

30 AUG 1984

**EPIDEMIOLOGIC  
INVESTIGATION  
REPORT**

|   |  |  |   |  |                         |  |
|---|--|--|---|--|-------------------------|--|
| 1. CASE NO.<br>840614HCC3315                    |  |  | 2. INVESTIGATOR'S ID<br>8 1 5 8                             |  | 3. OFFICE CODE<br>8 5 5 |  |
| 4. DATE OF ACCIDENT<br>YR MO DAY<br>8 4 0 4 2 2 |  |  | 5. DATE INVESTIGATION INITIATED<br>YR MO DAY<br>8 4 0 8 0 1 |  |                         |  |

6. SYNOPSIS OF ACCIDENT OR COMPLAINT On 4/22/84 at approximately 4 P.M. a 12 year old female was shot in her left ear with a BB/pellet air rifle. The victim's 13 year old brother accidentally shot his sister when he attempted to stand up after sitting on a back porch of the grandmothers home. The BB entered the victim's brain and she was killed at once, but medical actions kept her alive another 2 days.

|  |  |                       |                |
|--|--|-----------------------|----------------|
| 7. LOCATION (Home, school, etc.)<br>Home |  | 8. CITY<br>St. Jospeh | 9. STATE<br>Mo |
|--|--|-----------------------|----------------|

|                                 |  |
|---------------------------------|--|
| 10A. FIRST PRODUCT<br>Air Rifle | 11A. TRADE/BRAND NAME<br>MANUFACTURER & ADDRESS<br>Daisy Powerline 881<br>Rogers, Arkansas |
|---------------------------------|--|

|                           |  |
|---------------------------|--|
| 10B. SECOND PRODUCT<br>BB | 11B. TRADE/BRAND NAME<br>MANUFACTURER & ADDRESS<br>Mfg Unk |
|---------------------------|--|

|                            |   |                        |                                      |
|----------------------------|---|------------------------|--------------------------------------|
| 12. AGE OF VICTIM<br>0 1 2 | 13. SEX (Use numerical code)<br>MALE -1<br>FEMALE -2<br>UNKNOWN -3<br>2 | 14. DISPOSITION<br>DOA | 15. INJURY DIAGNOSIS<br>Brain Damage |
|----------------------------|---|------------------------|--------------------------------------|

|                       |  |   |                         |
|-----------------------|--|---|-------------------------|
| 16. BODY PART<br>Head | 17. RESPONDENT(S) (Mother, Friend)<br>Parent, Police Officer | 18. TYPE INVESTIGATION<br>ON SITE 1<br>TELEPHONE 2<br>OTHER 3 | 19. TIME SPENT<br>0 1 2 |
|-----------------------|--|---|-------------------------|

|                             |                              |   |
|-----------------------------|------------------------------|---|
| 20. ATTACHMENTS<br>Multiple | 21. CASE SOURCE<br>Newspaper | 22. REVIEWED BY<br>YR MO DAY<br>8 0 2 1 8 4 0 8 2 3 |
|-----------------------------|------------------------------|---|

23. PERMISSION TO DISCLOSE NAMES (NON-NEISS CASES ONLY) CPSC MAY DISCLOSE MY NAME

No comments made  
 Comments attached 9/10/86  
 Revisions/Revisions  
 Firm has not requested further notice

24. NARRATIVE (See Instructions on Other Side)

PRE-ACCIDENT:

This investigation was initiated through a newspaper clipping and request for inspection from EPHA. Both documents are attached as exhibit #1.

The air rifle involved in this incident was examined at the police department but contact with the parent was made only by telephone and no release of name authorization was obtained. The victims name should not be released to the manufacturer. All information obtained in this report was from the police department personnel and the victim's mother. The 13 year old brother of the victim was handling the air rifle at the time of the incident was not able to be interviewed. Several days before the accident occurred the brother had a tumor removed from his hip and he was on crutches when the accident occurred. The mother did not want him upset again with the questioning surrounding the shooting accident.

(USE OTHER SIDE AND ADDITIONAL SHEETS IF NECESSARY)

A police report is attached as exhibit #2 and the investigative officer was questioned concerning the incident. The attending physician could not be reached for comment. This physician signed the death certificate and no county coroner was involved. The death certificate was obtained and it is attached as exhibit #3. Photographs of the air rifle is attached as exhibit #4. Guidelines for guns with projectiles is attached as exhibit #5.

The air rifle in question is a single pump single shot rifle that can fire BB's with a diameter of 4.5 milimeters for pellets with a .177 caliber (4.5) milimeters). BB's can be stored in a magazine in the gun and by pulling the bolt on the rifle a BB automatically is chambered by pushing the bolt forward the BB is placed into the firing position. Pellets are placed in the chamber by hand one at a time. If the bolt on the air rifle is pulled back and a BB is in the chamber it may be dislodged with a pocket knife or some other instrument with a point and a pellet may be replaced for the BB. In this incident a copper coated BB was involved in the mishap.

The air rifle looks very similar to Wellon Manufacturers of actual cartridge firing rifles such as Winchester and Remington. The safety for this air rifle is located in front of the trigger card. A pin is pushed back and forth from the right side to the left side and this pin acts as a blocking device so that pressure on the trigger will not cause the rifle to fire. Photographs of the operation instructions and the safety for this air rifle can be noted under exhibit #4 photographs. The instructions to open the bolt on the rifle with the safety in the on position, pump the rifle, then load the rifle if a pellet is to be used. BB's will load automatically. Close the bolt, aim the rifle, take the rifle off the safety, then fire the rifle.

A close examination and field test of this air rifle at the police station after the incident without the air rifle being loaded with BB's or pellets indicated that the air rifle was operating in the intended manner of the device and that the safety for the air rifle was operating in the intended manner.

The victim's brother had received this air rifle as a reward for taking the operation on his hip so well. His complete knowledge of the operation of this rifle is in question and it could not be determined by the police officer or the parent if the safety was on at the time of this accident.

According to the victim's mother the victim was a healthy young 12 year old female with no mental or physical handicaps. She weighed approximately 85 lbs. she was 4 foot tall and was right handed.

The evening of the accident the victim's were staying at the grandmothers house while the mother and father had some business to attend to. The thirteen year old brother was out in the back porch sitting down with the air rifle placed across his lap in a cocked condition. The victim came out and set next to him approximately a foot away. The grandmother was inside the house doing the dinner dishes.

#### ACCIDENT:

The brother told his mother he was attempting to get up with the air rifle and crutches and somehow the air rifle went off. The brothers hand could have touched the trigger and with the safety off this could allow the air rifle to discharge.

The victim was hit with a BB in the left ear. The BB went into the middle ear and into the center of the brain. According to the police officers who saw the X-rays the BB was never was taken from the victim's head. The doctor in charge told the mother that her daughter probably died instantly.

POST ACCIDENT:

The brother yelled for the grandmother who came out and saw what had happened. The grandmother went back inside and called the police department and an ambulance. The police department personnel arrived on the scene and administer first aid to the victim who was still breathing but unconscious. Paramedics arrived on the scene and took the victim to the hospital emergency room. X-rays were taken to determine the extent of injuries and upon seeing the location of the BB the victim was never operated upon. The victim died 2 days later of cardio pulmanary arrest, 4-24-84.

Both the police report and the death certificate indicated that this was an accidental shooting.

PRODUCT IDENTIFICATION:

The air rifle involved was a Daisy Powerline 881. The lot number was 3M00010. Patent for this air rifle 3.855.990 and 3.810.455. Examination of the air rifle at the police department indicated that the safety was operating in a intended manner and there was no malfunction involved in this accident. The triggered pressure needed to fire the air rifle would not be determined a hare trigger and a minimal amount of force was used to unload the air rifle at the police station.

Two factor's which could have caused this unfortunate accident could be the use of a weapon as a toy by an inexperienced child and the lack of adult supervision.

No other information could be obtained concerning this incident.

EXHIBITS:

1. Newspaper Clipping and Request
2. Police Report
3. Death Certificate
4. Photographs
5. Guidelines

PURGED

IDI NUMBER: 840614HCC3315

PRODUCT: Air Rifle, ~~air~~ single pump

FIRM: Daisy Powerline 881

Lot # 3M00010

Part # 3.855.990 and 3.810.455

Rogers, Ark.

*in newspapers*  
On-Site if product available  
Note instructions. Use guide # 79  
MIS 91-165  
Target 840719

EPHA INVESTIGATION REQUEST FORM

CASE# 840614 HCC 3315

Exhibit #1

Request AND  
Newspaper Clip

To Be Completed by Requester:

1. Incident Number: [redacted] CC

2. Source: News Clip Area Office Document No. \_\_\_\_\_

3. Date of Incident: 4/22/84

4. Type of Follow-Up Request:

In-Depth Investigation  Telephone Call

Category ID Number [redacted]

5. Assignment Message: A 12 yr. old girl was accidentally shot with a BB gun by her 13 yr. old brother when he leaned back with the gun across his lap. Try and get product ID, and note wheather it was a [redacted] single stroke, or [redacted] Analysts asks, "How did it go off?" Officer [redacted] and Sgts. [redacted] and [redacted] investigated the incident. Collect Official Police Report. There is a steady interest in Air Guns, and the victim was in critical condition.

EPHA Contact: [redacted]

Product Involved: Gas, Air, or Spring Gun

Contact: Officer [redacted] St. Joseph Police Dept., St. Joseph MO

Requested By: [redacted] Org.: EPHA

To Be Completed by EPHA

Task Number: 840614 HCC 3315

A/O Assigned: Dal Date: \_\_\_\_\_

Mailed To: \_\_\_\_\_ A/O Date: \_\_\_\_\_

6/11/84  
A  
T



D450008

DATE

3-05

APR 23 1984

MAY 15 1984

840614HCC3315



130

REPRODUCTION

ST. JOSEPH POLICE DEPARTMENT OFFENSE REPORT

|   |  |   |   |  |
|---|--|---|---|--|
| 1. TYPE OF OFFENSE<br><i>Accidental Shooting</i>  |  | 2. CASE NO.                                     | 3. DATE AND TIME OF REPORT<br><i>4-22-84, 1601 Hrs.</i> | 4. LOCATION OF OCCURRENCE  |
| 5. DATE AND TIME OF OCCURRENCE<br><i>4-22-84 1605 Hrs.</i>                                    |  | 6. DIST.<br><i>8</i>                            | 7. CENSUS BLOCK   | 8. HOW COMPLAINT RECEIVED<br>RADIO <input checked="" type="checkbox"/> CITIZEN <input type="checkbox"/> STATION <input type="checkbox"/> |
| 9. PROSECUTION DESIRED<br>YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |  | 10. VICTIM (IF FIRM, NAME AND TYPE OF BUSINESS) |   |  |
| 11. RESIDENCE ADDRESS   |  | 12. RES. PHONE                                  |   |  |
| 13. BUSINESS ADDRESS  |  | 14. BUS. PHONE - EXT.                           |   |  |

|                      |                     |                      |                              |          |                |   |
|----------------------|---------------------|----------------------|------------------------------|----------|----------------|---|
| 15. RACE<br><i>W</i> | 16. SEX<br><i>F</i> | 17. AGE<br><i>12</i> | 18. D.O.B.<br><i>2-20-72</i> | 19. SOC. | 20. OCCUPATION | 21. TYPE OF PREMISE (BANK, HOUSE, ETC.) |
|----------------------|---------------------|----------------------|------------------------------|----------|----------------|---|

|                              |                       |                |                       |
|------------------------------|-----------------------|----------------|-----------------------|
| 22. PERSON REPORTING OFFENSE | 23. RESIDENCE ADDRESS | 24. RES. PHONE | 25. BUS. PHONE - EXT. |
|------------------------------|-----------------------|----------------|-----------------------|

|   |                   |            |             |       |          |     |      |      |      |
|---|-------------------|------------|-------------|-------|----------|-----|------|------|------|
| 30. PERSON WANTED/OR ARRESTED<br>EST. <input type="checkbox"/><br>ACTUAL <input type="checkbox"/> | RESIDENCE ADDRESS |            |             | RACE  | SEX      | AGE | HGT. | WGT. | HAIR |
|   | EYES              | COMPLEXION | FACIAL HAIR | BUILD | CLOTHING |     |      |      |      |

|   |                   |            |             |       |          |     |      |      |      |
|---|-------------------|------------|-------------|-------|----------|-----|------|------|------|
| A.<br>PERSON WANTED/OR ARRESTED<br>EST. <input type="checkbox"/><br>ACTUAL <input type="checkbox"/> | RESIDENCE ADDRESS |            |             | RACE  | SEX      | AGE | HGT. | WGT. | HAIR |
|   | EYES              | COMPLEXION | FACIAL HAIR | BUILD | CLOTHING |     |      |      |      |

|             |  |                             |       |             |                            |                          |
|-------------|--|-----------------------------|-------|-------------|----------------------------|--------------------------|
| 31. VEHICLE | STOLEN <input type="checkbox"/><br>OF VICTIM <input type="checkbox"/><br>USED <input type="checkbox"/> | LIC-YEAR                    | STATE | LICENSE NO. | VEHICLE IDENTIFICATION NO. |                          |
| YEAR        | MAKE   | MODEL (NOVA, MUSTANG, ETC.) |       | COLOR: TOP  | BOTTOM (OR ONE COLOR)      | BODY STYLE (SEDAN, ETC.) |

| CATEGORY                             | QUANTITY | CODE | 32. DESCRIPTION OF PROPERTY (INCLUDE BRAND & SERIAL NO.) | VALUE | REC'D |
|--------------------------------------|----------|------|--|-------|-------|
| A. Currency, Notes, etc.             |          |      |  |       |       |
| B. Jewelry, and Precious Metals      |          |      |  |       |       |
| C. Clothing and Furs                 |          |      |  |       |       |
| D. Office Equipment                  |          |      |  |       |       |
| E. Television, Radios, Cameras, etc. |          |      |  |       |       |
| F. Firearms                          |          |      |  |       |       |
| G. Household Goods                   |          |      |  |       |       |
| H. Consumable Goods                  |          |      |  |       |       |
| I. Miscellaneous                     |          |      |  |       |       |
| TOTAL                                |          |      |  |       |       |

33. NARRATIVE: GIVE ADDITIONAL INFORMATION OF OFFENSE; USE CONTINUATION SHEET IF NECESSARY.

*At 1601 Hrs. this date we were dispatched to [redacted] to check ambulance call on a shooting victim. On our arrival we were advised the weapon was a BB gun and the victim was on the back porch of [redacted] Sat. [redacted] went to the rear of the the residence and located the victim laying on the back porch, with her head pointed in South*

|                         |              |
|-------------------------|--------------|
| INVESTIGATORS ASSIGNED: | ASSIGNED BY: |
|-------------------------|--------------|

|   |   |   |   |  |
|---|---|---|---|--|
| 34. CLEARED:<br>BY ARREST <input type="checkbox"/><br>BY EXCEPTIONAL <input type="checkbox"/><br>UNFOUNDED <input type="checkbox"/> | REFERRED TO:<br>CITY PROS. <input type="checkbox"/><br>STATE PROS. <input type="checkbox"/><br>JUV. OFF. <input type="checkbox"/> | 35. NOT CLEARED<br>REFERRED TO<br>INVESTIGATORS <input checked="" type="checkbox"/> | 36. SUBMITTED BY OFFICER(S) / DSM<br>[redacted] | 37. REVIEWING SUPERVISOR SIGNATURE<br>[redacted] |
|---|---|---|---|--|

St. Joseph Police Dept.

