

PRODUCT IDENTIFICATION

supports. Gas regulator, burner assembly, and lava rock all included.
UPC #0-24838-17000-1.

METHOD OF COLLECTION

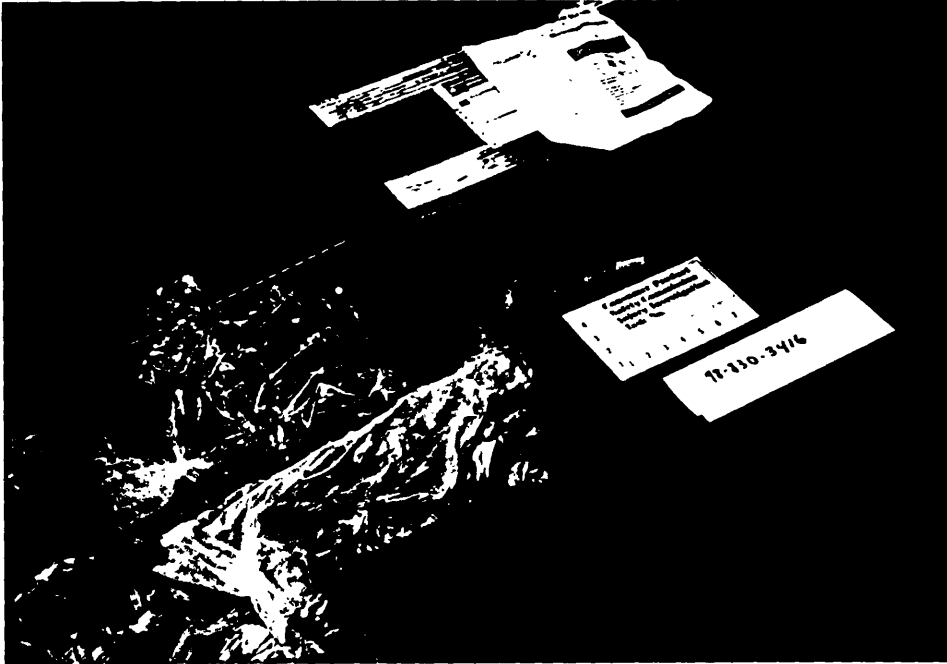
Custodian on 2/18/98. Sample container was labeled as ID'd in #21 and the container sealed as ID'd in #22.

REMARKS

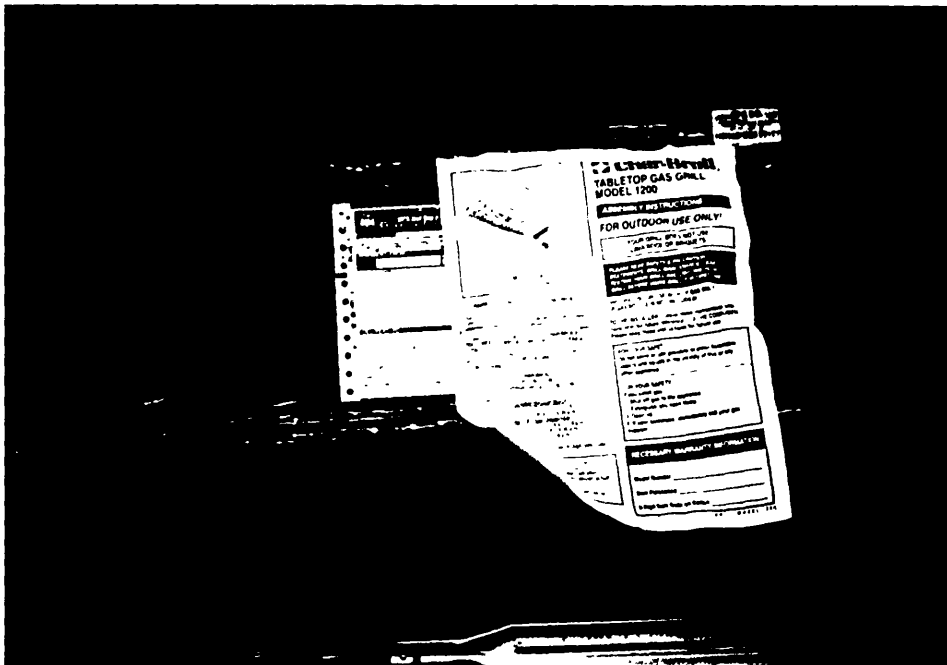
to be prepared by G. Gayman, FOCCR Compliance.

125

Exhibit "K"
Kmart Corporation
1/27/98 Inspection
DRB

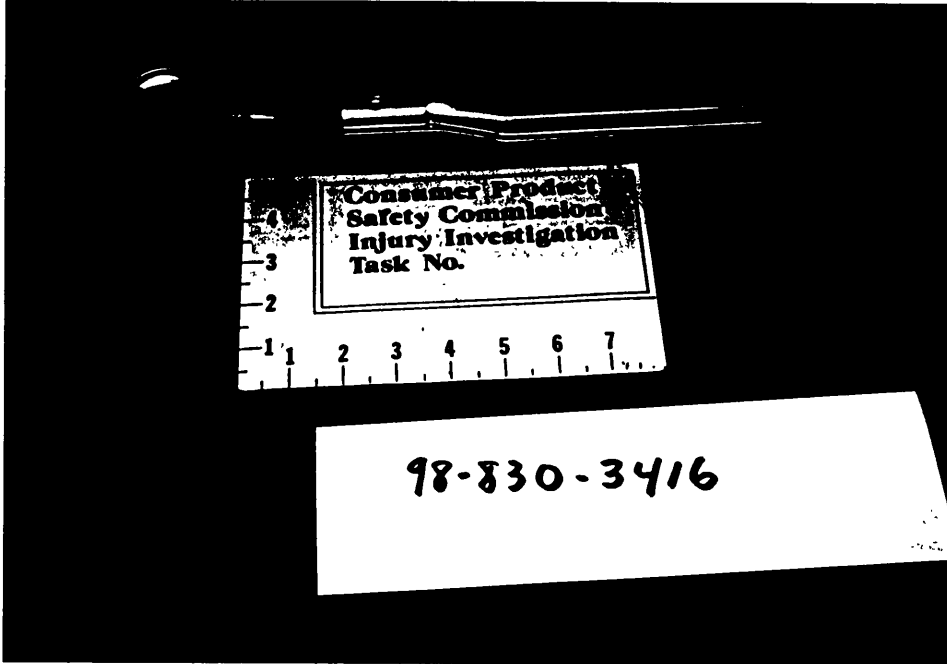


Photos of the Char-Broil grill, sample #98-830-3416.



146

Exhibit "K"
Kmart Corporation
1/27/98 Inspection
DRB



Photos of the Char-Broil grill, sample #98-830-3416.



117

Exhibit "N"
Kmart Corporation
1/27/98 in. chin

(22)

U.S. Consumer Product
SAMPLE COLLECTION REPORT

1. Sample Flag		2. Date Collected 2/5/98		3. Sample Type and Number: 98-830-3416 <input checked="" type="radio"/> Physical <input type="radio"/> Documentary	
4a. Product Name LP GAS GRILL		4b Model CHAR-BROIL		4c NEISS 3248	
5. Assignment Number		6. Complete for Import Samples Port of Entry: _____ Country of Origin: _____ Entry No. and Date: _____ Customs Contact: _____		7. MIS 32100	
8. Hours Activity <u>2</u> Travel <u>0</u>		9a Home RO FOCR		9b Collecting RO FOCR	
10. Sample Cost		11. Invoice Value of Lot		12. Size of Lot 2	
13. Manufacturer/Importer # CHA002 Char-Broil P.O. BOX 140 COLUMBUS, GA 31993		14. Shipper/Foreign Manufacturer SAME		15. Dealer/Import Broker #KMA002 Kmart Corporation 3100 W. BIG BEAVER TROY, MI 48084	
16. Supporting documents attached: Invoice No. and Date: _____ Date Shipped: _____ Shipping Record and Date: _____ Affidavit Signer's name, title and date: <u>SAMPLE SHIPPED TO MKE-RP, RECEIVED ON 2/05/98</u>					
17. Product Identification: Sample is described as two "Char-broil" brand LP gas table top grills, manufactured by #13 above and distributed in the U.S. by #15 above. Sub sample "02" is earlier discontinued model #465 1230, UPC					
18. Reason for collection/analysis needed: <input type="radio"/> FHSA <input checked="" type="radio"/> CPSA <input type="radio"/> FFA <input type="radio"/> PPPA <input type="radio"/> RSA F/U to IDI #970528CWE5012- burner failure on another Kmart grill.					
19. Summary of Field Screening: See photos attached to E.I. report.					
20. Sample size/Method of Collection: Samples were shipped to MKE-RP by Kmart Corporation on 2/05/98. Samples remained in my custody or in the locked CPSC office from time of collection until later shipment to the Sample Custodian on 2/18/98.					
21. Identification on sample: " 98-830-3416 DRB 2/5/98 "		22. Identification on seal and date: " 98-830-3416 Dennis Blasius 2/5/98 "			
23a. Sample delivered to: SAMP CUST VIA RPS		23b Date 2/18/98		24. Report/Record Sent to: FOCR	
25. Laboratory/Office: LSC ___ LSE ___ CRM ___ CCA <u>X</u> Other <u>SALTZMAN</u>					
26. Remarks: Attachments: Sample collection receipt and copy of original inspection and sample collection request. Please forward to Lori Saltzman, CCA. PSA request to be prepared by G. Gayman, FOCR Compliance.					
27. Related Samples: 97-860-6276, 98-830-3415					
28a Collector's name/title: Dennis Blasius Resident Investigator			28b Collector's signature/date: <i>Dennis L. Blasius</i> 2/17/98		
29a Reviewer's name/title:			29b Reviewer's signature/date:		

Handwritten initials

PRODUCT IDENTIFICATION

#0-47362-51000-6, distributed until 3/20/96. Sub sample "01" is current model, UPC #0-47362-51200-0, which appears to be very similar to discontinued model.

METHOD OF COLLECTION

Sample container was labeled as ID'd in #21 and the container sealed as ID'd in #22.

REMARKS

120



Exhibit "O"
Kmart Corporation
1/27/98 Inspection

223

ACTS TESTING LABS (H.K.) LTD.

