



FOR OFFICIAL USE ONLY

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

OFFICE OF COMPLIANCE

Division of
Corrective Actions
Tel: 301-504-0608
Fax: 301-504-0359

SEP 03 1997

Certified Mail

Bruce Pearl, President
40 Adams Avenue
Tara Toy Corporation
Hauppauge, NY 11788

Re: CPSC CA970108
Tara Toy Corporation
Flying Warrior dolls

Dear Mr. Pearl:

The U.S. Consumer Product Safety Commission (CPSC) has received information concerning incidents of serious eye injuries to children and adults who were using flying toy doll figures. Enclosed are two incidents reported to CPSC that involved a Flying Warrior doll imported from China by Tara Toy Corporation. Also enclosed is the press release issued jointly by CPSC and Placo for the recall of Placo Star Wonders dolls because of several serious eye injuries.

Enclosed for your information are the Consumer Product Safety Act and the Commission's regulation, "Substantial Product Hazard Reports," 16 C.F.R. Part 1115. These documents explain the Commission's authority and policy regarding products that 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 safety hazard, if any, associated with the subject product, it needs certain information from the manufacturer or importer. While the staff recognizes that your firm is not filing a report pursuant to Section 15(b) regarding a possible defect with this product, the type of information requested for a full report is generally the information needed by the staff. Please follow 16 C.F.R. § 1115.13(d) (1-14) and provide the specified information, to the extent applicable to the product and problem described above. In your response, please reference each question number (1-14).

In addition to providing the information requested above, please also submit the following information:

- 15(a) Regarding question 6, include **copies** of all consumer or dealer complaints, warranty claims, and reports of injury related to the product being investigated. Include copies of all court complaints and related documents for lawsuits involving the product and the resolution of those lawsuits.

If copies of consumer complaints and other documents requested above are unavailable, indicate the reason they are unavailable and provide a summary containing the names, addresses and telephone numbers of the consumers or of the plaintiffs' attorneys.

- 15(b) Copies of all test reports, analyses, evaluations, and premarket tests related to the subject product and problem.
- 15(c) Copies of all engineering drawings, engineering change notices and material specifications related to the subject problem.
- 15(d) Please provide UPC codes for all models involved.
- 15(e) Provide eight (8) samples of each model involved, including the retail packaging and all instructions. If the product has been redesigned since the production of the product described in

paragraph 1, please also provide a sample incorporating the new design.

Information Disclosure

Section 6(b)(5) of the CPSA, 15 U.S.C. § 2055(b)(5), prohibits the release of information submitted under section 15(b) of the CPSA unless a remedial action plan has been accepted in writing, a complaint has been issued, or a firm consents to such release.

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). The Commission may not disclose to the public trade secret information 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

The firm has a continuing obligation to supplement or correct its "Full Report." 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 respond **within ten 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 Jean Kennedy, at: (301) 504-0608, extension 1360. To respond to this letter using the U.S. Postal Service, please address your correspondence to: Division of Corrective Actions, U.S. Consumer Product Safety Commission, Washington, D.C. 20207-0001. For other delivery services, please address the material to: Division of Corrective Actions, U.S. Consumer Product Safety Commission, Room 613, 4330 East West Highway, Bethesda, MD 20814-4408. The Office of Compliance telefax number is (301) 504-0359.

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CA970108

Thank you for your cooperation in this matter.

Sincerely yours,



Marc J. Schoem
Director
Division of Corrective Actions

Enclosures:

Consumer Product Safety Act
16 C.F.R. Part 1101, Information Disclosure
Part 1115, Substantial Product Hazard Reports
Part 1116, Section 37 Reports
Corrective Actions Handbook

cc: Consumer Product Safety Commission
Eastern Regional Center
6 World Trade Center
Vesey Street, 3rd Floor
New York, New York 10048

FLYING TOY DOLLS

2/11/98 Jean Kennedy

Firm/Toy	Rev/Velocity	Ft p/s	Test no/results
1. PLACO (Star Wonders) screws hold body			
2. RITE-AID (Flying Angel) Cyber Fighter screws hold body	13.5/ 800-1600rpm	45f/s	10 impact w wall: <u>1 wing detached;</u> Normal flight: <u>1 wing separated &</u> flew 25ft behind.
3. TARA (Flying Warrior) seams glued w posts	12-14/800rpm -1600rpm		25 flights: <u>2S seams separated</u> 5S-Pull Tests ^{rotate front to back} (61bf) * Spins-joint broke <u>Blades-pulled out</u>
4. GALOEB (Sky Dancers) seams glued	14/		25 impact w wall: seams/pins intact 25 Push Tests (401bf) * ^{compare the pin} 25 Push Tests (401bf) * wings intact

* ask B. Juskiwsky if he can calculate forces exerted on wings when rotating that would/might produce cracking/breaking.

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CONSUMER PRODUCT SAFETY COMMISSION ENGINEERING REPORT FOR SECTION 15	PSA 0422.98	FOER
	FILE# CA970108	
	SAMPLE NO: 98-793-0183 (8 subs) / 10 /	
	CPSC SEAL: none (all product packaging taped shut)	
	REF: PSA: 0049.98, 0930.97 IDI: 970114CCC5206, 970609CCC3200	
TO: Jean Kennedy, CCA	DATE: April 6, 1998	
THROUGH: R.T. Garrett, Director, LSE		
FIRM: Tara Toy Corporation Hauppauge NY		
PRODUCT: Flying Warrior Doll		
POTENTIAL HAZARD: Eye Injury		
EVALUATION REQUESTED: Fly each sub to determine if use causes loosening of the glued body halves that may result in arm/wing detachment.		
Laboratory Analyst, LSE: George Sushinsky 301-413-0172	DATE: April 1, 1998	

Background:

The product, a toy "flying Warrior" (Sample Number 98-793-0183), consists of three parts: (1) a "Warrior" figure, (2) a launcher, and (3) a foam missile. There are eight subsamples representing two of the four Warrior styles available. Subsamples 01, 02, 03, 06, and 08 are "Spin" figures. (See Photograph 1 of PSA 0049.98) Subsamples 04, 05, and 07 are "Blades" figures. (See Photograph 2 of PSA 0049.98.)

The Warrior doll is an erect figure measuring approximately 178-mm (7.0-in) tall with hinged wings that are about 129-mm (5.1-in) long. The resulting wing span is approximately 239-mm (9.4-in) long when fully extended for flight. A resilient covering is on each wing. The Warrior has a mass of about 39 gm (1.4 oz). In use, the base of the Warrior is inserted into a hole in the top of the launcher. The drive mechanism of the launcher is user-controlled by means of a string wrapped around the launcher drive. String length is between

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PSA 0422.98 Kennedy
175 and 215 mm (6-7/8 and 8-1/2 in). Full extension of the string rotates the launcher drive shaft from 12-1/4 to 15-1/8 times.

The user pulls the string rapidly outward from the base to impart rotational motion to the Warrior. The rotational motion causes the Warrior to spin, the hinged wings to open, and the spinning Warrior to "fly" like a helicopter. A foam missile is mounted on a nozzle extending from the launcher. The missile is air propelled when a trigger mechanism on the launcher is squeezed and pushes air through the nozzle.

The warrior figures are glued together. Examination of the subsamples at the seams showed nonuniformity of the seam under the left shoulder of the "Spin" style warriors and under the right shoulder of the "Blades" style warriors. (See Photographs 3 and 4 of PSA 0049.98 as an example.)

Two incident reports describe failure of the wings of the Warrior as breaking or separating from the Warrior body while in flight. In one incident (IDI 970114CCC5206), the left wing of a Blades style warrior separated from the doll when the body of the figure split down its seam at the head and shoulder area. The separated wing broke two front teeth of the 8-year old child who launched the warrior doll. In the second incident (IDI 970609CCC3200), the right wing of a Spin style warrior doll broke at the shoulder when launched. The broken wing struck the 15-year old male who launched the doll in the left eye. This resulted in lacerations to the eye with possibility of permanent damage.

Testing and Results:

The laboratory analyst conducted 25 flights of all warrior doll subsamples by pulling on the launcher's string. The string was fully extended in less than 1 second. Flights reached heights of between 3 and 9 m (10 and 30 ft) and travelled 3 to 9 m (10 to 30 ft) away from the tester. The heights and distances were dependent on launch angle and wind direction. Subsample 01 was flown an additional 25 flights. For flights of subsamples 01 and 02, the impact surface was an asphalt parking lot. Flights of all other subsamples landed on grass.

Subsample 01 suffered some damage (seam separation at the top of the boot) during tests. (See Photograph 1.) The launching drive at the base of the doll was damaged extensively from contact with the hard surface. (See Photograph 2.) There also appears to be seam separation on the left side in the head and shoulder area (Photograph 3). Seam separation at the head and shoulder area also occurred for

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subsamples 02, 03, 04, and 08. (See Photographs 4 through 7.)

The right shoulder area of subsample 07 is shown in Photograph 8. Starting with its fourth flight, this warrior doll would rise about 3 m (10 ft) into the air and then tumble erratically to the grass. Two of the flights after the fourth flight behaved normally. This subsample separated into 4 pieces after 11 flights. (See Photograph 9.) The four pieces were scattered about the launch point as follows:

- (1) Back half of doll - fell to the ground at the launch point. (This piece struck the test analyst's left wrist (wrist holding launcher).
- (2) Right wing - 2.1 m (7 ft) from the launch point (south heading - into the wind).
- (3) Front half of the doll - 5.8 m (19 ft) from the launch point (southwest heading).
- (4) Left wing - 13.7 m (45 ft) from the launch point (north heading - with the wind).

Discussion:

The wings of the flying warrior doll are designed with single-axis, rotating joints secured in the cavity of the doll's body. The halves of the warrior body are held together with a type of hot melt glue on and around a series of alignment posts and sockets. (See Photograph 9 of this PSA and Photograph 3 of PSA 0930.97.)

In the flight tests, with the exception of subsample 07, there were no abnormal results and the seam separation did not affect wing retention. Subsample 07 experienced catastrophic failure as the left wing opened the body seam enough to break the binding posts molded on the rear of the doll's body. Three posts broke in all - two in the chest region, followed by one at the hip. The failure of one or more of the posts and the stress induced by the final flight resulted in a final tearing of back half of the body at the calf area.