Offense Report Continuation

|                                     |             |    |                                     |          |
|-------------------------------------|-------------|----|-------------------------------------|----------|
| DATE OF CONTINUATION REPORT # 22-84 | UNIT Patrol | CB | TYPE OF OFFENSE Accidental Shooting | CASE NO. |
|-------------------------------------|-------------|----|-------------------------------------|----------|

OFFICERS/DSN Sgt. [redacted], [redacted]; Off [redacted].

ADDITIONAL INFORMATION: westerly direction. Victim was treated and transported to St. Joseph Hosp. E.R. by ambulance. Mrs. [redacted] advised the victim and her 13 yr. old brother (her grandchild) were sitting on the back porch. The boy had his Daisy, Powerline 881, BB-pellet rifle, lying across his lap. When he leaned back it accidentally discharged, striking and entering her left ear. The grandmother did not witness this, her grandson had told her this. I was unable to talk to the boy he was too hysterical at this time. Victim was unconscious and was in surgery being operated on by Dr. [redacted], at time of this report. Sgt. [redacted] drew diagram of the scene. The BB-pellet rifle was leaning against the back of the house (east side). This was taken by Off. [redacted] and booked into evidence. For additional see info. report.

[redacted signature]

|   |  |  |
|---|--|--|
| DISPOSITION:<br>CLEARED ( )<br>NOT CLEARED (x)<br>UNFOUNDED ( ) | REFERRED TO:<br>CITY PROS. ( )<br>STATE PROS. ( )<br>JUVENILE OFF. ( ) | REVIEWING SUPERVISOR SIGNATURE<br>[redacted signature] |
|---|--|--|

St. Joseph Police Dept.

Information Report

DATE OF REPORT 4-22-84 UNIT Patrol CB TYPE OF OFFENSE Accidental Shooting CASE NO [REDACTED]

OFFICERS/DSN Sgts. [REDACTED]

ADDITIONAL INFORMATION: The brothers name is [REDACTED] y/m, DOB 8-15-71. Parents are [REDACTED] and [REDACTED]

The boy is on crutches at this time. According to his parents the boy had just had surgery last week to remove a tumor from his hip. When we were at the scene the boy was so hysterical he was throwing up. It was impossible to talk with him.

[REDACTED]

NOT FOR Publication

DISPOSITION:
CLEARED ( )
NOT CLEARED (x)
UNFOUNDED ( )

REFERRED TO:
CITY PROS ( )
STATE PROS ( )
JUVENILE OFF ( )

REVIEWING SUPERVISOR SIGNATURE [REDACTED]

St. Joseph Police Dept.

Information Report

DATE OF REPORT: 4-22-84 UNIT: 3-23 CB: [REDACTED] TYPE OF OFFENSE: Information Accidental Shooting CASE NO.: [REDACTED]

OFFICERS/DSN: [REDACTED]

ADDITIONAL INFORMATION:

AT 1601 hrs on 4-22-84, a call was put out by the dispatcher, of an ambulance call at [REDACTED] of a person shot. I proceeded to the scene and found Sgt. [REDACTED] was already there. I went to the rear of the house and found Sgt. [REDACTED] administering first aid to [REDACTED] (w/f age 12 DOB 2-20-72). [REDACTED] was laying on the back porch (East) of [REDACTED]. I helped Sgt. [REDACTED] administer to the girl. She had been shot in left ear with a RB-Pellet Rifle. The rifle was behind me leaned against the house. While I was helping Sgt. [REDACTED], Officer [REDACTED] came to the back of the house. I turned the rifle over to him. Officer [REDACTED] began gathering information from the family and trying to calm them down.

The ambulance arrived a few minutes later and we assisted the paramedics, and controlled the crowd until the girl was transported to St. Joseph Hospital. She was taken to surgery at the hospital shortly after her arrival. The rifle was taken to H.Q.T.S by Officer [REDACTED]. The shooting was supposedly done by her brother [REDACTED].

DISPOSITION:  
 CLEARED ( )  
 NOT CLEARED   
 UNFOUNDED ( )

REFERRED TO:  
 CITY PROS ( )  
 STATE PROS ( )  
 JUVENILE OFF ( )

REVIEWING SUPERVISOR SIGNATURE  
 [REDACTED]

2601

APR 61  
T. B.

GRAVEL DRIVEWAY

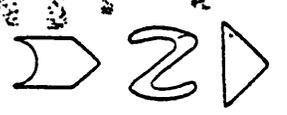
15°  
Embankment

Walking  
Ditch

Parade

Victim

Sidewalk  
of sidewalk



Case # [redacted]  
4-22-84  
Accident / Slitting  
not to SG [redacted]

Steps

44"

Case # 840014700 531  
 Exhibit # 3 Death Certificate

DEPARTMENT OF SOCIAL SERVICES - MISSOURI DIVISION OF HEALTH  
 (PHYSICIAN, MEDICAL EXAMINER OR CORONER)

1984 CERTIFICATE OF DEATH

STATE FILE NUMBER

REGISTRATION DISTRICT NO. 42 PRIMARY REGISTRATION DISTRICT NO. 1000 REGISTRAR'S NO. [REDACTED]

|   |  |  |  |
|---|--|--|--|
| 1. DECEDENT - NAME FIRST MIDDLE LAST  |  | SEX  | DATE OF DEATH (Mo., Day, Yr.)  |
| [REDACTED]  |  | 2. Female  | April 24, 1984   |
| 3. RACE - (e.g., White, Black, American Indian, etc.) (Specify)   | 4. AGE - (Yrs.)  | 5. UNDER 1 DAY   | 6. DATE OF BIRTH (Mo., Day, Yr.)   |
| 4. White  | 5a. 12   | 5b. MOS. 5c. DAYS 5d. HOURS 5e. MINS.                            | 6. February 20, 1972   |
| 7. CITY, TOWN OR LOCATION OF DEATH  |  | 7. Buchanan  |  |
| 7b. St. Joseph  |  | 7c. St. Joseph Hospital  |  |
| 8. STATE OF BIRTH (If not in U.S.A., name country)  | 9. CITIZEN OF WHAT COUNTRY   | 10. MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify)          | 11. SURVIVING SPOUSE (If wife, give maiden name)   |
| Missouri  | U.S.A.   | Never Married  |  |
| 12. SOCIAL SECURITY NUMBER  | 13. USUAL OCCUPATION (Give kind of work done during most of working life, even if retired) | 14. KIND OF BUSINESS OR INDUSTRY                                 |  |
| none  | Student  | 14b. Elementary School   |  |
| 15. RESIDENCE STATE   | 16. COUNTY   | 17. CITY, TOWN OR LOCATION AND ZIP CODE                          | 18. STREET AND NUMBER  |
| Missouri  | Buchanan   | St. Joseph 64503   | 2311 Briarcliff Ave.   |
| 19. FATHER NAME FIRST MIDDLE LAST   |  | 20. MOTHER MAIDEN NAME FIRST MIDDLE LAST                         |  |
| [REDACTED]  |  | [REDACTED]   |  |
| 21. INFORMANT NAME (Type or Print)  |  | 22. MAILING ADDRESS STREET OR R.F.D. NO. CITY OR TOWN STATE ZIP  |  |
| [REDACTED]  |  | Joseph, Mo. 64503  |  |
| 23. BURIAL, CREMATION, REMOVAL, OTHER (Specify)   |  | 24. DATE   | 25. CEMETERY OR CREMATORY NAME   |
| [REDACTED]  |  |  | St. Joseph, Missouri   |
| 26. NAME OF FACILITY  |  | 27. ADDRESS OF FACILITY  |  |
| [REDACTED]  |  | 64506  |  |
| 28. (Signature)   |  | 29. DATE RECEIVED BY REGISTRAR (Mo., Day, Yr.)                   |  |
| [REDACTED]  |  | 3 May 1984   |  |
| 30. To the best of your knowledge and belief, and to the best of your information and investigation, in my opinion death occurred at the time, date and place and due to the cause(s) stated. |  | 31. (Signature and Title)  |  |
| [REDACTED]  |  | [REDACTED]   |  |
| 32. DATE SIGNED (Mo., Day, Yr.)   | 33. HOUR OF DEATH  | 34. DATE SIGNED (Mo., Day, Yr.)                                  | 35. HOUR OF DEATH  |
|   | 1:19 P. M.   |  |  |
| 36. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print)   |  | 37. PRONOUNCED DEAD (Mo., Day, Yr.)                              |  |
| [REDACTED]  |  | [REDACTED]   |  |
| 38. NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, MEDICAL EXAMINER OR CORONER) (Type or Print)  |  | 39. MO. LICENSE NO.  | 40. IF HOSP OR INST indicate DOA, OP, Emer. Rm., Inpatient, etc. (Type or Print)                     |
| [REDACTED]  |  | [REDACTED]   |  |
| 41. IMMEDIATE CAUSE (CERTIFY CAUSE PER LINE FOR (a), (b), AND (c))  |  | 42. Interval between onset and death                             |  |
| (a) <u>Cardiovascular arrest</u>  |  | 2 minutes  |  |
| (b) <u>SEVERE BRAIN DAMAGE</u>  |  | 2 days   |  |
| (c) <u>G.S. WOUND TO BRAIN</u>  |  | 2 days   |  |
| 43. OTHER SIGNIFICANT CONDITIONS - Conditions contributing to death but not related to cause given in PART I (a)  |  | 44. AUTOPSY (Specify Yes or No)                                  | 45. WAS CASE REFERRED TO MEDICAL EXAMINER OR CORONER (Specify Yes or No)                             |
| [REDACTED]  |  | 27. NO   | 28.  |
| 46. ACCIDENT, SUICIDE, HOMICIDE, OR HANGING INVEST (Specify)  | 47. DATE OF INJURY (Mo., Day, Yr.)   | 48. HOUR OF INJURY   | 49. DESCRIBE HOW INJURY OCCURRED   |
|   | 4/22/84  | 4:00 P. M.   | Shot Accidentally by brother   |
| 50. INJURY AT WORK (Specify Yes or No)  | 51. PLACE OF INJURY - (Home, farm, street, factory, office building, etc.) (Specify)       | 52. LOCATION (STREET OR R.F.D. NO., CITY OR TOWN, COUNTY, STATE) | 53. DECEASED WAS FEMALE WAS THERE A PREGNANCY IN LAST 90 DAYS  |
|   | Home as above  | Home as above  | 30. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNA |

VS 300 Rev. 1/78

DECEDENT

IS DEATH OCCURRED IN INSTITUTION SEE HANDBOOK REGARDING COMPLETION OF RESIDENCY ITEMS

PARENTS

DISPOSITION

CERTIFIER

CONDITIONS IF ANY WHICH GAVE RISE TO IMMEDIATE CAUSE STATING THE UNDERLYING CAUSE LAST

CAUSE OF DEATH

THIS IS A CERTIFIED COPY OF AN ORIGINAL DOCUMENT  
 (Do not accept if rephotographed, or if seal impression cannot be felt.)

THE REPRODUCTION OF THIS DOCUMENT IS PROHIBITED BY LAW (CHAP. 193.380 RSMo 1969)

STATE OF MISSOURI }  
 CITY OF JEFFERSON } ss I HEREBY CERTIFY that this is an exact reproduction of the certificate for the person named therein as it now appears in the permanent records of the Bureau of Vital Records of the Division of Health of Missouri. Witness my hand as State Registrar of Vital Statistics and the Seal of the Division of Health of Missouri this date of