毅試檢定(香港)有限公司
2/F., Pacific Trade Centre, 2 Kai Hing Road
Kowloon Bay, Kowloon, Hong Kong
Tel 2331 0888 Fax 2331 0889

TOY TEST REPORT

TO: KMART
CC: JIM DONOHUE-US
CC: GARY MA-HK
CC: EMILY
DATE OF SUB.: 12/04/97

KMART W.O. NO. HK-20814H
ACTS NO. (0297)338-0064
DATE DECEMBER 10, 1997
PAGE 1 OF 2

DEPT: 04
BUYER: C.D.SMITH
P.O. NO.: J8602

APPROVED	_____
APPROVED*	_____ x _____
CORRECTIVE ACTION REQUIRED	_____
REJECTED	_____

SAMPLE DESCRIPTION: DOLL STROLLER W/ SLEEVE (WITH PACKAGE)
VENDOR/AGENT: DAVAL COUNTRY OF ORIGIN: CHINA
STYLE/CODE: 04-60-13 SIZE: /
COLOR/STYLE: PINK

<input type="checkbox"/> QUALIFICATION TEST (REPRESENTATIVE FABRIC)	<input type="checkbox"/> RETEST OF (LAB NO) _____
<input checked="" type="checkbox"/> PRE-PRODUCTION SAMPLE	<input type="checkbox"/> OTHER _____
<input type="checkbox"/> PRE-PRODUCTION COLOR SWATCHES	

TEST PROPERTY	A	CA	R		
FLAMMABILITY	(X)	()	()	MEETS FEDERAL REGULATIONS	(X)
SAFETY	(X)	()	()	CORRECTIVE ACTION REQUIRED	()
LABELLED AND CLAIM	(*)	()	()	FAILS FEDERAL REGULATIONS	()
SPECIFICATION	(X)	()	()	MEETS KMART PURCH ORDER REQ.	(X)
MEASUREMENT	(X)	()	()	CORRECTIVE ACTION REQUIRED	()
NET CONTENT	(X)	()	()	FAILS KMART PURCH ORDER REQ.	()
MATERIAL QUALITIES	(X)	()	()	MEETS KMART PERFORMANCE STD.	(X)
CONSTRUCTION QUALITIES	(X)	()	()	CORRECTIVE ACTION REQUIRED	()
MANUFACTURING QUALITIES	(X)	()	()	FAILS KMART PERFORMANCE STD.	()
STRENGTH PROPERTIES	(X)	()	()		
FUNCTIONAL PROPERTIES	(X)	()	()	A = Approved	
OTHERS <u>N/A</u>	()	()	()	CA = Corrective Action	
				R = Rejected	

TESTING OF VENDOR'S MERCHANDISE BY KMART IS NOT A SUBSTITUTE FOR VENDOR'S OWN TESTING AND OTHER QUALITY ASSURANCE RELATED OBLIGATIONS IN CONNECTION WITH ITS SALE OF MERCHANDISE TO KMART. KMART TESTING SHALL NOT LIMIT KMART'S RIGHTS OR DIMINISH OR REMOVE ANY OF VENDOR'S RESPONSIBILITIES, UNDER KMART'S PURCHASE ORDER TERMS AND CONDITIONS INCLUDING, WITHOUT LIMITATION, THOSE RELATING TO WARRANTY AND INDEMNIFICATION UNDER PARAGRAPHS 2 & 3 THEREOF.

121



ACTS NO. (0297)338-0064
PAGE 2 OF 2

COMMENTS:

1. THE SAMPLES WERE LABELLED FOR "OVER 3 YEARS OF AGE" WHICH IS DIFFERENT FROM OUR RECOMMENDED AGE GRADE FOR "OVER 2 YEARS OF AGE" (APPROVED*).

ACTS TESTING LABS (H.K.) LTD.

Raymond Lam

Raymond Lam
Director
Consumer Products Division

122

PRODUCT IDENTIFICATION

#6002, "Loving Wonders single doll stroller. Stroller fits up to 20" dolls. Folds flat for easy storage. Warning: choking hazard- small parts not for children under 3 years." (similar warning label on stroller itself). "Made in China for Kmart Corporation, Troy, MI. 48084. Code: 0-046013-116." UPC #0-08739-06002-9.

METHOD OF COLLECTION

just received 14,000 units from overseas manufacturer in mid-February 1998, and did not have any units available for sampling at the time of the 1/27/98 inspection visit to the firm's headquarters.

Six sample units were requested, however only five were received. Kmart will send more units if notified.

REMARKS

Note: Kmart asks that evaluation be expedited if possible; they are withholding distribution of the remainder of the shipment pending word from CPSC. No units of this product have yet been distributed by Kmart to date.

124

Exhibit "R"
Kmart c. notation
1/27/98 inspection

003

U. S. GOVERNMENT
MEMORANDUM

U. S. CONSUMER PRODUCT
SAFETY COMMISSION
WASHINGTON, D. C. 20207

Date: 12/16/97

To: Eric Ault, Director, FOER
Larry Cornell, Acting Director, FOWR

Thru : Richard D. Swackhamer, Director FOER

From: Martin Bennett, Compliance Officer, FOER

Subject: Trade Complaint - small parts on toy strollers.

FOER has received a trade complaint regarding toy strollers and similar products, which contain small parts.

According to the Guidelines for Relating Children's Ages to Toy Characteristics (Guidelines) two year old children like to pretend to be the mother or baby and enjoy playing house. Appropriate toys for this age are: ... doll strollers and doll shopping carts. Toy baby strollers are likely to be very appealing to these children and will aid them in their pretend play. They are likely to be purchased for and used by children two years and older.

Components (end caps) of these toys that separate and fit entirely within the small parts cylinder may present a choking hazard to children under three years of age. As a result, such stroller would be a banned hazardous substance.

Inspections have been assigned for manufacturers, importers and distributors of toy strollers in FOER. The following firms in other regions are believed to be distributing these strollers:

1. Hauck, Toronto, Ont. 14495 - sold at:

Service Merchandise
7100 Service Merchandise Drive
Brentwood, TN 37027

J.C. Penny
6501 Legacy Drive
Plano, TX 75024

- * 2. K-Mart
Troy MI 48084

3. Focus Groups
523 Lovell Road #104
Knoxville, TN 37932

Attached: Additional information and photos of above listed toys

125

FIRM: K - MART
TROY MICHIGAN 48084

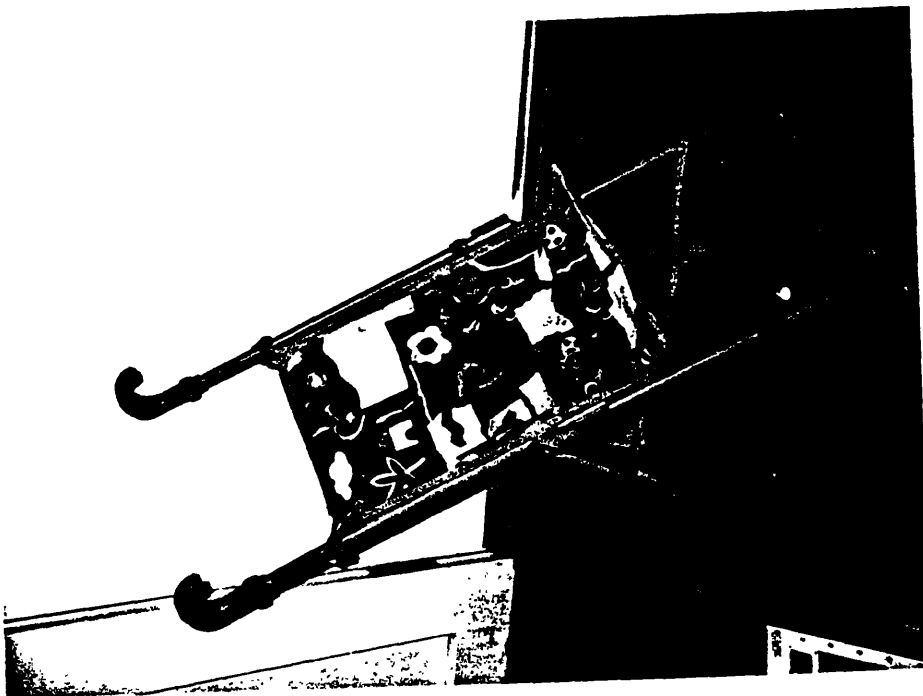
STORE LOCATION: K - MART

DESCRIPTION: LOVING WONDERS "PLASTIC" SINGLE
DOLL STROLLER W/ACCESORRIES

SYTLE#:

