

U. S. CONSUMER PRODUCT SAFETY COMMISSION

NOTICE OF INSPECTION

1. DATE	3. FROM (Field Office and Address)
2. TIME ____ A.M. ____ P.M.	

4. TO	A. NAME AND TITLE OF INDIVIDUAL
	B. FIRM NAME
	C. NUMBER AND STREET ADDRESS
	D. CITY, STATE AND ZIP CODE

Notice of Inspection is hereby given pursuant to:

- Flammable Fabrics Act (15 U.S.C. 1191 et seq.);
- Federal Trade Commission Act (15 U.S.C. 41 et seq.);
- Sections 16, 19 and 27 of the Consumer Product Safety Act (15 U.S.C. 2065, 2068 and 2076)
- Section 704(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(a)) [Authority for inspections in connection with the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 et seq.)] and/or
- Section 11(b) of the Federal Hazardous Substances Act as Amended (15 U.S.C. 1270(b)).

Refer to the back of this form for a discussion of inspectional authority and for pertinent statutory language.

5. PURPOSES OF INSPECTION AND NATURE OF INFORMATION TO BE OBTAINED AND USE THEREOF

18

COPY

MAY 1987

RESTRICTED

Jerome B. Pederson, Esquire
Fredrikson & Byron
1100 International Center
900 Second Avenue South
Minneapolis, Minnesota 55402-3397

RE: CPSC FM 84-130
Sanborn Manufacturing Company
Sanborn Air Compressors

Dear Mr. Pederson:

The U.S. Consumer Product Safety Commission staff has reviewed the progress of the above-referenced corrective action plan. Based on your assurance that there have been no new incidents or lawsuits (the last reported incident and injury occurred on July 12, 1986), the Division of Corrective Actions has determined that no further monitoring on the part of the Commission is warranted. Therefore, acting under delegation from the Commission, the staff has closed this investigation. The Commission staff, however, will reopen this file if it finds that the public has not been adequately protected from the risk of injury presented by this product by the corrective actions taken by the firm.

Sanborn Manufacturing Company has a continuing obligation to inform the Commission of defects associated with this product which could create a substantial product hazard. If Sanborn receives any information affecting the scope, prevalence, or seriousness of the defect or hazard, it must report to this Division.

We request that the company continue to implement its corrective action program until as many products as possible have been removed from the marketplace. If Sanborn receives any information which might indicate that its corrective actions are not satisfactory in eliminating the defect or hazard or that the effectiveness of the corrective action program was less than what

19

Page 2

had been reported, it must supply that information to the Division of Corrective Actions.

Thank you for your cooperation in this matter.

Sincerely yours,

Carlos L. Perez, Acting Director
Division of Corrective Actions
Directorate for Compliance and
Administrative Litigation

Certified Mail

cc: CPSC Central Regional Center ✓
230 South Dearborn Street
Room 2944
Chicago, IL 60604

20

File-

E/F

SANBORN MANUFACTURING CO,

October 14, 1986

Mr. Marvin V. Colton
Attorney at Law
12 Washington Ave. E.
Albia, Iowa 52531

Re: IDI 860829CHI1258

Dear Mr. Colton:

This responds to your October 8, 1986 letter to Mr. Meltzer requesting a copy of his above report dealing with the explosion of your client's Judy Noe, Sanborn Air-Compressor.

A copy of the requested report is enclosed.

Sincerely,

Donald L. Dovel
Senior Compliance Officer

cc: E/F
R/F
DLD
FOI File

21

AREA CODE 515 - TELEPHONE 932-2185

8 6 0829 CHI 1258

LAW OFFICES
MARVIN V. COLTON
LUNDY BUILDING
12 WASHINGTON AVE. E.
BOX 308
ALBIA, IOWA 52531

John - Can we
get a copy for Mr. Colton?
Dan

October 8, 1986

Mr. Martin Meltzer,
Investigator
U. S. Consumer Product Safety Commission
Midwestern Regional Office
230 South Dearborn Street
Suite 2944
Chicago, Illinois 60604

Dear Mr. Meltzer:

RE: Judy Noe
Rural Route #1
Lovilia, Iowa

I am informed by Judy Noe, Rural Route 1, Lovilia, Iowa, that you have investigated the facts surrounding the explosion of a Sanborn Manufacturing Company air-compressor, as a result of her having made a complaint concerning the incident of the explosion. You should be aware of the fact that Mrs. Noe has been real pleased with your interest in her concern and the manner in which you have proceeded. She has indicated to me that you would supply her or her attorney with a copy of your report based upon your investigation of this matter. I am respectfully requesting a copy of your report of the investigation of the explosion of the Sanborn Manufacturing Company air-compressor which occurred on July 12, 1986 and of which she has complained to your agency.

Thank you.

Very truly yours,

Marvin V. Colton

Marvin V. Colton
Attorney at Law

MVC:ldc
cc: Mrs. Judy Noe
RR#1
Lovilia, Iowa 50150

✓

Lawrence L. Hershman,
CACA

File
↓

July 2, 1986

Midwestern Regional office

Sanborn Manufacturing Co., Inc.
Springfield, MN

FM 84-130
Air Compressors

The referenced firm was requested (CACA/Pederson letter, 5-19-86) to supply MRO with monthly progress reports relative to their CAP progress dealing with their air compressors. Their attorney's letter of May 30, 1986 also advises "Sanborn is willing to continue acting in this cooperative spirit and to provide information to the Commission's Midwestern Regional Office that will allow them to monitor the actions Sanborn is taking." Thus far we have received no status reports from the firm or their attorney. As you have been dealing with Mr. Pederson, we thought you may wish to remind him to furnish us with the above CAP status reports on a monthly basis.

Donald L. Dovel
Senior Compliance Officer

cc: CACA
FM 84-130
E/F
R/F
DLD

27

File



U.S. CONSUMER PRODUCT SAFETY COMMISSION

WASHINGTON, D.C. 20207

April 29, 1986

Mr. William Besse
President
Sanborn Manufacturing Co.
Springfield, MN 56087

Re: C625037

Dear Mr. Besse:

The U.S. Consumer Product Safety Commission shares with firms product complaints and in-depth investigation reports concerning injuries or potential injuries associated with products the firms manufacture or import that are within the Commission's jurisdiction. Some of the reports are very detailed. Others are not detailed but nevertheless mention the products by name.

To best serve the interests of consumer and manufacturers, we now screen these reports and generally do not send to firms reports involving products (1) where the complainant has already contacted the manufacturer, (2) where the problem appears to be economic rather than safety related, or (3) where it appears that the product is not at fault or indirectly involved.

Applying these criteria, we have determined that the enclosed information should be sent to you. We believe that sharing this information benefits the Commission, consumers, and industry since problems submitted by conscientious users can serve as an early warning signal that there may be a product safety problem. If you wish to comment on the enclosed report(s), you may submit your comments to the undersigned. Be sure to include the above-mentioned document number and the name of the product in any reply.

If the report we have provided you along with other information you have or may receive reasonably supports the conclusion that there would be a substantial product hazard, please keep in mind your reporting responsibilities under Section 15 of the Consumer Product Safety Act, 15 U.S.C. Section 2064(b). For more information on the reporting requirements, please contact David Thome, Directorate for Compliance and Administrative Litigation, Consumer Product Safety Commission, Washington, D.C. 20207 (301-492-6608).

In the interest of product safety, we will continue to share these reports with you.

Sincerely,

A handwritten signature in cursive script that reads "Nancy S. Johnston".

Nancy S. Johnston
Director
National Injury Information
Clearinghouse

A handwritten number "24" in the right margin of the letter.

Enclosure(s)

3 MAR 1986

Gary A. Krump
Associate

Phone 314 / 238-2641

EPDS
OSFOC

KENNETH W. SHRUM

ATTORNEY AT LAW

P. O. Box 338

Marble Hill, Missouri 63764

February 10, 1986

C625037

2/19

FDPS

U. S. Consumer Product Safety Commission
Washington, D. C. 20207

FEB 19 1986

Gentlemen:

I represent a Mr. [redacted] who was seriously injured when a 22 gallon air compressor which was sold and advertised for use as a 'farm and home use', type item ruptured and blew a small wheel off of the compressor, striking Mr. [redacted] in the head. This occurred in September, 1983. The manufacturer was Sanborn Manufacturing Company of Springfield, Minnesota.

It has come to my attention that there were at least 173 failures which involved property damage or personal injury which Sanborn settled themselves without referring the matter to their insurance carrier. I know of my own knowledge that there have been numerous failures and ruptures to the tank in addition to the 173 and I know of five (5) lawsuits filed in which there have been serious injuries.

15

The Sanborn Manufacturing Company engaged in a 'Product Review Campaign' and a 'Field Safety Program'.

My expert advises that there was a serious design defect in the manufacture of the tanks originally because the method of putting the tank together involved lap-welding and the tanks were put together so that the lap was welded on the inside of the tank. This then created a crevice or trough on the inside of the tank where moisture would gather where the moisture could not be drained from the tank. This resulted in severe corrosion of the tank and ultimately when the tank was used and air pressure was put on the tank it would fail or rupture. The rupture of these tanks when they contain 100+ pounds of pressure creates a serious and high potential for harm and damage to person and property.

CHS
EPDC

As you can see from the Field Safety Notice published and the Product Review Campaign Notice, Sanborn has chosen to ignore the real problem, namely, the corrosion of the tanks and has, instead, attempted to focus their attention on a pressure relief valve. The pressure relief valve cannot come into play or be expected to function until there is also a failure of the pressure switch.

Consumer Product Safety Commission
Office of the Secretary
Freedom of Information

082 3 FEB 17 1986

5602091



U.S. CONSUMER PRODUCT SAFETY COMMISSION

WASHINGTON, D.C. 20207

February 11, 1986

File
↓
Mr. William Besse
President
Sanborn Manufacturing Co.
P.O. Box 206
Springfield, MN 56087

Re: C615008

Dear Mr. Besse:

The U.S. Consumer Product Safety Commission shares with industry information about injuries or potential injuries associated with products within the Commission's jurisdiction. Some of the reports are very detailed. Others contain limited information but do mention products by name. In some cases, the information may involve your product only indirectly.

Many company representatives have told us that they want to see all reports involving their products--even the ones that contain limited information. In that spirit we currently send all consumer complaints or reported incidents and many accident investigation reports where we can identify the firm. To the extent possible, you may want to use the information to assess the product's safety.

We believe that the Commission, consumers, and industry will benefit from this cooperative effort, since problems submitted by conscientious users can serve as an early warning signal that there may be a product safety problem, that the product is not being used properly, or that there may be an otherwise unknown defect. If you wish to comment on the enclosed information, you may submit your comments to the undersigned. Be sure to include the above-mentioned document number in your reply.

If your handling of the information reveals that there could be a substantial product hazard, please keep in mind your reporting responsibilities under Section 15 of the Consumer Product Safety Act. For more information, you may contact David Thome, Directorate for Compliance and Administrative Litigation, Consumer Product Safety Commission, Washington, D.C. 20207.

In the interest of product safety, we will continue to share these reports with you.

Sincerely,

Nancy S. Johnston

Nancy S. Johnston
Director
National Injury Information
Clearinghouse

Enclosure(s)

EPDS³ JAN 1986
/ FOF

SCHNEIDER, BECCUE & KALLESTAD

A PARTNERSHIP AND A PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW

RONALD H. SCHNEIDER, P.A.
BOYD BECCUE
JOHN KALLESTAD

1101 SOUTH FIRST STREET, WILLMAR, MINNESOTA
MAILING ADDRESS: P. O. BOX 776, WILLMAR, MN 56201
TELEPHONE (612) 235-1902

PRACTICE LIMITED
TO
LITIGATION

0615008

1/6

December 30, 1985

Consumer Products Safety Commission
Office of the Secretary
Washington, D.C. 20207

RE: Boike vs. Sanborn Manufacturing Company

Ladies and Gentlemen:

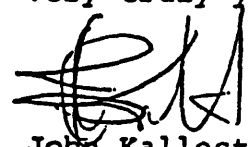
Our offices represent Mr. and Mrs. Clarence Boike in claims for personal injuries sustained by Mr. Boike on August 3, 1983. The injuries were sustained when an air compressor he was using exploded. The air compressor in question was manufactured by Sanborn Manufacturing Company. -Its model number is 64A100-15.

EPD
-01/13

Civil action has been commenced. Through discovery I have learned that Sanborn has submitted various documents to the Consumer Products Safety Commission. However, they are unwilling to provide me with copies of the documents that they have submitted to you relating to explosions of this particular model of air compressor. Accordingly, I would like to request that you provide me copies of any documents which have been submitted by Sanborn to you concerning explosions of air compressors manufactured by Sanborn. If a more formal request is necessary, please advise and send me forms which are required.

Your cooperation is appreciated.

