: 601/863-5646

■ **M. Butcher Sports, Ltd.**
5232 Bluff View NW
Parkville, MO 64152
816/741-2364
FAX: 816/741-1452

■ **Krenzien, Krenzien & Assoc., Inc.**
425 Huehl Road, Bldg. #1
Northbrook, IL 60062
708/498-0400
FAX: 708/498-0449

■ **James Giesecke Company**
14233 Proton Road
Dallas, TX 75244
214/233-4771
FAX: 214/233-1564
Mailing Address:
P.O. Box 800036
Dallas, TX 75380-0036

■ **Forbes/Ferry & Associates, Inc.**
711 West 17th Street
Suite H-3
Costa Mesa, CA 92627
714/642-8192
FAX: 714/642-0178

■ **Last Frontier Sales, Inc.**
12001 Industry Way, #B-11
Anchorage, AK 99515
907/345-4113
FAX: 907/345-7114

DAISY MANUFACTURING COMPANY, INC.
P.O. Box 220
Rogers, AR 72757-0220 U.S.A.
Telephone: 501/636-1200
FAX: 501/636-1601
Telex: 53-6476

All service returns should be made to:
Service Repair Department
Daisy Manufacturing Co., Inc.
2111 South 8th Street
Rogers, AR 72756-0200

Due to possible changes in specifications, Daisy reserves the right to change products and details without notice.

©1993 Daisy Mfg. Co., Inc.
Printed in U.S.A.

Daisy
FIRST IN AIRGUNS.

DAISY MANUFACTURING COMPANY,

INCORPORATED



ROGERS - ARKANSAS U.S.A.

March 20, 1995

Box 220
Rogers, AR 72757-0220
U.S.A.

(501) 636-1200
Fax: (501) 636-1601
Telex: 53-6476

Mr. Aaron Locker
Locker, Greenberg & Brainin
One Pennsylvania Plaza
Suite 4828
New York, N. Y. 10119

Post-It® Fax Note	7671	Date	# of pages ▶
To	J. De Luca	From	A Locker
Co./Dept.		Co. I	"As we discussed"
Phone #		Phone #	212 594 7256
Fax #	301-504-0351	Fax #	212 594-7256

Dear Aaron:

This letter will serve as a status report on the Model 179 recall.

With regard to the Sportsman's Guide product, we earlier reported they had sold 536 units to 513 individuals. We wrote those individuals on November 21, 1994, asking them to return their Model 179 to Daisy for the retrofit (at no cost to them). Then on January 24, 1995, we sent a second letter (enclosed) to all who had not returned their Model 179. As of today, we have received back, retrofit, and returned to those Sportsman's Guide customers, 289 guns.

Also with regard to Sportsman's Guide, there were 1,867 guns at their warehouse when they stopped shipping November 4, 1994. Daisy personnel traveled to that warehouse and retrofit 1,687 units. The other 280 units were returned to Daisy and retrofit here. Two-hundred eighty (280) retrofit guns were sent to Sportsman's Guide. Finally, with regard to Sportsman's Guide, 1,479 guns were enroute to Sportman's Guide when the recall began, these were brought back to Daisy (never reaching Sportsman's Guide). The 1,479 guns were retrofit at Daisy and then later sent to Sportsman's Guide.

Thirty-six (36) of the subject units had been sold to Wheatbelt with distribution to Mimbach Fleet Supply (6 units), C & H Supply (6 units), and Parker Cassidy Supply (24 units). Each of these three were contacted and returned for credit the following units:

Mimbach Fleet Supply	6 units
C & H Supply	6 units
Parker Cassidy	23 units

These units were retrofit and placed into Daisy's inventory.



Rochester Imports, Inc. had received 120 units. They were contacted and reported they had no units in inventory, all sold at auction or through flea markets. No record of customers and no record of returns or complaints. This information on Rochester imports, Inc. was all reported in the December 5, 1994 "Full Report to the CPSC."

Aaron, this is a current accounting of the Model 178's which were sold during 1994. Please call if you have any questions or need additional information.

Sincerely

Joe

Joe Scott
Director of Administration

enc.

cc: Marvin W. Griffin, Jr.

147 - out w/ consumers
Spartan units
536 sold
289 returned
547

w/ consumers
how to get?
auction
+
flea
markets

1474 ex-mite
to Spartans
corrected
1020

1867 warehouse
1687 inspected
280 returned

36 shipped
35 corrected
Wheat hill

630 left
268 units w/ consumers
3950 repaired
93.7% corrected
4218 total
72

DAISY MANUFACTURING COMPANY,

INCORPORATED



ROGERS - ARKANSAS U.S.A.