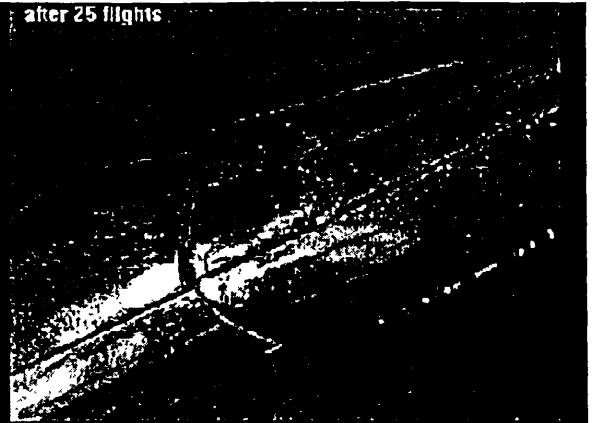
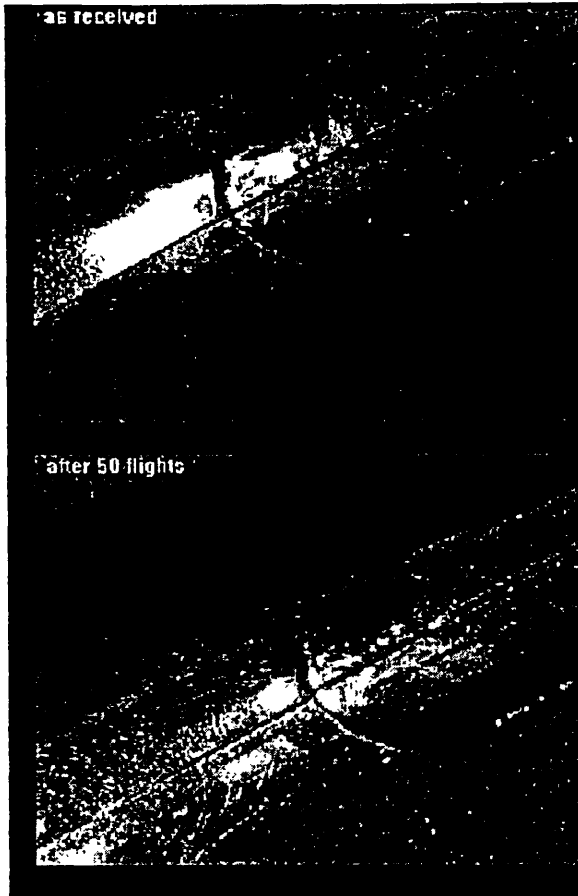
Examination of the failure shows that the posts at the chest broke at their base in an area where no glue was present. The post at the hip broke at the glue line, while a second post at the hip pulled cleanly out of its socket and surrounding glue. A single post at the head also pulled cleanly out its socket and surrounding glue. The fracture surfaces of the posts at the chest and hip levels show several "beach marks" typical of a progressive fatigue failure.

Conclusion:

In the flight tests on the sample, there was some observed seam

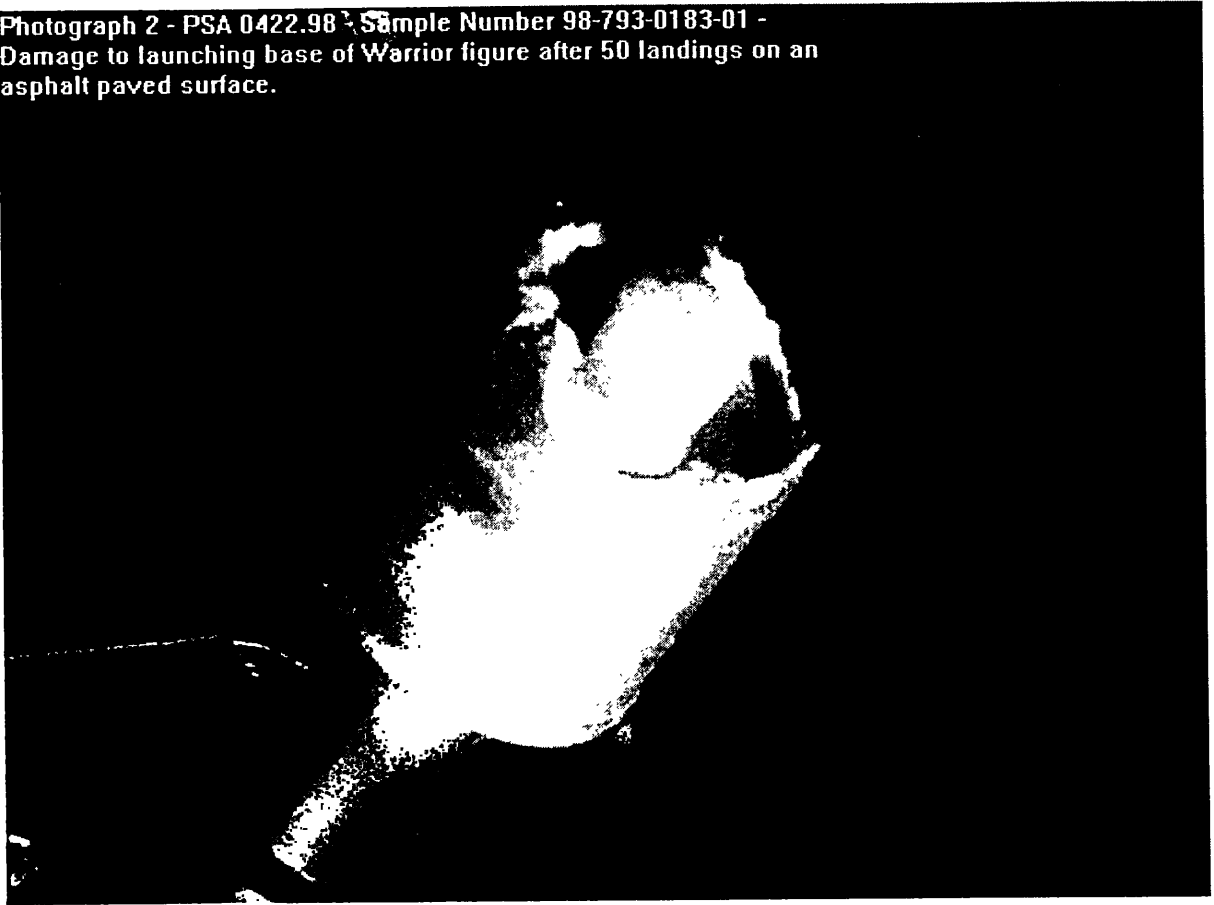
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separation in the head and shoulder area on four of the eight tested subsamples. A fifth subsample failed catastrophically, releasing parts up to 13.7 m (49 ft) away from the launch point. This occurred when posts used to bind the body halves together fractured.

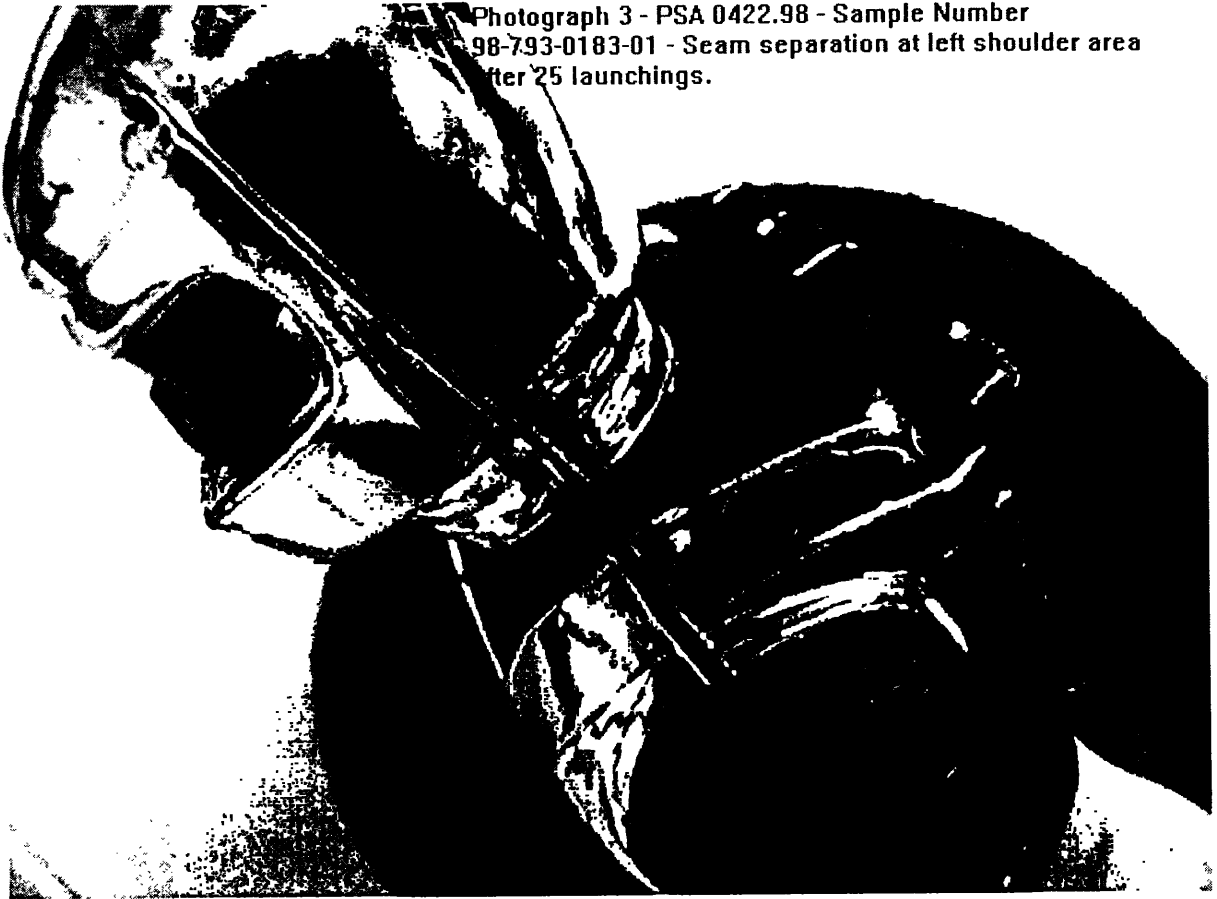


Photograph 1 - PSA 0422.98 - Sample Number 98-793-0163-01 - Progressive seam opening at boot of Warrior figure

Photograph 2 - PSA 0422.98 Sample Number 98-793-0183-01 -
Damage to launching base of Warrior figure after 50 landings on an
asphalt paved surface.



Photograph 3 - PSA 0422.98 - Sample Number
98-793-0183-01 - Seam separation at left shoulder area
after 25 launchings.