Very truly yours,


John Kallestad

JK:jl

EPDS

JAN 07 1986

27

5601035

0823

N

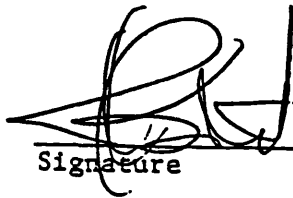
If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

The law offices of Schneider & Kallestad are representing Mr. and Mrs. Boike in claims for personal injuries sustained when this air compressor exploded. We would like to receive the names of the other individuals who all experienced injuries as a result of a failure with this particular product. I am interested in this information for several reasons. The manufacturer obtained possession of the exploded air compressor shortly after the accident, conducted its own internal tests on it, and then unfortunately destroyed it. Accordingly, I have very little factual information to work with at this time as to why this particular explosion occurred. Contacts with other persons who have experienced such explosions would certainly be of assistance to our law firm.

Please also note that the law firm of Schneider & Kallestad is signing this request on behalf of Mr. and Mrs. Boike. A photostatic of the retainer agreement is enclosed so that you can verify our firm's representation of Mr. and Mrs. Boike.

Handwritten notes:
Boike
1/27/86

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.



Signature

1-27-86

Date

RECEIVED
JAN 30 1986
MAIL ROOM
CLEAN

- Do not release my name.
 - You may release my name to the manufacturer but not to the general public.
 - You may release my name to the manufacturer and to the public.
- Handwritten initials:* 26

C 615008/0823
01-09-86

File

January 15, 1986

David W. Thome
Director, CACA
Thru: Otto Fall, FO

Midwestern Regional Office

ID 85-03, Cable Pullers
84M130, Air Compressors

ID 85-03 Menard's, Inc.
Eau Claire, WI

84M130 - Sanborn Manufacturing Co
Springfield, MN

The above cable pullers were the subject of our enclosed 9-24-84 S & R because of 6 IDI's involving accidents with the product. Although we opened a file on these pullers and a corrective action plan (CAP) was requested under cover letter of 1-4-85, the firm has not been apparently too concerned or cooperative with our Agency and no CAP has been received from them. We still feel these pullers are a significant hazard and we could still find ourselves receiving additional injury reports. Under these circumstances, we think it would be to our advantage (as well as the public's) to proceed with the matter even if one needs to be a little more forceful with the company.

We also submitted the enclosed 10-16-84 S & R dealing with Sanborn's air compressors and we are aware of the visit made at the firm on 10-8-85 by CACA, CAAL, ESel personnel and our Minneapolis investigator. Where does this one stand now? Have we really opened a file on these compressors yet?

If we have a goal for opening of 9 Section 15 cases for FY 86, we wonder if we will be able to cope with them as it doesn't seem we are progressing very rapidly with the "cases" we now have. Your comments on these two matters will be appreciated.

Eric B. Ault
Acting Director

cc: CACA
FO
E/F
R/F
DLD

10/1 84M130
REQ #

PRODUCT SAFETY ASSESSMENT (PSA)
TECHNICAL EVALUATION
REQUEST

REGIONAL OFFICE
MURB

PSA USE ONLY
REQUEST # 1800
TIME/DATE RECEIVED 9:30AM 10/4/85

REQUESTED BY:

L. Hershman - C.D.
(Requestor's Name/Title - Please Print)

CACA 10/2/85 PRIORITY:
(Org. Code) (Date)

(Corrective Actions Use Only)

b

RECEIVED BY: M. Everhart/PM
(Name/Title - Please Print)
DATE REC: EP:

TITLE OF EVALUATION REQUESTED (Please Print):
Please provide info. from CASC Data Bases on incidents, injuries, deaths & FDI's involving portable air compressors (1978 to present), all brands.

PRODUCT IDENTIFICATION:

Sanborn Manufacturing
(Manufacturer/Importer)

(Sample Number - If Applicable)

Product: Air Compressor - Weiss Code 0823
(Other Descriptive Information - Brand Name/Model/Etc.)

THIS BLOCK FOR PSA USE ONLY

ASSIGNED TO:

Minda Giegler/EP
(Name/Organization Code)

DATE ASSIGNED:

ADDITIONAL INSTRUCTIONS:

Requested Date:

10/7/85

File

FIELD ACTIVITY COVERSHEET

1. REGION/STATE TWN-RP	2. OPERATION (Check One) <input type="checkbox"/> Inspection <input type="checkbox"/> Establishment Visit <input type="checkbox"/> Telephone Contact <input checked="" type="checkbox"/> Investigation <input type="checkbox"/> Other _____	3. DATE 10-8-85 4. NUMBER (For RO Use)
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5. ESTABLISHMENT
 Name Sanborn Manufacturing Co.
 Address 118 West Rock St.
 City Springfield, State MN Zip 56087 Telephone No. 507-723-6211

6. RELATED FIRM N/A Parent Headquarters Subsidiary Other
 Name _____ City _____ State _____

7. PRODUCTS COVERED
Air Compressors

8. OTHER CONSUMER PRODUCTS
None

9. ESTABLISHMENT TYPE
 Manufacturer Importer
 Wholesaler Own Label Distributor
 Retailer Repackager
 Other _____

10. ANNUAL PRODUCTION
 Products Covered \$ 45,000,000 Units _____
 Other Products \$ 5,000,000 Units _____

11. I.S. BUSINESS
 % Received 10
 % Shipped 90

12. SAMPLES COLLECTED
None

13. MIS CODE
95626

14. HOURS
 Activity 12
 Travel 6

15. REASON FOR ACTIVITY (Assignment Reference)
 Request from JAMiersch, Supv., MWRO to accompany CPSC Staff while discussing Firm's Field Safety Program:

16. EMPLOYEE'S NAME Jerome R. Boog	TITLE Investigator	SIGNATURE
---------------------------------------	-----------------------	-----------

17. ENDORSEMENT REMARKS SUMMARY OTHER _____

This inspection was arranged by CACA and covered Sanborn's corrective action program for their air compressors. The inspection was conducted by Larry Hershman, CACA; Steven Joyce, CAAL; and John Thurber, ESEL. Our investigator accompanied these individuals.
 F/U : Refer to CACA

31

18. REVIEWER'S NAME John R. Vece	TITLE A.S.P.S.I.	SIGNATURE <i>[Signature]</i>
-------------------------------------	---------------------	---------------------------------

19. REVIEW DATE
10-22-85

DISTRIBUTION
 O: MWRO thru Compliance; cc: CACA, L. Hershman; cc: TWC-RP

Memorandum

TO : John Vece, ASPSI, MWRO

DATE: 10-16-85

FROM : Jerome R. Boog, Investigator, TWC-RP

SUBJECT: Visit with Sanborn Manufacturing Co. to Discuss Field Safety Program

Since our last inspection of the firm on 9-23-84 there has been on-going discussions with the firm in respect to there "Field Safety Program" with their air compressors manufactured between 1972/1978. It appears there was a potential defect with the pressure relief valve used during this time frame.

During our inspection we were able to obtain only general information as the firm's legal representative felt their air compressor line was not a consumer product and not reportable under Section 15 of the Consumer Product Safety Act. We were told about their "Field Safety Program", however, no documentation was released.

Since this inspection our headquarters staff has been in contact with the firm. They have received copies of some of the related documents covering the Safety Program. They were missing some of the details of the program so a meeting was setup for 10-8-85 at Sanborn Manufacturing Company, 118 W. Rock St., Springfield, MN. I was asked to accompany three CPSC staff members. Individuals present at the meeting were:

William Besse - President, Sanborn Manufacturing Company
Jerry Ramsbacher - Engineer with Sanborn Manufacturing Company
Jerome Pederson - Attorney representing Sanborn Manufacturing Company
Tom Crane - Consulting Engineer representing Sanborn Manufacturing Co.
Steven Joyce - CPSC (CAAL)
John Thurber - CPSC (ESEL)
Larry Hershman - CPSC (CACA)
Jerome R. Boog - CPSC (TWC-RP)

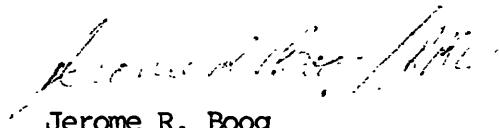
The meeting got underway after a tour of their manufacturing facility. Mr. Pederson then gave a short overview of their "Field Safety Program". He said the firm has been in existence since 1963. However, it wasn't until 1979 that they received their first complaint in respect to one of their "Sanborn" air compressor tanks bursting. He said in July of 1981 the firm received their first personal injury complaint regarding one of their air compressor products. It was at this time that the firm retained Mr. Pederson. It was shortly after this they contracted with Mr. Crane whom is a mechanical engineer with expertise in failure analysis. He said they wanted to know what was causing their air compressors to explode.

He said for an air compressor tank to burst one of three components had to fail. It had to be the pressure relief valve, pressure limiting switch, or the steel cylinder.

They first did a study of the steel being used in the construction of the cyclinders. They found no problems with their steel. This time they did

which I read over briefly. However, the information I looked at was limited in that the actual use of the air compressor was not clearly documented.

Upon completion of my visit Mr. Joyce said reports would be prepared by Mr. Hershman, Mr. Thurber, and himself. He promised a copy of these will be sent to my office for attachment to this report. When they arrive they will be forwarded to the Midwest Regional Office.



Jerome R. Roog
Investigator
Twin Cities Resident Post

24



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

Ronald J. Greene, Esquire
Wilmer, Cutler & Pickering
1666 K Street, N.W.
Washington, D.C. 20006

Re: CPSC 84M130
Sanborn Air Compressors
Sanborn Manufacturing Company
(Sanborn)

Dear Mr. Greene:

This is to confirm the Commission's inspection of Sanborn at its headquarters, 118 West Rock Street, Springfield, Minnesota 56087, scheduled for October 8, 1985. The Commission's team will be Lawrence Hershman, Compliance Officer, John Thurber, Engineer, Jerome Boog, an investigator from our Minneapolis resident office, and myself.

It is our understanding that all data responsive to our letter of May 30, 1985, (enclosed) will be available and that the engineer who evaluated the complaints will be available to answer our questions.

Although we hope to accomplish this inspection as speedily as possible, we have allowed an extra day -- October 9th -- in the event we do not finish on the 8th. It is my understanding that Springfield is approximately two and one half hours driving time from Minneapolis. When our schedule is finalized, I will contact you about our arrival time and about any suggestions you may have.

Very truly yours,

Stephen E. Joyce

Stephen E. Joyce
Trial Attorney
Consumer Product Safety Commission

Enclosures

cc: Jerome Boog
Lawrence Hershman
John Thurber

EXISTING per telephone conversation R. Greene 10/11/85

35

30 MAY 1985

Ronald J. Greene, Esquire
Wilmer, Cutler & Pickering
1666 K Street, N.W.
Washington, D C. 20006

Re: CPSC 84M130
Sanborn Air Compressors
Sanborn Manufacturing Company (Sanborn)

Dear Mr. Greene:

We have reviewed the documents you submitted with your letter of March 22, 1985--i.e., the lists of Sanborn Manufacturing Company distributors for 1975, 1976, 1977 and 1978 and the list summarizing 25 incidents involving Sanborn Air Compressors.

The distributor lists contain the names of Fleet & Farm stores and Coast to Coast stores for all four years and also contain the names of Menards stores for 1976 - 1978. We question your position that these lists of distributors indicate that Sanborn Air Compressors are not consumer products. Our understanding is that Fleet & Farm, Coast to Coast and Menards stores are open to the general public and that they sell to the general public. We believe that Sanborn Air Compressor is a consumer product. The summaries of the 25 incidents are too vague and too short to establish anything about whether Sanborn Air Compressors are consumer products.

Accordingly, I request the following information to determine (1) whether or not there is a substantial product hazard and (2) jurisdiction:

1. All tests, analyses, and other information which indicate that the loading (limiting) switch failed to function properly.
2. All tests, analyses and other information which indicate that the pressure relief valves failed to function properly.

36

3. The reasons for the failure of the pressure relief valve provided by Advance Diecasting, Milwaukee, Wisconsin.
4. An explanation of the reasons for the failure of the pressure relief valve in the
 - a. opinion of Sanborn Manufacturing Company;
 - b. opinion of any persons consulted by Sanborn Manufacturing Company about the failure of the pressure relief valve; and
 - c. opinion of any persons consulted by any one, other than Sanborn Manufacturing Company, about the failure of the pressure relief valve.
5. The name(s) and address(es) of the supplier(s) of the pressure loading (limiting) switches since January 1, 1972.
6. All tests performed by or for Sanborn to determine the reliability of its air compressors from January 1, 1972 to date.
7. A full description of all changes in the Sanborn Air Compressors from January 1, 1972 to date.
8. An explanation of the reasons for each and every change in the Sanborn Air Compressor from January 1, 1972 to date.
9. If any changes (outlined in response to item 7) were made to address a possible safety problem, identify those specific changes.
10. A full description of all changes in the manufacturing process used by Sanborn in manufacturing its air compressors from January 1, 1972 to date and an explanation why each change was made.
11. Identify each model Sanborn Air Compressor manufactured after January 1, 1972
12. For each model given in response to item 11, list by year the number manufactured after January 1, 1972 to date.
13. For each model given in response to item 11, list by year the name under which the model was sold.
14. All tests, analyses and other information which indicate that the replacement pressure loading (limiting) switch is reliable.