Box 220
Rogers, AR 72757-0220
U.S.A.

(501) 636-1200
Fax: (501) 636-1601
Telex: 53-6476

January 24, 1995

RECALL NOTICE

SECOND NOTICE

Dear Consumer:

Your name and address were obtained from The Sportsman's Guide, as a purchaser of a combination Daisy airgun kit - Model 1894 BB rifle and Model 179 BB Pistol.

We have determined that the sear may not fully engage on a few of the Model 179 BB pistols, which may permit it to discharge without pulling the trigger. Daisy has elected to voluntarily recall all of the Model 179 BB pistols shipped by The Sportsman's Guide and retrofit the pistol as applicable. The Consumer Product Safety Commission (CPSC) has been notified and will be monitoring the recall. THIS RECALL PERTAINS ONLY TO THE MODEL 179 BB PISTOL PURCHASED FROM THE SPORTSMAN'S GUIDE, NOT THE MODEL 1894 RIFLE.

Enclosed is a colored label addressed to Daisy Manufacturing Company for the return of your Model 179 BB pistol, via United Parcel Service (UPS), direct to Daisy Manufacturing Company. You will be reimbursed for your freight costs when the pistol is repaired and returned to you. The pistol should be unloaded before it is returned.

Please include your name, address and phone number inside the package. We presently anticipate that it will be approximately two weeks to repair and return your pistol. If you have any questions, please call 1-800-354-8941, ext. 246.

Sincerely,

Joseph Scott
Director of Administration

enc.

73





~~FOR OFFICIAL USE ONLY~~

United States
CONSUMER PRODUCT SAFETY COMMISSION
Washington, D.C. 20207

MEMORANDUM

DATE: January 3, 1995

TO : J. A. DeMarco, CECA
Through: Marc Schoem, Director, EXCE
James F. Hoebel, Acting Director, ESME *James F. Hoebel*
FROM : Thomas E. Caton, ESME *Thomas E. Caton*
SUBJECT: PSA 9839, RP950029, Daisy Manufacturing Company Model
179 BB Pistol

REQUEST

Review file and examine samples. Determine if the firm has correctly identified the defect with the product. Test if necessary. Have they developed a suitable fix.

ASSESSMENT OF THE PROBLEM

Daisy Manufacturing Company (Daisy) reports that their Model 179 BB pistol can unexpectedly discharge at less than full velocity without the trigger being pulled. Daisy determined that the Model 179 pistol could be fired without pulling the trigger because its sear was not fully engaging the main spring. Daisy said that if a BB should be discharged unexpectedly, the discharged BB would be fired at less than full velocity. A BB discharged at this lower velocity would not penetrate the skin. However, Daisy believes that an injury could occur if an eye was struck by an unexpectedly discharged BB.

Daisy made the Model 179 pistol from 1960 to 1985, when production was discontinued. Daisy reintroduced the Model 179 pistol in 1992. In 1992, they sold 21,755 Model 179 BB pistols to Wal-Mart. In 1993, they sold 1,728 pistols to United Merchandising Company. In 1994, they sold 2,503 pistols to The Sportsman's Guide, 120 pistols to Rochester Imports, Inc. and 36 pistols to Wheatbelt. The Model 179 pistol is presently out of production. Although, Daisy believes that only the 2,659 pistols sold in 1994 are involved, they are also repairing an additional 1,493 pistols in their inventory.

Daisy has repaired The Sportsman's Guide inventory and The Sportsman's Guide has contacted 513 customers telling them to return their pistols for repair. Rochester Imports, Inc. sold all of their pistols to unknown purchasers. Wheatbelt returned 18 pistols and made no mention of the whereabouts of the other 18 pistols they had. As of November 28, 1994, Daisy is aware of 4,152 pistols in the possession of themselves, retailers, and *74*

~~FOR OFFICIAL USE ONLY~~

consumers. This number obviously includes pistols from before 1994.

DISCUSSION

Daisy believes that only those Model 179 pistols shipped during 1994 may fire unexpectedly. They determined that the unexpected firing was due to improper pistol assembly and not to the amount of use that a pistol had received. The improper assembly resulted in the sear not fully engaging the main spring. They base this belief on the observation that they received no complaints involving pistols shipped to Wal-Mart or United Merchandising Company. Daisy believes that the improper assembly was due to: a change in assembly personnel, improper tightening of the main spring retaining screw, improper greasing at the sear to the main spring latch point; and the width of the upper sear pin nest being 0.141 inch instead of the specified 0.132 ± 0.005 inch.