INSTRUCTIONS: NONE

VIOLATIONS: WARNING LABEL INCORRECT
WILL NOT MEET WEIGHT REQUIREMENTS
ON PLASTIC CONSTRUCTION
SMALL PARTS - CAPS



124

FIRM: FOCUS GROUPS
523 LOVELL ROAD #104
KNOXVILLE, TN 37932

STORE LOCATION: SERVICE MERCHANDISE

DESCRIPTION: EZ FOLD DOLL STROLLER

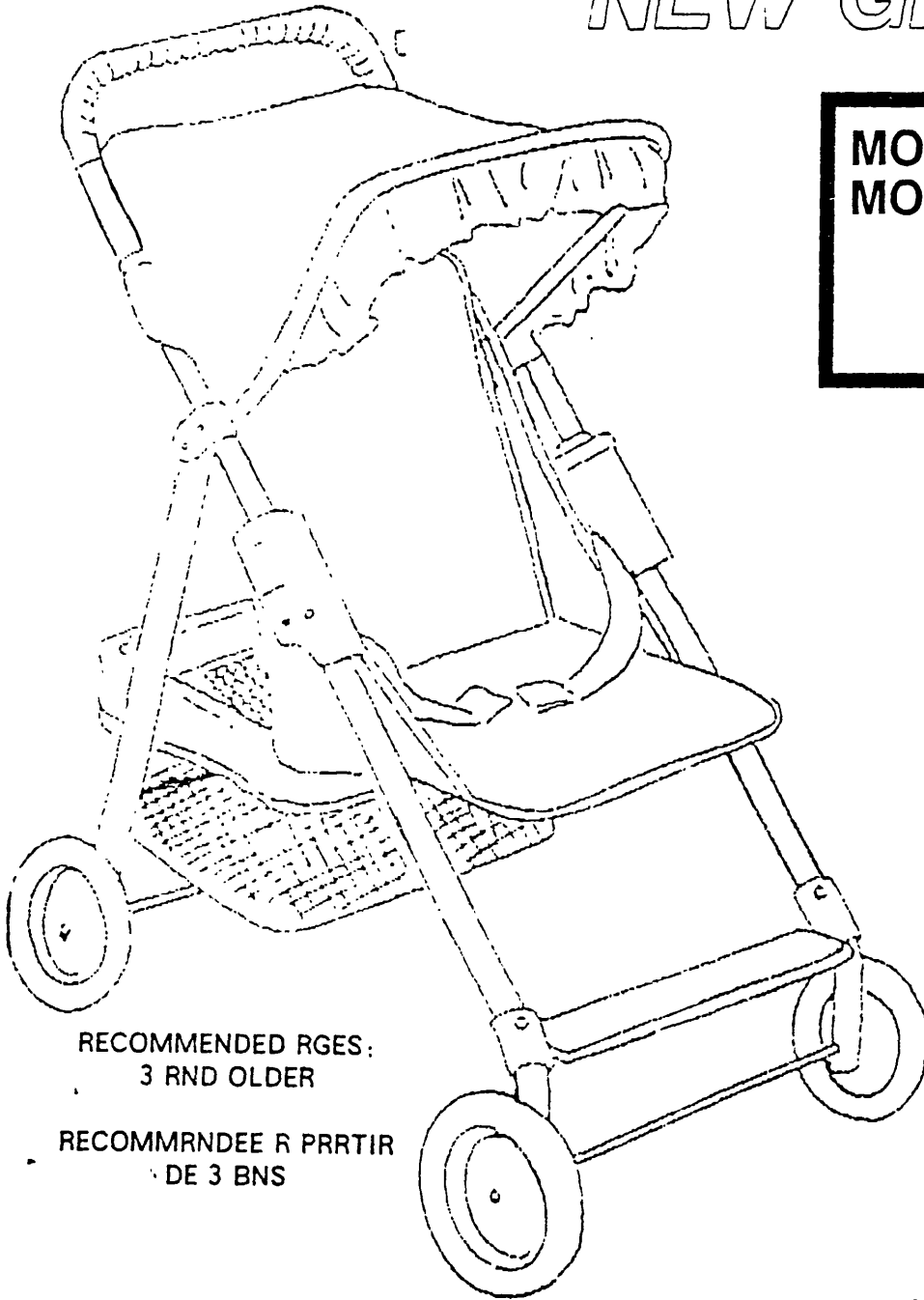
SYTLE#: 224/225

INSTRUCTIONS: ATTACHED
IMPROPER AND UNREADABLE WARNING

VIOLATIONS: NO WARNING LABEL ON PRODUCT
NO COUNTRY OF ORIGIN ON PRODUCT
NEW GENERATION INSTRUCTIONS
UNREADABLE

127

NEW GENERATION



**MODEL
MODELE**

**DOLL STROLLER
POUSSETTE POUPEE**

WARNING
THIS IS A TOY
AND IS NOT INTENDED
TO BE USED AS A
CARRIER FOR INFANTS
OR CHILDREN

ATTENTION:
CECI EST UN JOUET
ET N'EST PAS CONÇU
POUR ÊTRE UTILISÉ
POUR TRANSPORTER DES
NOURRISSONS OU DES ENFANTS

- NO ASSEMBLY REQUIRED
- FOR CHILDREN 3 YEARS AND OLDER
- DURABLE STEEL FRAME CONSTRUCTION
- SOLID WHEEL CENTERS
- STORE FOLDED ITEM OUT OF REACH OF CHILDREN

- RES D'ASSEMBLAGE NECESSAIRE
- POUR LES ENFANTS DE PLUS DE 3 ANS
- CONSTRUCTION EN ACIER DURABLE
- ROUES PLEINES
- RANGEZ L'ARTICLE PLIÉ HORS DE PORTEE DES ENFANTS

THIS MODEL HAS BEEN TESTED
BY A LEADING INDEPENDENT
LABORATORY AND FOUND IN
COMPLIANCE WITH ASTM TOY
SAFETY STANDARD F963-86

CE MODELE A ETE TESTE PAR
UN LABORATOIRE INDEPENDANT
IMPORTANT ET A ETE TROUVE
CONFORME A LA NORME DE SECURITE
DES JOUETS ASTM F963-86

RECOMMENDED AGES:
3 AND OLDER

RECOMMENDEE R PARTIR
DE 3 ANS

MADE IN CHINA
PRINTED IN CHINA
6/97

NEW GENERATION

Made in China for
FOCUS GROUP, INC.
523 Lovell Road, Suite 104
Knoxville, TN 37932



129

DOLL STROLLER POUSSETTE POUPEE

TO SET UP:

1. Lay stroller flat on floor—canopy up
2. Grasp handle and pull up—stroller will pop as handle is lifted
3. Slide locking mechanism over lower frame at hinge on both sides
4. Push locking mechanism firmly into place

TO FOLD DOWN:

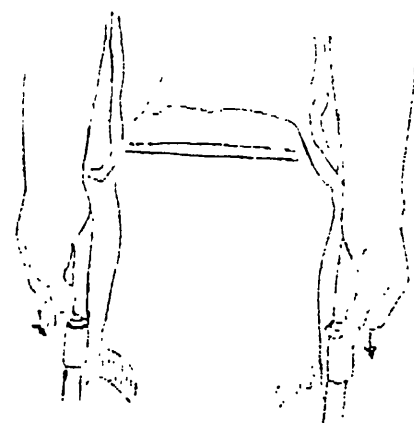
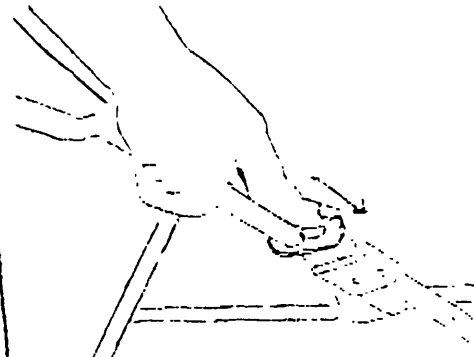
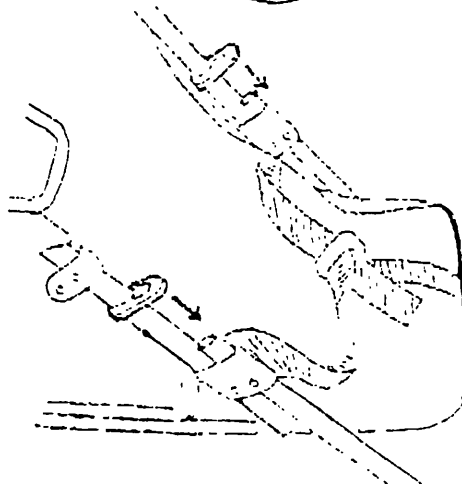
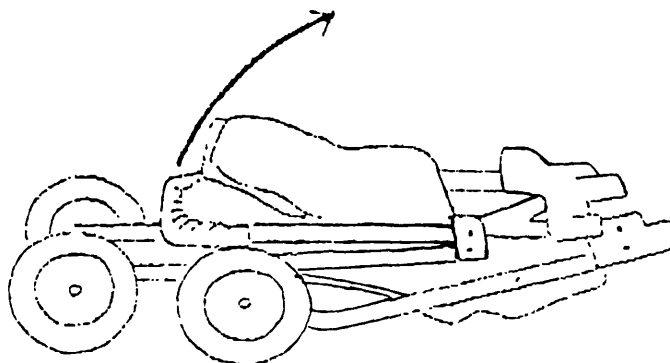
1. Pull locking mechanism up from hinge on both sides of frame
2. Carefully push upper portion of frame toward back of stroller

POUR OUVRIR LA POUSETTE:

1. Mettez la poussette à plat sur le sol—la capote vers le haut.
2. Saisissez la poignée et tirez—la vers le haut et vers la gauche.
3. Glissez le mécanisme de verrouillage sur le cadre inférieur du coque côté au niveau de la charnière.
4. Poussez le mécanisme de verrouillage fermement en place.

POUR PLIER:

1. Tirez le mécanisme de verrouillage hors de la charnière de chaque côté du cadre.
2. Poussez soigneusement la partie supérieure du cadre vers l'arrière de la poussette.



NOTE TO PARENTS:

TO CLEAN — USE ONLY HOUSEHOLD SOAP OR MILD DETERGENT RAN WARM WATER. DO NOT MACHINE WASH OR DRY THE FABRIC
— WIPE OFF FABRIC, HANDLES AND WHEELS WITH DAMP CLOTH
PERIODICALLY CHECK DOLL STROLLER FOR LOOSE SCREWS TO AVOID ACCIDENTAL INJURY

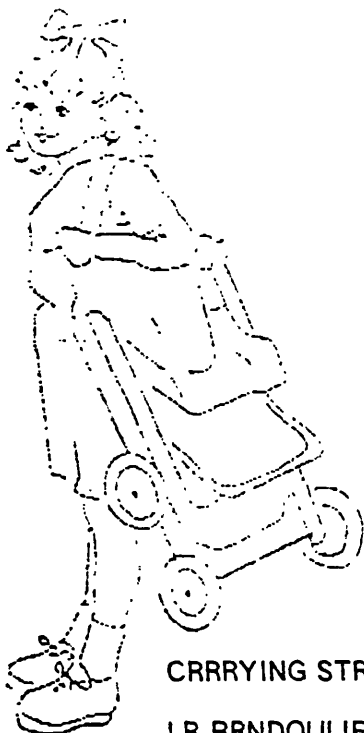
1730

REMARQUE POUR LES PARENTS:

NETTOYAGE — N'UTILISEZ QUE DU SAVON MÈNAGER OU UN DÉTÉRGENT MODÈRE ET DE L'EAU CHAUDE. NE LAVEZ PAS EN MACHINE ET NE SÈCHEZ PAS LE TISSU
— ESSUYEZ LE CADRE, LES POIGNÈES ET LES ROUES AVEC UN CHIFFON HUMIDE
VÉRIFIEZ PÉRIODIQUEMENT LA POUSETTE DE POUPEE EN RECHERCHANT LES VIS DÈSSERRÈES. POUR ÈVITER UNE BLESSURE ACCIDENTELLE

CARRYING STRAP IS ALSO DOLL "SEAT BELT"

THE TRANSPORTER IS ALSO



FIRM: HAUCK
TORONTO, ONTARIO

STORE LOCATION: SERVICE MERCHANDISE
TOY'S R US
J.C.PENNY

DESCRIPTION: WINNIE THE POOH DOLL
TRAVELLER STROLLER

SYTLE#: 14495

INSTRUCTIONS: ENCLOSED

VIOLATIONS: NO BEDDING LABEL
SMALL PARTS - CAPS
NO COMPANY ADDRESS
IMPROPER WARNING LABELS ON PACKAGE
NO WARNING LABEL ON PRODUCT

Traveller Mini

- ⓓ Gebrauchsanweisung
- ⓔᵀᵀ Instructions
- ⓕ Mode d'emploi
- ⓔ Instrucciones para el uso



1.