71

15. All tests, analyses and other information which indicate that the replacement pressure relief valve is reliable.

16. All poster, print and newspaper advertisements for the Sanborn Air Compressor from January 1972 to date.

17. All consumer complaints and detailed information about the 25 incidents. This information should include surnames, addresses and telephone numbers.

18. Any information about all precautions taken or procedures utilized to minimize sales of Sanborn Air Compressors to consumers.

19. Any information about features of these air compressors that would render them unsuitable for consumer use.

20. Any information about the size and price at which these air compressors are sold to users and a comparison of these sizes and prices to those for air compressors of similar performance that you contend are typical of air compressors sold to consumers.

21. Any information about how many air compressors were sold to each distributor each year since January 1, 1972.

22. Any information about surveys, warranty card records, or other information relevant to either the identity of the purchaser-user of the air compressors or whether the purchaser-user intends to use the compressor for consumer or business use.

In our opinion, CPSC v. The Anaconda Corp., 593 F.2d 1314, 1322 (D.C. Cir. 1979) does not limit the Commission's authority to investigate this matter. Here we are conducting an investigation to determine (1) whether we have jurisdiction and (2) whether a substantial product hazard exists. Upon completion of our investigation, the Commission will decide, based on the facts before it, how to proceed. Until then, this is an investigatory matter.

I hope you will reconsider your position and cooperate with us in our investigation. As you know, the Commission has ample authority to compel your client to furnish us with this information.

MS

I am hopeful this matter can be resolved in an amiable fashion without need for more formal investigative tools.

Sincerely,

Stephen E. Joyce
Trial Attorney
Division of Administrative
Litigation
(301) 492-6626

34

84M130

PRODUCT SAFETY ASSESSMENT (PSA)
TECHNICAL EVALUATION
REQUEST

MWRO
REGIONAL OFFICE

File

REQUESTED BY:

Larry Hershman, Compliance Officer

(Requestor's Name/Title - Please Print)

CACA 9/19/85

PRIORITY: B+

(Org. Code) (Date)

(Corrective Actions Use Only)

TITLE OF EVALUATION REQUESTED (Please Print):

Review of files and testing of samples to determine at what pressure the tanks rupture. This is being done in preparation for an inspection at the manufacturer scheduled for October 8 & 9, 1985. John Thurber has been involved in this project from the beginning.

(Use Back of this form if more space is needed)

PRODUCT IDENTIFICATION:

Sanborn Manufacturing Company
(Manufacturer/Importer)

Samples at the laboratory

(Sample Number - If Applicable)

Product: Air Compressors

(Other Descriptive Information - Brand Name/Model/Etc.)

THIS BLOCK FOR PSA USE ONLY

ASSIGNED TO:

/ES
(Name/Organization Code)

DATE ASSIGNED:

ADDITIONAL INSTRUCTIONS:

Requested Date:

D. Kaplan to get assigned

PSA USE ONLY

REQUEST # 1782

TIME/DATE RECEIVED 11:30 AM 9/19/85

RECEIVED BY: M. EVERHART/PM
(Name/Title - Please Print)

DATE DUE: ES: ASAP

20

2 JUL 1985

~~Eric~~
~~John~~ } FYI

then file E/F

Ronald J. Greene, Esquire
Wilmer, Cutler, & Pickering
1666 K Street, N.W.
Washington, D.C. 20006

Re: CPSC 84M130
Sanborn Air Compressors
Sanborn Manufacturing Company
(Sanborn)

Dear Mr. Greene:

This letter is a follow-up to our meeting of June 26, 1985. At that meeting you stated that your client would be willing to enter a Consent Order Agreement and stipulate that the air compressors contained a defect which creates a substantial product hazard and that the repair program was in place.

However, you stated that your client was unwilling to produce the documents and information requested in our letter of May 30, 1985.

Although we welcome your willingness to attempt to amicably resolve this matter, we cannot do so without first obtaining the information and documents sought in our previous letter.

In effect you have reported an undefined defect and are repairing it. However, you and your client refuse to give the staff access to your test data and analyses so that we might confirm your findings.

Without access to your files and without opportunity to review all test data and analyses, we cannot determine if your repair program adequately addresses the hazards presented by the product. Nor can we determine your compliance with the section 15(b) reporting requirements.

We again renew our request for the information requested in our letter of May 30, 1985.

41

3. The reasons for the failure of the pressure relief valve provided by Advance Diecasting, Milwaukee, Wisconsin.
 4. An explanation of the reasons for the failure of the pressure relief valve in the
 - a. opinion of Sanborn Manufacturing Company;
 - b. opinion of any persons consulted by Sanborn Manufacturing Company about the failure of the pressure relief valve; and
 - c. opinion of any persons consulted by any one, other than Sanborn Manufacturing Company, about the failure of the pressure relief valve.
 5. The name(s) and address(es) of the supplier(s) of the pressure loading (limiting) switches since January 1, 1972.
 6. All tests performed by or for Sanborn to determine the reliability of its air compressors from January 1, 1972 to date.
 7. A full description of all changes in the Sanborn Air Compressors from January 1, 1972 to date.
 8. An explanation of the reasons for each and every change in the Sanborn Air Compressor from January 1, 1972 to date.
 9. If any changes (outlined in response to item 7) were made to address a possible safety problem, identify those specific changes.
 10. A full description of all changes in the manufacturing process used by Sanborn in manufacturing its air compressors from January 1, 1972 to date and an explanation why each change was made.
 11. Identify each model Sanborn Air Compressor manufactured after January 1, 1972
 12. For each model given in response to item 11, list by year the number manufactured after January 1, 1972 to date.
 13. For each model given in response to item 11, list by year the name under which the model was sold.
 14. All tests, analyses and other information which indicate that the replacement pressure loading (limiting) switch is reliable.
- 27

15. All tests, analyses and other information which indicate that the replacement pressure relief valve is reliable.
16. All poster, print and newspaper advertisements for the Sanborn Air Compressor from January 1972 to date.
17. All consumer complaints and detailed information about the 25 incidents. This information should include surnames, addresses and telephone numbers.
18. Any information about all precautions taken or procedures utilized to minimize sales of Sanborn Air Compressors to consumers.
19. Any information about features of these air compressors that would render them unsuitable for consumer use.
20. Any information about the size and price at which these air compressors are sold to users and a comparison of these sizes and prices to those for air compressors of similar performance that you contend are typical of air compressors sold to consumers.
21. Any information about how many air compressors were sold to each distributor each year since January 1, 1972.
22. Any information about surveys, warranty card records, or other information relevant to either the identity of the purchaser-user of the air compressors or whether the purchaser-user intends to use the compressor for consumer or business use.

In our opinion, CPSC v. The Anaconda Corp., 593 F.2d 1314, 1322 (D.C. Cir. 1979) does not limit the Commission's authority to investigate this matter. Here we are conducting an investigation to determine (1) whether we have jurisdiction and (2) whether a substantial product hazard exists. Upon completion of our investigation, the Commission will decide, based on the facts before it, how to proceed. Until then, this is an investigatory matter.

I hope you will reconsider your position and cooperate with us in our investigation. As you know, the Commission has ample authority to compel your client to furnish us with this information.

44

I am hopeful this matter can be resolved in an amiable fashion without need for more formal investigative tools.

Sincerely,

Stephen E. Joyce
Trial Attorney
Division of Administrative
Litigation
(301) 492-6626

CC: TWC-RD

45

File

SANBORN
AIR COMPRESSORS

SA N EP

SANBORN MANUFACTURING COMPANY, INC.

118 West Rock Street Springfield, Minnesota 56087 (507) 723-6211

January 24, 1985

Consumer Product Safety Commission
Washington, D.C. 20207

ATTN: Nancy Harvey Steorts

SUBJECT: F400108

Dear Mrs. Steorts:

With regard to the above named subject and the inquiry originating from Oregon.

We are currently in the process of completing our report on this situation and will have a response to you within a week.

Sincerely,

SANBORN MANUFACTURING COMPANY

Wm. C. Besse/jt

William C. Besse
President

WCB/slh

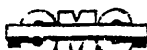
NATL. INST. FOR OCCUPATIONAL SAFETY & HEALTH
CLEANING

85 JAN 30 08:51

RECEIVED

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0823



UNITED STATES GOVERNMENT

U.S. CONSUMER PRODUCT
SAFETY COMMISSION

Memorandum

TO : CACA- Betty Fees
Thru: MWRO- James A. Miersch *RBJ FR JAM*

DATE: 2-1-85

FROM : *[Signature]*
TWN-RP John F. Rabusch

SUBJECT: Memo of Telephone Conversation

Ref. Sanborn Mfg. Co
Springfield, Mn.

Today I spoke with Jerome Pederson, Attorney for the referenced firm regarding their response to CACA letter dated 12-4-84.

Mr. Pederson stated that they have retained the firm of Williams, Cuttler, and Pickering in Washington D. C. and that a Mr. Ronald Greene of that firm will answer the CACA letter.

[Handwritten mark]

Jack Rabusch
Twin Cities

14 DEC 1984

Mr. Jerome B Pederson, Esquire
Fredrikson, Byron, Colborn, Bisbee & Hansen
4744 IDS Center
Minneapolis, Minnesota 55402

Re: CPSC 84M130
Pressure Relief Valves
Pressure Limiting Switches

Dear Mr. Pederson:

On September 21, 1984, Mr. John Rabusch, Investigator, with the Commission's Twin Cities Resident Post, visited with you at the premises of your client, Sandborn Manufacturing Co., 118 West Rock Street, Springfield, Minnesota, concerning the implementation of a regional field safety program by Sandborn.

The field safety program involved the replacement of pressure relief valves and pressure limiting switches on air compressors. It is our understanding that this program commenced in May, 1983, following the receipt by Sandborn of 18 claims involving personal injury, for damages caused by the air compressors.

During this inspection, the Commission investigator was denied certain information pertinent to these incidents. You contended that other than the Air Wagon compressor, Model No. 19M33-2, 1/3 h.p., 80 p.s.i., the air compressors manufactured by Sandborn are not consumer products.

Determining whether Sandborn's air compressors are consumer products, as defined in the Consumer Product Safety Act (CPSA, Act, 15 U.S.C. 2051 et. seq.), requires a factual determination. Cf. Nat'l Nutritional Foods Ass'n. v. Weinberger, 512 F.2d 688, 701 (2d Cir. 1975). A decision that any product fits the statutory definition must necessarily be based on a factual analysis of the use and marketing practices of that product. It is the facts of how and where a product is used, and to whom and what purpose it is produced, distributed, or sold that determines if it is a consumer product.

u/8

Congress gave the Commission the authority to obtain this information along with the responsibility to determine whether or not a product is a consumer product. We therefore request your cooperation in providing the necessary information to Mr. Rabusch in order to allow the Commission to make this judgement. Specifically, the information needed is the following.

1. Copy of tests and analyses that disclosed loading (limiting) switches and pressure relief valves which failed to function properly.
2. The defect theory for the failure of the pressure relief valves provided by Advanced Diecasting, Milwaukee, Wisconsin.
3. Identification of the supplier for the pressure loading switches.
4. Copies of tests for the reliability of those air compressors distributed since January 1, 1972.
5. An explanation of any changes (e.g. design, adjustments, additional parts, quality control, testing) to correct the defect.
6. Identification of each model number and number of units for each model produced, and distributed annually.
7. Number of units at the various levels of distribution, including private labels, if known, with distributors, retailers and consumers.
8. Copies of tests for the reliability of the replacement pressure loading switches and pressure relief valves.
9. Copy of distribution list.
10. Copies of printed counter posters and newspaper advertisements.
11. Copies of all safety related complaints, injury reports, lawsuits, and any or all claims involving the Sanborn air compressors with the names and addresses of the complainants.
12. An explanation as to why all units are not faulty since the field safety program has been limited to those larger dealers who maintain a repair facility at their stores.

A copy of this letter is being sent to Mr. Rabusch, who will be contacting you in the near future to set up a convenient time to go over this material and secure copies as indicated. Should you have any questions concerning the information desired or if you would prefer a meeting with our staff in Washington, D.C., please telephone me at 301-492-6608.

Sincerely,

Betty Fees, Compliance Officer
Division of Corrective Actions
Directorate for Compliance and
Administrative Litigation

cc: Jack Rabusch

Twin Cities Resident Post

CICA/Fees/tab/11/29/84

q. E. H. R. D. J. e.