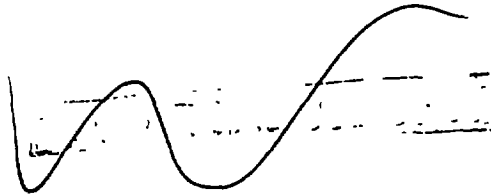
In order to repair the suspected pistols, Daisy says they are: using a staking tool to cause plastic flow in the sear pin holding nest to eliminate excessive movement between the sear and pin, tightening the main spring retaining screw if necessary, and greasing the sear at the main spring latch and hammer cam area. If the Model 179 pistol is manufactured again, Daisy says they will reduce the design tolerances of the sear.

Daisy provided six Model 179 pistols for examination. Two pistols were described as being as-assembled and not exhibiting the defect. Two pistols were described as being as-assembled and exhibiting the defect. Two pistols were described as being repaired. One of the pistols described as being as-assembled and exhibiting the defect was compared to a repaired pistol. The actions of these two pistols were manipulated. The repaired pistol had a hammer that did not slip when the hammer was cocked as the hammer of the as-assembled and exhibiting the defect pistol did. These two pistols were then disassembled and their inner workings compared. The comparison revealed that the inner mechanism of the repaired pistol had more grease on its various components than the same components in the as-assembled and exhibiting the defect pistol. Also, the sear in the repaired pistol showed evidence of having been worked. The smoother action of the repaired pistol compared to the as-assembled and exhibiting the defect pistol indicates that the repair did improve the pistol's action.

CONCLUSION

Daisy appears to have correctly identified the problem with the out of production Model 179 pistol as being due to the use of improper assembly procedures and to the upper sear pin nest being too wide.

The repair procedures present a suitable fix. However, if



Daisy were to begin manufacturing the Model 179 pistol again, they should confirm that proper assembly techniques are used and that the sear and other components are made to specifications.

76

RP95-29

Model 179 .177 bb pistol/ 9 ft target 12 rd cap/ 390 ft max/
140 fps/.33 joules .24 ft lbs

Nov 1994 asked Sportsman's; 2659/120 to Rochester Imports/and 36
to Wheatbelt. Only these were involved and also 1493 in
inventory made at same time. Daisy repaired Sportsmans already
and Sportmans has reach 513 customers for return by letter/order
via mail.

1994 production
1493 w/ manuf
1985 retailers
674 w/ consumers

\$15 - \$39

Assembly problem w/ sear , spring and greasing.

Defect sear may not fully engage allowing gun to fire w/ safety
on and trigger - upper sear pin nest is over tolerance causing it
to not fully engage.

No injuries reported and the BB is discharged at less than fully
potetnial velocity

11/3 1st report to Sportsmans and then to Daisy
11/8 and 11/9 2 others.also Sportmans.Catalog
Daisy tested
Notice by 11/21

1177

12/8/94

CLOSE
BAGS
ONLY

686-4157

202
334-6000

Bethesda
East

MTG CRT
AT

PRELIMINARY DETERMINATION PANEL SCHEDULE FOR Mar 22

Time	File #	CO/Atty	RO	Company	Product
9:00					
9:15					
9:30					
9:45					
10:00	RP950052	jdj mjpg	C	YAMAHA MOTOR MANUFAC	G8A AND G11A GAS-POWERED
10:15	RP950039	jdj mjpg	E	COSTAR CORPORATION	ADDRESSWRITER PRINTER
10:30	RP950029	jad rgy	C	DAISY MANUFACTURING	BB PISTOL
10:45					
11:00					
11:15					
11:30					
11:45					
12:00	to 12:40	*****LUNCH*****			
12:45					
1:00					
1:15					
1:30					
1:45					
2:00					

78

FOR OFFICIAL USE ONLY! FOR OFFICIAL USE ONLY!!