AUG 6 1984



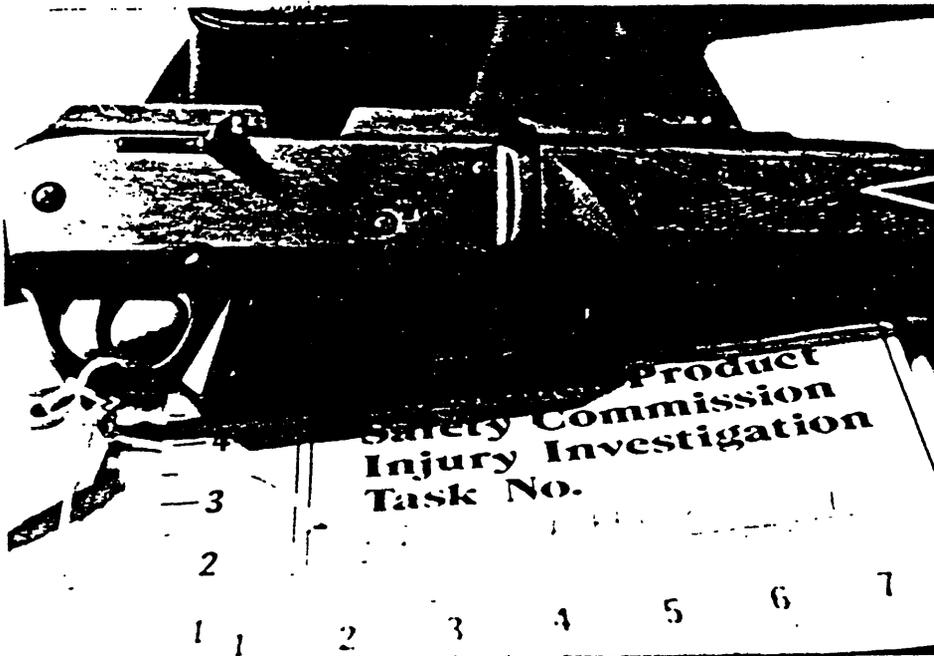
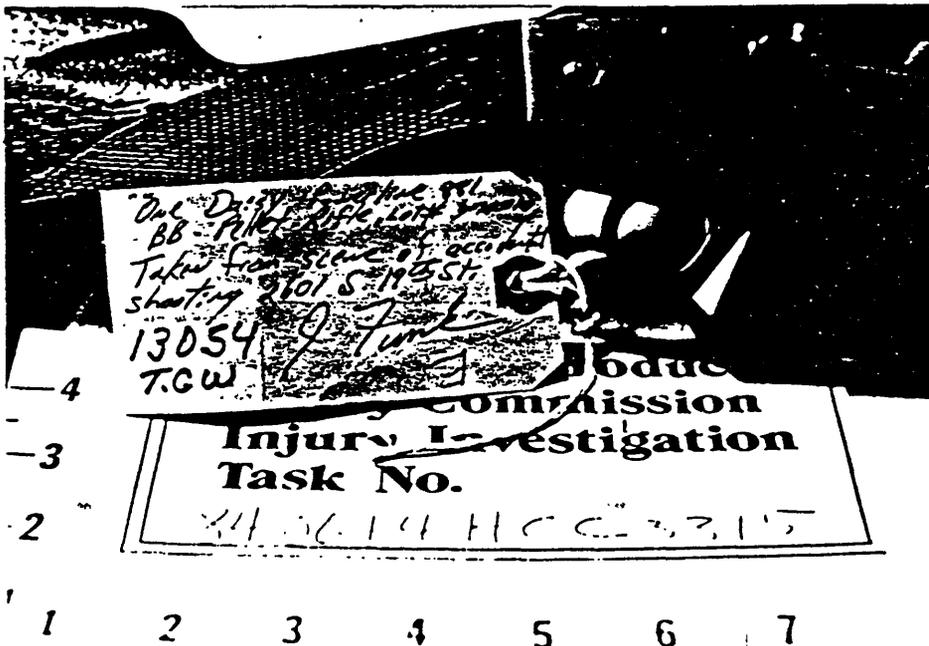
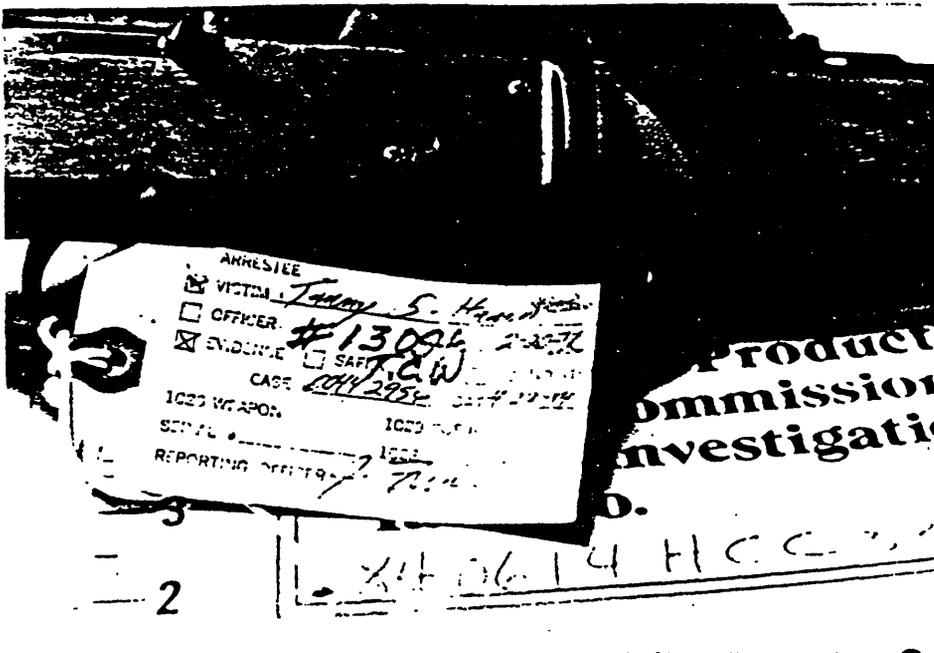


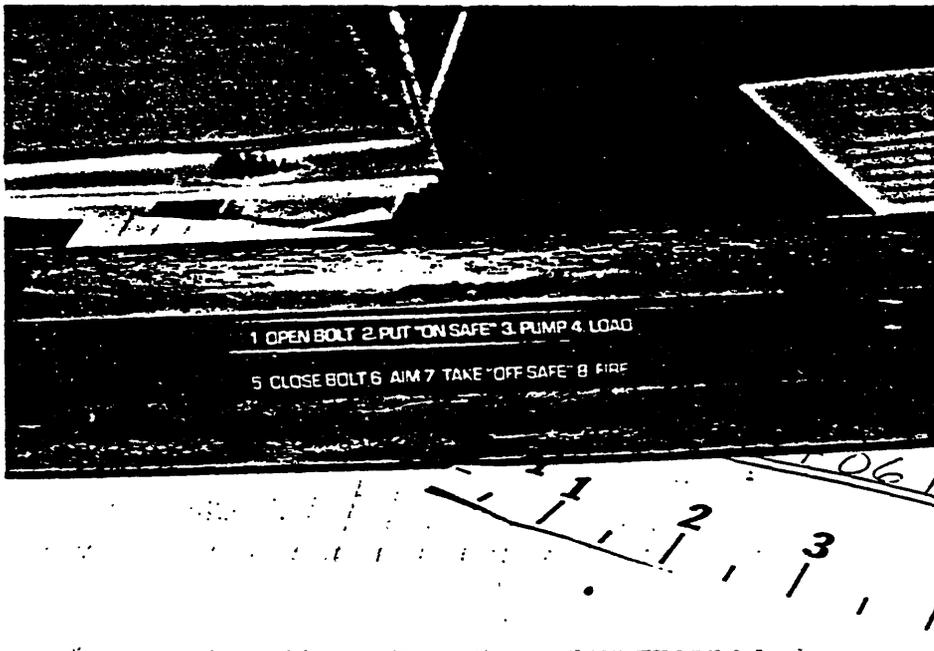
Photo #1 shows the BB/Pellet rifle involved in this accident. It is a single shot, single pump air rifle. Pellets are placed in the top chamber while the BB's have a storage area in the gun housing. A BB's was involved in this accident.



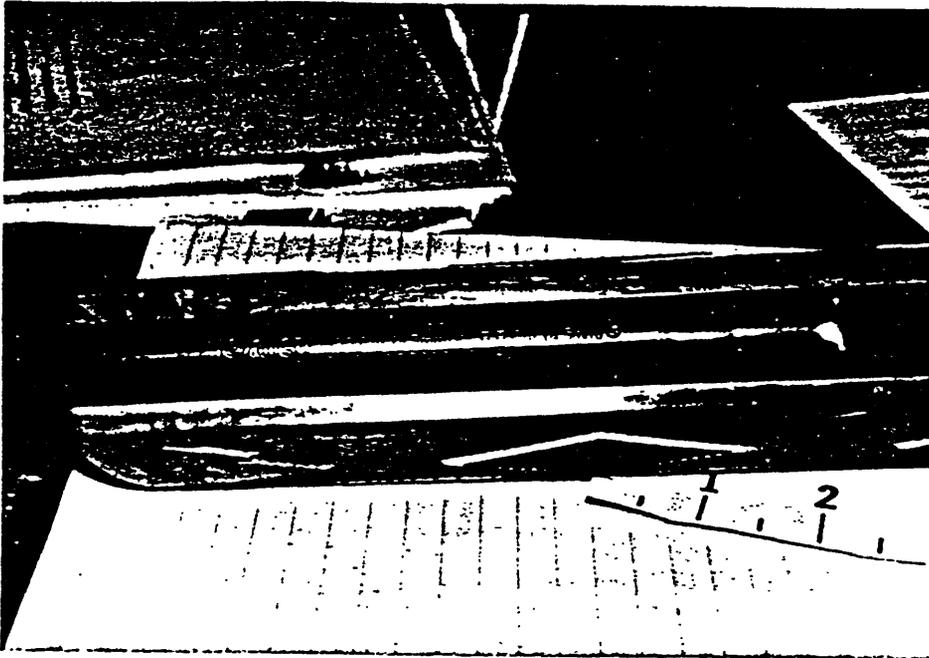
The air rifle was taken as evidence by the police department. Photo# 2 shows the hang tag describing the rifle.



Photo# 3 shows another hang tag placed on the rifle as evidence.



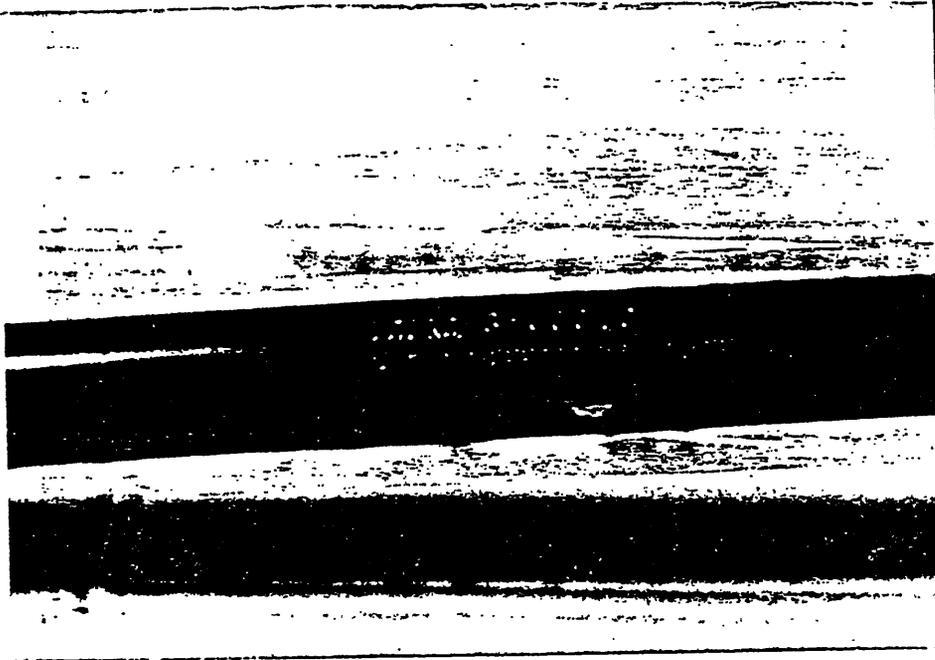
Photo# 4 shows the operating instructions for the rifle. This information is located on the pumping lever below the forearm stock.



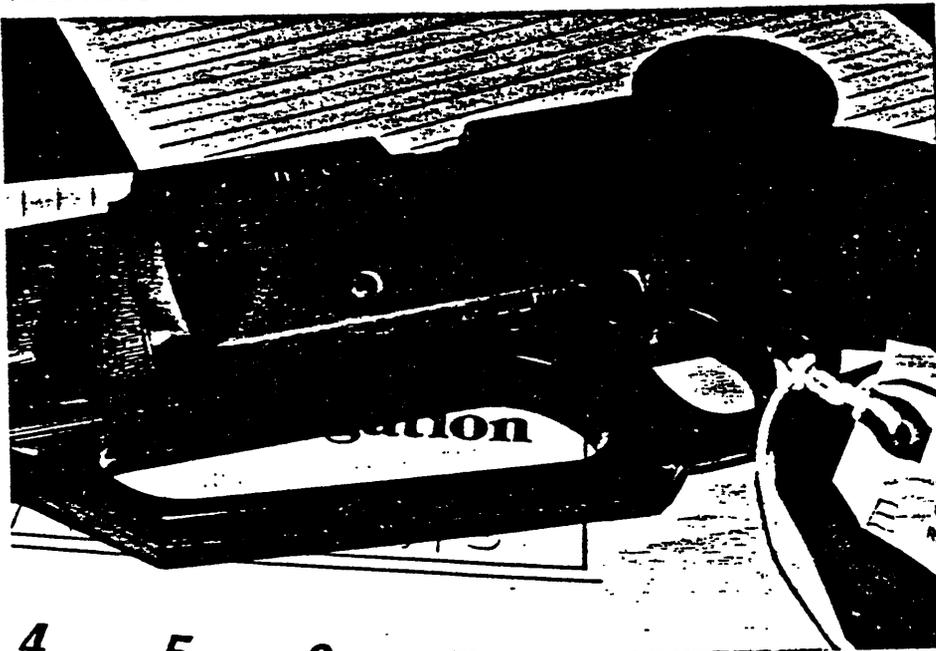
Photo# 5 shows the rifle identification located on the top of the barrel.



Photo# 6 shows the identification information close-up. The rifle is a Powerline 881 by Daisy. It shoots 4.5mm pellets or BB's.

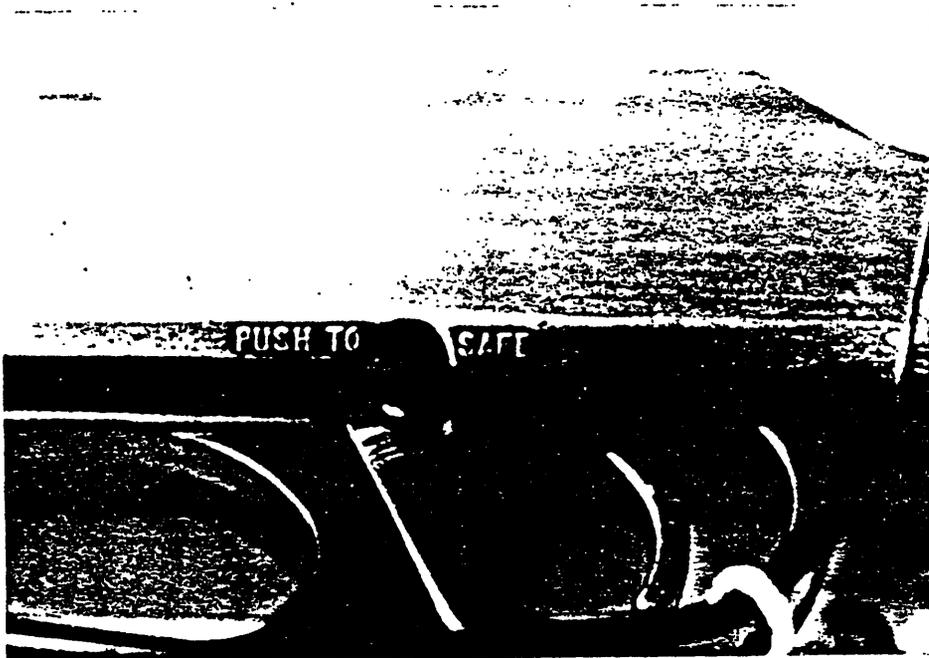


Photo# 7 shows the Lot# for the rifle and it is located on the bottom side of the barrel. The lot# is 3M00010 and the Patent# is 3.855.990 and 3.810.455