2.



3.

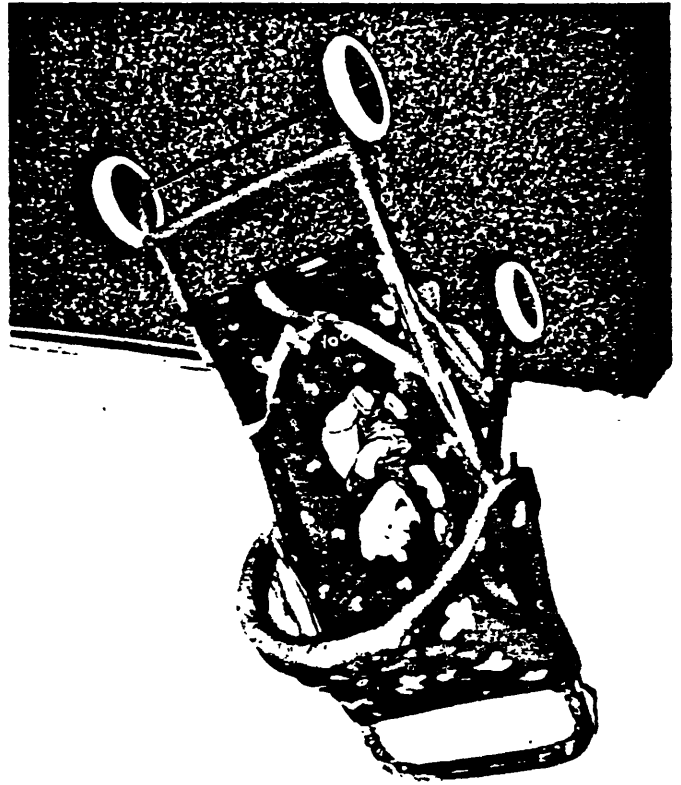
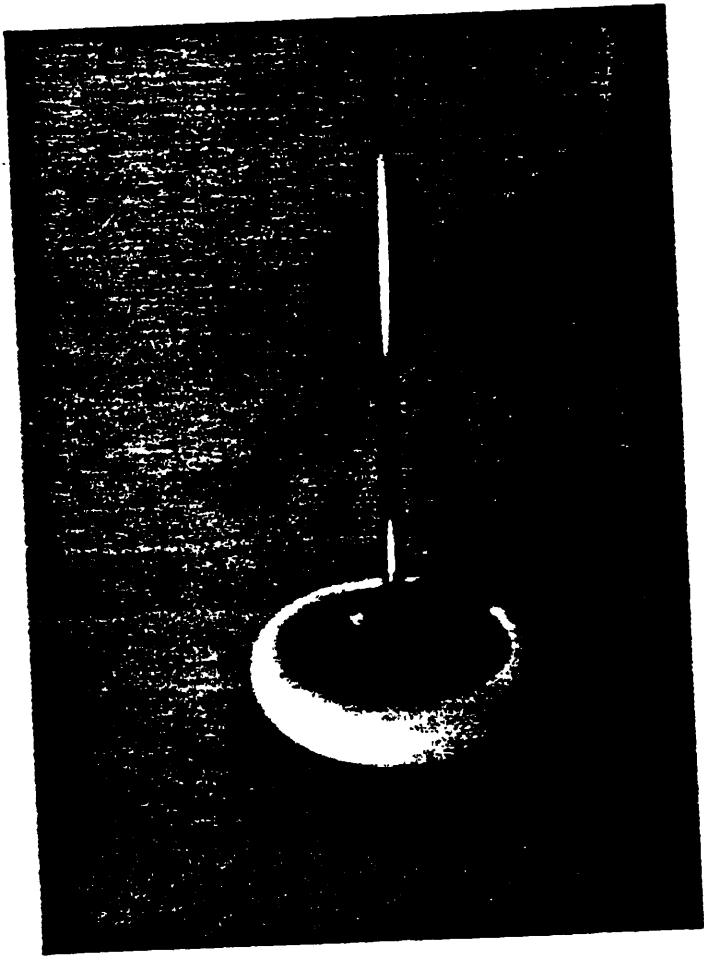
- ⓓ
1. **AUFKLAPPEN:** Nach vorne auseinanderklappen
 2. **VERRIEGELUNG:** Beide Verriegelungshebel nach unten drücken.
 3. **ZUSAMMENKLAPPEN:** Beide Verriegelungshebel nach oben ziehen und Wagen nach vorne zusammenklappen.
- WARNHINWEISE:** Dieser Puppenwagen ist für Kinder ab 3 Jahren geeignet. Er darf nur von Erwachsenen aufgebaut und nicht als Transportmittel für Kleinkinder oder Gegenstände verwendet werden.

- ⓔᵀᵀ
1. **UNFOLDING:** Tip forward to open.
 2. **TO LOCK:** Push both catches downwards.
 3. **FOLDING** Pull both catches upwards and tip the stroller forward to collapse.
- AWAY:** **WARNING:** This doll's pushchair is suitable for children aged 3 and upwards. It should be set up by adults and should not be used for transporting children or objects.

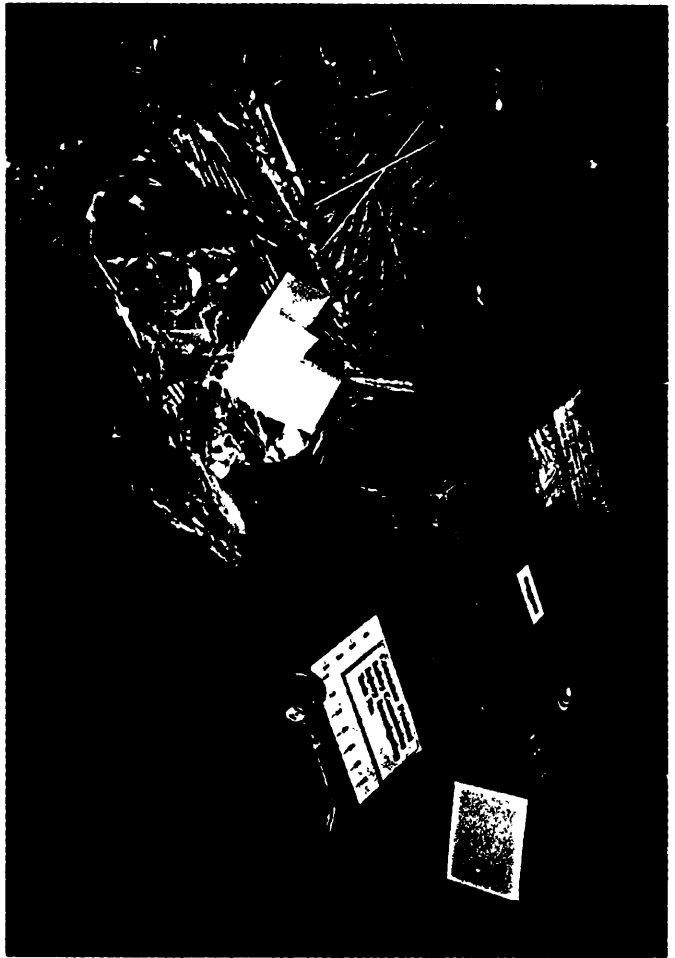
- ⓕ
1. **DEPLIAGE:** Ouvrir en dépliant vers l'avant
 2. **VERROUILLAGE:** Pousser les deux leviers vers le bas.
 3. **PLIAGE:** Tirer les deux leviers de verrouillage vers le haut et plier le buggy vers l'avant.
- ATTENTION:** Cette poussette de poupée convient pour les enfants âgés de plus de 3 ans. Il ne doit être monté que par des grandes personnes et ne doit pas être utilisé comme moyen de transport pour des petits enfants ou des objets.

- ⓔ
1. **DESPEGADO:** Desplegar hacia adelante
 2. **ENCLAVAMIENTO:** Tirar de ambas palancas de enclavamiento hacia abajo.
 3. **PLEGADO:** Tirar de ambas palancas de enclavamiento hacia arriba y plegar el cochecito hacia adelante.
- ADVERTENCIA:** Este cochecito para muñecas es ideal para niños a partir de los 3 años de edad. Deberá ser montado sólo por personas adultas y no ser utilizado como medio de transporte para niños pequeños u objetos.

132 ✓



135



134

1. STORAGE LOCATION		2. NAME OF PRODUCT LP GAS GRILL	3. SAMPLE NO. 98-830-3416
A.	C.	4. NAME AND ADDRESS OF FIRM CHAR-BROIL COLUMBUS, GA 31993	
B.	D.	6. BY WHOM RECEIVED RLK	7. DATE RECORDS RECEIVED 2/23/98
5. DATE SAMPLE RECEIVED 2/23/98	8. METHOD OF SHIPMENT		
A. PERSONALLY FROM		C. SHIPPED FROM FYR	
B. VIA RPS		D. SHIPPING RECORDS (Type and Identity)	

9. COMMENTS

*Comparison
re kshaden*

10A. SAMPLE DISPOSITION INSTRUCTIONS AND REASON	B. NAME AND TITLE	C. DATE
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125

PRODUCT IDENTIFICATION

#0-47362-51000-6, distributed until 3/20/96. Sub sample "01" is current model, UPC #0-47362-51200-0, which appears to be very similar to discontinued model.

METHOD OF COLLECTION

Sample container was labeled as ID'd in #21 and the container sealed as ID'd in #22.