50



U.S. CONSUMER PRODUCT SAFETY COMMISSION

WASHINGTON, D.C. 20207

~~1. DON~~
~~2. JWA~~
 3. File

Mr. Jerome B Pederson, Esquire
 Fredrikson, Byron, Colborn, Bisbee & Hansen
 4744 IDS Center
 Minneapolis, Minnesota 55402

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51

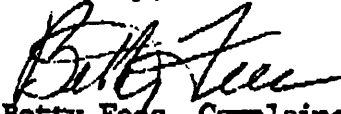
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52

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Sincerely,



Betty Fees, Compliance Officer
Division of Corrective Actions
Directorate for Compliance and
Administrative Litigation

cc: Jack Rabusch

Twin Cities Resident Post

53

CACA

11/30/84

Midwestern Regional Office

Advanced Diecasting Co.
Milwaukee, WI.

Pressure Relief Valves/Air Compressors

✓ Sanborn Manufacturing, Co.
Springfield, IL.

Investigation #: 84M130

Summary and Recommendation

We have submitted an Summary and Recommendation (10/16/84) recommend ing a file be opened on Sanborn's air compressors and some thought be given to also charging them with failing to report. Part of their "Field Safety Program" for field modifications of thier air compressors involved replacing the units original adjustable pressure relief valves with a non-adjustable type. As their original valves were manufactured by Advanced Diecasting Co., (ADC), we inspected them on 11/7/84 to determine if there were possibly a problem that does relate to their valves. We found that they have been manufacturing these valves for the past 20 years and have received no other reports like the one they received from Sanborn. A copy of our 11/7/84 EIR is attached for your review. Our inspection at ADC does not seem to answer all of the questions concerning Sanborn's problem. If the pressure relief valves are involved, it is interesting that ADC reports selling 150,000 to 200,000 such valves per year to other air compressor manufacturers. Yet they do not appear to be experiencing the same difficulties that Sanborn has. If Sanborn's problem is really with their air compressor tanks, does their current valve offer pressure relief at a lower pressure than the original model valve? Perhaps we could submit this question and several others to Sanborn in our case opening letter or subsequent communique to the firm. During our 9/21/84 inspection of Sanborn, they indicated that their study which began during the fall of 1982 disclosed several things to them. If we make any requests to them for information or records, the test results would be helpful in determining what exactly they did learn from it.

At this time we have not examined any physical samples of the compressors in question. Does their current "CAP" really solve the problem? During the above inspection Sanford declined to furnish us complete distribution information on the grounds these compressors were not consumer products. We think our subsequent visits to several dealers who were found to sell them had established that they are consumer products. Perhaps their distribution list can now be obtained.

54

We also determined during Sanborn's inspection that 18 claims have been filed concerning their compressors, 11 of which involved injury. The firm reported "...the majority of these claims were received in the past few years". Specific information from the firm about these cases would also be helpful.

Donald L. Dovel
Hazard Assessment Committee
Midwestern Regional Office

DLD:vlb

Orig + cc: CACA
cc: E/F-Sanborn
cc: R/F
cc: DLD

55

INSPECTION-INVESTIGATION COVERSHEET

1. AREA OFFICE MW-RO		2. OPERATION Insp. <u>X</u> Inv. _____		3. DATE 11-7-84		4. REPORT NO.	
5. ESTABLISHMENT NAME Advanced Diecasting Co.					6. FIRM IDENTIFICATION NO.		
7. ESTABLISHMENT ADDRESS 3760 N. Holton Milwaukee, Wi. 53212				8. RELATED FIRMS None			
9. PRODUCTS INSPECTED pressure relief valves				10. OTHER REGULATED PRODUCTS None			
11. ESTAB. TYPE Mfg.		12. ANN. SALES	a. PRODUCTS INSPECTED \$ _____ Units <u>175,000</u>		b. OTHER REG. PRODS. \$ _____ Units <u>unk</u>		c. TOTAL (Inc. non-reg.) \$ <u>unk</u>
13. I.S. BUSINESS Rec. <u>50</u> % Sold <u>90</u> %		14. SAMPLES COLLECTED None			15. PROJECT 95626		16. HOURS tr ½ 10
17. REASON FOR INSPECT./INVEST.-DOC. REF. followup to Tw Cities RP inspection							
18. EMPLOYEE'S NAME Sandra L. Glazier			19. TITLE Investigator			20. SIGNATURE <i>Sandra Glazier</i>	
21. ENDORSEMENT <p>This firm was inspected as follow-up to the Sanborn Manufacturing Company inspection which indicates that Sanborn is having trouble with this firms pressure relief valves.</p> <p>The inspection revealed that the firm is aware of problems that Sanborn is having with their air compressor tanks exploding. Mr. Elmer Bieri, Vice President of Engineering, indicated that Sanborn had contacted the firm that they were conducting a possible recall because of this problem and Sanborn alledged that this firm's pressure relief valves might be part of the problem. Mr. Bieri stated that they do not believe that their valves are at fault and that testing has indicated that the valves are properly operating within limits. Mr. Bieri went on to explain that they have not had any other reports of problems from their other customers and again they believe that their valves are not at fault. Advanced has been named as a co-defendent in a lawsuit filed by a Sanborn customer that claims that he was injured in an explosion of a Sanborn air compressor tank.</p> <p align="right">56</p> <p>F/U: MWRO HAC review</p>							
22. ENDORSER'S NAME James A. Miersch			23. TITLE SPSI			24. SIGNATURE <i>James A. Miersch</i>	
25. ENDORSEMENT DATE 11-21-84			26. DISTRIBUTION 0=MWRO thru Compliance cc-Sanborn file cc-CAGA, B. Fees cc=MIL-RP				

ETR 11-7-84 SLG

Advanced Diecasting Company
3760 North Holton
Milwaukee, Wisconsin 53212

SUMMARY:

This inspection was initiated as a follow-up to a Twin Cities Resident Post inspection of Sanborn Manufacturing Company, Springfield, Minnesota. It was determined there that some Sanborn air compressors, which that firm is recalling due to an explosion hazard, contained a pressure relief valve manufactured by Advanced Diecasting Company, Milwaukee, Wisconsin.

Advanced Diecasting manufactures two pressure relief valves, part number 100 and part number 200. Part number 200 is the one used on the Sanborn product. Advanced has been manufacturing this valve for over 20 years. There was a design change in 1972. The firm denies any injuries or complaints on the new design until October 5, 1984 when it received a summons naming Advanced and Sanborn as co-defendants in a lawsuit which alleges that a Sanborn compressor exploded and injured the user.

The firm was made aware of the Sanborn tank explosion problems in early 1983. Discussion and testing results lead the firm to take the position that the valve is in no way defective. They further contend that none of their other customers have reported any problems with the valve and that evidently Sanborn tanks are bursting because of rusting out caused by condensation which they state would have nothing to do with the valve.

STRUCTURE AND TYPE OF BUSINESS:

Advanced Diecasting, 3760 North Holton, Milwaukee, Wisconsin 53212 is a Wisconsin corporation and has been in business at this same location since 1920. The firm's home office and all three manufacturing plants are located in Milwaukee, Wisconsin.

Corporate officers, all active, are as follows: President and Treasurer - Richard Qmann, Executive Vice-President - Donald Warsek, Vice-President of Engineering - Elmer Bieri, Secretary - Albert Reiske. Mr. Kenneth Sauter is Production Manager. He reports to Mr. Warsek.

The firm's major business is in aluminum and zinc diecasting. The firm also manufactures two pressure relief valves which are marketed throughout the United States by company salesmen.

PERSONS INTERVIEWED:

Credentials were presented and a Notice of Inspection issued to Mr. Elmer Bieri, Vice-President of Engineering. The entire interview was conducted with him and all information obtained from him.

57

Advanced Diecasting Company
Milwaukee, Wisconsin 53212

PRODUCT INFORMATION:

The firm manufactures two pressure relief valves, part 100 and part 200. Part 100 can be used only on carrying tanks, part 200 can be used on both air compressors and carrying tanks. They are structured of diecast zinc alloy and utilize a plunger type shut-off for air control. The valve incorporates a built-in spring loaded poppet with adjustable lock nut. The valves are recommended for use with up to 250 pounds line pressure. The valves are not factory set. The manufacturers of equipment utilizing the valve sets it. The valve setting can be changed by the end user.

A copy of literature on the valves was provided and is attached as Exhibit #1.

DISCUSSION WITH MANAGEMENT:

Mr. Bieri was aware of Sanborn Manufacturing Company's allegations that the exploding tanks were caused by defective valves. He stated that the valve used on the Sanborn product was the part number 200. The firm has been manufacturing this valve for about 20 years. Mr. Bieri stated that around 1972 there was a design change. The original design was such that if the valve was readjusted and the neoprene rubber seal was forced onto its seat, it could adhere to the seat and prevent air from escaping. There also was a vent hole problem. This was discovered after consumer complaints about the problem. Mr. Bieri denied any accidents, explosions, injuries or property damage. He stated that he could not provide any confirming records as they were all destroyed by a flood in the early 1970's. He stated that the newer design, which has been in use since 1972 eliminates the problem by the utilization of a different material for the seal, that being polyurethane, which does not stick.

Mr. Bieri stated that the Sanborn problem concerns tank compressors manufactured after the new designed valves were put into use.

He states that in early 1983, he got a telephone call from Sanborn which stated that they were having a problem in the field and were considering a recall and wanted Advanced to participate in the recall. This was followed by a letter which was unavailable for copying.

Mr. Bieri visited Sanborn on March 30, 1983, and discussed the matter with them. He arranged to have some compressors which Sanborn got back forwarded for testing.

At this point, to the best of his knowledge, there had been two tanks which ruptured, but there were no injuries involved.

58

A 4-4-83 letter to this effect was sent to Advanced insurance carrier. A copy of it is attached as Exhibit #2. Provided and attached as Exhibit #3 is a letter from Sanborn dated 4-8-83 which confirms the fact that the units would be sent for testing. Provided and attached as Exhibit #4 is the follow-up letter from Sanborn dated 5-11-83. Mr. Bieri said the video tape referred to in the letter showed tanks being exploded.

Provided and attached as Exhibit #5 is a June 9th letter from Advanced's attorney to their insurance carrier advising them of the possibility of a lawsuit from Sanborn to recover the cost of the recall and its 6-10-84 follow-up.

Provided and attached as Exhibit #6 are a 6-10-83 request from Sanborn's attorney for response to the testing and the 6-14-84 response from Advanced's attorney that the testing showed the valves to be functioning properly. Provided and attached as Exhibit #6a is a June 22, 1983 cover letter and test report sent to Advanced. The test report show the valves to be functioning within limits.

Provided and attached as Exhibit #7 is a cover letter dated 6-27-83 referring to the return of the valves.

Provided and attached as Exhibit #8 are test results of a group of valves tested on 8-5-83.

Provided and attached as Exhibit #9 is a September 7, 1983 letter from Advanced's attorney to Sanborn's attorney which states that units tested by Sanborn were all of the old design and that there is no problem with the new design of valves which were on the product being recalled.

Mr. Bieri stated that the firm, after this, heard nothing more from Sanborn or their attorneys or the problem itself until October 5 of 1984 when Advanced received a summons and a complaint naming Advanced and Sanborn Company as defendants in a lawsuit filed by a Missouri consumer who alleges that he was injured in an explosion of a Sanborn air compressor. Mr. Bieri refused further information on the lawsuit at this time. It has been turned over to his insurance carrier, Home Insurance Company and is being handle by their adjustor, Mr. Wittig.

Mr. Wittig had called this office prior to the inspection and had stated that this claim was the only one ever recieved against Advanced.

Mr. Bieri stated that he would have no way of identifying the age or date of manufacture of a valve - only by design could he tell if it was manufactured before or after 1972.

59

He stated that the firm sells between 150,000 to 200,000 valves per year and no other customers have reported any problems. He reported his larger customers of the valve to be:

- 1) Campbell Hausfeld
Harrison, Ohio
- 2) Thomas Industries
Sheboygan, Wisconsin
- 3) Flightway
Horicon, Wisconsin
- 4) Champion Pneumatic
Princeton, Illinois

Mr. Bieri stated that Sanborn alleges that the tanks are rupturing due to weakening from rust build-up due to condensation inside the tank.

Mr. Bieri states that the valve can not cause this. He states that 1) condensation does not come from air it comes from moisture, 2) air from the valve does not enter the tank from the valve, and 3) even if the valve should malfunction, a second pressure relief valve in the tank should function.