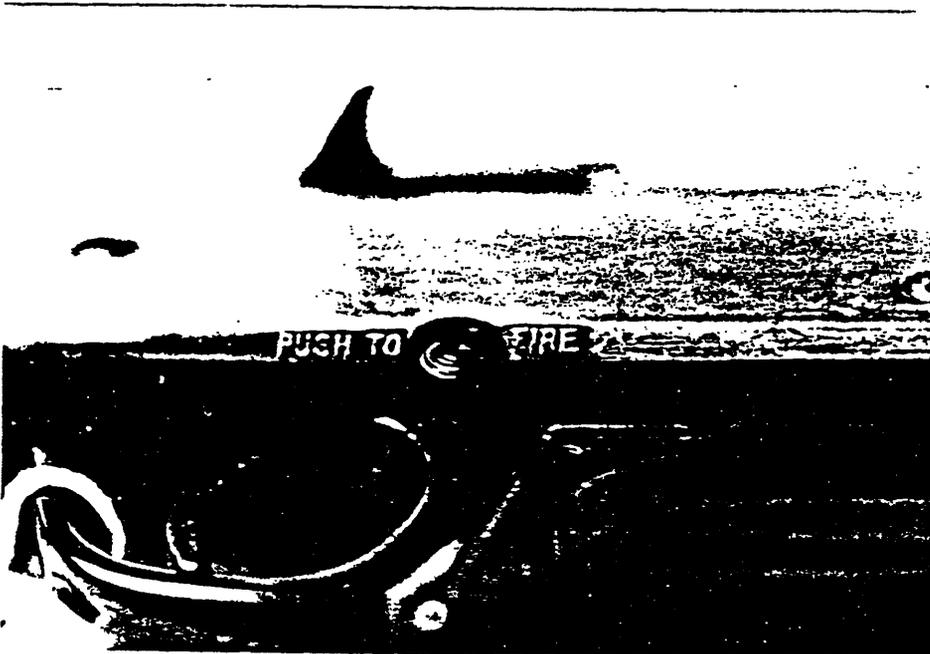


4 5 6 -

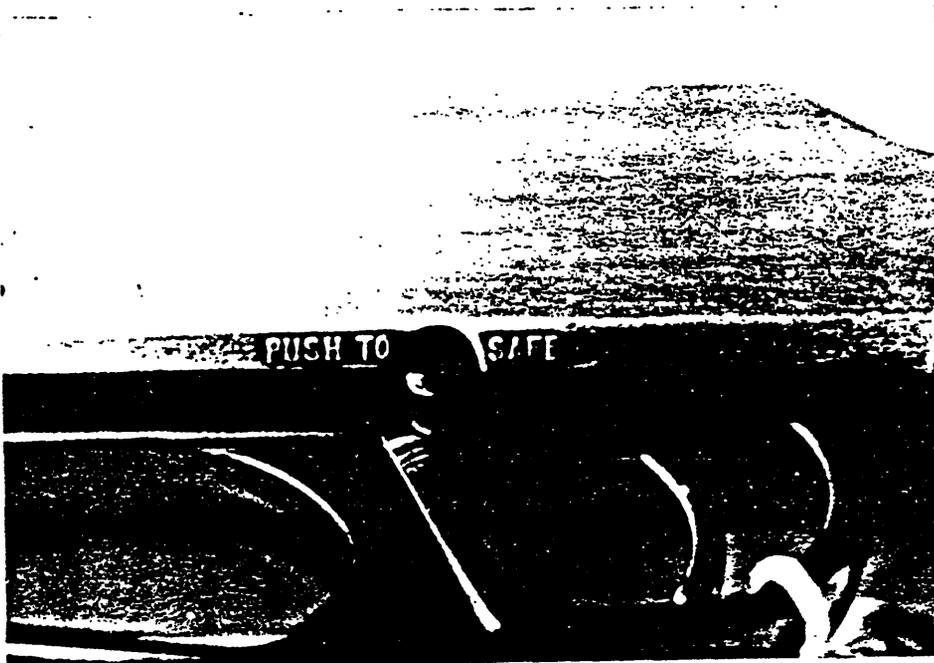
photo# 8 shows the left side of the rifle. The safety is located to the front and above the trigger guard. The area where BB's maybe placed into the storage for use is seen in the upper left portion of the receiver. Pulling the bolt back with BB's in the rifle allows a BB to go into the receiver in front of the bolt. Closing the bolt then chambers the BB for firing. Pellets to be fire must be placed in the chamber one at a time.



Photo# 9 shows the left side of the rifle with the safety in the "on" position. The button is pushed in on this side.



With the safety on the right side is shown in the Photo#10. The button is sticking out on this side.



Photo# 11 shows the left side of the rifle with the safety in the "off" position, where the rifle will fire if the trigger is pulled and the rifle has been cocked. The button is out on this side.



Photo#12 shows the right side of the rifle with the safety in the off position. The button is pushed in on this side. Close examination and field testing of the rifle indicated no malfunction of the safety.

TOY GUNS AND OTHER TOY WEAPONS  
WITH PROJECTILES

1. INVESTIGATIVE PROCEDURES. Determine the following:
  - a. Distance the projectile travels. *1' to 2'*
  - b. Possibility of substitute projectiles. *BB, 4.5mm*
  - c. Distance from the victim to the originating source. *1' to 2'*
  - d. Noise (loud or soft). *Soft*
  
2. SPECIFIC PRODUCT FACTORS. Describe the following:
  - a. Type of toy (rifle, pistol, machine gun, etc.).  
*AIR Rifle, single pump, single shot*
  - b. Size and shape of the projectile.  
*Round copper ball, (BB), 4.5mm in diameter*
  - c. Trigger mechanism,  
*Spring Loaded*
  - d. Power source (spring or gas). *AIR POWERED*

13 MAY 1991

04

|   |  |  |   |  |  |                          |  |  |   |  |  |
|---|--|--|---|--|--|--------------------------|--|--|---|--|--|
| 1. CASE NO.<br>910219HCN0686<br>G/20224         |  |  | 2. INVESTIGATOR'S ID<br>8 4 4 4                             |  |  | 3. OFFICE CODE<br>-8 3 0 |  |  | <b>EPIDEMIOLOGIC<br/>INVESTIGATION<br/>REPORT</b> |  |  |
| 4. DATE OF ACCIDENT<br>YR MO DAY<br>9 1 0 2 0 3 |  |  | 5. DATE INVESTIGATION INITIATED<br>YR MO DAY<br>9 1 0 3 0 4 |  |  |                          |  |  |   |  |  |

6. SYNOPSIS OF ACCIDENT OR COMPLAINT According to the victim's mother, the 8 year-old male victim was shot by a 9 year-old male playmate, with a pellet B.B. gun. The pellet lodged against the wall of the victim's heart, which may require open-heart surgery in the future. The two parties had been playing across the street of the victim's home when the incident occurred.

No Comments made  
Comments attached  
Excisions/Revisions

|  |  |  |                   |  |                         |  |
|--|--|--|-------------------|--|-------------------------|--|
| 7. LOCATION (Home, school, etc.)<br>Vacant lot - across street |  |  | 8. CITY<br>Leland |  | 9. STATE<br>Mississippi |  |
|--|--|--|-------------------|--|-------------------------|--|

|                                       |  |  |  |  |  |
|---------------------------------------|--|--|--|--|--|
| 10A. FIRST PRODUCT<br>Pellet B.B. Gun |  |  | 11A. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS<br>"Daisy Powerline 880"<br>Daisy Manufacturing Company<br>Box 220, Rogers, Arkansas 72560 |  |  |
|---------------------------------------|--|--|--|--|--|

|                             |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|
| 10B. SECOND PRODUCT<br>None |  |  | 11B. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS<br>N/A |  |  |
|-----------------------------|--|--|--|--|--|

|                            |  |   |  |                                      |  |   |  |
|----------------------------|--|---|--|--------------------------------------|--|---|--|
| 12. AGE OF VICTIM<br>0 0 8 |  | 13. SEX (Use numerical code)<br>MALE -1<br>FEMALE -2<br>UNKNOWN -3<br>1 |  | 14. DISPOSITION<br>Hospitalized<br>4 |  | 15. INJURY DIAGNOSIS<br>Puncture<br>6 3 |  |
|----------------------------|--|---|--|--------------------------------------|--|---|--|

|                                      |  |  |  |  |  |                         |  |
|--------------------------------------|--|--|--|--|--|-------------------------|--|
| 16. BODY PART<br>Upper Trunk - Heart |  | 17. RESPONDENT(S) (Mother, Friend)<br>Mother of Victim |  | 18. TYPE INVESTIGATION<br>ON SITE 1<br>TELEPHONE 2<br>OTHER 3<br>2 |  | 19. TIME SPENT<br>0 3 0 |  |
|--------------------------------------|--|--|--|--|--|-------------------------|--|

|                             |  |                              |  |                         |  |                          |  |
|-----------------------------|--|------------------------------|--|-------------------------|--|--------------------------|--|
| 20. ATTACHMENTS<br>Multiple |  | 21. CASE SOURCE<br>Newspaper |  | 22. REVIEWED BY<br>8007 |  | YR MO DAY<br>9 1 0 4 1 8 |  |
|-----------------------------|--|------------------------------|--|-------------------------|--|--------------------------|--|

|  |  |  |  |  |  |   |  |
|--|--|--|--|--|--|---|--|
| 23. PERMISSION TO DISCLOSE NAMES<br>(NON-NEISS CASES ONLY) |  |  |  | CPCSC MAY DISCLOSE MY NAME <input checked="" type="checkbox"/> |  | CPCSC MAY NOT DISCLOSE MY NAME <input type="checkbox"/> |  |
|--|--|--|--|--|--|---|--|

|  |  |  |  |   |  |  |  |
|--|--|--|--|---|--|--|--|
| 24. NARRATIVE (See Instructions on Other Side) |  |  |  | 25. REGIONAL OFFICE DIRECTOR REVIEW<br>DATE |  |  |  |
|--|--|--|--|---|--|--|--|

**NOTE:** The police department conducted an investigation of the incident, but would not release its investigation report, stating that both parties involved were minors, and the matter was being handled by the juvenile court. The police official released information regarding the victim, but would not release the playmate's name, nor the identity of his parents. The police official agreed to write a letter describing the incident (please see Attachment #1). The mother of the victim reported that there was no adult present during the accident; and that the gun used by the playmate had been borrowed from another playmate, who was not present at the accident site. The information obtained from the police department was limited. In addition, the mother stated that she could only provide second-hand information about the incident - and could not provide information about the pellet gun. Due to the aforementioned reasons, this investigation report is limited.

(USE OTHER SIDE AND ADDITIONAL SHEETS IF NECESSARY)

13 MAY 1991

FPDS

CONTACT WITH POLICE OFFICIAL:

The police official stated that the police investigation report involving the accident could not be released because one child was injured, and that both parties involved were minors. There was a charge brought against the nine year-old playmate, and is being handled by the juvenile court.

The police official was asked to provide a letter describing the accident, and identifying the pellet gun involved; since the investigation report could not be released. Please see Attachment #1 for the letter from the police official.

According to the official, on 2/3/91, at 2:20 p.m., the police department received a complaint from the victim's mother; who stated that her son had been accidentally shot by a playmate with a pellet B.B. gun.

Investigation revealed that the victim and another juvenile (the 9 year-old male playmate) had been playing with a pellet B.B. gun. While playing, the weapon was pointed at the victim, and discharged, thinking that it was not loaded. The victim was shot in the left chest with the pellet penetrating the chest wall and lodging against the wall of the heart.

The victim was hospitalized and placed in intensive care. The police official did not know at the time of this interview the condition of the victim. However, the official reported in the letter that the victim had suffered no lasting effects of his injury and was back in school.

CONTACT WITH VICTIM'S MOTHER:

The victim's mother has an unlisted telephone number, and had not responded to a contact number. The police official contacted the victim's father, who provided the telephone number to the police official. The police official reported that the father had given permission to be contacted for the investigation.

The victim's mother was contacted by phone, who provided the following information. On 2/3/91, at approximately 2:00 p.m., her 8 year-old son (victim) was playing with a 9 year-old male playmate in a vacant lot, located directly across from her home. She stated that she was at church at the time of the incident, and that she learned of the incident from her son and husband.

She stated that her son had stated to his playmate that he should not be playing with the pellet B.B. gun he was holding at the time. (The mother reported that she has four sons ranging from 5 to 15 years-old, and that she had never purchased a pellet gun for either of her sons). She stated that the playmate responded, "I'll shoot you", then placed the gun flush to her son's chest and fired the gun. She stated that immediately afterwards, the playmate seemed to be alarmed and stated that he didn't know that the gun was loaded. She stated that the playmate "brought the victim home". She stated that he assisted her son by holding him upright as they walked home. She stated that her son reported to his father

CONTACT WITH VICTIM'S MOTHER (Cont'd):910219HCN0686

that he had been shot. She stated that by that time she had arrived home, and reported the incident to the police, while her husband took their son to the hospital; where she later joined them. She stated that her son was hospitalized in intensive care for three days, but was hospitalized for five days. She stated that she had hoped that the police department would do something about the incident, but that they ruled that the incident was accidental.

The respondent stated that she has hired a lawyer, to sue for hospital expenses she has incurred. She stated that she has a total amount of \$3,000.00 in hospital bills, which have to be paid; and that the mother has stated that she would be unable to help her with the expenses.

She stated that she did not know the product identification of the pellet gun, but was told that the gun belonged to a friend of the playmate involved in the shooting. She stated that she had heard that the gun was a few years old, and was not new. She was asked for the name of the gun's owner, but she stated that she wasn't sure if this account was accurate, and that it was something she had heard.

The respondent stated that the pellet could not be removed from her son's heart. She stated that the doctor reported that her son would be fine, as long as the pellet would not move from its present location. She stated that if the pellet moves in the future as her son grows up, that he may have to have open-heart surgery. She stated that her son is presenting doing fine and is now in school.

PRODUCT IDENTIFICATION:

Product: Pellet B.B. Gun

Brand/Model: Daisy Powerline 880 - .177 caliber - 4.5 mm pellet/BB gun.

Manufacturer: Daisy Manufacturing Company  
Box 220  
Rogers, Arkansas 72560

Age: Unknown. Believed to be "several" years old, according to the victim's mother.

NOTE: The police department reported that the BB gun was about 2 to 3 years-old. There was no additional information found regarding the product.

ATTACHMENTS:

Attachment #1 - Letter dated 4/2/91, from the Police Department regarding the accident;

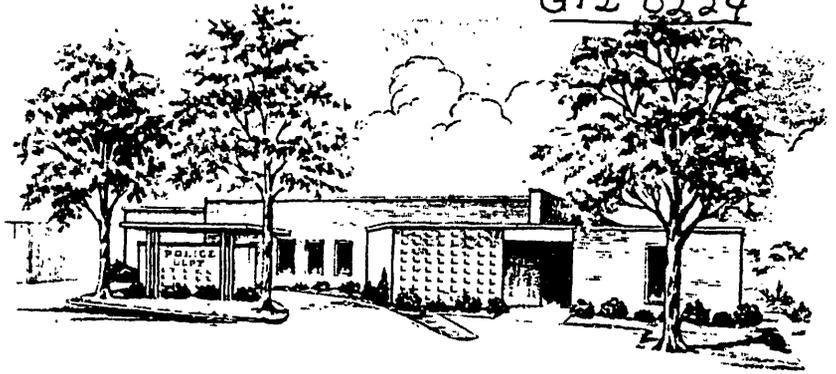
Attachment #2 - Newspaper Clipping regarding the accident.