REMARKS

N37

U.S. CONSUMER PRODUCT SAFETY COMMISSION		1. AREA OF Kmart Corporation CPSC. 1/27/98 Inspection 6276 N 27th Avenue Minneapolis MN 55418		2. NAME OF INDIVIDUAL CHARLES HARRIS	3. TITLE OF INDIVIDUAL Assistant	4. DATE 2/05/98
		5. FIRM NAME Kmart Corporation				
7. NUMBER AND STREET 3100 W. 73rd Ave			8. CITY AND STATE (Include Zip Code) Troy, MN 56344			
9. SAMPLES COLLECTED (Describe fully. List lot, serial, model numbers and other positive identification)						
<p>The following samples were collected by the Consumer Product Safety Commission pursuant to Section 27(f) of the Consumer Product Safety Act (15 U.S.C. 2076(f) and/or Section 11(b) of the Federal Hazardous Substances Act (15 U.S.C. 1270(b) and/or Sections 5(c) and (d) of the Flammable Fabrics Act (15 U.S.C. 1194(c) and (d) and/or Section 704(c) of the Federal Food Drug and Cosmetic Act (21 U.S.C. 374(c)) [Authority for sample collections made in connection with the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 et seq.)], and receipt for said samples is hereby acknowledged. Sections cited are quoted on the reverse side of this form.</p> <p>2 units: COIN CELL BATTERY MODEL # 1200 PORTABLE TABLETOP CAMP GRILL</p>						
10. SAMPLES		11. SAMPLES WERE		12. COLLECTOR		
a. AMOUNT RECEIVED FOR SAMPLE N/A		<input checked="" type="checkbox"/> PURCHASED		a. NAME (Print or type) Dennis R. Elias		
b. SIGNATURE (Person from whom sample received) SHARON T. HARRIS - CP		<input type="checkbox"/> BORROWED (To be returned)		b. SIGNATURE Dennis Elias		

1748

Exhibit " " "
Kmart Corporation
1/27/98 inspection

(92)

UNITED STATES GOVERNMENT
MEMORANDUM

U.S. CONSUMER PRODUCT
SAFETY COMMISSION
ATLANTA, GA

TO : Operations Div., FOCE Nov. 25, 1997

Through : Eric B. Ault
Director, FOCE *Eric B. Ault*

FROM : L. GEORGE GAYMAN, FOCE
SENIOR COMPLIANCE OFFICER *LGG*

SUBJECT : Req. for Section 15 Inspection

Firm : Kmart Corporation
3100 West Big Beaver Road
Troy, MI 48064

Product : "Tru-Burn" Table Top LP Gas Grill

Attached is IDI 970528CWE5012 involving the "Tru-Burn" Table Top LP Gas Grill. In this incident the burner tube separated from the tube for the regulator and cylinder. The two tubes are not connected by any positive retention device, but rather are held together only by friction. The grill was sampled under 97-860-6276 and was examined by ES under PSA #0954.97. A copy of the test report is attached for your information. Do NOT share this report with the firm. Coverage should be given to all models of Table Top LP Gas Grills imported by Kmart or sold by Kmart under its own label.

1. Please cover complaints, law suits, claims, returns, etc. on the firm's Table Top LP Gas Grills.
2. Please obtain instructional literature and other product information on these grills. Obtain specifications and measurements on the tubing in question and their means of assembly.
3. The labeling on the grill indicates that it is made in China. Is the grill imported by Kmart? If so, did Kmart specify the design of the grill? If Kmart is not the importer, please determine from whom Kmart purchases these table top LP gas grills.
4. Obtain specifics on any testing done on these grills. Does such testing cover the integrity of the connection of the two tubes in question.

139

Kmart Corp.
Page Two

5. Obtain the firm's assessment of the incident in the IDI and the scenario that is of concern to us.
6. Please examine a unit of each model of Table Top LP Gas Grills imported and marketed by Kmart. Check the type of connection between the burner tube and the tube for the regulator and cylinder. Photograph these connections.
7. Please collect a sample of one unit of each model of these grills imported and marketed by Kmart where there is only friction to hold the two referenced tubes together. The sample should be sent to Pam Major, CCA. I will prepare a PSA request to address the desired analysis.

140

PRODUCT IDENTIFICATION

#0-47362-51000-6, distributed until 3/20/96. Sub sample "01" is current model, UPC #0-47362-51200-0, which appears to be very similar to discontinued model.

METHOD OF COLLECTION

Sample container was labeled as ID'd in #21 and the container sealed as ID'd in #22.

REMARKS

142 ✓

1. STORAGE LOCATION		2. NAME OF PRODUCT LP GAS GRILL		3. SAMPLE NO. 98-830-3415
A.	C.	4. NAME AND ADDRESS OF FIRM LIEN MOU INDUSTRIES FACTORY HSIN-CHU CITY, TAIWAN		
B.	D.	6. BY WHOM RECEIVED RLK		7. DATE RECORDS RECEIVED 2/23/98
5. DATE SAMPLE RECEIVED 2/23/98		6. BY WHOM RECEIVED RLK		7. DATE RECORDS RECEIVED 2/23/98
METHOD OF SHIPMENT	A. PERSONALLY FROM		C. SHIPPED FROM FOCR	
	B. VIA RPS		D. SHIPPING RECORDS (Type and Identity)	

9. COMMENTS

10A. SAMPLE DISPOSITION INSTRUCTIONS AND REASON	B. NAME AND TITLE	C. DATE

143

PRODUCT IDENTIFICATION

supports. Gas regulator, burner assembly, and lava rock all included.
UPC #0-24838-17000-1.

METHOD OF COLLECTION

Custodian on 2/18/98. Sample container was labeled as ID'd in #21 and
the container sealed as ID'd in #22.

REMARKS

to be prepared by G. Gayman, FOCR Compliance.

147

Exhibit "I"
Kmart Corporation
1/27/98 Inspection

(98)

AFFIDAVIT		SAMPLE NO 78-830-3415
STATE OF <u>MICHIGAN</u>	COUNTY OF <u>Oakland</u>	
<p>Before me, <u>DENNIS R. BLASINS</u>, a duly authorized employee of the Consumer Product Safety Commission, appropriately designated by the Chairman of said Commission pursuant to provisions of the Consumer Product Safety Act (sec. 27 (b)(2), 86 Stat. 1228; 15 U.S.C 2076 (b)(2)), to administer or take oaths, affirmations, and affidavits, personally appeared _____ in the county and State aforesaid, who, being first duly sworn, deposes and says:</p> <p><u>that I am an attorney for the Kmart Corporation and as such have sufficient knowledge to make this statement. THAT on 1/27/97 I provided case investigator DENNIS BLASINS with one new "TEN-BURN" label for GAS GRILL, UPC # 0-24838-17000-1; these GRILLS are imported by Kmart from the ^{importer of} Chinese manufacturer, Wen Mou Ironworks Factory Co., LTD. No purchase order, invoicing, or other similar import documentation is available.</u></p>		
AFFIANT'S SIGNATURE & TITLE <u>C. J. Haines, Attorney</u>		
FIRM (Name and address, include ZIP Code) <u>Kmart Corporation 3100 W. Big BEAVER RD. TROY, MI. 48064</u>		
Subscribed and sworn to before me at <u>TROY, MI</u> (City and State)		
this <u>27th</u> day of <u>JANUARY</u> , 19 <u>98</u> .		
<u>[Signature]</u> (Employee's Signature)		
EMPLOYEE OF THE CONSUMER PRODUCT SAFETY COMMISSION ACTING IN ACCORDANCE WITH AUTHORITY GRANTED IN THE ABOVE STATED DECLARATION.		

746

Exhibit "14"

1. AREA OF INSPECTION
Kmart Corporation
1/27/98 Inspection
11.70...
...

803

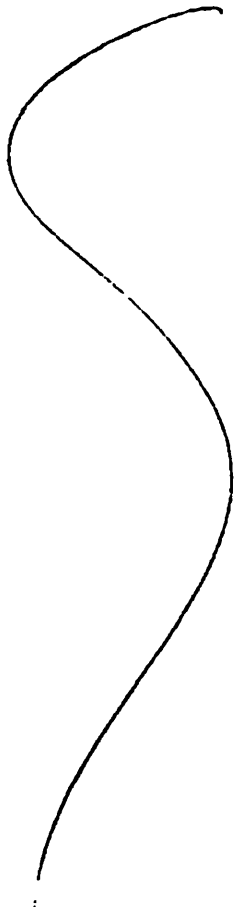
U.S. CONSUMER PRODUCT SAFETY COMMISSION

2. NAME OF INDIVIDUAL CHARLES HARRIS	3. TITLE OF INDIVIDUAL Attorney	4. DATE 1/27/98
5. FIRM NAME Kmart Corporation		6. SAMPLE NUMBER 98-830-3415
7. NUMBER AND STREET 1... AD	8. CITY AND STATE (Include Zip Code) Trenton, NJ	

9. SAMPLES COLLECTED (Describe fully. List lot, serial, model numbers and other positive identification)

The following samples were collected by the Consumer Product Safety Commission pursuant to Section 27(f) of the Consumer Product Safety Act (15 U.S.C. 2070(f) and/or Section 11(b) of the Federal Hazardous Substances Act (15 U.S.C. 1270(b) and/or Sections 5(c) and (d) of the Flammable Fabrics Act (15 U.S.C. 1194(c) and (d) and/or Section 704(c) of the Federal Food Drug and Cosmetic Act (21 U.S.C. 374(c)) [Authority for sample collections made in connection with the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 et seq.)], and receipt for said samples is hereby acknowledged. Sections cited are quoted on the reverse side of this form.

- ONE 'Tee-Burn' portable gas grill, UPC # 0-21328-17330-1.
unit is new, unopened.



147

10. AMOUNT RECEIVED FOR SAMPLE	11. SAMPLES WERE <input checked="" type="checkbox"/> PURCHASED <input type="checkbox"/> BORROWED (To be returned)	12. COLLECTOR a. NAME (Print or type) Charles Harris b. SIGNATURE <i>Charles Harris</i>
b. SIGNATURE (Person from whom sample received) <i>Charles Harris</i>		

ORDER CONTRACT

Fiber Information
.....

Additional Information
.....

COMMERCIAL INVOICE IN DUPLICATE (COPIES OR ORIGINALS ACCEPTABLE.)
PACKING LIST IN DUPLICATE (COPIES OR ORIGINALS ACCEPTABLE.)
COMBINED DRAWINGS ACCEPTABLE.
SEPARATE INVOICES MUST BE ISSUED FOR EACH DESTINATION (COPIES OR ORIGINALS
ACCEPTABLE.)
ON BOARD NON NEGOTIABLE SEAWAY BILL OR ONE ON BOARD OCEAN BILL OF LADING
CONSIGNED TO KUART CORPORATION MARKED FREIGHT COLLECT AND FORWARDERS CARGO
RECEIPT ISSUED BY ACS LOGISTICS LTD. (COPIES OR ORIGINALS ACCEPTABLE)
INSURANCE TO BE AFFECTED BY BUYER KUART CORPORATION
ALL SHIPMENTS TO BE MADE AS SPECIFIED IN BUYER'S ORDER NO. _____
WITH SHIPMENT TO COMMENCE ON _____
BUT IN ANY EVENT NOT LATER THAN _____.
REFERENCE (PO) FROM ORDER CONTRACT SHIPPING SCHEDULE MUST BE SPECIFIED ON THE
COMMERCIAL INVOICE FOR EACH SHIPMENT COVERED ON THE INVOICE
KUART INSPECTION CERTIFICATE (COPIES OR ORIGINALS ACCEPTABLE.)