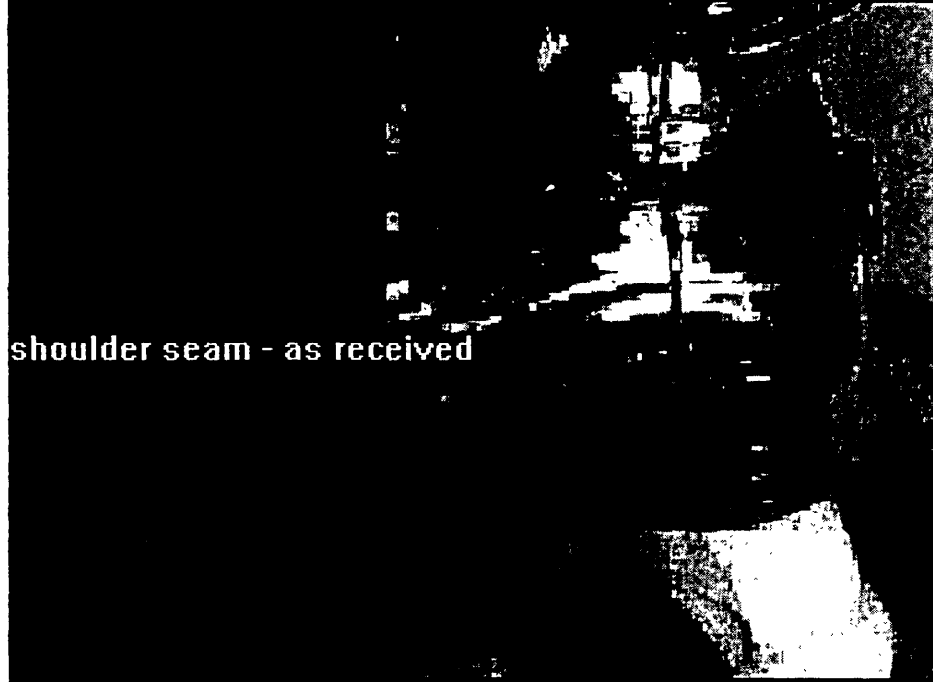
Photograph 4 - PSA 0422.98 - Sample Number 98-793-0183-02

Shoulder seam - as received

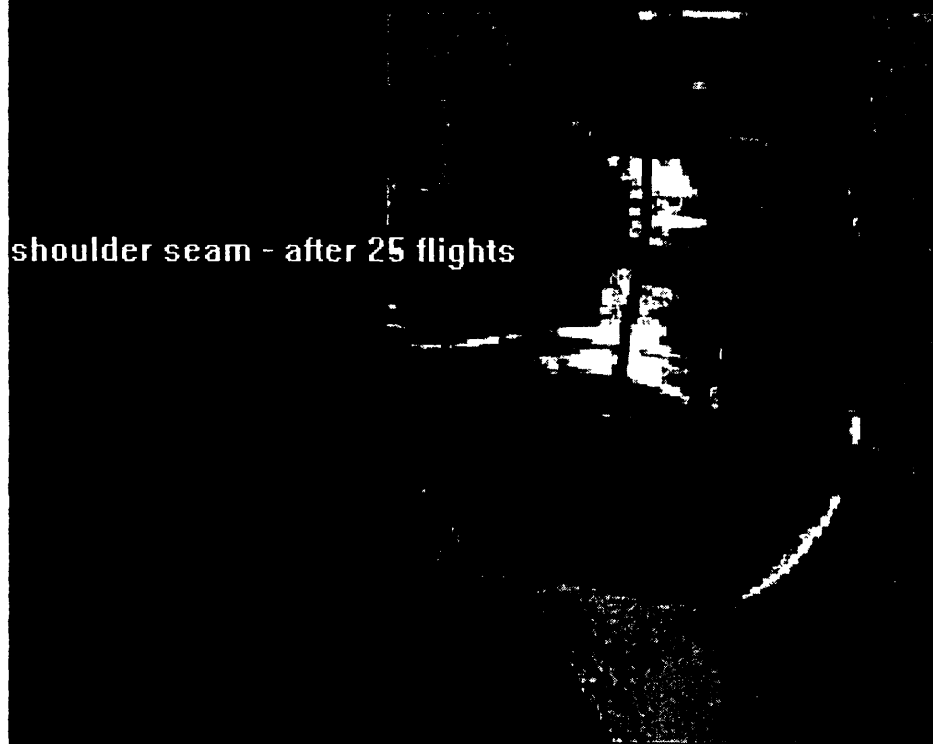
Shoulder seam - after 25 flights



Photograph 5 - PSA 0422.98 - Sample Number 98-793-0183-03



shoulder seam - as received



shoulder seam - after 25 flights

Photograph 6 - PSA 0422.98 - Sample Number 98-793-0183-04

Shoulder seam - as received



Shoulder seam - after 2 flights



Photograph 7 - PSA 0422.98 - Sample Number 98-793-0183-08

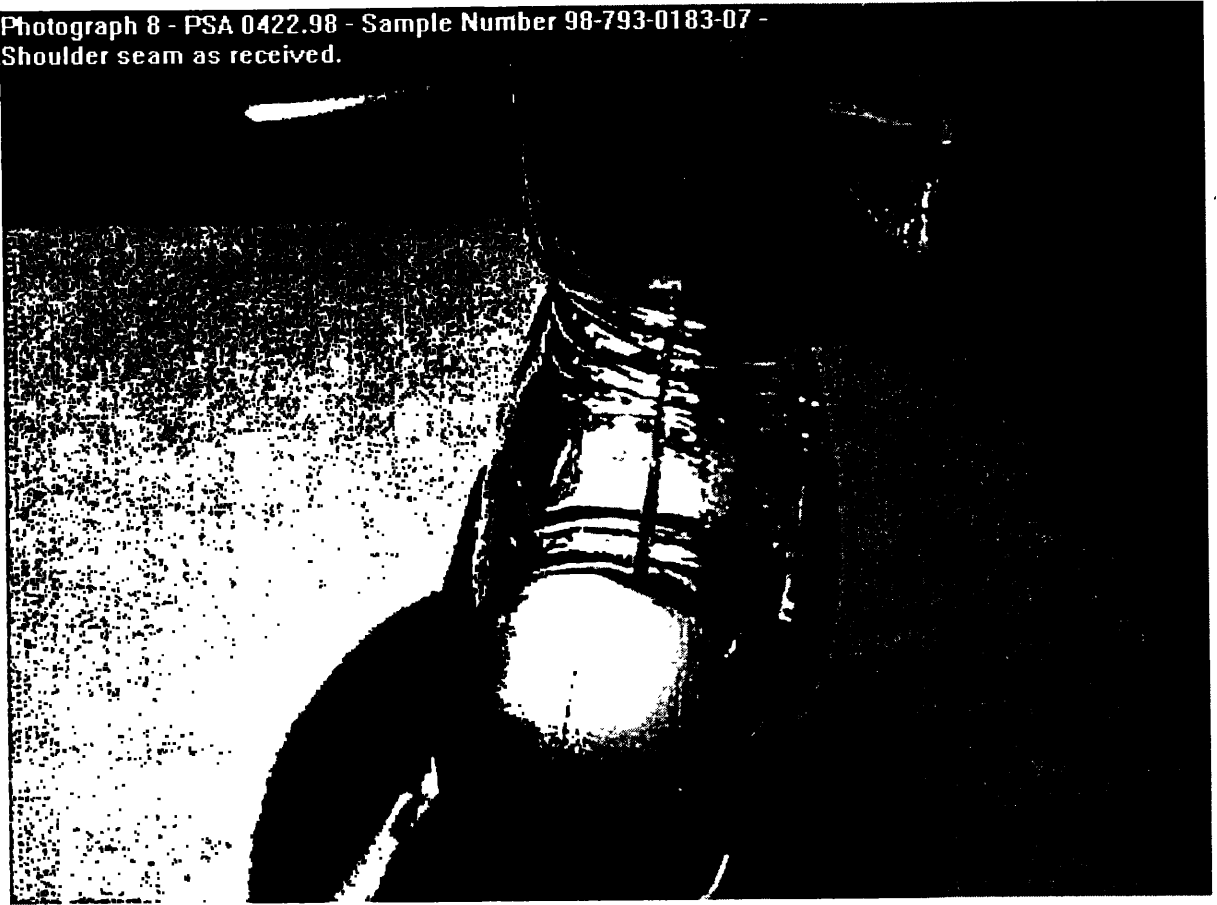
Shoulder seam - as received



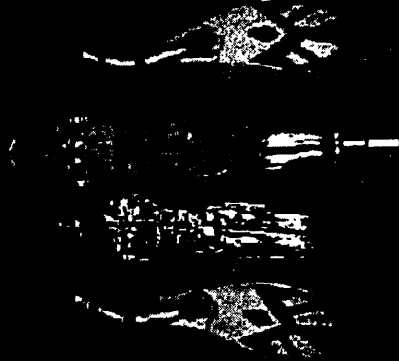
Shoulder seam - after 25 flights



Photograph 8 - PSA 0422.98 - Sample Number 98-793-0183-07 -
Shoulder seam as received.

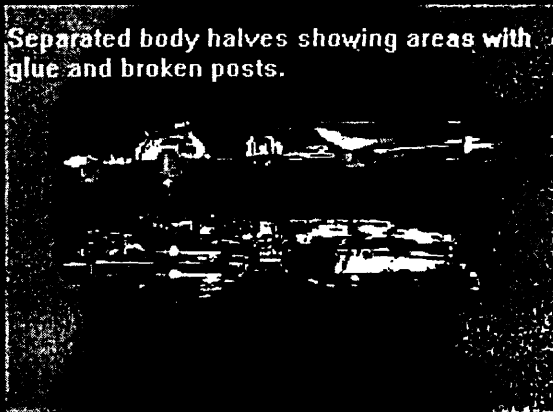


Separated pieces

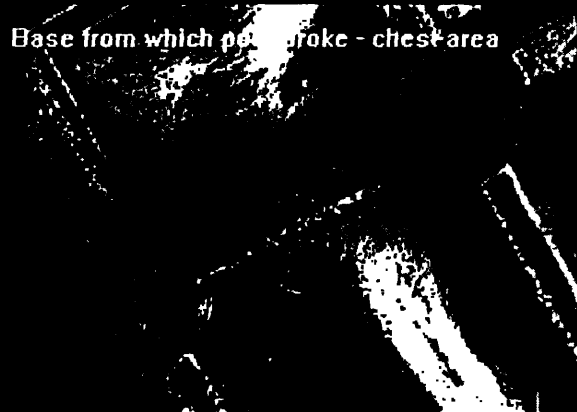


Photograph 9 - PSA 0422.98 -
Sample Number 98-793-0183-07 -
Failed Warrior figure.

Separated body halves showing areas with
glue and broken posts.