EXHIBITS:

- 1 - Product literature
- 2 - 04-04-83 letter
- 3 - 04-08-83 letter
- 4 - 05-18-83 letter
- 5 - 06-99 & 06-10 letters
- 6a - 06-22-83 letter
- 7 - 06-27-83 letter
- 8 - 08-05-83 letter
- 9 - 09-07-83 letter
- 10 - 06-10-11 letter and 06-14-83 response

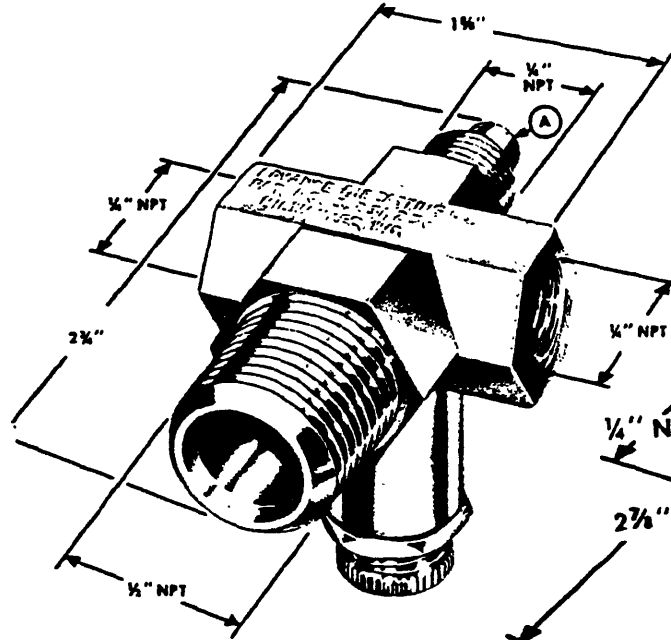
Sandra L. Glazier
Investigator
Milwaukee Resident Post

60



SPECIAL PRODUCTS

from
Advance Die Casting Company



SHUTOFF MANIFOLD

PART #100

or

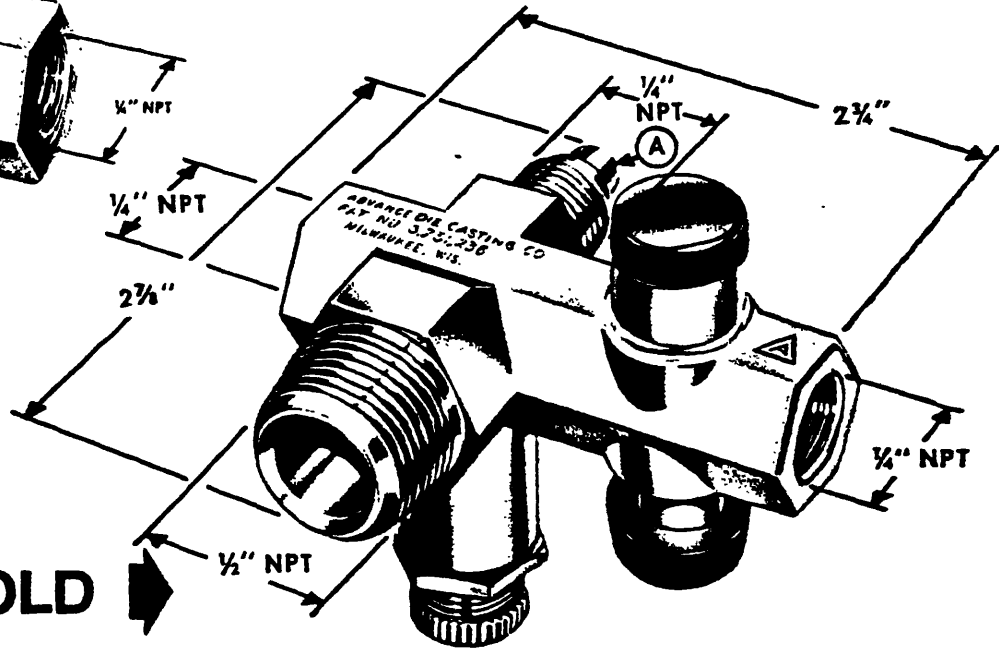
#101 with Filler Valve at Point "A"

CROSS MANIFOLD

PART #200

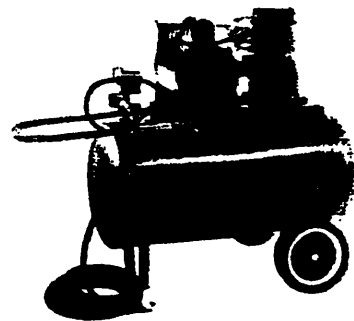
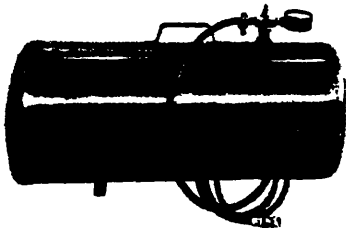
or

#201 with Filler Valve at Point "A"



IDEAL FOR COMPRESSORS OR CARRY TANKS

Cross Manifolds or Shut-off Manifolds are ideally suited to light air compressors and other pneumatic system applications. Bodies are of die cast zinc alloy. Simple plunger type shut-off assures reliable air control. The valve incorporates a built-in spring loaded poppet with adjustable lock nut. Recommended for use up to 250 pounds line pressure.



Shipments: F.O.B. Milwaukee
Samples furnished on request
Prices subject to change without notice

Please contact our Sales Department for current prices

ADVANCE DIE CASTING COMPANY

3760 North Holton Street • Milwaukee, Wisconsin 53212 • Phone (Area Code 414) 964-0284

61
EX 1
SAC
11-7-



SPECIAL PRODUCTS

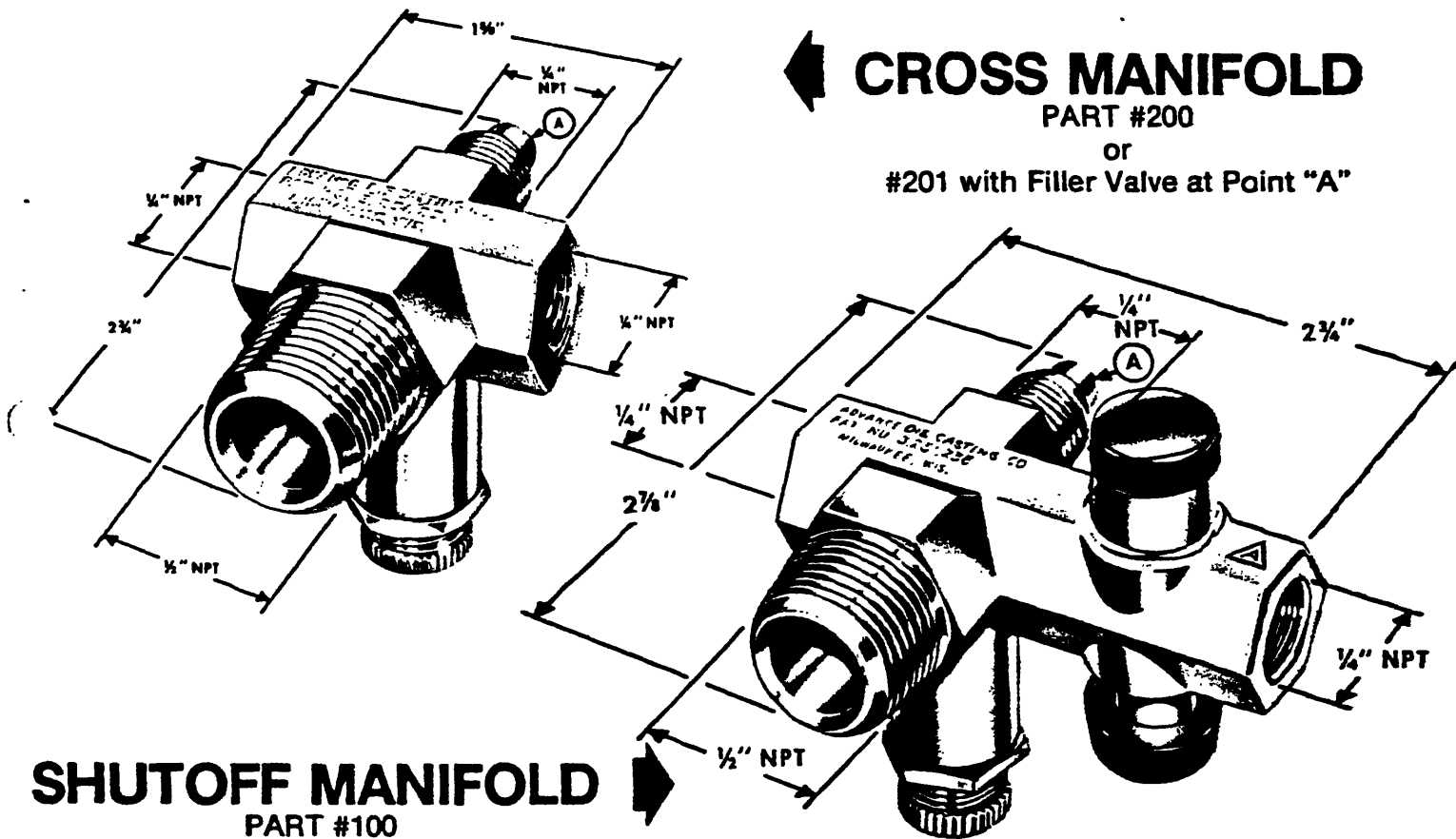
from
Advance Die Casting Company

CROSS MANIFOLD

PART #200

OR

#201 with Filler Valve at Point "A"



SHUTOFF MANIFOLD

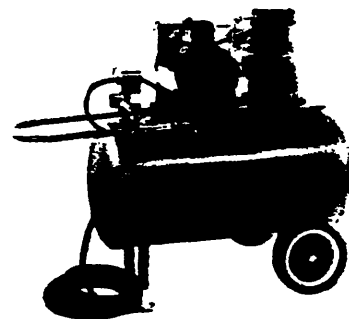
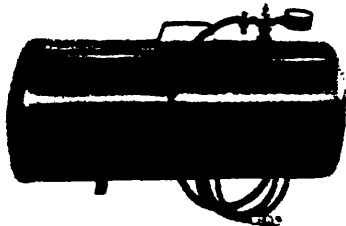
PART #100

OR

#101 with Filler Valve at Point "A"

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3760 North Holton Street • Milwaukee, Wisconsin 53212 • Phone (Area Code 414) 964-0284

62
EX 1
516
11-7-84

April 4, 1983

Corroon & Black of Wisconsin Inc.
525 East Michigan Street
Milwaukee, WI 53202

Attention: Gilbert Marshall

Dear Mr. Marshall:

Confirming our conversation of March 31, 1983 regarding our Valve and Sanborn Mfg. Company, I visited Sanborn on March 30, 1983 and was informed that ~~the~~ two compressors burst in the field due to some malfunction, but to this date no inquiries have occurred.

Sanborn's only intent at this time is to retrofit some component parts on existing compressors to avoid the possibility of an accident.

Sincerely,

Elmer E. Bleri
Vice President Engineering & Safety Director

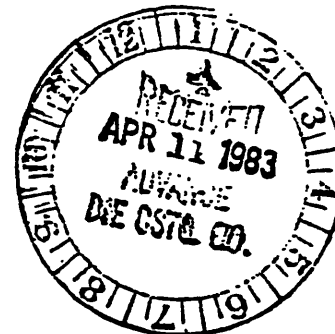
EEB/clt

67
Ex 2
SLH
11/7/84



118 WEST ROCK STREET
SPRINGFIELD, MN. 56087
PH. (507) 723-6211

"QUALITY IS OUR STANDARD"



April 8, 1983

Advance Die Casting
3760 North Holton Street
Milwaukee, WI 53212

ATTN: Elmer Bieri

Dear Elmer:

This is to confirm our recent telephone conversation.

Next week we will be shipping you the air compressor you had requested for testing. We are in the process of having a copy of the video tape made for you. It should be completed and mailed to you in the near future.

Please advise at your earliest convenience the results of your testing on the cross manifolds. After your receipt of the unit and the video tape for inspection, we await your early reply.

Sincerely,

SANBORN MANUFACTURING COMPANY

William C. Besse
Executive Vice-President

WCB/slh

c.c.: Jerry Ramsbacher

64
EX 3
SLG
11/7/89



118 WEST ROCK STREET
SPRINGFIELD, MN. 56087
PH. (507) 723-6211

"QUALITY IS OUR STANDARD"



May 11, 1983

Advance Die Casting
3760 North Holton Street
Milwaukee, WI 53212

ATTN: Mr. Elmer Bieri

Dear Elmer:

It has been 30 days since shipment of the air compressor you had requested for testing and also the video tape made for you.

Please advise the status of your inspection of each item.