148

KMART CORPORATION
 1100 W BIG BEAVER RD
 TROY MICHIGAN
 48084 USA

ORDER CONTRACT
 (CONTINUED)

Telephone:
 Facsimile:

ORDER DATE: 05/21/97 CONTRACT NO: K3828 ITEM CODE: 640-118731-116 BUYER: LVM LARRY VANDERWERFF
 DIV. 1 DEPT NO: 43 UPC CARTON ID: 10072000716738 FACTORY: 1647

ITEM: TABLE TOP GAS GRILL - 17"

UPC NUMBER

072000716731

SHIPPING SCHEDULE

Reference (PO)	Discharge Point	Final Dest (DC)	Ship Date	Cancel Date	Cartons	Quantity (EA)
801	WCD	WCD	12/05/97			11,760
802	WCD	WCD	12/13/97			11,760
807	C	WCD	12/17/97			5,880
803	WCD	WCD	12/27/97		3,675	14,700
804	WCD	WCD	01/20/98		3,675	14,700
805	WCD	WCD	01/25/98		2,205	8,820
806	WCD	WCD	03/16/98		2,205	8,820

Summary by Final Destination (DC)

Discharge Point	Cartons	Quantity
COR	735	2,940
DEN	735	2,940
GEO	735	2,940
GNB	735	2,940
MOR	735	2,940
OCA	735	2,940
ONT	735	2,940
SPK	735	2,940
WCD	11,760	70,560

Summary by SHIPPING SCHEDULE DATE

DATE	Cartons	Quantity
12/05/97		11,760
12/13/97		11,760
12/27/97	3,675	14,700
01/20/98	3,675	14,700
01/25/98	2,205	8,820
03/16/98	2,205	8,820

149

ORDER CONTRACT
(CONTINUED)

KMART CORPORATION
3100 W BIG BEAVER RD
TROY MICHIGAN
48064 USA

Telephone:
Facsimile:

ORDER DATE: 05/21/97 CONTRACT NO: K3828 ITEM CODE: 640-118731-116 BUYER: LVM LARRY VANDERWERFF
DIV: 1 DEPT NO: 43 UPC CARTON ID: 10072000716738 FACTORY: 3647

ITEM: TABLE TOP GAS GRILL - 17"

TS1

PRODUCT LIABILITY INSURANCE CERTIFICATE REQUIRED COVERING ALL SHIP DATES

7431R

SPECIAL PROJECT SPRING

CARTON UPC #:10072000716738

K mart Corporation
I M P O R T O R D E R Page 3

Order: K3828 Code: 11-87-31 Document: 7431 R

SPECIAL PROJECT SPRING

TABLE TOP PORTABLE GAS GRILL - 17"

SEASONAL ITEM

COLOR: BLACK

MATERIAL: TOP & BOTTOM: STEEL SHEET.

SHEET THICKNESS: 0.6MM

WIRE DIA. OF COOKING GRILL 3.5 X 2.5MM AND CHARCOAL GRILL

3.3 X 4.5MM

WIRE DIA. OF LEGS: 6MM 3PCS OF BAKELITE HANDLES &

LAVA ROCK: 1 BAG (2.2 LBS)

GAS REGULATOR WITH FILTER 1PC

FINISH: TOP & BOTTOM: PORCELAIN ENAMEL.

COOKING GRILL, STEEL LEGS: CHROME-PLATED

CHARCOAL GRILL: ZINC PLATED

LOGO "BBO-PRO" WILL BE BURNT ONTO THE TOP LID HANDLE

PACKING. EACH PACKED INTO COLOR BOX, 4 PCS/CTN.

CHINA PORT - HUANG PU, CHINA

UPC SYMBOL IS REQUIRED ON THIS ITEM

OUTER CARTON MARKINGS:

REFER TO KMART CORP. "CARTON MARKING INSTRUCTIONS".

NOTE. CARTONS MUST BE PACKED TO INNER AND OUTER PIECE

COUNTS SPECIFIED ON THE ORDER. PARTIAL OR ODD PACKED

CARTONS ARE NOT PERMITTED FOR SHIPMENT.

VENDOR IS TO DEVELOP AND FORWARD PACKAGE PROOFS TO THE

KMART OVERSEAS LOCAL OFFICE 60 DAYS PRIOR TO SHIP DATE

WHEN NEW PACKAGE DESIGNS ARE REQUIRED.

END OF DOCUMENT.....

M E R C H A N D I S E I N F O R M A T I O N

Spec No: 640118731116K3828

Spec Type: MDSNAPP MERCHANDISE SPEC FOR HARDLINES

TICKET LABEL INFORMATION

factory:

address:

151

Exhibit " " "
Kmart Corporation
1/27/98 inspection

(22)

UNITED STATES GOVERNMENT

U.S. CONSUMER PRODUCT
SAFETY COMMISSION
ATLANTA, GA

MEMORANDUM

TO : Operations Div., FOCP Nov. 25, 1997

Through : Eric B. Ault Director, FOCP *Eric B. Ault*

FROM : L. GEORGE GAYMAN, FOCP SENIOR COMPLIANCE OFFICER *LGG*

SUBJECT : Req. for Section 15 Inspection

Firm : Kmart Corporation
3100 West Big Beaver Road
Troy, MI 48064

Product : "Tru-Burn" Table Top LP Gas Grill

Attached is IDI 970528CWE5012 involving the "Tru-Burn" Table Top LP Gas Grill. In this incident the burner tube separated from the tube for the regulator and cylinder. The two tubes are not connected by any positive retention device, but rather are held together only by friction. The grill was sampled under 97-360-6276 and was examined by ES under PSA #0954.97. A copy of the test report is attached for your information. Do NOT share this report with the firm. Coverage should be given to all models of Table Top LP Gas Grills imported by Kmart or sold by Kmart under its own label.

1. Please cover complaints, law suits, claims, returns, etc. on the firm's Table Top LP Gas Grills.
2. Please obtain instructional literature and other product information on these grills. Obtain specifications and measurements on the tubing in question and their means of assembly.
3. The labeling on the grill indicates that it is made in China. Is the grill imported by Kmart? If so, did Kmart specify the design of the grill? If Kmart is not the importer, please determine from whom Kmart purchases these table top LP gas grills.
4. Obtain specifics on any testing done on these grills. Does such testing cover the integrity of the connection of the two tubes in question.

152

Kmart Corp.
Page Two

5. Obtain the firm's assessment of the incident in the IDI and the scenario that is of concern to us.

6. Please examine a unit of each model of Table Top LP Gas Grills imported and marketed by Kmart. Check the type of connection between the burner tube and the tube for the regulator and cylinder. Photograph these connections.

7. Please collect a sample of one unit of each model of these grills imported and marketed by Kmart where there is only friction to hold the two referenced tubes together. The sample should be sent to Pam Major, CCA. I will prepare a PSA request to address the desired analysis.

157

CONSUMER PRODUCT SAFETY COMMISSION
ROUTE SLIP

TO Mr. Sotomayor
CCIA

- Take necessary action
- Approval or signature
- Comment
- Prepare reply
- Discuss with me
- For your information
- See remarks below

FROM Alvin P. Felt

DATE 2/25/78

REMARKS

Marc

Carlos P. Felt

154

PRODUCT IDENTIFICATION

supports. Gas regulator, burner assembly, and lava rock all included.
UPC #0-24838-17000-1.

METHOD OF COLLECTION

Custodian on 2/18/98. Sample container was labeled as ID'd in #21 and the container sealed as ID'd in #22.

REMARKS

to be prepared by G. Gayman, FOCR Compliance.

156

(P)

AFFIDAVIT		SAMPLE NO 78-830-3415
STATE OF MICHIGAN	COUNTY OF Oakland	
<p>Before me, <u>DENNIS R. BLASINS</u>, a duly authorized employee of the Consumer Product Safety Commission, appropriately designated by the Chairman of said Commission pursuant to provisions of the Consumer Product Safety Act (sec. 27 (b)(2), 86 Stat. 1228; 15 U.S.C. 2076 (b)(2)), to administer or take oaths, affirmations, and affidavits, personally appeared _____ in the county and State aforesaid, who, being first duly sworn, deposes and says: <i>that I am an attorney for the Kmart Corporation and as such have sufficient knowledge to make this statement. THAT ON 1/27/97 I PROVIDED CPSC INVESTIGATOR DENNIS BLASINS WITH ONE NEW "TRU-BEAN" LABELED FOR GRS GRILL, UPC# 0-24838-17000-1; THESE GRILLS ARE IMPORTED BY Kmart FROM THE ^{USA} CHINESE MANUFACTURER, WEN MOW INDUSTRIAL FACTORY CO., LTD. NO PURCHASE ORDER, INVOICING, OR OTHER SIMILAR IMPORT DOCUMENTATION IS AVAILABLE.</i></p>		
AFFIANT'S SIGNATURE & TITLE <i>C. J. Haines, Attorney</i>		
FIRM (Name and address, include ZIP Code) <i>Kmart Corporation 3100 W. Big BEAVER RD. TROY, MI. 48064</i>		
Subscribed and sworn to before me at <u>TROY, MI</u> (City and State)		
this <u>27th</u> day of <u>JANUARY</u> , 19 <u>98</u> .		
<u><i>Dennis Blasins</i></u> (Employee's Signature)		
EMPLOYEE OF THE CONSUMER PRODUCT SAFETY COMMISSION ACTING IN ACCORDANCE WITH AUTHORITY GRANTED IN THE ABOVE STATED DECLARATION.		

157

Exhibit H

883

U.S. CONSUMER PRODUCT SAFETY COMMISSION

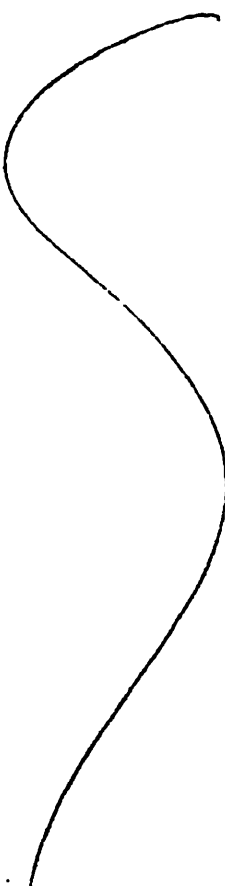
1. AREA Kmart Corporation
CPSC 1/27/78 Inspection

2. NAME OF INDIVIDUAL CHARLES HARRIS	3. TITLE OF INDIVIDUAL Attorney	4. DATE 1/27/78
5. FIRM NAME Kmart Corporation		6. SAMPLE NUMBER 98-830-3415
7. NUMBER AND STREET 1000 ...	8. CITY AND STATE (Include Zip Code) Trenton, N.J.	