Attachment 1  
910219HCN/0686  
G12 0224

## Leland Police Department

LELAND, MISSISSIPPI 38756

MIKE DEES, Chief  
P. O. Box 868



April 2, 1991

Ms. Linda Rogers  
U. S. Consumer Products Safety Commission  
730 Peachtree Street N.E.. Suite 871  
Atlanta. GA 30365

REF: CASE # 50817

Dear Ms. Rogers:

On February 3, 1991, at 2:20 PM, the Leland Police Department received a complaint from Veronica Miller of 714 Feltus Blvd., Leland, Mississippi, stating that her son, Lonzo Miller, 8 years of age, had been accidentally shot.

Investigation by Officer Joe Nicholson of the Leland Police Department revealed that the victim and another juvenile were playing with a pellet/BB gun. While playing, the weapon was pointed at the victim and discharged, thinking that it was not loaded. The victim was shot in the left chest with the bullet penetrating the chest wall and lodging against the wall of the heart. The weapon in question is a Daisy Powerline 880 .177 caliber 4.5 mm pellet/BB gun. The victim was transported to Delta Regional Medical Center in Greenville, Mississippi, telephone number 601-378-3783, treated by Dr. David Dillon and admitted to the Intensive Care Unit under the care of Dr. John Brooks. At the time of admission, Lonzo was alert and responsive and was expected to be moved to a room the next day.

In checking with Lonzo's father on 04/02/91, it was learned that Lonzo has suffered no lasting effects of his injury and is now back in school. The complainant's husband gave me permission to release their telephone number, 601-686-7330, for your records.

If I can be of further assistance in this matter, please feel free to contact me at 601-686-7233.

Very truly yours,

SYLVIA D. SESSUMS  
RECORDS SUPERVISOR / POLICE OFFICER

Attachment 2  
910219HCN0686  
G120224

G12 0224

DOI # 910219HCN0686

MAGNOLIA  
Clipping Service  
Jackson, MS

Deer Creek Progress  
Leland, Mississippi  
Weekly  
02/07/91

# Boy shot with pellet gun; <sup>506</sup>two arrested in meat theft

At 2:20 p.m. Feb. 3, Mrs. Veronia Miller, 714 Feltus called Police Department and stated her child had been shot. 8 year old male, Lonzo Miller was outside playing with some boys and was accidentally shot in the chest with a daizy powerline pellet gun. He was taken to Delta Regional Medical Center. The doctor said the pellet had penterated chest wall and lodged near the heart. He is in intensive care and his condition is stable. No charges have been filed.

At 8:35 p.m. Feb. 2, an unknown person called Police Department stated somebody was breaking into Delta Meat, 202 7th St. Bolt cutters were used to cut padlock off the truck and building. Approximately \$600 of meat was taken out of truck and placed on the ground. Police arrested a 15-year-old juvenile and Issac Johnson, age 18, of 1005 N. Main, Apt A, Leland. Both are being held by the Police Department.

Doc: CACA

06 AUG 1984

6

|   |   |                         |   |
|---|---|-------------------------|---|
| 1. CASE NO.<br>840614HCC3316                    | 2. INVESTIGATOR'S ID<br>8 6 9 1                             | 3. OFFICE CODE<br>8 5 5 | <b>✓</b><br><b>EPIDEMIOLOGIC<br/>INVESTIGATION<br/>REPORT</b> |
| 4. DATE OF ACCIDENT<br>YR MO DAY<br>8 4 0 3 0 1 | 5. DATE INVESTIGATION INITIATED<br>YR MO DAY<br>8 4 0 6 1 8 |                         |   |

6. SYNOPSIS OF ACCIDENT OR COMPLAINT Complainant states a CO 2 Pistol presents a hazard due to the fact it fires when dropped and also the cartridge does not seal properly.

No injuries have resulted from the product.

MFR/PW/IBR NOTIFIED  
 No comments made  
 Comments attached  
 Exclusions/Revisions  
 Firm has not requested  
 further notice 1/30/86  
 K

|  |                     |                      |
|--|---------------------|----------------------|
| 7. LOCATION (Home, school, etc.)<br>Home | 8. CITY<br>Skiatook | 9. STATE<br>Oklahoma |
|--|---------------------|----------------------|

|                                   |  |
|-----------------------------------|--|
| 10A. FIRST PRODUCT<br>CO 2 Pistol | 11A. TRADE/BRAND NAME<br>MANUFACTURER & ADDRESS<br>Daisy Mfg. Co |
|-----------------------------------|--|

|                     |  |
|---------------------|--|
| 10B. SECOND PRODUCT | 11B. TRADE/BRAND NAME<br>MANUFACTURER & ADDRESS<br>211 S. 8th St. Rogers, Arkansas 72756 |
|---------------------|--|

|                            |   |                      |                             |
|----------------------------|---|----------------------|-----------------------------|
| 12. AGE OF VICTIM<br>0 0 0 | 13. SEX (Use numerical code)<br>MALE -1<br>FEMALE -2<br>UNKNOWN -3<br>0 | 14. DISPOSITION<br>0 | 15. INJURY DIAGNOSIS<br>0 0 |
|----------------------------|---|----------------------|-----------------------------|

|                      |  |  |                         |
|----------------------|--|--|-------------------------|
| 16. BODY PART<br>0 0 | 17. RESPONDENT(S) (Mother, Friend)<br>Complainant- 1 | 18. TYPE INVESTIGATION<br>ON SITE 1<br>TELEPHONE 2<br>OTHER 3<br>2 | 19. TIME SPENT<br>0 6 0 |
|----------------------|--|--|-------------------------|

|                               |                           |                            |                          |
|-------------------------------|---------------------------|----------------------------|--------------------------|
| 20. ATTACHMENTS<br>Multiple 9 | 21. CASE SOURCE<br>CC 0 7 | 22. REVIEWED BY<br>8 0 2 1 | YR MO DAY<br>8 4 0 7 3 1 |
|-------------------------------|---------------------------|----------------------------|--------------------------|

|  |   |  |
|--|---|--|
| 23. PERMISSION TO DISCLOSE NAMES<br>(NON-NEISS CASES ONLY) | CPSC MAY DISCLOSE MY NAME <input checked="" type="checkbox"/> | CPSC MAY NOT DISCLOSE MY NAME <input type="checkbox"/> |
|--|---|--|

24. NARRATIVE (See Instructions on Other Side)

This investigation was conducted at the request of SW-RO operations Division and EPHA.

The investigation was conducted by telephone because the complainant, hereafter referred to as the respondent called to cancel the appointment that had been set up for 7-11-84. The respondent stated one of his children had accidentally sent the product along with some clothing to the church and he had not been able to contact the minister. The respondent states he does not know when he will be able to retrieve the pistol but when he does he will contact this office. In the mean time he provided the following information.

PRE-ACCIDENT:

The respondent, his wife and 4 children ages 20,16,14,13 reside in a 3 bedroom, 950 square feet brick home. They have resided in the home 1 1/2 years. The respondent stated the pistol was purchased approximately two (2) months before he contacted the commission.

(USE OTHER SIDE AND ADDITIONAL SHEETS IF NECESSARY)

ACCIDENT:

The respondent stated the first incident occurred on about 3-1-84 when he accidentally dropped the pistol. The pistol was cocked and the safety was on.

POST ACCIDENT:

The respondent states the pistol was used mostly for scaring animals away from rabbits owned by the family. He stated the projectile travels several hundred yards. Grains of sand can be substituted for the BB's and makes a very soft noise when fired.

As stated previously, the product is a pistol, the projectile is a steel BB. The trigger mechanism is a regular type trigger and is gas powered. The trigger pull is not adjustable. The respondent stated he is experienced with all types of fire arms having served in the Marine Corps.

The respondent also complained that approximately 25% of the cartridges do not seal and if they are left setting for any period of time he has to reload because they loose the pressure and the cartridges are useless.

The product had not required any maintenance.

PRODUCT INFORMATION:

Product: CO 2 Pistol  
Age: 2 months  
Model: M-1200  
Manufacturer: Daisy Mfg. Co.  
211 S. 8th St.  
Rogers, AR 72756  
Dealer: Walmart, Skiatook, OK

ATTACHMENTS:

1. Assignment Memo's SW-RO/EPHA
2. Consumer Complaint
3. Appendix 79

ADDENDUM

RE: 840614HCC3316

1. The respondent stated the pistol had been dropped twice - once since 3-1-84 and knocked off a shelf once. Both times the pistol fired. He could not remember the exact dates of the incidents.
2. Complainant did not contact the dealer and does not plan to. The dealer stated they did not receive any complaints on the CO2 pistol.
3. The complainant did not contact the manufacturer, but stated on 7-24-84 the manufacturer contacted him and is sending a mailing label for him to ship the pistol to them as soon as he recovers it. They will either <sup>repair</sup> or replace it.
4. The minister's name is ~~\_\_\_\_\_~~. The telephone number is ~~\_\_\_\_\_~~ or ~~\_\_\_\_\_~~. Several attempts were made to contact him but since the manufacturer has requested the product be returned and the respondent is going to comply with this request, I have not tried again.
5. The pistol has a safety button located at the right of the trigger.
6. The cock is located at the bottom of the barrel. The lever is pulled back to cock it.

PURGED

IDI NUMBER: 8406 147003316

PRODUCT: Co2 Pistol

FIRM: Daisy Mfg Co.

TO:

FROM:

SUPERVISORY INVESTIGATOR  
SOUTHWESTERN REGION

6/18/84

DATE:

June 14

1984

91-165

PROGRAM/STI:

ASSIGNMENT:

INSPECTION

TARGET DATE:

840719

SAMPLE

DATE INITIATED:

6/18/84

RECALL CHECK/ID CHECK

DATE SUBMITTED:

7-12/84

FIELD TEST

TRAVEL TIME:

-0-

**IN-DEPTH INVESTIGATION**

HOURS:

6

SPEECH

DATE ENDORSED:

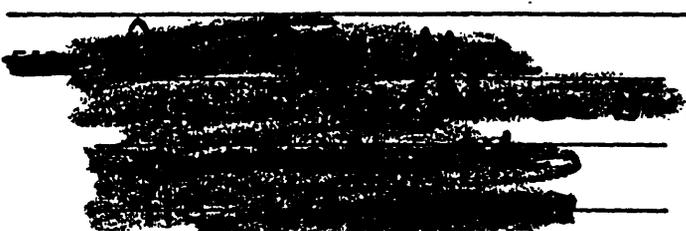
MEDIA INTERVIEW/CONTACT

RETURNED:

SURVEY

OTHER

SEC. 15 PROBLEM:



RE: 840614HCC 3316 as F/1  
to complaint H450083A1  
CO2 Gun

COMMENTS:

Do on-site if product available for  
examination. Note assignment instructions. Use  
guideline # 79  
75 to 70

ASSIGNED WORK RECEIVED AFTER TARGET DATE.....

SUPERVISOR NOTIFIED

YES

NO

On Site if product available ✓  
Note instructions: Use guide # 79  
MIS : 91-165  
Target 840719  
EPA INVESTIGATION REQUEST FORM

To Be Completed by Requester:

1. Incident Number: H450083A1 (CC)

2. Source: Hotline Area Office Document No. \_\_\_\_\_

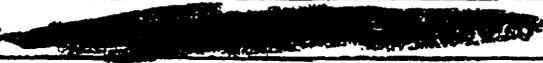
3. Date of Incident: 3/01/84

4. Type of Follow-Up Request:

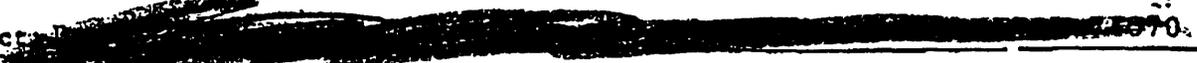
In-Depth Investigation  Telephone Call

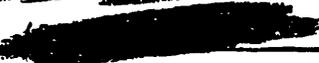
Category ID Number TYNN331984

5. Assignment Message: "When gun is accidentally drop, it fires." Ask  
if this only occurs when the gun is cocked, and try and determine  
the users experience with GAS, Air, and Spring Guns. Is the trigger  
pull adjustable, and has the trigger mechanism required maintance.  
If so what was done?

EPA Contact: 

Product Involved: CO, Gun

Contact:  2570

Telephone: 

Requested By: 

Org.: EPA

To Be Completed by EPA

Task Number: 840614HCC 3316

A/O Assigned: DAL Date: \_\_\_\_\_

Mailed To: \_\_\_\_\_ A/O Date: \_\_\_\_\_

6/14/84  
ATM

8406 14 HCC 3316  
6/18/84  
Bgd

Appendix 79

TOY GUNS AND OTHER TOY WEAPONS  
WITH PROJECTILES

1. INVESTIGATIVE PROCEDURES. Determine the following:
  - a. Distance the projectile travels. *Several hundred yards*
  - b. Possibility of substitute projectiles. *Price of lead*
  - c. Distance from the victim to the originating source. *N/A*
  - d. Noise (loud or soft). *Soft*
  
2. SPECIFIC PRODUCT FACTORS. Describe the following:
  - a. Type of toy (rifle, pistol, machine gun, etc.). *CO2*
  - b. Size and shape of the projectile. *Steel BB*
  - c. Trigger mechanism. *Regular*
  - d. Power source (spring or gas). *Gas*

CONSUMER PRODUCT SAFETY COMMISSION  
CONSUMER PRODUCT COMPLAINT REPORT

NAME OF COMPLAINANT: DAVID SHAFFER  
STREET ADDRESS: 214 N. WILDHORSE DR RT 2  
TELEPHONE NO: (918)-396-4512  
CITY: SKIATOOK  
STATE: OK  
DATE OF INCIDENT: 03/01/84  
ZIP CODE: 74070  
DESCRIPTION OF PRODUCT(S): C02 PISTOL  
OBJECTS TO RELEASE OF NAME: N  
DATE ACQUIRED: 84/03  
BRAND: DAISY  
MODEL/STYLE: M-1200  
SERIAL: LOT/BATCH:

MFR/IMPORTER/DISTRIBUTOR NAME & ADDRESS: DAISY MFG. CO, 2111 S 8TH ST ROGERS, AR 72756

DEALER NAME & ADDRESS: WALMART SKIATOOK, OK

HOW WAS PRODUCT ACQUIRED? NEW  
SAMPLE AVAILABLE? Y  
WARNING LABEL? N  
INSTRUCTIONS? Y

PRODUCT DAMAGED BEFORE INCIDENT? N  
REPAIRED BEFORE INCIDENT? N  
ESTIMATED AGE OF PRODUCT: NEW

-----INJURY/ILLNESS INFORMATION-----

VICTIM AGE: VICTIM SEX: 0 BODY PARTS INVOLVED: WORK RELATED: N HAZARD TYPE: F INJURY CODE: 4

TYPE OF INJURY/ILLNESS: MEDICAL TREATMENT RECEIVED:

DESCRIPTION OF INCIDENT & COMPLAINT: WHEN GUN IS ACCIDENTLY DROP, IT FIRES. ALSO THE C02 CARTRIDGE DOES NOT SEAL PROPERLY AT TIMES.