Sincerely,

SANBORN MANUFACTURING COMPANY

Wm. C. Besse
jt

William C. Besse
President

WCB/jlt

c.c.: Jerry Ramsbacher
Jerry Pederson

*2 w. 2 copies from
5-30-83*

65

*EX 4
SLG
11/7/84*

PETRIE, STOCKING, MEIXNER & ZEISIG

S.C.
ATTORNEYS AT LAW

850 MARINE PLAZA

111 EAST WISCONSIN AVENUE

MILWAUKEE, WISCONSIN 53202

414 276-2850

LEWIS A. STOCKING
EARL L. MEIXNER
EDMOND F. ZEISIG
JAMES R. PETRIE
JAMES L. STOCKING
JOHN J. ROMANN
JOHN A. STOCKING
HARRY F. PECK
DANIEL E. STOCKING
ROBERT M. SALINGER
LYNN CAREY
MICHAEL R. STEIN

MAX W. NOHL 1885-1934
LEO F. NOHL 1901-1981
NELSON F. PETRIE 1918-1978

COURT COMMISSIONERS
HARRY F. PECK
DANIEL E. STOCKING

June 9, 1983

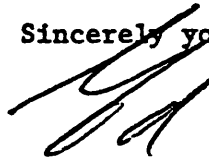
Mr. Richard Omann
Advance Die Casting Co.
3760 N. Holton Street
Milwaukee, Wisconsin 53212

Dear Dick:

Enclosed herewith is a copy of a letter which I have sent to your insurance agent which is self-explanatory.

Also enclosed is a draft of a proposed letter to Sanborn Manufacturing Company. I think it would be better if this letter came from you rather than from our office. The letter is short and to the point, and the next move will be up to Sanborn.

Sincerely yours,



Edmond F. Zeisig

EFZ:ak

Rec'd 6-21-83

*EFZ
2/24
11-7-84
66*

PETRIE, STOCKING, MEIXNER & ZEISIG

S.C.
ATTORNEYS AT LAW

880 MARINE PLAZA

111 EAST WISCONSIN AVENUE

MILWAUKEE, WISCONSIN 53202

MI4 276-2850

LEWIS A. STOCKING
EARL L. MEIXNER
EDMOND F. ZEISIG
JAMES R. PETRIE
JAMES L. STOCKING
JOHN J. ROMANN
JOHN A. STOCKING
HARRY F. PECK
DANIEL E. STOCKING
ROBERT M. SALINGER
LYNN CAREY
MICHAEL R. STEIN

MAX W. MOHL (1898-1934)
LEO F. MOHL (1901-1981)
NELSON F. PETRIE (1918-1978)

COURT COMMISSIONERS
HARRY F. PECK
DANIEL E. STOCKING

June 9, 1983

Corroon & Black of Wisconsin, Inc.
525 E. Michigan Street
Milwaukee, Wisconsin 53202

Gentlemen:

We are the attorneys for Advance Die Casting Company.

Our client has previously advised you that Sanborn Manufacturing Co. of Springfield, Minnesota, has made a claim that certain poppet valves purchased from Advance Die Casting Company during the period from 1972 through 1975 are defective, and that there have been incidents of compressed air tanks which Sanborn had sold bursting because of the failure of the poppet valves to release. Sanborn also claims that tests conducted by them indicated the valves were defective. In order to avoid possible serious injury to customers, Sanborn Manufacturing Co. is going to institute a recall program, the estimated costs of which will be 1.9 million dollars. They have asked Advance Die Casting Company to make a contribution to that cost.

Sanborn Manufacturing Co. has provided Advance Die Casting Company with certain of the poppet valves they had on hand and Advance Die Casting Company has conducted its own tests, the results of which Sanborn Manufacturing Co. has requested Advance Die Casting Company to disclose. We feel that any insurance carrier Advance Die Casting Company has which may be liable in the event Sanborn Manufacturing Co. should recover a Judgment against Advance Die Casting Company for the cost of the recall program should be notified of the situation and should be consulted as to whether they want the test results obtained by Advance Die Casting Company disclosed to Sanborn Manufacturing Co. We are, therefore, asking you as Advance Die Casting Company's insurance agent to give appropriate notification to the insurers involved and to consult with them as to their wishes with respect to disclosure of the test results.

If we do not hear from you within the next ten days, we will assume that none of the insurers involved had any objection to disclosure of the results and will make them available to Sanborn Manufacturing Co.

Yours respectfully,

PETRIE, STOCKING, MEIXNER & ZEISIG S.C.

Edmond F. Zeisig

EFA:ak
cc: Advance Die Casting Co.

COPY

Rec
5-10-83

67



Rec
6-16-83

CORROON & BLACK OF WISCONSIN, INC.
525 East Michigan Street • Milwaukee 53202
414-271-9800 Cable: CBRCO Telex 26-836

**Insurance Agents
International Brokers
Risk Management Services**

June 10, 1983

Attorney Edmund F. Zeisig
Petri, Stocking, Neixner & Zeisig
111 East Wisconsin Ave.
Milwaukee, Wis. 53202

Re: Advance Die Casting Co.

Dear Mr. Zeisig:

I would like to take this opportunity to acknowledge receipt of your letter dated June 9, 1983.

Although the previous liability policy, as well as the current liability policy, does not provide for cost of recall, nor defective workmanship, unless resulting in bodily injury or property damage, I have forwarded your letter to the Home Insurance Co. as well as the U.S. F&G Co.

As soon as their reply is received, I will forward it to you.

If I can be of any other assistance, please do not hesitate to call me.

Sincerely,

G. J. Marshall
Asst. Vice President

p

cc: R. Omann
H. Chiodo
H. Stout

68

Rec
6-16-83

FREDRIKSON, BYRON, COLBORN, BISBEE & HANSEN

A PROFESSIONAL ASSOCIATION

4744 IDS CENTER

MINNEAPOLIS, MINNESOTA 55402

TELEX 280568 FREDRIKSON MPS

CABLE FREDLAW

TELECOPIER (612) 347-7070

TELEPHONE (612) 347-7000

WRITERS DIRECT DIAL NUMBER

347-7006

June 10, 1983

HAROLD M. FREDRIKSON
JOHN P. BYRON
EARL F. COLBORN, JR.
GERTIN A. BISBEE, JR.
JOHN M. PALMER
RICHARD S. HANSEN
JEROME B. PEDERSON
ROBERT S. WESSER
ROBERT P. SANDS
KEITH A. LIBBEY
TERENCE M. FRUTH
JOHN W. BYGUT
JAMES L. GALLIE
R. GEDFRAM BRECHER
WARREN S. HACE
JOHN L. POWERS
GUNTIN T. JOHNSON
TIMOTHY M. KEANEY
FREDERICK E. FINCH
THOMAS W. BARTON
JUDITH L. DOWDLE
JOHN A. SATORIUS
MICHAEL A. STERN
NEIL A. WEISARY

WILLIAM J. BRODY
JOHN W. MEHLE
THOMAS S. FRASER
JOHN A. BRIMFAD
ERIC S. ANDERSON
DAVID S. BUSCH
DAVID C. BRUDJ
JACK P. HELMS
RONRAD J. PRIDEEMANN
JOHN J. EDWART
JOHN S. ESBY
CATHLEEN A. HUNMER
JOHN S. GERECH
TED S. MEHLE
MICHAEL D. EROLL
ELLEN BUCHIN
JAMES F. EVERT
JAMES S. PLATT
PETER M. TREMBATH
DAVID P. SUNDE
ANN E. GEEKER
JAMES E. VAN VALENBURG

PATENT COUNSEL
JAMES B. WALLER

Edmond F. Zeisig
Petrie, Stocking, Meixner
& Zeisig, S.C.
111 East Wisconsin Avenue
Milwaukee, WI 53202

Re: Sanborn Manufacturing Company vs. Advance Die Casting Company

Dear Mr. Zeisig:

Our respective clients have been dealing directly since our meeting in Milwaukee on March 17, 1983. I am writing you at this time because your client has not responded to inquiries from our client and specifically to the letter of Mr. William C. Besse dated May 11, 1983.

If your client has decided to break off discussions with our client I think we are entitled to be so advised. On the other hand, if your client still intends to cooperate towards an amicable resolution of this matter perhaps you can do whatever is necessary to get the discussion back on course.

Please advise.

Sincerely yours,

Jerome B. Pederson

JBP:tlg

William C. Besse

Ex 6
SMB
11-1-84
69

PETRIE, STOCKING, MEIXNER & ZEISIG
S.C.

ATTORNEYS AT LAW

850 MARINE PLAZA

111 EAST WISCONSIN AVENUE

MILWAUKEE, WISCONSIN 53202

W14 276-2850

LEWIS A. STOCKING
EARL L. MEIXNER
EDMOND F. ZEISIG
JAMES R. PETRIE
JAMES L. STOCKING
JOHN J. ROMARK
JOHN A. STOCKING
HARRY F. PECK
DANIEL E. STOCKING
ROBERT M. BALINGER
LYNN CAREY
MICHAEL R. STEIN

MAX W. NOHL 1898-1934
LEO F. NOHL 1901-1961
NELSON F. PETRIE 1918-1978

COURT COMMISSIONERS
HARRY F. PECK
DANIEL E. STOCKING

Rel
6-13-83

June 14, 1983

Mr. Jerome B. Pederson
Fredrikson, Byron, Colborn,
Bisbee & Hansen
4744 I D S Center
Minneapolis, Minnesota 55402

Dear Mr. Pederson:

IN RE: SANBORN MANUFACTURING COMPANY VS.
ADVANCE DIE CASTING COMPANY

If your client has not already heard from Advance Die Casting Company, they will within the next several days. It is my understanding, however, that the tests conducted by Advance Die Casting Company of valves which were in use during the period involved in your client's recall, without exception demonstrated performance with a substantial margin of safety. Those results are being forwarded to your client.

Sincerely yours,

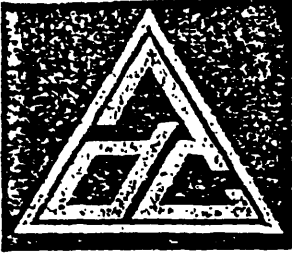
Edmond F. Zeisig

EFZ:ak

cc: Advance Die Casting Company

COPY

70



Advance Die Casting Company

3760 NORTH HOLTON STREET • MILWAUKEE, WISCONSIN 53212

(414) 964-0284

June 22, 1983

Sanborn Manufacturing Company
118 West Rock Street
Springfield, MN 56087

Gentlemen:

We are enclosing herewith the results of tests conducted by us on the various poppet valves you made available for the purpose. We have not included any results relating to the valves which would not have been used in tanks manufactured during the period from 1972 through 1978 since those are the years involved in your recall program.

As you can see from the test results, without exception the valves functioned with a substantial margin of safety. We can only conclude therefore that the problem you have encountered must have been the result of some other cause.

Sincerely,

Elmer E. Bieri

Elmer E. Bieri
Vice President - Engineering

ADVANCE DIE CASTING COMPANY

EEB/clt

Enclosure

Ex 6A
526
11/7/84

71

June 27, 1983

Sarborn Manufacturing Company
118 West Rock Street
P.O. Box 29
Springfield, NH 56087

Attention: William C. Besse

Dear Mr. Besse:

Enclosed are the thirteen (13) valves that we have analyzed and furnished a report per my letter of June 22, 1983.

Each valve is tagged with a number and this should correspond with our report.

Sincerely,

Elmer E. Bieri
Vice President - Engineering, Safety Director

EEB/clt

Enclosure

FY1
SAG
11-784 73

August 16, 1983

Page Two

Attention: Ed Zelsig

August 16, 1983

Records as to the time when these valves were put into production, but I would presume this was done very shortly after the change.

Petrie, Stocking, Weixner, & Zelsig
850 Marine Plaza
111 East Wisconsin Avenue
Milwaukee, WI 53202

Attention: Ed Zelsig

Dear Mr. Zelsig:

Following is the report of Valves tested at Advance on August 5, 1983. Valves, as furnished by Sanborn, just removed from compressors and never tested.

	<u>Leak</u>	<u>Pop Off</u>	<u>2nd Pop.</u>	<u>Sanborn No.</u>
1.	140 lbs.	155 lbs.	No check	H-22
2.	175 lbs.	250 lbs.	215 lbs.	H-21
3.	200 lbs.	200 lbs.	150 lbs.	H-23
4.	175 lbs.	180 lbs.	130 lbs.	H-24
5.	235 lbs.	235 lbs.	200 lbs.	H-25
6.	200 lbs.	215 lbs.	190 lbs.	H-26
7.	No pop at 350 lbs.	Obstructed vent hole.		H-27

Valves previously tested at Sanborn:

1.	No pop or leak @ 375 lbs.	Black disc too tight on seat.	D-16-A	
2.	175 lbs.	235 lbs.	200 lbs.	D-23-A
3. Sanborn Test	225 lbs.	235 lbs.	230 lbs.	D-18-A
4. Advance Test	155 lbs.	220 lbs.	220 lbs.	D-18-A
5. Sanborn Test	315 lbs.	330 lbs.		D-9-A
6. Advance Test	300 lbs.	No Pop @ 350 lbs.		D-9-A

To the best of my information, the change on the pop-off vent hole was made in February 1972, and the discs were changed from neoprene rubber to polyurethane at the same time, February 1972.

74
E 8
9/16
11-7-84

August 16, 1983

Page Two

Attention: Ed Zeisig

I cannot find records as to the exact time these items were put into production, but I would presume this was done very shortly after we made the change.