9. SAMPLES COLLECTED (Describe fully. List lot, serial, model numbers and other positive identification)

The following samples were collected by the Consumer Product Safety Commission pursuant to Section 27(f) of the Consumer Product Safety Act (15 U.S.C. 2078(f) and/or Section 11(b) of the Federal Hazardous Substances Act (15 U.S.C. 1270(b) and/or Sections 5(c) and (d) of the Flammable Fabrics Act (15 U.S.C. 1194(c) and (d) and/or Section 704(c) of the Federal Food Drug and Cosmetic Act (21 U.S.C. 374(c)) [Authority for sample collections made in connection with the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 et seq.)], and receipt for said samples is hereby acknowledged. Sections cited are quoted on the reverse side of this form.

— ONE 'Tear-Burst' portable gas can, UPC # 0-21828-17000-1, unit is new, unopened.



158

10. SAMPLES	11. SAMPLES WERE	12. COLLECTOR
a. AMOUNT RECEIVED FOR SAMPLE	<input checked="" type="checkbox"/> PURCHASED	a. NAME (Print or type) Donald ...
b. SIGNATURE (Person from whom sample received) C. Harris	<input type="checkbox"/> BORROWED (To be returned)	b. SIGNATURE [Signature]

Fiber Information

Additional Information

COMMERCIAL INVOICE IN DUPLICATE (COPIES OR ORIGINALS ACCEPTABLE.)
PACKING LIST IN DUPLICATE (COPIES OR ORIGINALS ACCEPTABLE.)
COMBINED DRAWINGS ACCEPTABLE.
SEPARATE INVOICES MUST BE ISSUED FOR EACH DESTINATION (COPIES OR ORIGINALS
ACCEPTABLE.)
ON BOARD NON NEGOTIABLE SEAWAY BILL OR ONE ON BOARD OCEAN BILL OF LADING
CONSIGNED TO K MART CORPORATION MARKED FREIGHT COLLECT AND FORWARDERS CARGO
RECEIPT ISSUED BY ACS LOGISTICS LTD. (COPIES OR ORIGINALS ACCEPTABLE)
INSURANCE TO BE AFFECTED BY BUYER K MART CORPORATION
ALL SHIPMENTS TO BE MADE AS SPECIFIED IN BUYER'S ORDER NO. _____
WITH SHIPMENT TO COMMENCE ON _____
BUT IN ANY EVENT NOT LATER THAN _____.
REFERENCE (PO) FROM ORDER CONTRACT SHIPPING SCHEDULE MUST BE SPECIFIED ON THE
COMMERCIAL INVOICE FOR EACH SHIPMENT COVERED ON THE INVOICE
K MART INSPECTION CERTIFICATE (COPIES OR ORIGINALS ACCEPTABLE.)

159.

ORDER CONTRACT
(CONTINUED)

SMART CORPORATION
3100 N BIG BEAVER RD
TROY MICHIGAN
48084 USA

Telephone:
Facsimile:

ORDER DATE: 05/21/97 CONTRACT NO: K3828 ITEM CODE: 640-118731-116 BUYER: LVW LARRY VANDERWERFF
DIV. 1 DEPT NO: 43 UPC CARTON ID: 10072000716738 FACTORY: 1647

ITEM: TABLE TOP GAS GRILL - 17"

UPC NUMBER

072000716731

SHIPPING SCHEDULE

Reference (PO)	Discharge Point	Final Dest. (DC)	Ship Date	Cancel Date	Cartons	Quantity (EA)
801	WCD	WCD	12/05/97			11,760
802	WCD	WCD	12/13/97			11,760
807	C WCD	WCD	12/17/97			5,880
803	WCD	WCD	12/27/97		3,675	14,700
804	WCD	WCD	01/20/98		3,675	14,700
805	WCD	WCD	01/25/98		2,205	8,820
806	WCD	WCD	03/16/98		2,205	8,820

Summary by Final Destination (DC)

Discharge Point	Cartons	Quantity
COR	735	2,940
DEN	735	2,940
GEO	735	2,940
GNB	735	2,940
MOR	735	2,940
OCA	735	2,940
ONT	735	2,940
SPK	735	2,940
WCD	11,760	70,560

Summary by SHIPPING SCHEDULE DATE

DATE	Cartons	Quantity
12/05/97		11,760
12/13/97		11,760
12/27/97	3,675	14,700
01/20/98	3,675	14,700
01/25/98	2,205	8,820
03/16/98	2,205	8,820

1500

ORDER CONTRACT
(CONTINUED)

SMART CORPORATION
3100 W BIG BEAVER RD
TROY MICHIGAN
48064 USA

Telephone:
Facsimile:

ORDER DATE: 05/21/97 CONTRACT NO: K3828 ITEM CODE: 640-118731-116 BUYER: LVM LARRY VANDERWERFF
DIV: 1 DEPT NO: 43 UPC CARTON ID: 10072000716738 FACTORY: 3647

ITEM: TABLE TOP GAS GRILL - 17"

TS1

PRODUCT LIABILITY INSURANCE CERTIFICATE REQUIRED COVERING ALL SHIP DATES

7431R

SPECIAL PROJECT SPRING

CARTON UPC #: 10072000716738

K mart Corporation
I M P O R T O R D E R Page 3

Order: K3828 Code: 11-87-31 Document: 7431 R

SPECIAL PROJECT SPRING

TABLE TOP PORTABLE GAS GRILL - 17"

SEASONAL ITEM

COLOR: BLACK

MATERIAL: TOP & BOTTOM: STEEL SHEET.

SHEET THICKNESS: 0.6MM

WIRE DIA. OF COOKING GRILL 3.5 X 2.5MM AND CHARCOAL GRILL

3.3 X 4.5MM

WIRE DIA. OF LEGS: 6MM. 3PCS OF BAKELITE HANDLES &

LAVA ROCK: 1 BAG (2.2 LBS)

GAS REGULATOR WITH FILTER. 1PC

FINISH: TOP & BOTTOM: PORCELAIN ENAMEL.

COOKING GRILL, STEEL LEGS: CHROME-PLATED

CHARCOAL GRILL: ZINC PLATED

LOGO "BBO-PRO" WILL BE BURNT ONTO THE TOP LID HANDLE

PACKING: EACH PACKED INTO COLOR BOX, 4 PCS/CTN.

CHINA PORT - HUANG PU, CHINA

UPC SYMBOL IS REQUIRED ON THIS ITEM

OUTER CARTON MARKINGS:

REFER TO SMART CORP. "CARTON MARKING INSTRUCTIONS".

NOTE: CARTONS MUST BE PACKED TO INNER AND OUTER PIECE

COUNTS SPECIFIED ON THE ORDER. PARTIAL OR ODD PACKED

CARTONS ARE NOT PERMITTED FOR SHIPMENT.

VENDOR IS TO DEVELOP AND FORWARD PACKAGE PROOFS TO THE

SMART OVERSEAS LOCAL OFFICE 60 DAYS PRIOR TO SHIP DATE

WHEN NEW PACKAGE DESIGNS ARE REQUIRED.

END OF DOCUMENT.....

M E R C H A N D I S E I N F O R M A T I O N

Spec No: 640118731116K3828

Spec Type: MDSEKAPP MERCHANDISE SPEC FOR HARDLINES

TICKET LABEL INFORMATION

Factory:

Address:

Exhibit " " "
Kmart Corporation
1/27/98 inspection

023

UNITED STATES GOVERNMENT
MEMORANDUM

U.S. CONSUMER PRODUCT
SAFETY COMMISSION
ATLANTA, GA

TO : Operations Div., FOCP Nov. 25, 1997

Through : Eric B. Ault *Eric B. Ault*
Director, FOCP

FROM : L. GEORGE GAYMAN, FOCP *LGG*
SENIOR COMPLIANCE OFFICER

SUBJECT : Req. for Section 15 Inspection

Firm : Kmart Corporation
3100 West Big Beaver Road
Troy, MI 48064

Product : "Tru-Burn" Table Top LP Gas Grill

Attached is IDI 970528CWE5012 involving the "Tru-Burn" Table Top LP Gas Grill. In this incident the burner tube separated from the tube for the regulator and cylinder. The two tubes are not connected by any positive retention device, but rather are held together only by friction. The grill was sampled under 97-960-6276 and was examined by ES under PSA #0954.97. A copy of the test report is attached for your information. Do NOT share this report with the firm. Coverage should be given to all models of Table Top LP Gas Grills imported by Kmart or sold by Kmart under its own label.

1. Please cover complaints, law suits, claims, returns, etc. on the firm's Table Top LP Gas Grills.
2. Please obtain instructional literature and other product information on these grills. Obtain specifications and measurements on the tubing in question and their means of assembly.
3. The labeling on the grill indicates that it is made in China. Is the grill imported by Kmart? If so, did Kmart specify the design of the grill? If Kmart is not the importer, please determine from whom Kmart purchases these table top LP gas grills.
4. Obtain specifics on any testing done on these grills. Does such testing cover the integrity of the connection of the two tubes in question.

167

Kmart Corp.
Page Two

5. Obtain the firm's assessment of the incident in the IDI and the scenerio that is of concern to us.
6. Please examine a unit of each model of Table Top LP Gas Grills imported and marketed by Kmart. Check the type of connection between the burner tube and the tube for the regulator and cylinder. Photograph these connections.
7. Please collect a sample of one unit of each model of these grills imported and marketed by Kmart where there is only friction to hold the two referenced tubes together. The sample should be sent to Pam Major, CCA. I will prepare a PSA request to address the desired analysis.

164

PRODUCT IDENTIFICATION

#0-47362-51000-6, distributed until 3/20/96. Sub sample "01" is current model, UPC #0-47362-51200-0, which appears to be very similar to discontinued model.

FIELD SUMMARY**METHOD OF COLLECTION**

Sample container was labeled as ID'd in #21 and the container sealed as ID'd in #22.