-----ADMINISTRATIVE DETAIL-----

SOURCE: 09 RECEIVING OFFICE: HL DATE RECEIVED: 05/24/84

RECEIVED BY: RSH SOURCE OF REPORT: PHONE DOCUMENT NO: H450083A1 ISSUE NO: 34

FOLLOW-UP ACTION: NO LETTER PRODUCT CODES: 1237 DISTRIBUTION:

TASK NUMBER: \_\_\_\_\_

PLEASE ADD ANY COMMENTS OR MAKE ANY CORRECTIONS IN THE TEXT ABOVE OR IN THE SPACE BELOW:

I CONFIRM THAT THE INFORMATION ABOVE IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF

*David Shaffer*  
SIGNATURE  
3-7-84  
DATE

EPDS

MAY 25 1984

8406 14 HCC 5510  
6/18/84  
Bgd

Appendix 79

TOY GUNS AND OTHER TOY WEAPONS  
WITH PROJECTILES

1. INVESTIGATIVE PROCEDURES. Determine the following:
  - a. Distance the projectile travels. *Several hundred yards*
  - b. Possibility of substitute projectiles. *Prone of hand*
  - c. Distance from the victim to the originating source. *N/A*
  - d. Noise (loud or soft). *Soft*
  
2. SPECIFIC PRODUCT FACTORS. Describe the following:
  - a. Type of toy (rifle, pistol, machine gun, etc.). *CO<sub>2</sub>*
  - b. Size and shape of the projectile. *Steel BB*
  - c. Trigger mechanism. *Regular*
  - d. Power source (spring or gas). *Gas*

# DAISY MANUFACTURING COMPANY

INCORPORATED



ROGERS - ARKANSAS U.S.A.

(501) 636-1200  
Telex: 53-6476

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

November 2, 1984

RECEIVED  
11/14/84 2:00 PM

Dr. Robert Verhalen  
Associate Executive Director for Epidemiology  
CPSC  
Washington, DC 20207

Dear Dr. Verhalen:

I am writing in regard to an investigation conducted by the CPSC on a Daisy BB gun Model 1200 (also CPSC letter dated August 31, 1984, Case No. 840614HCC 3316).

The CPSC received a report from Mr. David Shaffer of Skiatook, Oklahoma in which Mr. Shaffer stated that his gun would fire when dropped. We contacted Mr. Shaffer in an attempt to have the gun sent to us for examination; but, apparently, the gun has been lost, and we will not be able to obtain it for examination.

Daisy periodically performs a drop test on the Model 1200 in which the gun is dropped in a cocked condition. We have not observed any failures (gun firing) during drop testing. The American Society for Testing and Materials (ASTM) Standard F-589 for Non-Powder Guns specifies a drop test height of 36"; Daisy actually uses a drop test height of 42". Daisy has produced this Model 1200 for years, and this is the first time we have been notified of such a condition.

Based on periodic testing of the Model 1200 and the fact that no failures have been observed, we do not feel that we have a reportable condition under Section 15 of the Consumer Product Safety Act.

Sincerely,

*Frank Tarr*

Frank Tarr, Vice President  
Finance and Administration

cb

cc: Aaron Locker

NAT'L. INST. OF  
CLEANING  
CPSC  
84 NOV 15 1984

1237



DATE: 05/24/84  
TIME: 22042091

CONSUMER PRODUCT COMPLAINT REPORT

NAME OF COMPLAINANT: DAVID SHAFFER  
STREET ADDRESS: 214 N. WILDHORSE DR RT 2  
DESCRIPTION OF PRODUCT(S): CO2 PISTOL  
BRAND: DAISY  
MFR/IMPORTER/DISTRIBUTOR NAME & ADDRESS: DAISY MFG. CO, 2111 S 8TH ST ROGERS, AR 72756  
DEALER NAME & ADDRESS: WALMART  
HOW WAS PRODUCT ACQUIRED? NEW  
PRODUCT DAMAGED BEFORE INCIDENT? N  
REPAIRED BEFORE INCIDENT? N  
ESTIMATED AGE OF PRODUCT: NEW

TELEPHONE NO: (918)-396-4512  
CITY: SKIATOOK  
MODEL/STYLE: M-1200  
MFR/IMPORTER/DISTRIBUTOR NAME & ADDRESS: DAISY MFG. CO, 2111 S 8TH ST ROGERS, AR 72756  
DEALER NAME & ADDRESS: WALMART  
HOW WAS PRODUCT ACQUIRED? NEW  
PRODUCT DAMAGED BEFORE INCIDENT? N  
REPAIRED BEFORE INCIDENT? N  
ESTIMATED AGE OF PRODUCT: NEW

DATE OF INCIDENT: 03/01/84  
STATE: OK  
OBJECTS TO RELEASE OF NAME: N  
DATE ACQUIRED: 84/03  
SERIAL: SKIATOOK, OK  
WARNING LABEL? N  
INSTRUCTIONS? Y

VICTIM AGE: VICTIM SEX: 0 BODY PARTS INVOLVED: WORK RELATED: N HAZARD TYPE: F INJURY CODE: 4

TYPE OF INJURY/ILLNESS: MEDICAL TREATMENT RECEIVED:

DESCRIPTION OF INCIDENT & COMPLAINT: WHEN GUN IS ACCIDENTLY DROP, IT FIRES. ALSO THE CO2 CARTRIDGE DOES NOT SEAL PROPERLY AT TIMES.

MFR/PYVLER NOTIFIED  
 No comments made  
 Exclusions/Revisions  
Firm has not requested further notice  
3/25

-----ADMINISTRATIVE DETAIL-----

SOURCE: 09 RECEIVING OFFICE: HL DATE RECEIVED: 05/24/84  
RECEIVED BY: RSH SOURCE OF REPORT: PHONE .DOCUMENT NO: H450083A1 ISSUE NO: 34  
FOLLOW-UP ACTION: NO LETTER PRODUCT CODES: 1237 DISTRIBUTION: TASK NUMBER: \_\_\_\_\_  
PLEASE ADD ANY COMMENTS OR MAKE ANY CORRECTIONS IN THE TEXT ABOVE OR IN THE SPACE BELOW:

I CONFIRM THAT THE INFORMATION ABOVE IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Rev. David Shaffer  
SIGNATURE  
3-7-84  
DATE

EPDS

MAY 25 1984

X481003

LAW OFFICES

6 AUG 1984

[REDACTED]

PANAMA CITY, FLORIDA 32401

[REDACTED]

July 31, 1984

EPDS

Telephone: [REDACTED]

AUG 06 1984

U.S. Consumer Product Safety  
Commission  
National Injury Information  
Clearing House  
Washington, D.C. 20207

RE: Gas operated B-B gun - Product Code 1237  
Daisy Model 102

RECEIVED  
84 AUG -3 AM 10:20  
NAT'L INJURY INFORMATION  
CLEARINGHOUSE  
CPSC

Dear Sir or Madam:

This is a Freedom of Information Act request.

A client of mine was injured in the eye after a Daisy Model 102 B-B gun was fired. The gun had been tested by the children, and there was no indication that any B-B's were left in the gun. When fired again, it did have a B-B which struck my client in the eye.

[REDACTED]

I would appreciate your providing whatever information is available in your files pertaining to the [REDACTED] mentioned above and copies of hazard notifications and records of recalls and corrective actions pertaining to this model air rifle.

I will be happy to pay the cost of providing this information, but since I do not want to incur large expenses, I would appreciate your calling my office collect to give me an advance idea about approximately how much you will charge for this service. Thank you very much for your assistance.

Sincerely,

[REDACTED]

MFR/PRVLR NOTIFIED  
 No comments made  
 Comments attached  
 Excisions/Revisions  
 [REDACTED] has not requested further notice

11/30/86 237

## CONSUMER PRODUCT COMPLAINT REPORT

|   |   |  |  |
|---|---|--|--|
| 1. NAME OF COMPLAINANT<br>[REDACTED]  |   | 2. TELEPHONE NO.<br>[REDACTED]   | 3. DATE OF INCIDENT<br>Oct. 25, 1981   |
| 4. STREET ADDRESS<br>[REDACTED]   |   | 5. CITY, STATE, ZIP CODE<br>Chipley, Florida 32428   |  |
| 6a. DESCRIPTION OF PRODUCT(S)<br>B-B Gun (gas)  |   | <input checked="" type="checkbox"/> Object to release of name.<br><input type="checkbox"/> Does not object to release of name. |  |
| 7. BRAND NAME<br>Daisy  |   | 8. MODEL/STYLE NO.<br>102  |  |
| 9. SERIAL NO.<br>Unknown  |   | 10. LOT/BATCH NO.  |  |
| 11. MANUFACTURER, IMPORTER, OR DISTRIBUTOR NAME AND ADDRESS   |   | 12. DEALER NAME AND ADDRESS  |  |
| 13. HOW PRODUCT ACQUIRED<br>Purchased New <input type="checkbox"/> Second Hand <input type="checkbox"/> Other <input type="checkbox"/> Specialty _____  |   |  |  |
| 14. SAMPLE AVAILABLE<br>Yes <input type="checkbox"/> No <input type="checkbox"/>  |   | 15. WARNING LABEL<br>Yes <input type="checkbox"/> No <input type="checkbox"/>  | 16. INSTRUCTIONS<br>Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 17. PRODUCT DAMAGED BEFORE INCIDENT<br>Yes <input type="checkbox"/> No <input type="checkbox"/>   | 18. PRODUCT REPAIRED BEFORE INCIDENT AFTER<br>Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> |  | 19. AGE OF PRODUCT (ESTIMATE IF NECESSARY)                                   |
| IF INJURY OR ILLNESS COMPLETE ITEMS 20 - 24   |   |  |  |
| 20. VICTIM'S AGE<br>9   | 21. VICTIM'S SEX<br>Male <input type="checkbox"/> Female <input checked="" type="checkbox"/>  | 22. BODY PART(S) INVOLVED<br>Eye   |  |
| 23. TYPE OF INJURY OR ILLNESS<br>Burn <input type="checkbox"/> Fracture <input type="checkbox"/> Cut <input type="checkbox"/> Other <input checked="" type="checkbox"/> Specialty <u>Retinal tear</u>   |   |  |  |
| 24. MEDICAL TREATMENT RECEIVED<br>Physician's Office <input checked="" type="checkbox"/> Emergency Room <input type="checkbox"/> Other Hospital <input type="checkbox"/> Other <input type="checkbox"/> Specialty _____   |   |  |  |
| 25. GIVE DETAILS OF COMPLAINT, INJURY, OR ILLNESS. DESCRIBE HOW INCIDENT OCCURRED. USE REVERSE SIDE IF NECESSARY. <p>Several children were playing with B-B guns. The B-B gun which injured my daughter was thought to be empty. It was tested several times by the children, and there was no indication that any B-B's were left in the gun. When fired again, it did have a B-B which struck my daughter in the eye.</p> |   |  |  |
| FOR COMMISSION USE ONLY   |   |  | Attorney for SOURCE: the victim.   |
| 26. RECEIVING OFFICE  | 27. DATE RECEIVED   | 28. RECEIVED BY  |  |
| 29. SOURCE OF REPORT<br>Letter <input checked="" type="checkbox"/> Phone <input type="checkbox"/> Visit <input type="checkbox"/> Other <input type="checkbox"/> Specialty _____   |   | 30. DOCUMENT NO.<br>X 48 1003  |  |
| 31. FOLLOW-UP ACTION  |   | 32. PRODUCT CODE(S)<br>1237  |  |
| 33. DISTRIBUTION  |   | 34. ENDORSEER'S NAME AND TITLE   |  |

N

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

RECEIVED

'84 SEP -6 P2:16

NAT'L INJURY  
CLEARINGHOUSE  
CPSC

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

9/3/84  
Date

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.

X 48-1003/1237  
08-06-84

X481003

LAW OFFICES

6 AUG 1984

[REDACTED]

PANAMA CITY, FLORIDA 32401

Telephone: [REDACTED]

July 31, 1984

EPDS

AUG 06 1984

U.S. Consumer Product Safety  
Commission  
National Injury Information  
Clearing House  
Washington, D.C. 20207

RE: Gas operated B-B gun - Product Code 1237  
Daisy Model 102

NATI. INJURY INFO.  
CLEARING HOUSE  
CPSC

'84 AUG -3 AM 10:2

RECEIVED

Dear Sir or Madam:

This is a Freedom of Information Act request.

A client of mine was injured in the eye after a Daisy Model 102 B-B gun was fired. The gun had been tested by the children, and there was no indication that any B-B's were left in the gun. When fired again, it did have a B-B which struck my client in the eye.

[REDACTED]

I would appreciate your providing whatever information is available in your files pertaining to the [REDACTED] mentioned above and copies of hazard notifications and records of recalls and corrective actions pertaining to this model air rifle.

I will be happy to pay the cost of providing this information, but since I do not want to incur large expenses, I would appreciate your calling my office collect to give me an advance idea about approximately how much you will charge for this service. Thank you very much for your assistance.