Sincerely,
Elmer F. Bleal
111 East Wisconsin Avenue
Milwaukee, WI 53202

Elmer F. Bleal
Vice President - Engineering

EEB/clt
Zeisig:

Following is the report of Valves tested at Advance on August 5, 1983. Valves, as furnished by Samborn, just removed from compressors and never tested.

	<u>Leak</u>	<u>Pop Off</u>	<u>2nd Pop.</u>	<u>Samborn No.</u>
1.	140 lbs.	155 lbs.	No check	H-22
2.	175 lbs.	250 lbs.	215 lbs.	H-21
3.	200 lbs.	200 lbs.	150 lbs.	H-23
4.	175 lbs.	180 lbs.	150 lbs.	H-24
5.	235 lbs.	235 lbs.	200 lbs.	H-25
6.	200 lbs.	315 lbs.	170 lbs.	H-26
7.	No pop at 350 lbs.	Obscured vent hole.		H-27

Valves previously tested at Samborn:

1.	No pop at 350 lbs.	375 lbs.	Blank disc does set on seat.	V-13-A
2.	175 lbs.	235 lbs.	100 lbs.	D-25-A
3. Samborn Test	225 lbs.	235 lbs.	150 lbs.	D-16-A
4. Advance Test	155 lbs.	220 lbs.	220 lbs.	D-13-A
5. Samborn Test	315 lbs.	330 lbs.		D-9-A
6. Advance Test	300 lbs.	No Pop @ 350 lbs.		D-8-A

To our best of my information, the change in the pop-off test valve was made in February 1972, and the discs were changed from aluminum to polyurethane at the same time, February 1972.

75

PETRIE, STOCKING, MEIXNER & ZEISIG

S.C.
ATTORNEYS AT LAW

850 MARINE PLAZA

111 EAST WISCONSIN AVENUE

MILWAUKEE, WISCONSIN 53202

WIS 278-2850

LEWIS A. STOCKING
EARL L. MEIXNER
EDMOND F. ZEISIG
JAMES R. PETRIE
JAMES L. STOCKING
JOHN J. ROMANN
JOHN A. STOCKING
HARRY F. PECK
DANIEL E. STOCKING
ROBERT W. SALINGER
LYNN CAREY
MICHAEL R. STEIN

MAX W. HOWL 1935-1936
LEO F. HOWL 1901-1961
NELSON F. PETRIE 1916-1978

COURT COMMISSIONERS
HARRY F. PECK
DANIEL E. STOCKING

F.L.
9.8.83

September 7, 1983

Mr. Jerome B. Pederson
Fredrikson, Byron, Colborn,
Bisbee & Hansen
4744 IDS Center
Minneapolis, Minnesota 55402

Dear Mr. Pederson:

IN RE: SANBORN MANUFACTURING COMPANY VS. ADVANCE
DIE CASTING COMPANY

Although your client has tested 44 units manufactured by Advance Die Casting Company, I am of the opinion that virtually all of those units were manufactured before the year 1972 which is the time at which your client's recall program is commencing. Interestingly, I recall that Mr. William Besse stated on the occasion of our recent conference that Sanborn had no complaints from the field with respect to years prior to 1972.

The test conducted by Advance Die Casting Company of all valves manufactured after 1971 had a satisfactory level of performance with the exception of one valve which had an obstructed vent hole.

As you know, Mr. Pederson, there was a change made in the pop-off vent hole and in the disk early in 1972. On the basis of the test results it does not appear that there was any difficulty thereafter. Accordingly, it does not appear to us that there has been a showing of any substantial problem with the Advance Die Casting Company valves manufactured within the test period and on the basis of what we have seen, we cannot our advise our client to participate in the very costly program Sanborn is undertaking. If it can be demonstrated that we are in error as to the performance of the valves manufactured in 1972 and thereafter, we will be happy to have a second look at our position.

Yours respectfully,

PETRIE, STOCKING, MEIXNER & ZEISIG S.C.

Edmond F. Zeisig

EFZ:ak
cc: Advance Die Casting Company

76

EX 9
SLK
11/7/84

COPY

INSPECTION-INVESTIGATION COVERSHEET

1. AREA OFFICE MWRO		2. OPERATION Insp. <u>XX</u> Inv. _____		3. DATE 10/26/84		4. REPORT NO.	
5. ESTABLISHMENT NAME Quality Farm & Fleet					6. FIRM IDENTIFICATION NO.		
7. ESTABLISHMENT ADDRESS 3927 Lincoln Way East Wooster, Ohio 44691 & 2727 W. Fourth Street Mansfield, Ohio 44906				8. RELATED FIRMS Headquarters 1460 Whitehall Road North Muskegon, Michigan 49445			
9. PRODUCTS INSPECTED Air compressors				10. OTHER REGULATED PRODUCTS Items sold in discount stores			
11. ESTAB. TYPE Retail		12. ANN. SALES	a. PRODUCTS INSPECTED \$ <u>Not determined</u> Units _____		b. OTHER REG. PRODS. \$ <u>Not determined</u> Units _____		c. TOTAL (Inc. non-reg.) \$ _____
13. I.S. BUSINESS Not determined Rec. _____ % Sold _____ %		14. SAMPLES COLLECTED None			15. PROJECT 95626		16. HOURS 4 hrs travel 6 hrs.
17. REASON FOR INSPECT./INVEST.-DOC. REF. Inspections were conducted to obtain information concerning a repair program being conducted by Sanborn Manufacturing Co. on air compressors they manufactured. Assignment was in form of memo from MWRO Compliance dated 10/16/84.							
18. EMPLOYEE'S NAME Ed Blythin			19. TITLE Investigator			20. SIGNATURE Ed Blythin	
21. ENDORSEMENT Two Farm & Fleet Stores were inspected at the request of MW-RO Compliance Division. The purpose of the inspections was to determine the consumer product status of air compressors sold by Farm & Fleet that were built by Sanborn Manufacturing Co., Springfield, MN. Sanborn currently has a campaign to notify owners of a problem and arrange for repair of the compressors. Managers of both stores agreed that a number of Sanborn units are purchased by ordinary consumers for use around the home but neither would guess at a certain percentage of sales. One manager mentioned that his father has a Sanborn compressor for home use. The manager of the other store was aware that two ruptured tanks had been returned to his store but had no details. Both were aware of the Sanborn repair program. The firm's catalog with prices good through 12/24/84 has air compressors advertised on page 14, adjacent to automobile tires on page 15. Various other consumer products are advertised in the catalog. F/U: To MW-RO Compliance Division for review.							
22. ENDORSER'S NAME Eric B. Ault			23. TITLE S.I.			24. SIGNATURE Eric B. Ault	
25. ENDORSEMENT DATE October 31, 1984			26. DISTRIBUTION MW-RO (Sanborn e/f), cc: MW-RO Comp DVN, CLE-RP				

EIR 10-26-84 EB

Quality Farm & Fleet
2729 West 4th Street
Mansfield, Ohio 44906

3927 Lincoln Way East
Wooster, Ohio 44691

SUMMARY OF FINDINGS:

The above listed stores were inspected to obtain information about a repair program being conduct by Sanborn Manufacturing Company, Springfield, Minnesota on portable air compressors they manufacturer. Additionally, these inspections were conducted to attempt to determine if consumers purchased the compressors in question.

At the Mansfield store, credentials were shown and a Notice of Inspection issued to Mr. Dan Mills, Store Manager. I explained the purpose of my visit and asked Mr. Mills if he thought that any compressors sold by his store were purchased by consumers if a consumer was defined as a person who was not purchasing the compressor for use in a business or on a farm. Mr. Mills replied that he was sure that some of the compressors sold at his store were sold to consumers and he added that his father had one that he purchased for use around the house. I asked if he had any idea as to the percentage of compressors sold to consumers. Mr. Mills said he had no idea how many were sold to consumers, but he was sure that some were sold to consumers.

Mr. Mills was aware of the repair program being conducted by Sanborn and he indicated that his firm's headquarters would be able to supply information regarding ads that were run and fliers that were handed out by Farm & Fleet which explained the repair program.

Mr. Mills stated that he had been with Farm & Fleet for 5 years and they have been selling Sanborn compressors since he started.

A serviceman named Dan estimated that he has repaired approximately 30 compressors under the repair program. The exact figure, according to Mr. Mills could be obtained at the firm's headquarters located at 1460 Whitehall Road, North Muskegon, Michigan 49445. Headquarters sent a copy of the repair form attached to this report as Exhibit #1. 15

Attached to this report as Exhibit #2 is a catalog which was distributed at the Mansfield store. On page 14, under a section headed "Air Compressors and Welders," there appear ads for Sanborn compressors. Note that catalog also has several "firm" sections.

Attached to this report as Exhibits #3 and #4 are two advertising fliers. One is directed at farmers and the other to the general consumer. Listed on the back page of the fliers are the locations of Farm & Fleet stores. A review of these fliers at the firm's headquarters would probably disclose an ad for compressors in a flier aimed at the general consumer, according to Mr. Mills.

78

Quality Farm & Fleet
Mansfield, Ohio 44906
Wooster, Ohio 44691

Mr. Mills was not aware of any complaints relating to the Sanborn compressors.

At the Wooster store, credentials were shown and a Notice of Inspection issued to Mr. Steve Crabtree, Store Manager. I explained the purpose of my visit and asked Mr. Crabtree how he would describe his store, i.e., a department store, speciality store, etc. Mr. Crabtree described his store as a "discount store." I asked Mr. Crabtree if he thought any of the Sanborn air compressors sold by his store would have been bought for use around the home as opposed to being used in a business or on a farm. Mr. Crabtree responded that he was sure that some of the compressors were bought for use around the home.

Mr. Crabtree was also aware of the repair program being conducted by Sanborn. He stated that Sanborn had conducted a class for Farm & Fleet service personnel on how to repair the compressors in question. Attached to this report as Exhibit #5 is a copy of a manual which was given to the service personnel during these classes. Attached to this report as Exhibit #6 is a page from the manual that I copied by hand. (Mr. Crabtree did not want me to take page when I took the manual back to my office to copy. He wanted this information in case he got a call from a consumer who wanted to know if this particular model compressor was covered under the repair program.)

Mr. Crabtree stated that Farm & Fleet is a member of Mid States Buying Cooperative and this organization purchases compressors from Sanborn.

Mr. Crabtree was aware of two compressors being returned to his store because they had ruptured tanks. He could not supply any additional information, but he suggested that Farm & Fleet headquarters may have credit memos with some indication as to why the compressors were returned. Mr. Crabtree said the compressors were sent back to Sanborn.

Both stores that were visited had 3/4, 1 and 2 horsepower compressor models on display. Respective model numbers are 44A75-10, 64A100-14 and 104A200-22. Serial numbers on the 3/4 horsepower units on display were 10443 and 26075. Serial numbers on 1 horsepower models on display were 203673, 213496, 213424, 211184, 212062 and 210452. Serial numbers on 2 horsepower models on display were 42035, 68664, 68794 and 68793. (NOTE: Mansfield's store had one of each model on display and the serial numbers are listed first in each of the above sequences of serial numbers.)

79

Quality Farm & Fleet
Manasfield, Ohio 44906
Wooster, Ohio 44691

ATTACHMENTS:

- 1 - Repair form
- 2 - Catalog
- 3 - Ad flier
- 4 - Ad flier
- 5 - SMC repair program manual
- 6 - Hand-copied page from manual
- 7 - Farm & Fleet's service action packet
- 8 - Customer Information Notice
- 9 - Notice of Inspection
- 10 - Notice of Inspection
- 11 - Assignment

Edward Blythin

Edward Blythin
Investigator
Cleveland Resident Post

90

U. S. CONSUMER PRODUCT SAFETY COMMISSION

NOTICE OF INSPECTION

1. DATE 10/26/84	3. FROM (Field Office and Address) CPSC 1375 EUCCIO AVE. CLEVELAND, OHIO 44115
2. TIME A.M. 1:30 P.M.	

4. TO	A. NAME AND TITLE OF INDIVIDUAL STEVE CARROLL, STORE MANAGER
	B. FIRM NAME QUALITY FARM & FLEET
	C. NUMBER AND STREET ADDRESS 3927 LINDEN WOODS EAST
	D. CITY, STATE AND ZIP CODE WOOSTER OHIO 44691

Notice of Inspection is hereby given pursuant to:

- Flammable Fabrics Act (15 U.S.C. 1191 et seq.);
- Federal Trade Commission Act (15 U.S.C. 41 et seq.);
- Sections 16, 19 and 27 of the Consumer Product Safety Act (15 U.S.C. 2065, 2068 and 2076)
- Section 704(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(a)) [Authority for inspections in connection with the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 et seq.)] and/or
- Section 11(b) of the Federal Hazardous Substances Act as Amended (15 U.S.C. 1270(b)).

Refer to the back of this form for a discussion of inspectional authority and for pertinent statutory language.