REMARKS

166

U.S. CONSUMER PRODUCT SAFETY COMMISSION		1. AREA <i>Exhibit "m"</i> <i>Kmart Corporation</i> <i>CPSC - 1/27/98 inspection</i> <i>1276 North Washington Ave</i> <i>Washington DC 20045</i>		4. DATE <i>2/05/98</i>
		2. NAME OF INDIVIDUAL <i>SHARON HARRIS</i>	3. TITLE OF INDIVIDUAL <i>Assistant</i>	
5. FIRM NAME <i>Kmart Corporation</i>			6. SAMPLE NUMBER <i>98-22-2416 (1, 6)</i>	
7. NUMBER AND STREET <i>3100 W. 73rd Avenue RD</i>		8. CITY AND STATE (Include Zip Code) <i>TRUSTEES, MN 55074</i>		
9. SAMPLES COLLECTED (Describe fully. List lot, serial, model numbers and other positive identification)				
<p>The following samples were collected by the Consumer Product Safety Commission pursuant to Section 37(f) of the Consumer Product Safety Act (15 U.S.C. 2076(f)) and/or Section 11(b) of the Federal Hazardous Substances Act (15 U.S.C. 1270(b)) and/or Sections 5(c) and (d) of the Flammable Fabrics Act (15 U.S.C. 1194(c) and (d)) and/or Section 704(c) of the Federal Food Drug and Cosmetic Act (21 U.S.C. 374(c)) [Authority for sample collections made in connection with the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 et seq.)], and receipt for said samples is hereby acknowledged. Sections cited are quoted on the reverse side of this form.</p> <p><i>2 units: child proof cap model #1200 purchase/ take up</i> <i>cap ball.</i></p>				
10. SAMPLES		11. SAMPLES WERE		12. COLLECTOR
a. AMOUNT RECEIVED FOR SAMPLE <i>N/A</i>		<input checked="" type="checkbox"/> PURCHASED		a. NAME (Print or type) <i>Dennis R. Blasius</i>
b. SIGNATURE (Person from whom sample received) <i>SHARON T. HARRIS - CP</i>		<input type="checkbox"/> BORROWED (To be returned)		b. SIGNATURE <i>Dennis R. Blasius</i>

Exhibit " " Kmart Corporation 1/27/98 inspection

223

UNITED STATES GOVERNMENT

U.S. CONSUMER PRODUCT SAFETY COMMISSION ATLANTA, GA

MEMORANDUM

TO : Operations Div., FOCP Nov. 25, 1997

Through : Eric B. Ault Director, FOCP Eric B. Ault

FROM : L. GEORGE GAYMAN, FOCP SENIOR COMPLIANCE OFFICER LGG

SUBJECT : Req. for Section 15 Inspection

Firm : Kmart Corporation 3100 West Big Beaver Road Troy, MI 48064

Product : "Tru-Burn" Table Top LP Gas Grill

Attached is IDI 970528CWE5012 involving the "Tru-Burn" Table Top LP Gas Grill. In this incident the burner tube separated from the tube for the regulator and cylinder. The two tubes are not connected by any positive retention device, but rather are held together only by friction. The grill was sampled under 97-360-6276 and was examined by ES under PSA #0954.97. A copy of the test report is attached for your information. Do NOT share this report with the firm. Coverage should be given to all models of Table Top LP Gas Grills imported by Kmart or sold by Kmart under its own label.

1. Please cover complaints, law suits, claims, returns, etc. on the firm's Table Top LP Gas Grills.
2. Please obtain instructional literature and other product information on these grills. Obtain specifications and measurements on the tubing in question and their means of assembly.
3. The labeling on the grill indicates that it is made in China. Is the grill imported by Kmart? If so, did Kmart specify the design of the grill? If Kmart is not the importer, please determine from whom Kmart purchases these table top LP gas grills.
4. Obtain specifics on any testing done on these grills. Does such testing cover the integrity of the connection of the two tubes in question.

160

Kmart Corp.
Page Two

5. Obtain the firm's assessment of the incident in the IDI and the scenario that is of concern to us.

6. Please examine a unit of each model of Table Top LP Gas Grills imported and marketed by Kmart. Check the type of connection between the burner tube and the tube for the regulator and cylinder. Photograph these connections.

7. Please collect a sample of one unit of each model of these grills imported and marketed by Kmart where there is only friction to hold the two referenced tubes together. The sample should be sent to Pam Major, CCA. I will prepare a PSA request to address the desired analysis.

169

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CONSUMER PRODUCT SAFETY COMMISSION ENGINEERING REPORT FOR SECTION 15	PSA 0463.98	FOCR
	FILE#	
	SAMPLE NO: 98-830-3415	
	CPSC SEAL: intact	
REF IDI 970528CWE5012 PSA 954.97		
TO: L. George Gayman, FOCR	DATE: May 4, 1998	
THROUGH: Reviewed by George F. Sushinsky, LSE		
FIRM: K mart Corporation,	Troy MI	
PRODUCT: Table top LP gas grill - TRU-BURN		
POTENTIAL HAZARD: LP gas leak; Fire/explosion		
EVALUATION REQUESTED: Examine the new grill and the assembly instructions and conduct the same measurements as in PSA 0954.97 to determine if it exhibits the same problems. Does the connection of the gas burner and manifold prevent separation under normal use.		
Laboratory Analyst: Prepared by John Griffith 301-413-0181	Date: May 1, 1998	

Background:

The sample (98-830-3415) is a portable gas grill. This grill is similar to sample 97-860-6276. The grill measures 480 mm, by 300 mm by 310 mm (18.1 by 12.0 by 12.0 in). As received, the grill consists of a porcelain enamelled base and cover, a cooking grill, an 11,000 BTU burner, a regulator, and a burner nozzle connecting the regulator to the burner. The grill is supported on legs made of bent metal rods that also serve to secure the cover of the grill to the base for storage. (See photograph 1.) A propane tank connects to the regulator during use. The product's instructions were not included with the sample. The burner nozzle connects to the burner manifold by threading the gas nozzle fitting into the female threads of the manifold. (See photograph 2.) This method of joining the regulator/burner nozzle to the manifold is different than that found on sample 97-860-6276, submitted to the engineering lab for testing in PSA 0954.97.

Analysis:

No tests were performed on this burner/manifold connection. The wall thickness of the manifold and the thread engagement with the nozzle fitting is sufficient to maintain a connection

170

PSA 0463.98 - Gayman ~~PSA 2~~ **DRAFT - FOR OFFICIAL USE ONLY - DRAFT**
under normal use.

Conclusions:

The PSA request asks LSE staff to examine the sample to determine if this gas grill exhibits the connection problems seen with the sample examined under PSA 0954.97. In that PSA, the grill used a friction fit between the burner nozzle and the manifold. The friction fit on the sample examined in PSA 0954.97 had excess clearance between mating parts to allow the burner tube to separate from the burner with forces as low as 18 N (4 lbf). The subject sample uses a threaded junction (a positive connection) which for all practical purposes eliminates the problem of accidental separation as seen in the referenced IDI.

12/1

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PRODUCT SAFETY ASSESSMENT (PSA) TECHNICAL EVALUATION REQUEST

Requested by: L. George Gayman Org. Code: FOCR Field Off: FOCR
Date Submitted: 3/17/98 Priority: c Case #:

PSA ACTION (FOR PSA USE ONLY)

Request number: 0463.98
Date Processed: 3/18/98
Date Requested: 4/24/98
Due Date:

PRODUCT INFORMATION

Manufacturer: Kmart Corporation City: Troy State: MI
Product: Table-top, portable LP Gas Grill. NEISS Code: 3248
Brand name, model, etc. "TRU-BURN" brand; UPC Code 0-24838-17000-1; Kmart item #043-11-87-31-116.
Sample number: ~~97-860-6276~~ (collected during ~~IDI 970528CWE5012~~); 98-830-3415 (New Unit)

Assigned to:
Organization:
Technical Off.

Request Summary:

Sample Disposition: Return to Requestor Store at Whse Other:

DI Number: IDI 970528CWE5012.

VALUATION REQUESTED: Please have Laboratory Sciences examine the new Kmart grill sampled under 98-830-3415 and the assembly instructions attached to the EIR dated 1/27/98. Refer to PSA0954.97 and conduct the same measurements on the new sample to determine if it exhibits the same problems. Based on the data obtained from the two samples, does this type of connection increase the likelihood of accidental detachment and resulting fire?

PSA ASSESSMENT: Dates: From: To: Sort by Mfg. Yes No
IDI IPII NEISS Comments NEISS Estimates Deaths NFIRS
Hazard: LP gas could leak from grill due to loose connection. Hazard Code: 32103

Requested Completion Date: 04/24/98

Locations of: Samples: Off. of Comp. Files: Carlos Perez

Comments:

(Rev 8/97j/b/ee)

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123

PRODUCT SAFETY ASSESSMENT (PSA) TECHNICAL EVALUATION REQUEST

Requested by: L. George Gayman
Date Submitted: 3/17/98
Org. Code: FOCR
Priority: c
Field Off: FOCR
Case #:

PSA ACTION (FOR PSA USE ONLY)
Request number: 0463.98
Date Processed: 3/18/98
Date Requested: 4/24/98
Due Date:

PRODUCT INFORMATION

Manufacturer: Kmart Corporation
Product: Table-top, portable LP Gas Grill.
Brand name, model, etc. "TRU-BURN" brand; UPC Code 0-24838-17000-1; Kmart item #043-11-87-31-116.
Sample number: 97-860-6276 (collected during IDI 970528CWE5012); 98-830-3415 (New Unit) & 98-830-3416 (Old Unit)

Assigned to:
Organization:
Technical Off:
Request Summary:

Sample Disposition: Return to Requestor
Store at Whse
Other:
IDI Number: IDI 970528CWE5012.

EVALUATION REQUESTED: Please have ^{Lab} Engineering Sciences examine the new Kmart grill sampled under 98-830-3415 and the ~~assembly instructions attached to the EIR dated 1/27/98. The source is with the existing gas system and the connection of the burner manifold to the burner tube. Please refer to PSA #0954-97 done on sample 97-860-6276. Please measure the diameter of the connecting components for the manifold and the burner tube and perform force measurements on the assembly and attachment of these components done on 97-860-6276 under PSA #0954-97. Is this connection mechanism for attachment of the burner tube to the manifold adequate to prevent accidental loosening and separation of these two components during use of the grill? Is the concept of a two-piece burner system a safe idea? Sample 98-830-3416 is a Char-Broil portable LP gas grill that has a one-piece burner system. Case compare these two systems and offer your comments and observations.~~

Repeat measurements (diameter / force, etc) performed in PSA 0454.9 to determine if incident sample was a fluke or damaged.

EPI ASSESSMENT: Dates: From: To: Sort by Mfg. Yes No
IDI PII NEISS Comments NEISS Estimates Deaths NFIRS
Hazard: LP gas could leak from grill due to loose connection. Hazard Code: 32103
Requested Completion Date: 04/24/98
Locations of: Samples: Off. of Comp. Files: Carlos Perez

Comments: