

PART 573 Noncompliance or Defect Report¹

On April 30, 2008 Baby Trend, Inc. determined that a component part of the product listed below does not meet its own performance standard for Baby Trend products. The car seat is in compliance with Federal Motor Vehicle Safety Standard No. FMVSS 213, and is furnishing notification to the National Highway Traffic Safety Administration of its intention to conduct a voluntary recall to replace the car seats which incorporate the component part. This report is being filed without prejudice, and notwithstanding the Company's position that the child restraints provide ample protection under real world use conditions and when the product is tested in accordance with FMVSS No. 213.

Date this report was prepared: June 23, 2008

Furnish the manufacturer's identification code for this recall (if applicable): #6400

I. Identify the Recalled Items of Equipment

1. Identify the full corporate name of the fabricating manufacturer/brand name/trademark owner of the recalled item of equipment. If the recalled item of equipment is imported, provide the name and mailing address of the designated agent as prescribed by 49 U.S.C. §30164.

Baby Trend, Inc.
1607 S. Campus Avenue
Ontario, California 91761

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

Bradley Mattarocci, General Manager

Name and Title of Person who prepared this report.

Frederick B. Locker, Esq.
Locker Greenberg & Brainin, PC
420 Fifth Avenue
New York, NY 10018

Telephone: (212) 391-5200, X16 **FAX:** (212) 391-2035

Email: fblocker@lockerlaw.com

Signed: Frederick B. Locker

¹ Each manufacturer must furnish a report, to the Associate Administrator for Safety Assurance, for each defect or noncompliance condition which relates to motor vehicle safety.

2. Identify the Items of Equipment Involved in this Recall, for each make and model or applicable item of equipment product line (provide illustrations or photographs as necessary to describe the item of equipment), provide:

Generic name of the item: Latch-Loc Car Seat Base
Make: Baby Trend **Models:** 6400, 6439, 6448, 6481 And 6484
Part Number: N/A **Size:** N/A
Function: Car Seat Base

Identify the approximate percentage of the production of all the recalled models manufactured by your company between the inclusive dates of manufacture provided above, that the recalled model population represents. For example, if the recall involved Widgets equipped with certain items of equipment from January 1, 1996, through April 1, 1997, then what was the percentage of the recalled Widgets of all Widgets manufactured during that time period?

II. Identifying the Recall Population

3. Furnish the total number of items of equipment recalled potentially containing the defect or noncompliance.

| <u>Model First Production</u> | <u>Units Sold-2007-08</u> |
|-------------------------------|---------------------------|
| 2007 | 3,582 |

TOTALS

Total Number Potentially Affected by this Report: 3,582 units

4. Furnish the approximate percentage of the total number of items of equipment estimated to actually contain the defect or noncompliance:

Incorrect steel was used on the LATCH connector locking pawl, which could potentially disengage from the vehicle latch anchors during a severe crash. The issue relates to production of Latch-Loc car seat base (current production – 3,582 units). Baby Trend Flex-Loc, EZ Flex-Loc and EZ-Loc series bases are not affected by this issue.

Identify and describe how the recall population was determined--in particular how the recalled models were selected and the basis for the beginning and final dates of manufacture of the recalled items of equipment: See response to Question 4.

III. Describe the Defect or Noncompliance

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

The non-compliance relates to incorrect steel used on the LATCH pawl part. During its yearly testing of car seats and bases, which passed the 213 testing, the Company found evidence of a cracked component that led to further investigation and its findings concluded that an incorrect part was used on the LATCH connector locking pawl. The material cracked under tremendous loads in dynamic crash testing performed by the lab. A subsequent metallurgic analysis was done on the component to reveal that incorrect steel was supplied and

processed. The Company has placed current production on hold until the manufacturer provides new component parts for dynamic sled testing and component testing by a certified lab.

Describe the cause(s) of the defect or noncompliance condition. See above response.

Describe the consequence(s) of the defect or noncompliance condition. See above response. The latch connectors can potentially disengage from the vehicle latch anchors during a severe crash.

Identify any warning, which can (a) precede or (b) occur. N/A

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

HuaHan Baby Products
Jin Long Industrial Area
Qing Xi Town, Dong Guan City
Guang Dong, China 523651

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

Bradley Mattarocci, General Manager

IV. Provide the Chronology in Determining the Defect/Noncompliance

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

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

See response to Question 5. There are no reports of accidents, injuries, fatalities or warranty, or other claims related to this issue.

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

Production Test data from MGA Research Corporation is annexed hereto.

V. Identify the Remedy

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

The Company will provide a Baby Trend Flex-Loc Base free of charge in exchange for Latch-Loc Base. Production of the Latch-Loc car seat base has been put on hold until the manufacturer provides new component parts for dynamic sled testing and component testing.

Clearly describe the distinguishing characteristics of the remedy component/assembly versus the recalled component/assembly.

N/A

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

The Company has placed production on hold, pending the replacement of new component parts by the manufacturer for dynamic sled testing and component testing by a certified lab.

VI. Identify the Recall Schedule

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

The Company will begin implementation of recall immediately.

VII. Furnish Recall Communications

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

See attached document.

Note: These documents are to be submitted separately from those provided in accordance with Part 573.8 requirements.

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