OFFICE OF COMPLIANCE & ENFORCEMENT
DIVISION OF CORRECTIVE ACTIONS
PRELIMINARY DETERMINATION PANEL SCHEDULE

ROOM 715

WEDNESDAY, MARCH 22, 1995 - Questions, call Marc Schoem

09:45 am - FC950013/RP950127 - Marty Meltzer/
Ron Yelenik/Cathy Downs
Kmart Corporation - Rotary Desk Chair

10:00 am - RP950052 - Dave Johnson/Mike Gidding
Yamaha Motor Manufacturing - Gas Powered Golf Carts
Newman, GA - FOER

10:15 am - RP950039 - Dave Johnson/Mike Gidding
Costar Corporation - Addresswriter Printer
Greenwich, CT - FOER

10:30 am - RP950029 - Jay DeMarco/Ron Yelenik
Daisy Manufacturing Co. - BB Pistol



10:45 am - FE950021 - Steve Garitta/Eric Stone/Cathy Downs
Sun Marketing - Plastic Flying Disc
FOER

FOR OFFICIAL USE ONLY! FOR OFFICIAL USE ONLY! FOR OFFICIAL USE!

Handwritten notes:
600
7/16
MR. WARR
(202) 466-4307
Tiffany King
8-9 King +
A large scribbled-out box is drawn over the notes.

Handwritten number: 79

WEDS. MARCH 22ND
@ 10:30 A.M.

SWAP

80

Certified Mail

Aaron Locker, Attorney
Locker, Greenberg & Brainin
One Penn Plaza
New York, NY 10119

Re: CPSC RP950029
Daisy Manufacturing Co.
BB Pistol #179

Dear Mr. Locker:

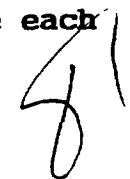
Thank you for your telephone report of November 4, 1994 under section 15(b) of the Consumer Product Safety Act, as amended (CPSA), 15 U.S.C. § 2064(b). In your report, you indicated that a Model #179 Daisy BB Pistol could accidentally fire when the hammer is cocked and the user does not pull the trigger, resulting in injury to the user or a bystander.

Enclosed for your information are the Consumer Product Safety Act and the Commission's regulation entitled, "Substantial Product Hazard Reports," 16 C.F.R. Part 1115. These documents explain the Commission's authority and policy with regard to products which may present substantial product hazards and also explain the firm's rights and obligations under the Act.

One of the responsibilities of the Compliance staff is to determine preliminarily whether a defect is present in a product and, if so, whether that defect rises to the level of a substantial product hazard as defined by section 15(a) of the Consumer Product Safety Act (CPSA), 15 U.S.C. § 2064(a).

Information Requested

For the staff to assess accurately the potential hazard associated with the firm's product, if any, it requires certain information from the manufacturer or importer of this product. Please provide the "Full Report" information specified by 16 C.F.R. § 1115.13(d) (1-14) on pages 200-201 of the enclosed Federal Register notice. In your response, please reference each question number (1-14).



In addition to providing the information requested in 16 C.F.R. §1115.13(d) (1-14), paragraph 15 of the "Full Report" requests any additional information needed by the staff. In accordance with paragraph 15 (see page 201), please also provide the following additional information:

- 15a. Copies of all test reports, analyses, and evaluations, including premarket tests and reports of tests and any analyses related to the reported problem. Include the date and place such tests and analyses were conducted by or on behalf of the firm and the identity of the persons involved in the testing and analyses.
- 15b. Copies of all engineering drawings, engineering change notices and material specifications relevant to the identified problem.
- 15c. The identity of the person(s) who identified the potential problem, the date he/she identified the problem, any persons they notified, and the date of notification.
- 15d. Concerning the information specified by 16 C.F.R. §1115.13(d)(6), please include a copy of all safety related consumer or dealer complaints, warranty claims, reports of injury, and copies of all documents related to such complaints, claims and injuries. Please include, copies of all court complaints and related documents filed in or associated with lawsuits involving the product and a description of the resolution of those lawsuits, if any.
- 15e. Provide six samples of the product, including retail packaging and instructions for assembly and use. Also provide a few samples of the "fix", if such has been made, with instructions to be given to consumers. If there is a cost associated with these samples, notify us prior to sending the samples.
- 15f. A copy of the firm's catalog depicting the product.
- 15g. Copies of any notice, warnings or bulletins the firm has issued as a result of this problem or defect.

If the consumer complaints and the other documents requested in Paragraph 15d above are unavailable, please indicate the reason for such unavailability, and provide a summary of the requested items containing the name, address and telephone number of the claimant, or the name address and telephone number of the plaintiff's attorney.

Staff Assessment

After receiving the firm's response, the Commission's Compliance staff will make a preliminary determination as to whether it believes the product presents a substantial product hazard. See 16 C.F.R. § 1115.12(a). Therefore, it is of primary importance that the firm now provide all of the requested information so that the staff can make an accurate assessment of the potential safety hazard associated with the product.