41

*The functions of the Federal Trade Commission in the administration and enforcement of the Flammable Fabrics Act were transferred to the Consumer Product Safety Commission pursuant to Section 30(b) of the Consumer Product Safety Act (15 U.S.C. 2079(b)).

**Pursuant to Section 30(d) of the Consumer Product Safety Act, as amended (15 U.S.C. 2079(d)), the Commission by rule (16 CFR 1605.1 (d)) supplemented the authority granted to it under the Flammable Fabrics Act (15 U.S.C. 1191 et seq.) and the Federal Trade Commission Act (15 U.S.C. 41 et seq.) by making Sections 16 and 27 of the Consumer Product Safety Act (15 U.S.C. 2065 and 2076) applicable to products regulated under the Flammable Fabrics Act.

***The term "Secretary" in the Federal Hazardous Substances Act section and in the Federal Food, Drug, and Cosmetic Act section should be substituted by the term "Consumer Product Safety Commission".

Section 9 of the Federal Trade Commission Act, (15 U.S.C. 49):
That for the purposes of this Act, the Commission, or its duly authorized agent or agents, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any documentary evidence of any person, partnership, or corporation being investigated or proceeded against—

Sections 16(a) and (b) of the Consumer Product Safety Act** (15 U.S.C. 2065(a) and (b)):

(a) For purposes of implementing this Act, or rules or orders prescribed under this Act, officers or employees duly designated by the Commission, upon presenting appropriate credentials and a written notice from the Commission to the owner, operator, or agent in charge, are authorized

management of any person, partnership, or corporation engaged in or whose business affects commerce, excepting banks and common carriers subject to the Act to regulate commerce, and its relation to other persons, partnerships, and corporations.

U. S. CONSUMER PRODUCT SAFETY COMMISSION

NOTICE OF INSPECTION

1. DATE 10/26/84	3. FROM (Field Office and Address) CPSC 1375 EUCLID AVE. CLEVELAND, OHIO 44115
2. TIME 10:00 A.M. _____ P.M.	
4. TO	A. NAME AND TITLE OF INDIVIDUAL DAN MILLS, MANAGER
	B. FIRM NAME QUALITY FARM & FLEET
	C. NUMBER AND STREET ADDRESS 5727 W FORTH ST.
	D. CITY, STATE AND ZIP CODE MANSFIELD, OHIO

Notice of Inspection is hereby given pursuant to:

- Flammable Fabrics Act (15 U.S.C. 1191 et seq.);
- Federal Trade Commission Act (15 U.S.C. 41 et seq.);
- Sections 16, 19 and 27 of the Consumer Product Safety Act (15 U.S.C. 2065, 2068 and 2076)
- Section 704(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(a)) [Authority for inspections in connection with the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 et seq.)] and/or
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management of any person, partnership, or corporation engaged in or whose business affects commerce, excepting banks and common carriers subject to the Act to regulate commerce, and its relation to other persons, partnerships, and corporations.

*EBA - Have your R.P.'s check out
Farm & Fleet stores in their area*

UNITED STATES GOVERNMENT
Memorandum

U.S. CONSUMER PRODUCT
SAFETY COMMISSION

TO : Deputy Regional Director

FROM : Compliance Branch

SUBJECT: Inspection Request(s)

DATE 10/16/84

Mfg: Sanborn Manufacturing Co.
Springfield, MN.

*There is a Farm & Fleet
at Waikakee and at Sturtevant, WI*

841016CHI0051

We are submitting a Summary & Recommendation for opening a file to CACA dealing with the above firm's air compressors. During our 9/21/84 inspection at Sanborn we determined they have implemented a "Field Safety Program" which is along the lines of what we would call a recall with respect to their air compressors made between 1/1/72 and 8/31/78. While all units manufactured during this period are effected, Sanborn has only involved its Midwestern dealers with its "Field Safety Program". About May of 1983 Sanborn sent people out to its larger dealers and gave them instructions on how to repair air compressors. Additionally they tell us they furnished these dealers with a printed counter poster requesting the customer return their unit to the dealer for repair. The dealers were also furnished with the format for a newspaper ad making this request to their customers. The firm refused to provide further specific information during our inspection about their "Field Safety Program" on the grounds these compressors are not consumer products. We, of course, do not agree with their point of view.

In order to know more about the firm's above program please visit dealers's such as Janes Supply, Janesville, WI. and a couple of other ones in the Milwaukee area such as Fleet Farm or Farm and Fleet.



If we find they do sell Sanborn's air compressors determine what type of customer purchases them. Also find out how long they have been selling them and whether or not they have received any complaints concerning them. If so, did they refer the complaint to Sanborn? We should also learn as much as we can about Sanborn's "Field Safety Program", during our visits and get copies of any written documents they have concerning this program.

*Quality Farm & Fleet
Middletown, Ohio.*

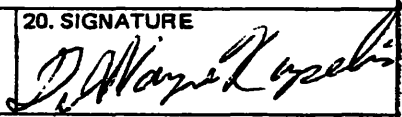

Donald L. Dovel

Donald L. Dovel
Senior Compliance Officer
Midwestern Regional Office

83

DLD:vlb

INSPECTION-INVESTIGATION COVERSHEET

1. AREA OFFICE <p align="center">MW-RO</p>		2. OPERATION Insp. <u>XX</u> Inv. _____		3. DATE <p align="center">10-24-84</p>		4. REPORT NO.		
5. ESTABLISHMENT NAME <p align="center">Quality Farm and Fleet</p>					6. FIRM IDENTIFICATION NO.			
7. ESTABLISHMENT ADDRESS <p>Rt. 4 Middlestown/Hamilton, Ohio</p>				8. RELATED FIRMS Recalling firm: <p>Sanborn Mfg. Co. Springfield, MN.</p>				
9. PRODUCTS INSPECTED <p align="center">Compressors</p>				10. OTHER REGULATED PRODUCTS <p align="center">Many</p>				
11. ESTAB. TYPE <p align="center">Retailer</p>		12. ANN. SALES	a. PRODUCTS INSPECTED \$ <u>Not given</u> Units <u>200</u>		b. OTHER REG. PRODS. \$ <u>Not given</u> Units _____		c. TOTAL (Inc. non-reg.) \$ <u>est. 1 million</u>	
13. I.S. BUSINESS Rec. <u>Unk.</u> % Sold <u>Unk.</u> %		14. SAMPLES COLLECTED <p align="center">None</p>			15. PROJECT <p align="center">95 626</p>		16. HOURS <p align="center">6 (Tr. 2)</p>	
17. REASON FOR INSPECT./INVEST.-DOC. REF. <p align="center">MW-RO Compliance Br. Request for info.</p>								
18. EMPLOYEE'S NAME <p align="center">DuWayne Kapelis</p>				19. TITLE <p align="center">Investigator</p>		20. SIGNATURE 		
21. ENDORSEMENT <p>Inspection of this retail outlet of farm supplies and general merchandise was made as follow-up to an earlier MW-RO inspection of a manufacturer of air compressors That inspection revealed that the manufacturer, Sanborn Manufacturing Company, was conducting a compressor retrofit campaign in part through Farm & Fleet stores. A possibility of explosion was involved. Sanborn maintained that the compressors involved were not consumer products.</p> <p>The store manager was aware of the compressor retrofit program. He indicated that about 50% of his store's compressor sales were to homeowners. In the store, the compressors were displayed in the hardware section, not in sections of the store exclusively devoted to farm equipment. The manager was aware of one compressor tank rupture. That particular owner was contacted and proved to be a farmer.</p> <p>F/U: To MW-RO Compliance Division.</p> <p align="right"><i>gm</i></p>								
22. ENDORSER'S NAME <p align="center">Eric B. Ault</p>			23. TITLE <p align="center">S.I.</p>		24. SIGNATURE 			
25. ENDORSEMENT DATE <p align="center">November 7, 1984</p>			26. DISTRIBUTION <p align="center"><u>Sanborn e/f/</u>, cc: CIN-RP</p>					

SUMMARY OF FINDINGS:

The inspection of this retail hardware store was done at the request of the Midwest Regional Office's Compliance Branch to determine the firm's action concerning a compressor repair program being done by the Sanborn Manufacturing Company of Springfield, Minnesota.

Credentials were shown and a Notice of Inspection given to Mr. Tom Neal/ Assistant Manager, who accompanied me on my inspection and supplied all of my information. He ordered employees to provide written records concerning this repair program.

Mr. Neal stated that his store had been selling these compressors for over ten years. He stated that he thought 50% were purchased for farm use and 50% for at home use to pump up tires and run air tools. He stated that he was certain the sales were to persons other than farm or industrial accounts. He stated that his store was a retail outlet for anything from clothes and automotive needs to hardware and farm speciality needs.

I walked through this store. I noted departments dedicated solely to farm needs i.e. tractor supplies, animal feeds and medications. I noted that the compressors (1/2 horsepower) for sale were in the hardware department and not in the farm oriented departments.

Mr. Neal estimated the sales to be approximately 200 compressor annually. No customer list is kept. He stated that his store had replaced 15 pressure switches under Sanborn's safety program.

He stated that his store did not keep a record of the names of the owners of the units sold or repaired. All data was sent to Sanborn concerning the recall/repair operation.

Mr. Neal stated that the store had posted the repair notice supplied by Sanborn. Mr. Neal allowed me to photograph all information concerning this repair program. These photos are attached.

Mr. Neal stated that he had seen recall/repair notices in the following:

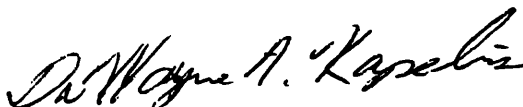
Hamilton Ohio Journal (local newspaper)
Ohio Farmer Magazine
Indiana Prairie Farmer Magazine

Mr. Neal stated that he knew of one incident where the compressor blew up because his store had replaced the unit. He stated that the person involved was Mr. Larry Walters; his address is 8848 Pudding Bag Road, Germantown, Ohio.

I telephoned Mr. Walters and learned that his two horsepower unit was left operating while he went to get a tool. When no one was there the tank completely blew apart. Pieces of the unit were scattered everywhere. No injuries occurred. The unit was used on a farm to power tools and to do tire work. The unit has been replaced and upgraded to a three horsepower compressor. The original unit was purchased in 1976. Mr. Walters doesn't know if the safety valve was operating properly.

ATTACHED PHOTOS:

- 1 - Worksheet
- 2 - 4 - Field installation instructions
- 5 - 6 - Identification decal location diagram
- 7 & 11 - Fix kit listings
- 8 - Field installation instructions
- 9 - Warning notice
- 10 - Work form given to customer
- 12 & 13 - Serial numbers summary
- 14 - Take home identification card
- 15 & 16 - Letter to dealers
- 17 - Notice letter to customer



DuWayne A. Kapelis
Resident Investigator
Cincinnati Resident Post

86

U.S. CONSUMER PRODUCT SAFETY COMMISSION
NOTICE OF INSPECTION

1. DATE <i>12 31 77</i>	3. FROM (Area Office and Address) <i>...</i>
2. TIME _____ A.M. _____ P.M.	
4. TO	A. NAME AND TITLE OF INDIVIDUAL <i>...</i>
	B. FIRM NAME <i>...</i>
	C. NUMBER AND STREET ADDRESS <i>...</i>
	D. CITY, STATE AND ZIP CODE <i>... / Middletown, Ohio</i>

Notice of Inspection is hereby given pursuant to:

- Flammable Fabrics Act (15 U.S.C. 1191 *et seq.*);
- Federal Trade Commission Act (15 U.S.C. 41 *et seq.*);
- Sections 16, 19 and 27 of the Consumer product Safety Act (15 U.S.C. 2065, 2068 and 2076)
- Section 704(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(a))[Authority for inspections in connection with the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 *et seq.*)] and/or
- Section 11(b) of the Federal Hazardous Substances Act as Amended (15 U.S.C. 1270(b)).

67

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5. PURPOSES OF INSPECTION AND NATURE OF INFORMATION TO BE OBTAINED AND/OR COPIED.

The purpose of this inspection is to obtain information; to review and obtain copies of items including but not limited to records, reports, books, documents; and labeling; and to obtain samples, in order to enforce or determine compliance with the Acts administered by the Consumer Product Safety Commission.

6. FREEDOM OF INFORMATION REQUIREMENTS

Those from whom information is requested should state whether any of the information submitted is believed to contain or relate to a trade secret or other matter which should be considered by the Commission to be confidential and whether any of the information is believed to be entitled to exemption from disclosure by the Commission under the provisions of the Freedom of Information Act (15 U.S.C. 552). Any statement asserting this claim of confidentiality must be in writing, and any request for exemption of the information from disclosure must be made in accordance with the Commission's Freedom of Information Act regulations, 16 CFR Part 1015.

7. SIGNATURE (Authorized CPSC Official)

Handwritten signature or initials, possibly 'S8', located in the bottom right corner of the page.