Base from which piece broke - chest area




1. STORAGE LOCATION		2. NAME OF PRODUCT	3. SAMPLE NO.
A.	C.	an Missile (Flying Warrior)	98-793-0183
B.	D.	4. NAME AND ADDRESS OF FIRM Tara Toy Corp. <i>Corp.</i> Hauppauge, NY 11788	
5. DATE SAMPLE RECEIVED 2-10-98		6. BY WHOM RECEIVED J. Kennedy via dew	7. DATE RECORDS RECEIVED
B. METHOD OF SHIPMENT	A. PERSONALLY FROM Firm	C. SHIPPED FROM Firm	
	B. VIA UPS	D. SHIPPING RECORDS (Type and Identity)	

9. COMMENTS

To ES (8 subs) 3.3-98

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

**U.S. Consumer Product Safety Commission
SAMPLE COLLECTION REPORT**

1. Sample Flag SUPPLIED BY FIRM		2. Date Collected 2/10/98	3. Sample Type and Number: 98-793-0183 <input checked="" type="radio"/> Physical <input type="radio"/> Documentary	
4a. Product Name FOAM MISSILE		4b Model FLYING WARRI	4c NEISS	5. Assignment Number
6. Complete for Import Samples Port of Entry: _____ Country of Origin: _____ Entry No. and Date: _____ Customs Contact: _____			7. MIS 32200	8. Hours Activity _____ Travel _____
			9a Home RO FOER	9b Collecting RO CCA
10. Sample Cost	11. Invoice Value of Lot		12. Size of Lot Units	
13. Manufacturer/Importer # TAR055 TARA TOY CORP. 40 ADAMS AVE HAUPPAUGE,, NY 11788		14. Shipper/Foreign Manufacturer		15. Dealer/Import Broker #
16. Supporting documents attached: Invoice No. and Date: _____ Date Shipped: _____ Shipping Record and Date: _____ Affidavit Signer's name, title and date: _____				
17. Product Identification: Foam Missile (Flying Warrior)				
18. Reason for collection/analysis needed: FHSA <input checked="" type="radio"/> CPSA FFA PPPA RSA				
19. Summary of Field Screening:				
20. Sample size/Method of Collection: UPS				
21. Identification on sample: " 98-793-0183 DEW 2/10/98 "			22. Identification on seal and date: "98-793-0183 Don E. Walters 2/10/98 "	
23a. Sample delivered to: J. KENNEDY			23b Date 2/10/98	24. Report/Record Sent to: FOER
25. Laboratory/Office: LSC ___ LSE ___ CRM ___ CCA ___ Other _____				
26. Remarks: 8 Subs				
27. Related Samples: Not Applicable				
28a Collector's name/title: Don E. Walters Compliance Officer			28b Collector's signature/date:  2/10/98	
29a Reviewer's name/title:			29b Reviewer's signature/date:	

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CONSUMER PRODUCT SAFETY COMMISSION ENGINEERING REPORT FOR SECTION 15	PSA 0049.98	FOER
	FILE# CA970108	
	SAMPLE NO: 98-793-0020 (5 subs)	
	CPSC SEAL: none	
	REF: PSA 0930.97	
TO: Jean Kennedy, CCA		
DATE: December 3, 1997		
THROUGH: R.T. Garrett, Director, LSE (reviewed by RTG)		
FIRM: Tara Toy Corporation Hauppauge NY		
PRODUCT: Flying Warrior		
POTENTIAL HAZARD: Eye laceration		
EVALUATION REQUESTED: Evaluate wings detaching or breaking at shoulder		
Laboratory Analyst, LSE: (submitted by George Sushinsky) 413-0172		DATE: November 28, 1997

Background:

The product, a toy "flying Warrior" (Sample Number 98-793-0020), consists of three parts: (1) a "Warrior" figure, (2) a launcher, and (3) a foam missile. There are five subsamples representing two of the four Warrior styles available. Subsamples 02 and 04 are "Spin." (See Photograph 1.) Subsamples 05, 07, and 08 are "Blades." (See Photograph 2.)

The Warrior is an erect figure measuring approximately 178-mm (7.0-in) tall with hinged wings that are about 129-mm (5.1-in) long. The resulting wing span is approximately 239-mm (9.4-in) long when fully extended for flight. A resilient covering is on each wing. The Warrior has a mass of about 39 gm (1.4 oz). In use, the base of the Warrior is inserted into a hole in the launcher. The drive mechanism of the launcher is user-controlled by means of a string wrapped around the launcher drive. String length is between 180 and 200 mm (7 and 8 in). Full extension of the string rotates the launcher drive shaft from 12 1/4 to 14 times. The user pulls the string rapidly outward from the base to impart rotational motion to the Warrior. The rotational motion causes the Warrior to spin, the hinged wings to open, and the spinning Warrior to "fly" like a helicopter. The foam missile is mounted on a nozzle extending from the launcher. The missile is air propelled when a trigger mechanism on the launcher is squeezed and pushes air through the nozzle.

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PSA 0930.97

Kennedy

The warrior figures are glued together. Examination of the subsamples at the seams showed nonuniformity of the seam under the left shoulder of the "Spin" style warriors and under the left shoulder of the "Blades" style warriors. (See Photographs 3 and 4.)

Two incidents (PSA 0930.97) describe failure of the wings of the Warrior as breaking or separating from the Warrior body while in flight. In those incidents, the separated wings became projectiles that struck the person who launched the Warrior. In one incident, the impact of the wing resulted in two lacerations of the surface of the eye of a 15-year-old male. In the second incident, the victim sustained two broken teeth.

Testing and Results:

The laboratory analyst conducted 25 flights of the warrior subsample 04, 05, and 07 by pulling on the launcher's string. The string was fully extended in less than 1 second. Flights reached heights of between 3 and 6 m (10 and 20 ft) and travelled 3 to 6 m (10 to 20 ft) away from the tester. For these flights the impact surface was an asphalt parking lot. Subsamples 05 and 07 ("Blades" style) suffered some damage (seam separation at the feet) from impacts on the hard surface. (See Photograph 5.)

The force to pull each wing from the body cavity of the doll was measured. The force was applied at a distance of 100 mm (4 in) from the shoulder joint in a direction from the leading toward the trailing edge of the wing and with the wing fully extended. The wing separation forces measured are in Table 1.

Table 1 - Wing separation forces

Subsample	Wing	Force (lb _f)	Comment
02	right	7.1	wing joint broke
02	left	6.8	wing joint broke
04	right	6.3	wing joint broke
04	left	7.2	wing joint broke
05	right	6.4	wing joint damage
05	left	6.9	wing joint damage
07	right	6.2	wing joint damage
07	left	not recorded	wing joint damage
08	right	6.2	wing joint damage
08	left	7.0	wing joint damage

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PSA 0930.97 Kennedy

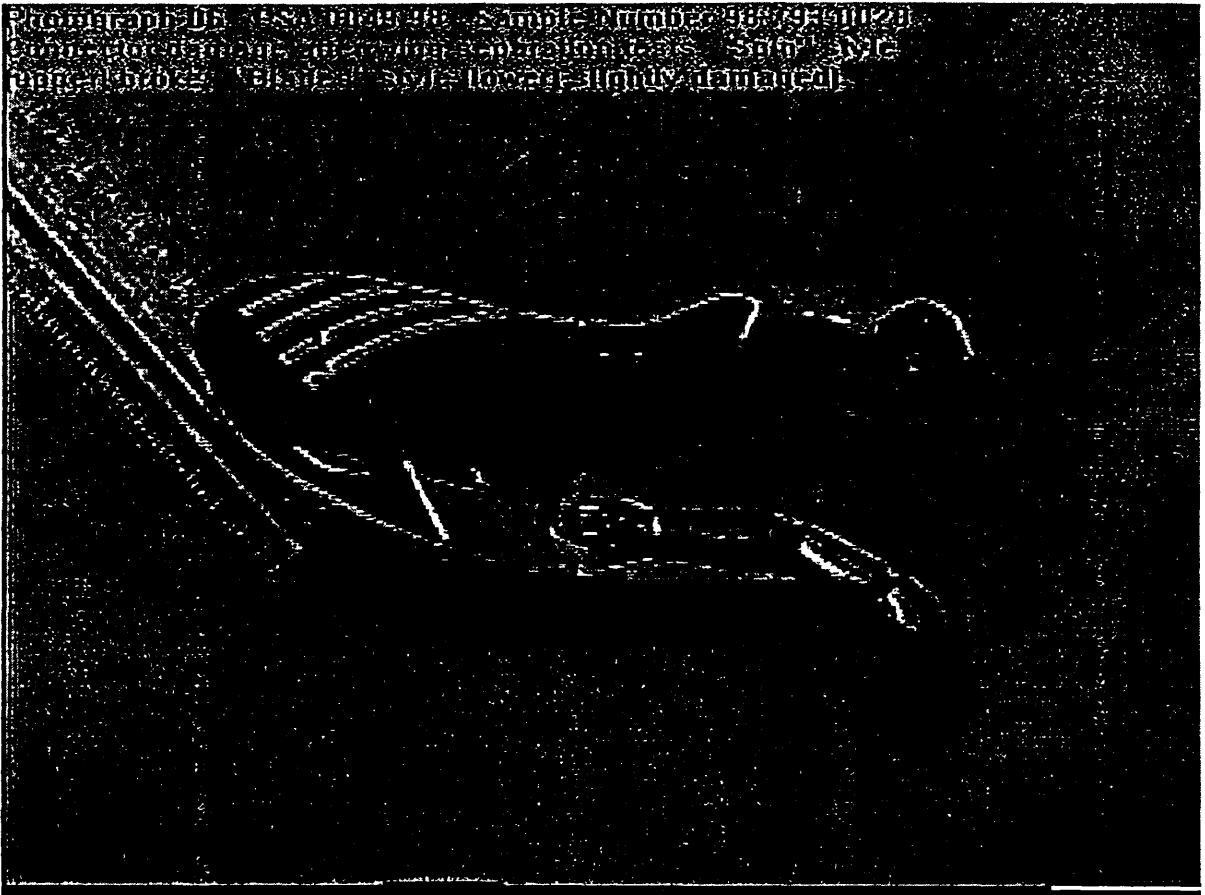
Discussion:

The wings of the flying warrior doll are designed with single-axis, rotating joints secured in the cavity of the doll's body. The halves of the warrior body are held together with a type of hot melt glue on and around a series of alignment posts and sockets. (See Photograph 3 of PSA 0930.97.)

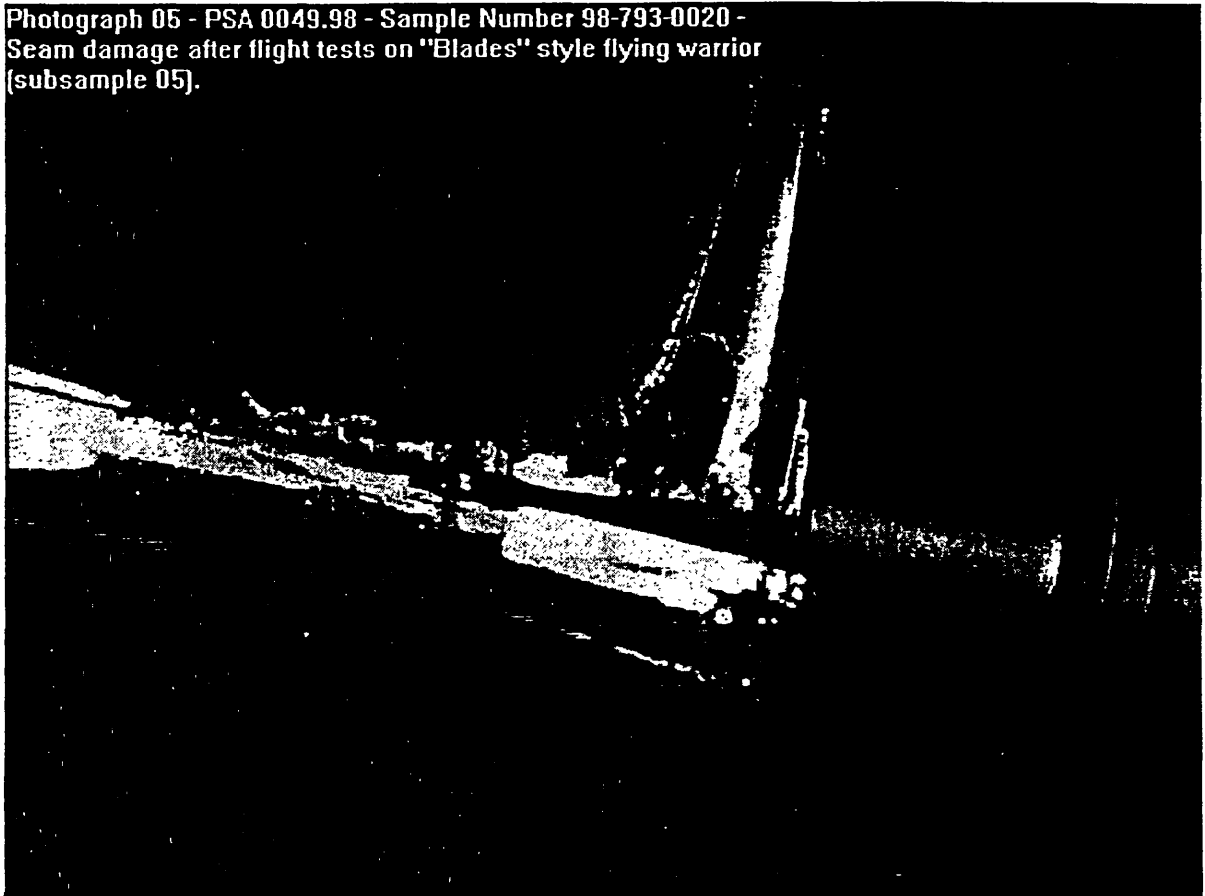
In the flight tests, there were no abnormal results and the seam damage did not affect wing retention. In the wing separation tests, the wings separated from the body as the seam of the body opened under the applied forces. The wings of the "Spin" style dolls separated as the shaft of the joint broke. The wings of the "Blades" style dolls pulled from their sockets on the doll with some damage to the wing joint. (See Photograph 6.) In general, the forces to separate the wings from the body appear to be similar despite the different failure modes. There appear to be some differences between the forces required to separate the wings of a doll dependent on which wing was tested. This difference does not translate into association of the non-uniform seam with lower force - as might have been expected.

Conclusion:

This product has performance characteristics that are similar to other products of this type. In the flight and wing separation tests on the sample provided, there was no evidence of product problems that led to separation of the wing as reported in incidents associated with this product.



Photograph 05 - PSA 0049.98 - Sample Number 98-793-0020 -
Seam damage after flight tests on "Blades" style flying warrior
(subsample 05).



Photograph 04 - PSA 00-198 - Sample Number 98-793-0020
Non-uniform seam on "stealth" style flying warrior.



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PRODUCT SAFETY ASSESSMENT (PSA) TECHNICAL EVALUATION REQUEST

Requested by: Jean Kennedy Org Code: Field Off: FOER
Date Submitted: 10/22/97 Priority: routine Case # CA970108

PSA ACTION (FOR PSA USE ONLY)

Request number: 0049.98
Date Processed: 10/22/97
Date Requested: 11/12/97
Due Date: 11/12/97

PRODUCT INFORMATION

Manufacturer: Tara Toy Corporation City: Hauppauge NY
Product: flying doll NEISS Code: 1317 State: NY
Brand name, model, etc. Flying Warrior
Sample number: 98-793-0020 - sent by firm
Sample Disposition Return to Requestor Store at Whse Other:
DI Number.
EVALUATION REQUESTED: LS. Test 6 subs for wing detaching or breaking at shoulder Report to be in DRAFT.

Assigned to:
Organization: LM
Technical Off. Sushinsky
Request Summary:
Test samples.

EPI ASSESSMENT: Dates From: To: Sort by Mfg Yes No
IDI IPII NEISS Comments NEISS Estimates Deaths NFIRS
Hazard: eye injuries Hazard Code: 32299
Requested Completion Date: 11/12/97
Locations of Samples: Being sent to Lab via Tony Files.

Comments:
From decision at PDP meeting.

(Rev 8/97jb/ee)

1. STORAGE LOCATION		2. NAME OF PRODUCT	3. SAMPLE NO.
A.	C.	Flying Warriors	98-793-0020
B.	D.	4. NAME AND ADDRESS OF FIRM	
		Tara Toy Corp. Hauppauge, NY 11788	
5. DATE SAMPLE RECEIVED		6. BY WHOM RECEIVED	7. DATE RECORDS RECEIVED
10-17-97		J. Kennedy	
8. METHOD OF SHIPMENT	A. PERSONALLY FROM		C. SHIPPED FROM
	B. VIA		D. SHIPPING RECORDS (Type and Identity)
	Firm		Firm
	Fed EX		

9. COMMENTS

TO FS 10/22 for testing

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

CPSC FORM NO. 159 (REV. 4/77)

SAMPLE ACCOUNTABILITY RECO
(Compliance Copy)

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PRODUCT SAFETY ASSESSMENT (PSA) TECHNICAL EVALUATION REQUEST

Requested by: Jean Kennedy Org. Codes: CCA Reg. Off. _____
Date Submitted: 8/22/97 Priority: c Case # _____

PRODUCT INFORMATION

Manufacturer: Tara Toy Corp City: Hauppauge State: NY
Product: flying toy
Brand name, model, etc. Flying Warriors
Sample number: 97-860-5623-02 - *picked up at retailer 2 Subs*
Sample Disposition Return to Requestor Store at Whse Other: _____
DI Number: 970609CCC3200

EVALUATION REQUESTED:

ES - evaluate wings detaching (same as Star Wonders and Flying Angel) and wing speeds.

EPI ASSESSMENT Dates: From _____ To _____ Sort by Mfg. Yes _____ No _____

IDI _____ IPII _____ NEISS Comments _____ NEISS Estimates _____ Deaths _____ NFIRS _____

Hazard: eye injuries

Requested Completion Date: 9/25/97

Locations of: Samples: sent to ESEL 8/12/97 Files. _____

PSA ACTION (FOR PSA USE ONLY)

Request number: 0930 97
Date Processed: 08/22/97
Date Requested: 09/25/97
Due Date: 09/25/97

Assigned to:
Organization: LS
Technical Off.: Sushinsky

Request Summary:

Test sample.

(Rev 10/96 fppsa)

LOCKER GREENBERG & BRAININ, P.C.
ATTORNEYS AT LAW

CPSC

'99 FEB -1 11:10

AARON LOCKER
THEODORE M. GREENBERG
FREDERICK B. LOCKER
JEFFREY M. LOCKER
CAROLYN Z. SLOVIS

420 FIFTH AVENUE, NEW YORK, N.Y. 10018
(212) 391-5200
TELECOPIER (212) 391-2035

DAVID N. BRAININ
OF COUNSEL

January 26, 1999

VIA FAX & MAIL

Ms. Jean Kennedy
Division of Corrective Actions
U.S. Consumer Product Safety Commission
4330 East West Highway, Room 613
Bethesda, MD 20814-4408

Re: CPSC CA 970108
Tara Toy Corporation-Flying Warrior Doll

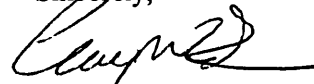
Dear Ms Kennedy:

We represent Tara Toy Corporation in connection with the above referenced matter.

In accordance with the company's continuing reporting obligation under Section 15(b), we are reporting one (1) complaint received by the company involving the Flying Warrior Doll.

The complaint received from Ms. Dawn Larkin, Saratoga Springs, N Y. indicates that in October 1998 the product allegedly caused her to sustain an eye injury. It is reported that there is no permanent eye damage.

Sincerely,



Carolyn Z. Slovis

CZS:ea

CA970188 - Tara Toy Co.
2 of 2

FULL REPORT PURSUANT TO 16 CFR 1115(d)

FOR

**TARA TOY CORP.
40 Adams Avenue
Hauppauge, NY 11788**

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CPSC 101-101-101

'97 JUN - 10 10 10

FULL REPORT PURSUANT TO 16 CFR 1115(d)

FOR

TARA TOY CORP.
40 Adams Avenue
Hauppauge, N.Y. 11788

Statement of Information

(1) The name, address, and title of the person submitting the "full report" to the Commission.

Bruce Pearl, President
Tara Toy Corp.
40 Adams Avenue
Hauppauge, N.Y. 11788

(2) The name and address of the manufacturer (or importer) of the product and the addresses of the manufacturing plants for that product.

Tara Toy Corp.
40 Adams Avenue
Hauppauge, N.Y. 11788

(3) An identification and description of the product(s). Give retail prices, model numbers, serial numbers, and date codes. Describe any identifying marks and their location on the product. Provide a picture or a sample of the product.

Model No. 18500 "Flying Warrior" The product retails for approximately \$7.00 - \$8.00. A copy of Company's Catalog Sheet is annexed hereto as Exhibit A.

(4) A description of the nature of the defect or failure to comply with an applicable consumer product safety rule. If technical drawings, test results, schematics, diagrams, blueprints, or other graphic depictions are available, attach copies.

The Company does not believe that the product contains a defect which creates or could create a substantial hazard, nor does it believe that the product presents an unreasonable risk of serious injury or death within the meaning of Section 15 (b) of the Consumer Product Safety Act. Furthermore, the product is in full compliance with all applicable safety requirements and rules of the U. S. Consumer Product Safety Commission. The Company is reporting because it has been requested to do so by the staff of the U.S. Consumer Product Safety Commission (the Commission) in a letter from March Schoem dated September 3, 1997.