Information Disclosure


The Commission often receives requests for information provided by firms under section 15(b) of the CPSA. Section 6(b)(5) of the CPSA, 15 U.S.C. § 2055(b)(5), prohibits the release of such information unless a remedial action plan has been accepted in writing, a complaint has been issued or a firm consents to such release. (See section 6(b) of the CPSA, as amended (enclosed)).

In addition to the above, if the firm submits any information that it considers to be a trade secret, or confidential commercial or financial information, it must mark it "confidential" in accordance with section 6(a)(3) of the CPSA, as amended, 15 U.S.C. § 2055(a)(3) and 16 C.F.R. § 1015.18. The Commission is prohibited from disclosing to the public information that is in fact trade secret or proprietary commercial or financial data. If the firm does not request confidential treatment at the time of its submission or within ten days thereafter, the staff will assume that it does not consider information in the submission to be a trade secret or otherwise exempt from disclosure under section 6(a) of the CPSA and the Freedom of Information Act, 5 U.S.C. § 552(b)(4).

Continuing Obligation

Please note that the firm has a continuing obligation to supplement or correct its "Full Report" as new or different information becomes known. For instance, if after filing the "Full Report" the firm receives or learns of information concerning other incidents or injuries, or information that affects the scope, prevalence or seriousness of the defect or hazard, it must report that information to this Division immediately.

The Division of Corrective Actions requests that the firm provide a response within 10 working days of your receipt of this letter. Please reference the CPSC file number in your response. If you seek assistance or if you have any questions, you may contact James A. DeMarco, Project Officer, Division of Corrective Actions, U.S. Consumer Product Safety Commission, 4330 East West Highway, Room 613, Washington, D.C. 20207-0001, telephone: (301)



504-0608 ext. 1353. Thank you for your cooperation in reporting under section 15 of the Consumer Product Safety Act.

Sincerely,

Marc J. Schoem
Director
Division of Corrective Actions

Enclosures

Compilation of CPSC Statutes
Substantial Product Hazard Regulations
FOIA Regulations
Information Disclosure Sheet
Recall Handbook

cc: Consumer Product Safety Commission
Central Regional Center
Suite 2945
230 S. Dearborn St.
Chicago, IL 60604

Daisy Manufacturing Compnay
PO Box 220
Rogers, ARK 72757-0220

84

Certified Mail

Aaron Locker, Attorney
Locker, Greenberg & Brainin
One Penn Plaza
New York, NY 10119

Re: CPSC RP950029
Daisy Manufacturing Co.
BB Pistol #179

Dear Mr. Locker:


Thank you for your telephone report of November 4, 1994 under section 15(b) of the Consumer Product Safety Act, as amended (CPSA), 15 U.S.C. § 2064(b). In your report, you indicated that a Model #179 Daisy BB Pistol could accidentally fire when the hammer is cocked and the user does not pull the trigger, resulting in injury to the user or a bystander.

Enclosed for your information are the Consumer Product Safety Act and the Commission's regulation entitled, "Substantial Product Hazard Reports," 16 C.F.R. Part 1115. These documents explain the Commission's authority and policy with regard to products which may present substantial product hazards and also explain the firm's rights and obligations under the Act.

One of the responsibilities of the Compliance staff is to determine preliminarily whether a defect is present in a product and, if so, whether that defect rises to the level of a substantial product hazard as defined by section 15(a) of the Consumer Product Safety Act (CPSA), 15 U.S.C. § 2064(a).

Information Requested

For the staff to assess accurately the potential hazard associated with the firm's product, if any, it requires certain information from the manufacturer or importer of this product. Please provide the "Full Report" information specified by 16 C.F.R. § 1115.13(d) (1-14) on pages 200-201 of the enclosed Federal Register notice. In your response, please reference each question number (1-14).