Sincerely,

[REDACTED]

MFR/PRVLR NOTIFIED

No comments made  
 Comments attached  
 Excisions/Revisions  
 [REDACTED] has not requested further notice

11/30/86 237

CWP/eb

## CONSUMER PRODUCT COMPLAINT REPORT

|   |  |   |                                      |
|---|--|---|--------------------------------------|
| 1. NAME OF COMPLAINANT<br>[REDACTED]  |  | 2. TELEPHONE NO.<br>[REDACTED]  | 3. DATE OF INCIDENT<br>Oct. 25, 1981 |
| 4. STREET ADDRESS<br>[REDACTED]   |  | 5. CITY, STATE, ZIP CODE<br>Chipley, Florida 32428  |                                      |
| 6a. DESCRIPTION OF PRODUCT(S)<br>B-B Gun (gas)  |  | <input checked="" type="checkbox"/> Objects to release of name.<br><input type="checkbox"/> Does not object to release of name.                                 |                                      |
| 7. BRAND NAME<br>Daisy  |  | 8. MODEL/STYLE NO.<br>102   |                                      |
| 9. SERIAL NO.<br>Unknown  |  | 10. LOT/BATCH NO.   |                                      |
| 11. MANUFACTURER, IMPORTER OR DISTRIBUTOR NAME AND ADDRESS  |  | 12. DEALER NAME AND ADDRESS   |                                      |
| 13. HOW PRODUCT ACQUIRED<br>Purchased New <input type="checkbox"/> Second Hand <input type="checkbox"/> Other <input type="checkbox"/> Specialty _____  |  |   |                                      |
| 14. SAMPLE AVAILABLE<br>Yes <input type="checkbox"/> No <input type="checkbox"/>  |  | 15. WARNING LABEL<br>Yes <input type="checkbox"/> No <input type="checkbox"/>   |                                      |
| 17. PRODUCT DAMAGED BEFORE INCIDENT<br>Yes <input type="checkbox"/> No <input type="checkbox"/>   |  | 18. INSTRUCTIONS<br>Yes <input type="checkbox"/> No <input type="checkbox"/>  |                                      |
| 11. PRODUCT DAMAGED BEFORE INCIDENT<br>Yes <input type="checkbox"/> No <input type="checkbox"/>   |  | 12. PRODUCT REPAIRED BEFORE INCIDENT AFTER<br>Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> |                                      |
| 19. AGE OF PRODUCT (ESTIMATE IF NECESSARY)  |  |   |                                      |
| IF INJURY OR ILLNESS COMPLETE ITEMS 20 - 24   |  |   |                                      |
| 20. VICTIM'S AGE<br>9   |  | 21. VICTIM'S SEX<br>Male <input type="checkbox"/> Female <input checked="" type="checkbox"/>  |                                      |
| 22. BODY PART(S) INVOLVED<br>Eye  |  |   |                                      |
| 23. TYPE OF INJURY OR ILLNESS<br>Burn <input type="checkbox"/> Fracture <input type="checkbox"/> Cut <input type="checkbox"/> Other <input checked="" type="checkbox"/> Specialty <u>Retinal tear</u>   |  |   |                                      |
| 24. MEDICAL TREATMENT RECEIVED<br>Physician's Office <input checked="" type="checkbox"/> Emergency Room <input type="checkbox"/> Other Hospital <input type="checkbox"/> Other <input type="checkbox"/> Specialty _____   |  |   |                                      |
| 25. GIVE DETAILS OF COMPLAINT, INJURY, OR ILLNESS. DESCRIBE HOW INCIDENT OCCURRED. USE REVERSE SIDE IF NECESSARY. <p>Several children were playing with B-B guns. The B-B gun which injured my daughter was thought to be empty. It was tested several times by the children, and there was no indication that any B-B's were left in the gun. When fired again, it did have a B-B which struck my daughter in the eye.</p> |  |   |                                      |
| FOR COMMISSION USE ONLY   |  |   |                                      |
| 26. RECEIVING OFFICE  |  | 27. DATE RECEIVED   |                                      |
| 29. SOURCE OF REPORT<br>Letter <input checked="" type="checkbox"/> Phone <input type="checkbox"/> Visit <input type="checkbox"/> Other <input type="checkbox"/> Specialty _____   |  | 30. DOCUMENT NO.<br>X 48 1003   |                                      |
| 31. FOLLOW-UP ACTION  |  | 32. PRODUCT CODE(S)<br>1237   |                                      |
| 33. DISTRIBUTION  |  | 34. ENDORSEER'S NAME AND TITLE  |                                      |

Attorney for SOURCE: the victim.

N

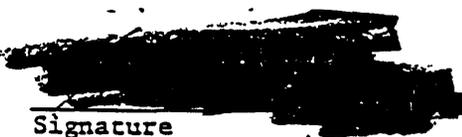
If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

RECEIVED

'84 SEP -6 P2:16

NAT'L INJURY  
CLEARINGHOUSE  
CPSC

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

9/7/84  
Date

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.

X 48-1003/1237  
08-06-84

X481003

6 AUG 1984

LAW OFFICES

URQUHART, PITTMAN, STONE and FAUCHEUX, P.A.

314 MAGNOLIA AVENUE  
PANAMA CITY, FLORIDA 32401

MARVIN A. URQUHART, JR.  
C. WES PITTMAN  
MICHEL L. STONE  
PATRICK J. FAUCHEUX

July 31, 1984

Telephone:  
(904) 769-3226

EPDS

AUG 06 1984

U.S. Consumer Product Safety  
Commission  
National Injury Information  
Clearing House  
Washington, D.C. 20207

RE: Gas operated B-B gun - Product Code 1237  
Daisy Model 102

RECEIVED  
'84 AUG -3 AM 1:02  
NATL INJURY INFO  
CLEARINGHOUSE  
CPSC

Dear Sir or Madam:

This is a Freedom of Information Act request.

A client of mine was injured in the eye after a Daisy Model 102 B-B gun was fired. The gun had been tested by the children, and there was no indication that any B-B's were left in the gun. When fired again, it did have a B-B which struck my client in the eye.

In addition to there being a defect in the weapon which allowed a B-B to be in the weapon without there being any way for the children to know it was there, the rifle was possibly defective in its firing mechanism as described in the next sentence or two. It is thought that the weapon discharged during cocking as the lever was returned to the stock and without anyone touching the trigger itself. However, witnesses statements are in conflict on this point, and it is possible that one of the children did pull the trigger during or after the time the lever was operated.

I would appreciate your providing whatever information is available in your files pertaining to the two types of defects mentioned above and copies of hazard notifications and records of recalls and corrective actions pertaining to this model air rifle.

I will be happy to pay the cost of providing this information, but since I do not want to incur large expenses, I would appreciate your calling my office collect to give me an advance idea about approximately how much you will charge for this service. Thank you very much for your assistance.

Sincerely,

*C. Wes Pittman*  
C. Wes Pittman *(signature)*

## CONSUMER PRODUCT COMPLAINT REPORT

|   |   |   |  |
|---|---|---|--|
| 1. NAME OF COMPLAINANT Erica Scroggin, a minor, Edward Scroggin, father   |   | 2. TELEPHONE NO.<br>(904) 638-7506  | 3. DATE OF INCIDENT<br>Oct. 25, 1981   |
| 4. STREET ADDRESS<br><del>402 N. 2nd Street</del> RT. 5 Box 674   |   | 5. CITY, STATE, ZIP CODE<br>Chipley, Florida 32428  |  |
| 6a. DESCRIPTION OF PRODUCT(S)<br>B-B Gun (gas)  |   | <input checked="" type="checkbox"/> Objects to release of name.<br><input type="checkbox"/> Does not object to release of name. |  |
| 7. BRAND NAME<br>Daisy  |   | 8. MODEL/STYLE NO.<br>102   |  |
| 9. SERIAL NO.<br>Unknown  |   | 10. LOT/BATCH NO.   |  |
| 11. MANUFACTURER, IMPORTER OR DISTRIBUTOR NAME AND ADDRESS  |   | 12. DEALER NAME AND ADDRESS   |  |
| 13. HOW PRODUCT ACQUIRED<br>Purchased New <input type="checkbox"/> Second Hand <input type="checkbox"/> Other <input type="checkbox"/> Specify _____  |   |   |  |
| 14. SAMPLE AVAILABLE<br>Yes <input type="checkbox"/> No <input type="checkbox"/>  |   | 15. WARNING LABEL<br>Yes <input type="checkbox"/> No <input type="checkbox"/>   | 16. INSTRUCTIONS<br>Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 17. PRODUCT DAMAGED BEFORE INCIDENT<br>Yes <input type="checkbox"/> No <input type="checkbox"/>   | 18. PRODUCT REPAIRED BEFORE INCIDENT AFTER<br>Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> |   | 19. AGE OF PRODUCT (ESTIMATE IF NECESSARY)                                   |
| IF INJURY OR ILLNESS COMPLETE ITEMS 20 - 24   |   |   |  |
| 20. VICTIM'S AGE<br>9   | 21. VICTIM'S SEX<br>Male <input type="checkbox"/> Female <input checked="" type="checkbox"/>  | 22. BODY PART(S) INVOLVED<br>Eye  |  |
| 23. TYPE OF INJURY OR ILLNESS<br>Burn <input type="checkbox"/> Fracture <input type="checkbox"/> Cut <input type="checkbox"/> Other <input checked="" type="checkbox"/> Specify <u>Retinal tear</u>   |   |   |  |
| 24. MEDICAL TREATMENT RECEIVED<br>Physician's Office <input checked="" type="checkbox"/> Emergency Room <input type="checkbox"/> Other Hospital <input type="checkbox"/> Other <input type="checkbox"/> Specify _____   |   |   |  |
| 25. GIVE DETAILS OF COMPLAINT, INJURY, OR ILLNESS. DESCRIBE HOW INCIDENT OCCURRED. USE REVERSE SIDE IF NECESSARY. <p style="margin-top: 10px;">                     Several children were playing with B-B guns. The B-B gun which injured my daughter was thought to be empty. It was tested several times by the children, and there was no indication that any B-B's were left in the gun. When fired again, it did have a B-B which struck my daughter in the eye.                 </p> |   |   |  |
| FOR COMMISSION USE ONLY   |   |   |  |
| 26. RECEIVING OFFICE  |   | 27. DATE RECEIVED   | 28. RECEIVED BY<br>Attorney for SOURCE: the victim.                          |
| 29. SOURCE OF REPORT<br>Letter <input checked="" type="checkbox"/> Phone <input type="checkbox"/> Visit <input type="checkbox"/> Other <input type="checkbox"/> Specify _____   |   | 30. DOCUMENT NO.<br>X 48 1003   |  |
| 31. FOLLOW-UP ACTION  |   | 32. PRODUCT CODE(S)<br>1237   |  |
| 33. DISTRIBUTION  |   | 34. ENDORSEER'S NAME AND TITLE  |  |

N

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

RECEIVED

'84 SEP -6 P2:16

NAT'L INJURY  
CLEARINGHOUSE  
CPSC

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.

Edward H. Maggi                      9/3/84  
Signature    Date

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.

X 48-1003/1237  
08-06-84



\*\*\*\*\* INDEPTH ASSIGNMENT MESSAGE \*\*\*\*\*

TASK NUMBER : 940629HEP9012  
OFFICE : CENQ  
CATEGORY : PAAM011994  
HOSPITAL : 6V672034 WYANDOTTE, WYANDOTTE, MI  
TREATMENT DATE : 940613  
COLLECTION DATE: 940616  
RECORD NUMBER : 04305777  
AGE : 020 20 YEARS  
SEX : 1 MALE  
DIAGNOSIS : 56 FOREIGN BODY  
BODY PART : 82 HAND  
DISPOSITION : 1 TREATED & RELEASED, OR EXAMINED & RELEASED WITHOUT TRTMT  
FIRST PRODUCT : 1237 GAS, AIR OR SPRING-OPERATED GUNS  
SECOND PRODUCT : 1936 BB'S OR PELLETS  
THIRD PRODUCT : 0 CLOSURE TYPE UNKNOWN OR N.A. & 3RD PROD NOT INVOLVED  
LOCALE : 0 UNKNOWN  
F/M VEHICLE : 0 NO MOTOR VEHICLE; NO FIRE INVOLVEMENT  
OCCUPATIONAL : 2 INJURY NOT OCCUPATIONAL OR WORK-RELATED

\*\*\*\*\* NEISS COMMENT \*\*\*\*\*

PUNCTURE WOUND SECONDARY TO PELLET WOUND - PATIENT STATES SHOT LEFT HAND WITH BB GUN WHEN CLEANING GUN

Task Number: 940629HEP9012  
Date of Interview: 7-8-94

BB GUN STUDY DATA RECORDING FORM

\*\*\*\*\*

VICTIM'S AGE FROM THE NEISS RECORD:

(CHECK ONE:)

18 Years or older (ASK TO SPEAK WITH THE VICTIM; THEN PROCEED TO Q 1.)

Under 18 Years (ASK TO SPEAK WITH THE VICTIM'S PARENT OR GUARDIAN. WHEN CONTACT IS MADE, RECORD THE RESPONDENT'S RELATIONSHIP TO VICTIM BY CHECKING THE APPROPRIATE CHOICE BELOW. PROBE IF NECESSARY. THEN PROCEED TO Q 1.)

Parent

Guardian

Other (SPECIFY): \_\_\_\_\_

\*\*\*\*\*

1. Hello. I'm \_\_\_\_\_ with the U.S. Consumer Product Safety Commission. In cooperation with \_\_\_\_\_ hospital we're doing a special study on BB and pellet gun injuries. The Commission is interested in learning more about these incidents, so that we can try to reduce the number and seriousness of injuries that occur.

2. Would you answer some questions so that we can learn how these incidents happen? The information that we are collecting will be used for statistical purposes only. Of course, your responses will be confidential and no names will be used in any report. This interview should take less than 10 minutes to complete. (CIRCLE RESPONSE)

0 No (ASK IF ANOTHER TIME WOULD BE BETTER AND SET UP A CALL-BACK TIME: \_\_\_\_\_)

Yes

3. I understand that \_\_\_\_\_ was treated at the emergency room on 6-13-94 (date) for a BB or pellet gun injury. Is that correct?  
0 No (RESOLVE REASONS FOR INCONSISTENCY: \_\_\_\_\_)

1 Yes

9 Don't know (ASK IF ANOTHER TIME WOULD BE BETTER AND SET UP A CALL-BACK TIME: \_\_\_\_\_)

\*\*\*\*\*  
INTERVIEWER: THANK RESPONDENT AND END INTERVIEW IF THERE WAS NO INJURY OR IF INJURY WAS NOT RELATED TO A BB OR PELLET GUN; OTHERWISE CONTINUE.  
\*\*\*\*\*

4. Specifically, what type of gun was involved--a BB gun, pellet gun, or other type of gun? (CIRCLE RESPONSE)

1 BB Gun (shoots small round shot)

2 Pellet Gun (shoots small, non-cylindrical pellets or darts)

3 BB/Pellet Gun (shoots either BB's or pellets)

4 BB or Pellet Gun--not sure which

7 Other Gun (SPECIFY): \_\_\_\_\_

(IF A FIREARM, THANK RESPONDENT AND END INTERVIEW)

9 Respondent does not know the type of gun involved (THANK RESPONDENT AND END INTERVIEW)

5. How would you describe the gun--was it a pistol, a rifle, or something else? (CIRCLE RESPONSE)

1 Pistol

2 Rifle

7 Other (SPECIFY): \_\_\_\_\_

9 Don't know

6. Was a gas canister (that is, CO<sub>2</sub>) required to shoot the gun? (CIRCLE RESPONSE)

0 No

1 Yes (SKIP TO Q 7)

9 Don't know

7. Did the gun have to be pumped before shooting it? (CIRCLE RESPONSE)

0 No (SKIP TO Q 6)

1 Yes

9 Don't know (SKIP TO Q 6)

8. Was it possible to pump the gun more than once before shooting it? (CIRCLE RESPONSE)

0 No

1 Yes

9 Don't know

9. What was the muzzle velocity the gun? This information may have been on the packaging of the gun or on a hangtag or label when the gun was purchased. (SPECIFY; IF RESPONDENT DOESN'T KNOW, WRITE IN "DON'T KNOW")

Don't know feet per second

10. What were the manufacturer and model of the gun? (SPECIFY; IF RESPONDENT DOESN'T KNOW, WRITE IN "DON'T KNOW")

Manufacturer: Daisy

Model: Power Line 1200

11. How did the injury happen? (RECORD THE RESPONDENT'S NARRATIVE OF THE INCIDENT. PROBE FOR THE IMMEDIATE ACTIVITIES LEADING UP TO THE INCIDENT, DETERMINING THE ACTIONS OF THE VICTIM AND THE PERSON HANDLING THE GUN. INDICATE IF THE RESPONDENT WITNESSED THE INCIDENT.)