(5) The nature of the injury or the possible injury associated with the product defect or failure to comply with an applicable consumer product safety rule.

The Commission has forwarded to the Company two reports of alleged injury one of which involved a broken tooth and the other of which involved trauma to the eye.

(6) The manner in which and the date when the information about the defect or noncompliance (e.g., complaints, reported injuries, quality control testing) was obtained. If any complaints related to the safety of the product or any allegations or reports of injuries associated with the product have been received, copies of such complaints or reports (or a summary thereof) shall be attached. Give a chronological account of facts or events leading to the report under Section 15(b) of the CPSA, beginning with receipt of the first information which ultimately led to the report. Also included may be an analysis of these facts or events.

DMC
copies of records of telephone

The Company initially received two consumer telephone complaints. The first complaint was from a family named Martin which involved their eight-year old son who allegedly sustained a fracture to his two front teeth. The second complaint was from a family named Peck which involved a fifteen-year old son who allegedly received trauma to his left eye. The Company received no written communications from either of the consumers and reported the injuries alleged to its insurance carrier.

Subsequently, the Company received from the Commission an Epidemiologic Investigation Report bearing task No. 9706099CCC3200 relating to the Martin complaint and Epidemiologic Investigation Report task No. 970-114CCC 5206 relating to the Peck complaint. The Epidemiologic Investigation Reports which describe the date of the accident, the manner in which the injury was sustained and the nature of the injury are annexed hereto as Exhibit B. In both cases it appears

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that the wing of the "Flying Warrior" cracked and/or separated, causing one of the arms/wings to dislodge from the torso after it was launched and struck the victim. However, in the case of the eye injury, the original report of this accident, as provided by the mother to the company, was that the toy had struck another person or object while in use. Upon striking this object or person, the arm broke off the figure and struck the child in the eye. The arm did not dislodge in normal use of the toy.

Secondly, the incident involving a fifteen-year old's brother who sustained a fracture to his two front teeth did not coincide with the Company's experience in the use of this toy. Under normal use there is not enough force created to break a tooth. In fact, the package warns consumers, "BE CAREFUL NOT TO PULL THE LAUNCH CORD TOO FAST OR TOO HARD." The Company believes that in this case the launch cord was pulled too hard and too fast.

Furthermore, because the toy is made with a foam material for the wing, the Company further believes that the item was launched into the child's face breaking his tooth and upon impact, the toy broke into pieces. These are the only known incidents which have been reported by the CPSC to the Company.

Peer
inc.

- (7) The total number of products and units involved.

The Company produced and sold a total of 670,836 pieces.

- (8) The dates when products and units were manufactured, imported, distributed, and sold at retail.

The product was manufactured between April 1995 and June 1996 and was imported from China. The last date of importation was September 11, 1996. In the Fall of 1996, the "Flying Warrior" was dropped from the company's line and is no longer in production.

- (9) The number of products and units in each of the following: in the possession of the manufacturer or importer, in the possession of private labelers, in the possession of distributors, in the possession of retailers, and in the possession of consumers.

It is not known how many units are in the possession of retailers, distributors and consumers at this time. There is no inventory presently in the possession of Tara.

(10) An explanation of any changes (e.g., designs, adjustments, additional parts, quality control, testing) that have been or will be effected to correct the defect or failure to comply and of the steps that have been or will be taken to prevent similar occurrences in the future together with the timetable for implementing such changes and steps.

None.

(11) Information that has been or will be given to purchasers, including consumers, about the defect or non-compliance with a description of how this information has been or will be communicated. This shall include copies or drafts of any letters, press releases, warning labels, or other written information that has been or will be given to purchasers, including consumers.

None.

(12) The details of and schedule for any contemplated refund, replacement, or repair actions, including plans for disposing of returned products (e.g., repair, destroy, return to foreign manufacturer).

None.

The Company has received only two reports of injury attributable to breakage of the arm/wing after producing a total of almost 700,000 units. Whatever the cause of breakage or separation, the Company does not believe that these two incident reports in and of themselves create a pattern which gives rise to an inference that the product contains a defect or represents an unreasonable risk of injury. The product was last sold in September of 1996. If the product in any way contains a defect, a much greater pattern and number of injuries would have been reported to the Company and/or to the Commission. It has been over a year since the product was last sold, therefore it is the opinion of the Company that there will be no likely recurrence of any arm/wing breakage or separation. Hence the Company is not considering any corrective action at this time.

any complaints
or injuries where
the arm/wing did
not break off.

(13) A detailed explanation and description of the marketing and distribution of the product from the manufacturer (including importer) to the consumer (e.g., use of sales representatives, independent contracts, and/or jobbers; installation of the product, if any, and by whom).

The product was distributed nationally through retailers.

(14) Upon request, the names and addresses of all distributors, retailers, and purchasers, including consumers.

A copy of the list of customers is annexed hereto as Exhibit C.

(15) Such further information necessary or appropriate to the functions of the Commission as is requested by the staff.

(a) Regarding question 6, include copies of all consumer or dealer complaints, warranty claims, and reports of injury related to the product being investigated. Include copies of all court complaints and related documents for lawsuits involving the product and the resolution of those lawsuits. If copies of consumer complaints and other documents requested above are unavailable, indicate the reason they are unavailable and provide a summary containing the names, addresses and telephone numbers of the consumers or of the plaintiffs' attorneys.

See Epidemiological Investigation Reports annexed as Exhibit B.

(b) Copies of all test reports, analyses, evaluations, and premarket tests related to the subject product and problem.

Annexed hereto and marked Exhibit D-1, D-2, D-3, D-4, D-5, D-6, D-7, D-8, D-9, D-10, D-11, D-12, D-13, D-14, D-15, D-16, D-17, D-18 are test reports for the "Flying Warriors" periodically undertaken by retailers and/or the Company evidencing compliance with all applicable voluntary and mandatory standards in the United States and Canada.

(c) Copies of all engineering drawings, engineering change notices and material specifications related to the subject problem.

None

(d) Please provide UPC codes for all models involved.

See Annexed Exhibit E.

(e) Provide eight (8) samples of each model involved, including the retail packaging and all instructions.

Will be forwarded under separate cover.

This report contains confidential and proprietary information and is submitted pursuant to the provisions of Section 6(b) of the Consumer Product Safety Act. The report is further submitted under a claim of exemption from disclosure which applies to reports submitted pursuant to Section 15 of the CPSA. No release of any material contained herein is authorized by anyone unless pursuant to the express provisions of the Consumer Product Safety Act or the regulations issued pursuant thereto for reports filed under Section 15 of the Consumer Product Safety Act.

TARA TOY CORP.

By: 

Bruce Pearl, President

Dated: October 1, 1997
New York, N.Y.

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FLYING WARRIORS™



18500 Flying Warrior™

Brightly decorated "warrior" soars up to 10 feet in the air. Complete with launcher and foam missiles to shoot him down! 4 assorted styles.

Window box.

Pack 12/24

Cube 4.6

Weight 30 lbs.

Jean

4-24-97

1. TASK NUMBER 970114CCC5206		2. INVESTIGATOR'S ID 8944		EPIDEMIOLOGIC INVESTIGATION REPORT
3. OFFICE CODE 820	4. DATE OF ACCIDENT YR MO DAY 96/12/29	5. DATE INITIATED YR MO DAY 97/02/05		
6. SYNOPSIS OF ACCIDENT OR COMPLAINT 0 29116 18500 5 An 8 year old male was playing with a flying toy in the basement of his home [REDACTED] [REDACTED]. When he pulled the string which made the toy fly, the figure split apart throwing the one wing into his front teeth. The victim's mother took him to the dentist the following day and reconstructive work was done on his broken front teeth.				
7. LOCATION (Home, School, etc.) Home 10		8. CITY Perry Hall		9. STATE Maryland
10A. FIRST PRODUCT Toy 1317		10B. TRADE/BRAND NAME Tara Toy Corp.		10C. MODEL NUMBER 18500
10D. MANUFACTURER NAME AND ADDRESS Tara Toy Corp. Hauppauge, N.Y. 11788				
11A. SECOND PRODUCT None		11B. TRADE/BRAND NAME N/A		11C. MODEL NUMBER N/A
11D. MANUFACTURER NAME AND ADDRESS N/A				
12. AGE OF VICTIM 008		13. SEX Male 1		14. DISPOSITION Treated and Released 1
15. INJURY DIAGNOSIS Dental Injury 60		16. BODY PART (S) INVOLVED Teeth 88		17. RESPONDENT Complainant 1
18. TYPE OF INVESTIGATION On-site 1		19. TIME SPENT (OPERATIONAL HOURS) 12.5		20. ATTACHMENT(S) None 0
21. CASE SOURCE Consumer Complaint 07		22. SAMPLE COLLECTION NUMBER None		
23. PERMISSION TO DISCLOSE NAMES (NON NEISS CASES ONLY) No				
24. REVIEW DATE		25. REVIEWED BY		26. REGIONAL OFFICE DIRECTOR
27. DISTRIBUTION O:EHDS CC:MASC/CCA				

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CPSC FORM 182 (REVISED 12/96)

OMB NO. 3041-0029

970114CCC5206

PRE-INCIDENT:

Information concerning this incident was provided by the victim's mother, on-site at their home in Perry Hall, Maryland. The victim is a 8 year old male who resides in a 3 story single family town house with his brother, mother, and father.

On Saturday, December 28, 1997, the victim and his family visited relatives in Taneytown, Maryland. Both the victim and his brother each received a "Flying Warrior" toy from their aunt. Both toys were purchased new and at the same time from "Toy Works" in Westminster, Maryland. The "Flying Warrior" toy is a futuristic pistol style gun that has a styrofoam dart that fits on the muzzle of the pistol. There is an action figure of a man in a space costume with wings for arms. The arms move up and down from the figures sides. This figure fits into a round hole on the top of the pistol. When a retractable pull cord on the back of the pistol is pulled, the figure spins up into the air and the arms/wings open up and the figure spins like a helicopter to the ground. The styrofoam dart can be fired at the figure in flight by squeezing the pistol grip. It was too cold for the brothers to play with their flying toys outside, so they victim's toy was not used that day.

On the following day, Sunday December 29, 1997, the victim and his brother were playing with their flying toys on the first floor of their home. The weather was still cold and overcast, so they were playing in the house.

INCIDENT:

The victim launched his figure approximately 2 times without incident. On the third attempt, the victim pulled the retractable pull cord which launches the figure. As the figure started to spin into the air, the plastic figure split down the seam throwing the figures plastic arm/wing at the victims face. The arm/wing hit the victim in the mouth breaking the victims upper 2 front teeth.

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POST-INCIDENT:

The victim ran upstairs to the kitchen where his mother was, and showed her what had happened. The victim's brother had gathered up the broken fragments of the victim's teeth and brought them upstairs to his mother. The victim's mother called her pediatrician and he informed her to contact her dentist. She then contacted their dentist and

970114CCC5206

made an appointment for the following day at 8:00 am. During their dental appointment, the dentist x-rayed the victim's teeth and found that the nerves were not damaged. The teeth were then capped with a resin material. The dentist informed the victim's mother that the chemicals in the resin used to cap the victim's teeth may start to kill the nerves, but they would not know for another 6 months. The victim has a follow up appointment in July of 1997. At this appointment it will be determined whether the victim will need a root canal or not.

The victim's mother has contacted the manufacturer of the toy and was referred to the firm's insurance company. The insurance company for the firm is: Fireman's Fund Insurance Company. The insurance company and the victim's mother are waiting for all medical bills to be presented to the insurance company before settling the claim. The victim's mother has not decided what to do with the toy at this point. She is holding the toy until the claim is settled. I was able to photograph the broken toy and the unbroken toy that was the brother's, but was unable to obtain the toy as a sample. Immediately after the incident, the victim's mother would not allow the victim's brother to play with his "Flying Warrior" toy. She is afraid the same thing may happen with the unbroken toy.

PRODUCT IDENTIFICATION:

The toy is known as a "Flying Warrior" toy which is distributed by "Tara Toy Corporation", Hauppauge, N.Y. 11788. Both the action figure and the packaging state, "Made in China". The model number is: 18500, and the SKU on the packaging is: "0 29116 18500 5". The action figure is approximately 7" tall and has a wing span of approximately 9" and is made of plastic with a seam running up each side of the figure. The front half of the figure is glued to the rear half. The arm/wing that struck the victim is approximately 5" long.

STANDARDS:

There are current CPSC standards for toys intended for children under the age of 3.

This standard can be found in 16 CFR; SUBCHAPTER C-FEDERAL HAZARDOUS SUBSTANCES ACT REGULATIONS; Part 1501, Method for identifying toys and other articles intended for use by children under 3 years of age which present a choking, aspiration, or ingestion hazards because of small parts. There is also a standard

970114CCC5206

for small balls, marbles, latex balloons, and other small parts. This can be found in 16 CFR; SUBCHAPTER B-CONSUMER PRODUCT SAFETY ACT REGULATIONS; Part 1117, Reporting of choking incidents involving marbles, small balls, latex balloons and other small parts. There are also industry set voluntary standards. There is a conformance statement on the retail package for this toy, which states:"Conforms to ASTM-F963-95". There is also a warning label located on the front, top, right hand side of the package, which states: "Warning: Choking Hazard-Small Parts Not for children under 3 yrs.".

EXHIBITS:

The following exhibit is attached:

1. Photographs of the broken toy and unbroken toy.

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ACCIDENT INVESTIGATION REQUEST FORM

Document Number X9710078A

Date of Incident 12/29/94 Category I.D. SECT JK 1991

Follow-Up Requested Hazard Analysis Section 15

Type Follow-Up Requested Telephone Call On-Site

Headquarters Contact Team Kennedy

Assignment Message Please conduct an on-site investigation on the attached incidents. Collect the sample if its still available.

Person(s) to Contact Eric [redacted]

Perry Hall, MD 21128

Guideline _____

Requested By _____

Task Number 970114 CCL 5204

Assigned to MASC Date 970113

Author: Marc J. Schoem at CPSC-HQ2
Date: 1/2/97 10:59 AM.
Priority: Low
TO: Theresa D. Rogers
TO: Robert G. Poth
TO: Frank J. Krivda
Subject: Internet form incident report

X971 0078

----- Message Contents -----

FYI - I received from Murray Cohn - internet complaint - Marc

Forward Header

Subject: Internet form incident report
Author: Murray S. Cohn at CPSC-HQ1
Date: 12/31/96 8:57 AM

ISSUE 1.6

Mon Dec 30 22:01:52 EST 1996

Name [REDACTED]
Address [REDACTED]
City = Perry Hall
State = Md
Zip = 21128
Email = emaffind@mail.bcp.llb.md.us
Telephone [REDACTED]
Name of Victim = Christopher [REDACTED]
Victim's Address = [REDACTED]
Victim's City = Perry Hall
Victim's State = Md
Victim's Zip = 21128
Victim's Telephone = [REDACTED]

→ Wednesday evening
9:00am.
March 12
FM

JAN 7 4 1997

Incident Description: Our 8 year old son was playing with a toy he had received for Christmas when a piece of the toy flew off and struck him in the mouth breaking off his two front teeth at the roots. The toy is called "Flying Warriors" and is made of plastic. It consists of a plastic launcher and a plastic figure that is mounted on top of the launcher. The figure has two arms/wings that hang down at the figure's sides until it is launched. Then the wings spread as the figure is launched into the air. The figure then glides back down to the ground. While playing with the toy it apparently became cracked where the two halves of the figure are glued together. This caused one of the arm/wings to pull out of its socket after it was launched and strike our son in the mouth. Our son is seeing a dentist to have his front teeth reconstructed. Any info or help in this matter would be greatly appreciated. Thank you.
Eric and Barbara Martin

Victim's age = 8
Victim's sex = Male
Date of incident = 12/29/96
Product involved = Flying Warrior plastic figure and launcher
Product brand name/manufacturer = Tara Toy Corp.
Product involved still available = Yes
Product model and serial number = 18500
Date product purchased = before Christmas

Please assign
I O I
Collect Foy
Jean Kennedy, OO

970114 CCC 5204

U. S. CONSUMER PRODUCT SAFETY COMMISSION

AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and private labelers to inform them of the involvement of their product in an accident situation. We also give the information to others requesting information about specific products. Manufacturers need the individual's name so that they can obtain additional information on the product or accident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name. If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

You are hereby authorized to disclose my name and address with the information collected on this case.

My identity is to remain confidential.

Barbara [REDACTED]
(Signature)

3/12/97
(Date)

Investigation Report - Analyst's Comments

①

Task No. 970114 CCC 5206 Regional Office MASC
Product Code 1317 Investigator ID 8944
Category SECTJK 1997 Hours Reported 12.5

Comments

*Meets E.P.D.S. requirements.
Narrative presents full details of accident.*

Reviewer J Taylor Date 4-24-90

If you believe the identified deficiencies require contacting investigator/victim and requesting further information, please check the box and sign here.

Signature

JAN 6 1997

JE 15'

21. *to JEL*

CONSUMER PRODUCT INCIDENT REPORT

Region: MASC

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1. NAME OF RESPONDENT Barbara	2. PHONE NO. (HOME) (WORK) unknown
3. STREET ADDRESS	4. CITY STATE ZIP CODE Perry Hall MD 21128

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES
 Son launched hard plastic toy figure into air as instructed, figure separated at glued seam, and its hard plastic left wing detached from figure's body while 5' in air. Toy figure's wing struck son in mouth and fractured his top front two teeth; consumer applied pressure to son's gum to stop bleeding; no Rx required. Consumer discontinued son's use.

-cont-

6. DATE OF INCIDENTS 12/29/96	7. IF INJURY OR NEAR MISS OBTAIN AGE/SEX AND DESCRIBE INJURY: 8 Y/M fractured 2 top front teeth	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME RELATIONSHIP Christopher son
----------------------------------	--	--

9. DESCRIPTION OF PRODUCT 11.5" tall hard plastic flying toy	10. BRAND NAME Flying Warriors
---	-----------------------------------

11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Tara Toy Corporation unknown Hauppauge, NY 11788 unknown unknown	12. MODEL, SERIAL NUMBERS M #18500	13. DEALER'S NAME, ADDRESS & PHONE Toy Works unknown Taneytown, MD 21787 unknown
---	---------------------------------------	--

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> IF YES, BEFORE OR AFTER THE INCIDENT? after DESCRIBE: damaged: see narrative	15. PRODUCT PURCHASED NEW <input checked="" type="checkbox"/> USED <input type="checkbox"/> DATE PURCHASED 12/28/96 AGE 1 day
--	--

16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: "For ages 5 and up."

17. HAVE YOU CONTACTED THE MANUFACTURER? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> IF NOT, DO YOU PLAN TO CONTACT THEM? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> OTHER?	18. IS THE PRODUCT STILL AVAILABLE? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> IF NOT, ITS DISPOSITION	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--	---	--

FOR ADMINISTRATION USE

20. DATE RECEIVED 01/02/97	21. RECEIVED BY (NAME & OFFICE) pyr/HL	22. DOCUMENT NO. H9710011A
-------------------------------	---	-------------------------------

23. FOLLOW-UP ACTION 970114 e e e 5206	24. PRODUCT CODE(S) 1317
---	-----------------------------

25. DISTRIBUTION	26. ENDORSER'S NAME & TITLE CCH 1/3/1997
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CONSUMER PRODUCT INCIDENT REPORT

H9710011A

Narrative Continued

12/29/96 Consumer called and explained incident to family pediatrician, Crossan O'Donovan, MD, TEL: 410- [REDACTED] who told consumer to call dentist.

12/29/96 Consumer called and explained incident to dentist, Dr. Fred [REDACTED] TEL: 410- [REDACTED] Baltimore, MD, who told consumer he would call endodontist, Charles [REDACTED] TEL: [REDACTED] schedule an appointment, and call consumer back.

12/29/96 Dr. [REDACTED] called consumer and told her an appointment was set for 12/30/96.

12/30/96 Son went to see Dr. [REDACTED], who took x-rays and prescribed son valium to calm him.

12/31/96 Consumer took son to Dr. [REDACTED]'s office and he examined nerves to his missing teeth. Dr. [REDACTED] determined that teeth roots were not damaged and told consumer to take son to Dr. [REDACTED] to have son's teeth reconstructed. Consumer scheduled an appointment with Dr. [REDACTED] for 1/3/97.

Toy consists of a 5.5" tall hard plastic launching pad and a hard plastic figure with a gold head, silver body, and pink accents which is mounted onto launching pad. The figure has two wings that hang down at the figure's sides until a string is pulled from launching pad to launch toy into air.

Warning on box: "Choking hazard: Small parts. Not for children under 3 years [sic]."