In addition to providing the information requested in 16 C.F.R. §1115.13(d) (1-14), paragraph 15 of the "Full Report" requests any additional information needed by the staff. In accordance with paragraph 15 (see page 201), please also provide the following additional information:

- 15a. Copies of all test reports, analyses, and evaluations, including premarket tests and reports of tests and any analyses related to the reported problem. Include the date and place such tests and analyses were conducted by or on behalf of the firm and the identity of the persons involved in the testing and analyses.
- 15b. Copies of all engineering drawings, engineering change notices and material specifications relevant to the identified problem.
- 15c. The identity of the person(s) who identified the potential problem, the date he/she identified the problem, any persons they notified, and the date of notification.
- 15d. Concerning the information specified by 16 C.F.R. §1115.13(d)(6), please include a copy of all safety related consumer or dealer complaints, warranty claims, reports of injury, and copies of all documents related to such complaints, claims and injuries. Please include, copies of all court complaints and related documents filed in or associated with lawsuits involving the product and a description of the resolution of those lawsuits, if any.
- 15e. Provide six samples of the product, including retail packaging and instructions for assembly and use. Also provide a few samples of the "fix", if such has been made, with instructions to be given to consumers. If there is a cost associated with these samples, notify us prior to sending the samples.
- 15f. A copy of the firm's catalog depicting the product.
- 15g. Copies of any notice, warnings or bulletins the firm has issued as a result of this problem or defect.

If the consumer complaints and the other documents requested in Paragraph 15d above are unavailable, please indicate the reason for such unavailability, and provide a summary of the requested items containing the name, address and telephone number of the claimant, or the name address and telephone number of the plaintiff's attorney.

Staff Assessment

46

After receiving the firm's response, the Commission's Compliance staff will make a preliminary determination as to whether it believes the product presents a substantial product hazard. See 16 C.F.R. § 1115.12(a). Therefore, it is of primary importance that the firm now provide all of the requested information so that the staff can make an accurate assessment of the potential safety hazard associated with the product.

Information Disclosure

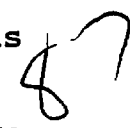
The Commission often receives requests for information provided by firms under section 15(b) of the CPSA. Section 6(b)(5) of the CPSA, 15 U.S.C. § 2055(b)(5), prohibits the release of such information unless a remedial action plan has been accepted in writing, a complaint has been issued or a firm consents to such release. (See section 6(b) of the CPSA, as amended (enclosed)).

In addition to the above, if the firm submits any information that it considers to be a trade secret, or confidential commercial or financial information, it must mark it "confidential" in accordance with section 6(a)(3) of the CPSA, as amended, 15 U.S.C. § 2055(a)(3) and 16 C.F.R. § 1015.18. The Commission is prohibited from disclosing to the public information that is in fact trade secret or proprietary commercial or financial data. If the firm does not request confidential treatment at the time of its submission or within ten days thereafter, the staff will assume that it does not consider information in the submission to be a trade secret or otherwise exempt from disclosure under section 6(a) of the CPSA and the Freedom of Information Act, 5 U.S.C. § 552(b)(4).

Continuing Obligation

Please note that the firm has a continuing obligation to supplement or correct its "Full Report" as new or different information becomes known. For instance, if after filing the "Full Report" the firm receives or learns of information concerning other incidents or injuries, or information that affects the scope, prevalence or seriousness of the defect or hazard, it must report that information to this Division immediately.

The Division of Corrective Actions requests that the firm provide a response within 10 working days of your receipt of this letter. Please reference the CPSC file number in your response. If you seek assistance or if you have any questions, you may contact James A. DeMarco, Project Officer, Division of Corrective Actions, U.S. Consumer Product Safety Commission, 4330 East West Highway, Room 613, Washington, D.C. 20207-0001, telephone: (301)



504-0608 ext. 1353. Thank you for your cooperation in reporting under section 15 of the Consumer Product Safety Act.

Sincerely,

Marc J. Schoem
Director
Division of Corrective Actions

Enclosures

Compilation of CPSC Statutes
Substantial Product Hazard Regulations
FOIA Regulations
Information Disclosure Sheet
Recall Handbook

cc: Consumer Product Safety Commission
Central Regional Center
Suite 2945
230 S. Dearborn St.
Chicago, IL 60604

Daisy Manufacturing Compnay
PO Box 220
Rogers, ARK 72757-0220



DOCUMENT SUMMARY

Document Name : /usr/caal/jad/RP950029report
 Document Title: report letter
 Operator : johnson
 Author : per mjs 10/93 revis

Comments:

Report Acknowledgement Letter to Manufacturers, Importers & Retailers

Prototype : <none>

Statistics

	Date/Time	Worktime	Keystrokes
Created	Tue Jun 30 1992 11:02	00:36	11
Last Revised	Tue Nov 8 1994 14:53	08:21	779
Last Printed	Tue Nov 8 1994 14:54		
Last Archived		To:	
Last Retrieved		From:	

	Pages	Lines	Chars	Worktime	Keystrokes
Total	1	188	8094	2:20:44	21594

Concurrences

SYMBOL	SURNAME	DATE						

84