CPSC Source: UNK

1. TASK NUMBER 970609CCC3200		2. INVESTIGATOR'S ID 8310		EPIDEMIOLOGIC INVESTIGATION REPORT	
3. OFFICE CODE 871	4. DATE OF ACCIDENT 5-10-97	5. DATE INITIATED 7-16-97			
6. SYNOPSIS OF ACCIDENT OR COMPLAINT A 15 year old male received trauma to his left eye when the "arm" of a flying figure broke off and struck the eye. The victim was using the figure on the day it was purchased. The victim's eye doctor reported that the victim may suffer cataract, glaucoma and retinal detachment in the future.					
7. LOCATION (Home, School, etc.) Home 10		8. CITY Las Vegas		9. STATE NV	
10A. FIRST PRODUCT Flying toy 5004		10B. TRADE/BRAND NAME Flying Warriors		10C. MODEL NUMBER 18500	
10D. MANUFACTURER NAME AND ADDRESS Tara Toys Hauppauge, NY					
11A. SECOND PRODUCT NONE		11B. TRADE/BRAND NAME		11C. MODEL NUMBER	
11D. MANUFACTURER NAME AND ADDRESS					
12. AGE OF VICTIM 015	13. SEX Male 1	14. DISPOSITION Treated and released 1		15. INJURY DIAGNOSIS Trauma 71	
16. BODY PART (S) INVOLVED Eyeball 77	17. RESPONDENT Victim's mother 2	18. TYPE OF INVESTIGATION Telephone 2		19. TIME SPENT (OPERATIONAL HOURS) 20	
20. ATTACHMENT(S) Multiple 9	21. CASE SOURCE Consumer complaint 07		22. SAMPLE COLLECTION NUMBER 97-860-5623		
23. PERMISSION TO DISCLOSE NAMES (NON NEISS CASES ONLY) NO					
24. REVIEW DATE August 21, 1997		25. REVIEWED BY Keven Barton		26. REGIONAL OFFICE DIRECTOR	
27. DISTRIBUTION O:EHDS CC:CCA Jean Kennedy					

970609CCC3200

Page 1

The information contained in this report was obtained during a visit with the victim's attorney and an agent for the manufacturer's insurance company. A copy of the agent's report has been requested. If it is received it will be submitted later.

The victim's mother was not available during a visit to Las Vegas.

PRE EVENT

The 15 year old male victim was playing with a flying toy purchased for his 5 year old brother's birthday. The victim is 5 feet 8 inches tall and is right handed.

The victim's school health record indicates that the victim's sight was 20/20 during a vision check prior to the event. See attachment 1.

The victim operated the toy 15 times in 15 minutes prior to the event.

EVENT

The victim was standing on a neighbor's lawn. He was holding the toy in his right hand. His arm was extended. He launched the flying toy by pulling on the launching string with his left hand. The "arms" of the figure spun like the blades of a propeller. The victim heard a snap and one of the "arms" broke off and the hard, unprotected, part hit the victim in the eye.

POST EVENT

The victim's eye was examined by an ophthalmologist. The ophthalmologist determined that the victim had received two lacerations to the surface of his left eye. See attachment 2 for the medical evaluation.

PRODUCT IDENTIFICATION

The toy involved in the event was manufactured by Tara Toy Corp., Hauppauge, NY. It is called Flying Warriors. It is model number 18500. It has been on the market for 1 1/2 years. Sales of the toy have amounted to 600,000 to 700,000 units. The manufacturer has had the toy tested. The toy is no longer being sold. It has run its course.

The toy is composed of a plastic warrior figure 7 inches long. The figure has "arms" like propellers which are 5 inches long. The "arms" are padded with sponge material for about one half of their length.

Included with the toy is a plastic launcher which is 6 inches by 5

inches. The launcher contains a string 8 1/2 inches long which when pulled causes the figure to spin. As the figure spins it rises.

The launcher also is designed to fire a foam "missile" when a trigger is pulled.

The toy is labeled with the CSPA warning for toys containing small parts. Also a warning is included that the toy should not be launched at people or animals.

The toy is labeled that it conforms to ASTM F963-95.

970609CCC3200

Page 2

The toy involved in the event was examined and photographed at the victim's attorney's office. See attached photos. The broken shaft that held the "arm" that struck the victim was measured at 3/16 inch.

SAMPLE COLLECTED

The victim's attorney declined to allow the toy involved in the event to be collected as a sample.

A visit was made to the retailer where the toy was purchased. The retailer was closing out the item and had only two units left. They were collected as sample 97-860-5623.

ATTACHMENTS

1. Victim's school health record.
2. Victim's medical records relating to the eye injury.

Photographs of the toy involved in the event plus the toy collected as a sample.

WITHHELD pages 210 through 229
Exemption 3, 4, 6a2

LIST OF TEST REPORTS

1. Acts Testing Labs Test Report No. 5H 20431 dated May 26, 1995, addressed to Soma International Ltd. (Exhibit D-1).
2. Consumer Testing Laboratories (Far East) Ltd. Report No. 111078, dated July 11, 1995 addressed to Hills Dept. Stores/CRH Int'l. (Exhibit D-2).
3. Consumer Testing Laboratories (Far East) Ltd. Report No. 111107, dated July 13, 1995, addressed to Wal-Mart Canada (Exhibit D-3).
4. Consumer Testing Laboratories (Far East) Ltd. Report No. 41587, dated July 13, 1995, addressed to Wal-Mart Stores, Inc. (Exhibit D-4).
5. Merchandise Testing Laboratories Report MTL No. SH 2038A-D, dated July 14, 1995, addressed to Shop Ko Stores, Inc. (Exhibit D-5).
6. Merchandise Testing Laboratories Report MTL No. TT 3403A-D, dated July 14, 1995, addressed to Soma International Ltd. (Exhibit D-6).
7. SGS Hong Kong Ltd. Report No. 505584/TY dated July 25, 1995, addressed to Soma International Ltd. (Exhibit D-7).
8. Acts Testing Labs (H.K.) Ltd. Report No. 5H-30860 dated July 17, 1995, addressed to Soma International Ltd. (Exhibit D-8).
9. Acts Testing Labs (H.K.) Ltd. Report No. 5H-32262 dated July 24, 1995, addressed to Toys "R" (Canada) Ltd. (Exhibit D-9).
10. Acts Testing Labs (H.K.) Ltd. Report No. 5H-32262 (A) dated July 24, 1995, addressed to Soma International Ltd. (Exhibit D-10).

11. Acts Testing Labs (H.K.) Ltd. Report No. 5H-34793 dated August 7, 1995, Certificate of Compliance for Toys "R" Us (Exhibit D-11).
12. Merchandise Testing Laboratories Report MTL No. M67262A-D, dated August 8, 1995, addressed to Montgomery Ward & Co. (Exhibit D-12).
13. Acts Testing Labs (H.K.) Ltd. Report No. 5H-38930, dated August 25, 1995, addressed to Kmart (Exhibit D-13).
14. SGS Hong Kong Ltd. Report No. 507920/TY dated September 27, 1995, addressed to Soma International Ltd. (Exhibit D-14).
15. Merchandise Testing Laboratories Report MTL No. EC-10001, dated November 13, 1995, addressed to Istituto Italiano Sicurezza (Exhibit D-15).
16. Merchandise Testing Laboratories Report MTL No. SH 2756A-G, dated May 13, 1996, addressed to Shop Ko Stores, Inc. (Exhibit D-16).
17. Springborn Laboratories (H.K.) Ltd. Report No. T4960335, dated May 14, 1996, addressed to Ames Department Stores (Exhibit D-17)



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

TEST REPORT 5H-20431

May 26, 1995
Page 1 of 2

SOMA INTERNATIONAL LTD.
6/F Tower 1 South Seas Centre
75 Mody Road
Tsimshatsui East
Kowloon
Hong Kong

Attn.: Ronnie Lam

SUBJECT:

Evaluation of ten (5x2 styles) PARTS TOYS received on May 19, 1995.

Sample Description : PARTS
- WINGS - SOFT DART

EXECUTIVE SUMMARY:

The samples MEET the requirements of the following standards requested by the client :

- The Flammability requirement of Title 16, Code of Federal Regulations (CFR), Chapter II - Consumer Product Safety Commission (CPSC), Subchapter C - Federal Hazardous Substances Act Regulations, Section 1500.3(c)(6)(vi).

NOTE : The client has provided the following information, and requested that it be included in this report.

"The samples were submitted for Flying Warrior item #18500."

ACTS TESTING LABS (H.K.) LTD.

for 
Raymond Lam
Senior Manager
Toy Division

RL/ii



SOMA INTERNATIONAL LTD.

May 26, 1995
TEST REPORT 5H-20431
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I) RESULTS:

A) FLAMMABILITY (CPSC, Section 1500.3(c)(6)(vi))

The samples were subjected to a five second application of the test flame as specified in Title 16, Code of Federal Regulations (CFR), Chapter II - Consumer Product Safety Commission (CPSC), Subchapter C - Federal Hazardous Substances Act Regulations, Section 1500.44. The most rapid burn rate of the samples were less than 0.1 of an inch per second.

The samples MEET the Flammability requirement of Section 1500.3(c)(6)(vi).



CONSUMER TESTING LABORATORIES (FAR EAST) LTD.

FLAT D, 14/F, WO KEE HONG BUILDING, BLOCK A, 585-609 CASTLE PEAK ROAD, KWAI CHUNG, N.T., HONG KONG
TEL: 2423-7161 FAX: (852) 2480-4758

EVALUATION OF TESTING RESULTS

Client: HILLS DEPT STORES/CRH INT'L Date: JULY 11, 1995
Lab Report No.: 111078 Buyer: JIMMY MEYER Dept.: 23
Pre-Production: Production: X Retest: Previous Lab No.:
Item Description: FLYING WARRIORS
Mfr. Name: SOMA INT'L LTD Country Of Origin: CHINA
Style/Model No.: 18500 Order No.: 952340 AND 952339
Vendor Name: SOMA INT'L LTD Date Sample Received For Test: JULY 7, 95
Reason For Test: TOY TESTING


<input checked="" type="checkbox"/>	THE SAMPLE IS RATED AS GOOD AND PASSED THE ATTACHED BASIC PERFORMANCE AND SERVICEABILITY TESTS.
<input type="checkbox"/>	WHILE THE SAMPLE IS RATED AS SATISFACTORY, THE FOLLOWING IMPROVEMENTS ARE RECOMMENDED.
<input type="checkbox"/>	THE SAMPLE IS RATED AS UNSATISFACTORY BECAUSE OF THE FOLLOWING DEFICIENCIES.

ADDITIONAL INFORMATION :

The submitted sample demonstrates no evidence of any hazard potential in use and abuse tests and complies with Federal Hazardous Substances Act (FHSA) and ASTM F963 requirements for toys.

NOTE: Wet paint must be submitted for evaluation of lead content in accordance with 16 CFR 1303.

CONSUMER TESTING LABORATORIES (FAR EAST) LTD.



RON CAVINESS
LABORATORY DIRECTOR
& HARDLINES MANAGER
SAS/ap



STEWART A. SATTER *WC*
MANAGING DIRECTOR

111078

Use of Consumer Testing Laboratories name and/or Seal is not permitted without written authorization. Our reports apply only to the individual sample submitted for testing. Consumer Testing Laboratories liability is strictly limited to invoice amount.