THE VICTIM (20 yr. old male) WAS HOLDING THE PISTOL STYLE A-B GUN BETWEEN HIS HANDS. THE VICTIM TURNED TO TALK TO A FRIEND AND THINKING THE SAFETY WAS ON, PULLED THE TRIGGER. THE A-B ENTERED ON THE PALM SIDE OF THE VICTIM'S <sup>LEFT</sup> HAND AND LODGED BETWEEN 2 TENDONS AND THE NERVE BETWEEN THE FIRST AND SECOND FINGER. THE VICTIM'S FRIEND TOOK THE VICTIM TO THE EMERGENCY ROOM WHERE THE DOCTOR DUG AROUND FOR A WHILE BUT ENDED UP SENDING THE VICTIM TO A SPECIALISTS. THE SPECIALIST TOOK AN HOUR TO LOCATE AND EXTRACT THE A-B. THE VICTIM RETURNED TO THE SPECIALIST ONE WEEK LATER. THE SPECIALIST TOLD <sup>THE</sup> VICTIM THAT INJURY CAUSED A LITTLE NERVE DAMAGE BUT HE IS HEALING FINE. NERVE DAMAGE CAN IMPROVE OVER TIME.

\*\*\*\*\*  
INTERVIEWER: IF THE PERSON HANDLING THE GUN WAS THE VICTIM, AND WAS UNDER AGE 16, SKIP TO Q 15;

✓ IF THE PERSON HANDLING THE GUN WAS THE VICTIM, AND WAS AGE 16 OR OLDER, SKIP TO Q 16;

\*\*\*\*\*

12. When the injury occurred, about how far away was the victim from the gun--fairly close, say less than 10 feet, or was the victim farther away?  
1 Less than 10 feet  
2 10 feet or farther  
7 Other (SPECIFY): \_\_\_\_\_  
9 Don't know
13. About how old was the person handling the gun? (SPECIFY YEARS OR CIRCLE RESPONSE)  
\_\_\_\_\_ Years (IF UNDER AGE 16, SKIP TO Q 15;  
IF 16 OR OLDER, SKIP TO Q 16)  
99 Don't know
14. Was the person handling the gun under age 16, or was the person older? (CIRCLE RESPONSE)  
1 Under 16  
2 16 Years or older (SKIP TO Q 16)  
9 Don't know
15. Was an adult (that is, someone age 18 or older) present when the incident happened? (CIRCLE RESPONSE)  
0 No adult was present  
1 Yes, an adult was present  
9 Don't know
16. Whose gun was it--the victim's, the person handling the gun's, or some other person's? (CIRCLE RESPONSE)  
1 Victim's (IF VICTIM WAS AGE 16 OR OLDER, THANK RESPONDENT AND END INTERVIEW)  
2 Person handling the gun (not the victim) (IF HANDLER WAS AGE 16 OR OLDER, THANK RESPONDENT AND END INTERVIEW)  
7 Other (SPECIFY RELATIONSHIP TO VICTIM; E.G., FRIEND, RELATIVE, ETC.): \_\_\_\_\_  
9 Don't know
17. About how old was the owner of the gun? (SPECIFY YEARS OR CIRCLE RESPONSE)  
\_\_\_\_\_ Years (IF AGE 16 OR OLDER, THANK RESPONDENT AND END INTERVIEW; IF UNDER AGE 16, SKIP TO Q 19)  
99 Don't know
18. Was the owner of the gun under age 16 or was the owner older?  
1 Under age 16  
2 Age 16 or older (THANK RESPONDENT AND END INTERVIEW)  
9 Don't know

19. Did the gun's owner purchase the gun alone, with the help of an adult, or was the gun was received as a gift? (CIRCLE RESPONSE)

- 1 Purchased the gun alone
- 2 Purchased the gun with the help of an adult (SPECIFY RELATIONSHIP OF ADULT TO VICTIM; E.G., PARENT, GUARDIAN, OLDER BROTHER) \_\_\_\_\_
- 3 Received the gun as a gift
- 7 Other \_\_\_\_\_
- 9 Don't know

Thank you very much for help in this effort to prevent similar injuries to others.

13 MAY 1991

04

|   |  |  |   |  |  |                         |  |  |   |  |  |
|---|--|--|---|--|--|-------------------------|--|--|---|--|--|
| 1. CASE NO.<br>910219HCN0686<br>G/20224         |  |  | 2. INVESTIGATOR'S ID<br>8 4 4 4                             |  |  | 3. OFFICE CODE<br>8 3 0 |  |  | <b>EPIDEMIOLOGIC<br/>INVESTIGATION<br/>REPORT</b> |  |  |
| 4. DATE OF ACCIDENT<br>YR MO DAY<br>9 1 0 2 0 3 |  |  | 5. DATE INVESTIGATION INITIATED<br>YR MO DAY<br>9 1 0 3 0 4 |  |  |                         |  |  |   |  |  |

6. SYNOPSIS OF ACCIDENT OR COMPLAINT According to the victim's mother, the 8 year-old male victim was shot by a 9 year-old male playmate, with a pellet B.B. gun. The pellet lodged against the wall of the victim's heart, which may require open-heart surgery in the future. The two parties had been playing across the street of the victim's home when the incident occurred.

No Comments made  
Comments attached  
Excisions/Revisions

|  |  |                   |  |                         |  |
|--|--|-------------------|--|-------------------------|--|
| 7. LOCATION (Home, school, etc.)<br>Vacant lot - across street |  | 8. CITY<br>Leland |  | 9. STATE<br>Mississippi |  |
|--|--|-------------------|--|-------------------------|--|

|                                       |  |  |  |
|---------------------------------------|--|--|--|
| 10A. FIRST PRODUCT<br>Pellet B.B. Gun |  | 11A. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS<br>"Daisy Powerline 880"<br>Daisy Manufacturing Company<br>Box 220, Rogers, Arkansas 72560 |  |
|---------------------------------------|--|--|--|

|                             |  |  |  |
|-----------------------------|--|--|--|
| 10B. SECOND PRODUCT<br>None |  | 11B. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS<br>N/A |  |
|-----------------------------|--|--|--|

|                            |  |   |  |                                      |  |   |  |
|----------------------------|--|---|--|--------------------------------------|--|---|--|
| 12. AGE OF VICTIM<br>0 0 8 |  | 13. SEX (Use numerical code)<br>MALE -1<br>FEMALE -2<br>UNKNOWN -3<br>1 |  | 14. DISPOSITION<br>Hospitalized<br>4 |  | 15. INJURY DIAGNOSIS<br>Puncture<br>6 3 |  |
|----------------------------|--|---|--|--------------------------------------|--|---|--|

|                                      |  |  |  |  |  |                         |  |
|--------------------------------------|--|--|--|--|--|-------------------------|--|
| 16. BODY PART<br>Upper Trunk - Heart |  | 17. RESPONDENT(S) (Mother, Friend)<br>Mother of Victim |  | 18. TYPE INVESTIGATION<br>ON SITE 1<br>TELEPHONE 2<br>OTHER 3<br>2 |  | 19. TIME SPENT<br>0 3 0 |  |
|--------------------------------------|--|--|--|--|--|-------------------------|--|

|                             |  |                              |  |                         |  |                        |  |
|-----------------------------|--|------------------------------|--|-------------------------|--|------------------------|--|
| 20. ATTACHMENTS<br>Multiple |  | 21. CASE SOURCE<br>Newspaper |  | 22. REVIEWED BY<br>8007 |  | YR MO DAY<br>91 0 4 18 |  |
|-----------------------------|--|------------------------------|--|-------------------------|--|------------------------|--|

|  |  |   |  |  |  |
|--|--|---|--|--|--|
| 23. PERMISSION TO DISCLOSE NAMES<br>(NON-NEISS CASES ONLY) |  | CSPC MAY DISCLOSE MY NAME <input checked="" type="checkbox"/> |  | CSPC MAY NOT DISCLOSE MY NAME <input type="checkbox"/> |  |
|--|--|---|--|--|--|

|  |  |   |  |
|--|--|---|--|
| 24. NARRATIVE (See Instructions on Other Side) |  | 25. REGIONAL OFFICE DIRECTOR REVIEW<br>DATE |  |
|--|--|---|--|

**NOTE:** The police department conducted an investigation of the incident, but would not release its investigation report, stating that both parties involved were minors, and the matter was being handled by the juvenile court. The police official released information regarding the victim, but would not release the playmate's name, nor the identity of his parents. The police official agreed to write a letter describing the incident (please see Attachment #1). The mother of the victim reported that there was no adult present during the accident; and that the gun used by the playmate had been borrowed from another playmate, who was not present at the accident site. The information obtained from the police department was limited. In addition, the mother stated that she could only provide second-hand information about the incident - and could not provide information about the pellet gun. Due to the aforementioned reasons, this investigation report is limited.

(USE OTHER SIDE AND ADDITIONAL SHEETS IF NECESSARY)

13 MAY 1991

EPDS

CONTACT WITH POLICE OFFICIAL:

The police official stated that the police investigation report involving the accident could not be released because one child was injured, and that both parties involved were minors. There was a charge brought against the nine year-old playmate, and is being handled by the juvenile court.

The police official was asked to provide a letter describing the accident, and identifying the pellet gun involved; since the investigation report could not be released. Please see Attachment #1 for the letter from the police official.

According to the official, on 2/3/91, at 2:20 p.m., the police department received a complaint from the victim's mother; who stated that her son had been accidentally shot by a playmate with a pellet B.B. gun.

Investigation revealed that the victim and another juvenile (the 9 year-old male playmate) had been playing with a pellet B.B. gun. While playing, the weapon was pointed at the victim, and discharged, thinking that it was not loaded. The victim was shot in the left chest with the pellet penetrating the chest wall and lodging against the wall of the heart.

The victim was hospitalized and placed in intensive care. The police official did not know at the time of this interview the condition of the victim. However, the official reported in the letter that the victim had suffered no lasting effects of his injury and was back in school.

CONTACT WITH VICTIM'S MOTHER:

The victim's mother has an unlisted telephone number, and had not responded to a contact number. The police official contacted the victim's father, who provided the telephone number to the police official. The police official reported that the father had given permission to be contacted for the investigation.

The victim's mother was contacted by phone, who provided the following information. On 2/3/91, at approximately 2:00 p.m., her 8 year-old son (victim) was playing with a 9 year-old male playmate in a vacant lot, located directly across from her home. She stated that she was at church at the time of the incident, and that she learned of the incident from her son and husband.

She stated that her son had stated to his playmate that he should not be playing with the pellet B.B. gun he was holding at the time. (The mother reported that she has four sons ranging from 5 to 15 years-old, and that she had never purchased a pellet gun for either of her sons). She stated that the playmate responded, "I'll shoot you", then placed the gun flush to her son's chest and fired the gun. She stated that immediately afterwards, the playmate seemed to be alarmed and stated that he didn't know that the gun was loaded. She stated that the playmate "brought the victim home". She stated that he assisted her son by holding him upright as they walked home. She stated that her son reported to his father

CONTACT WITH VICTIM'S MOTHER (Cont'd):910219HCN0686

that he had been shot. She stated that by that time she had arrived home, and reported the incident to the police, while her husband took their son to the hospital; where she later joined them. She stated that her son was hospitalized in intensive care for three days, but was hospitalized for five days. She stated that she had hoped that the police department would do something about the incident, but that they ruled that the incident was accidental.

The respondent stated that she has hired a lawyer, to sue for hospital expenses she has incurred. She stated that she has a total amount of \$3,000.00 in hospital bills, which have to be paid; and that the mother has stated that she would be unable to help her with the expenses.

She stated that she did not know the product identification of the pellet gun, but was told that the gun belonged to a friend of the playmate involved in the shooting. She stated that she had heard that the gun was a few years old, and was not new. She was asked for the name of the gun's owner, but she stated that she wasn't sure if this account was accurate, and that it was something she had heard.

The respondent stated that the pellet could not be removed from her son's heart. She stated that the doctor reported that her son would be fine, as long as the pellet would not move from its present location. She stated that if the pellet moves in the future as her son grows up, that he may have to have open-heart surgery. She stated that her son is presenting doing fine and is now in school.

PRODUCT IDENTIFICATION:

Product: Pellet B.B. Gun

Brand/Model: Daisy Powerline 880 - .177 caliber - 4.5 mm pellet/BB gun.

Manufacturer: Daisy Manufacturing Company  
Box 220  
Rogers, Arkansas 72560

Age: Unknown. Believed to be "several" years old, according to the victim's mother.

NOTE: The police department reported that the BB gun was about 2 to 3 years-old. There was no additional information found regarding the product.

ATTACHMENTS:

Attachment #1 - Letter dated 4/2/91, from the Police Department regarding the accident;

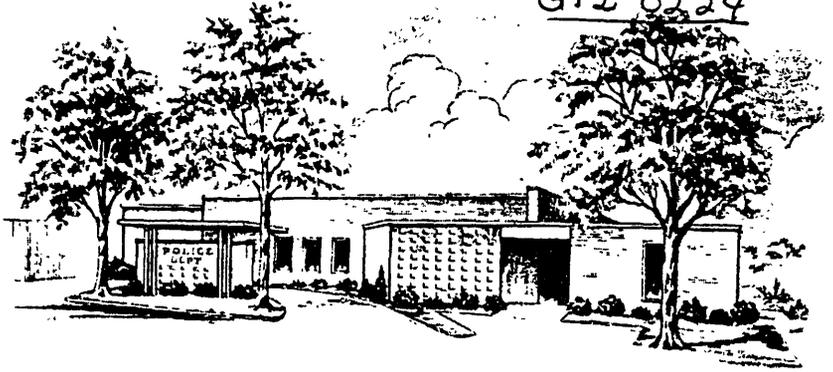
Attachment #2 - Newspaper Clipping regarding the accident.

Attachment 1  
910219HCN0686  
G12 0224

## Leland Police Department

LELAND, MISSISSIPPI 38756

MIKE DEES, Chief  
P. O. Box 868



April 2, 1991

Ms. Linda Rogers  
U. S. Consumer Products Safety Commission  
730 Peachtree Street N.E., Suite 871  
Atlanta, GA 30365

REF: CASE # 50817

Dear Ms. Rogers:

On February 3, 1991, at 2:20 PM, the Leland Police Department received a complaint from Veronica Miller of 714 Feltus Blvd., Leland, Mississippi, stating that her son, Lonzo Miller, 8 years of age, had been accidentally shot.

Investigation by Officer Joe Nicholson of the Leland Police Department revealed that the victim and another juvenile were playing with a pellet/BB gun. While playing, the weapon was pointed at the victim and discharged, thinking that it was not loaded. The victim was shot in the left chest with the bullet penetrating the chest wall and lodging against the wall of the heart. The weapon in question is a Daisy Powerline 880 .177 caliber 4.5 mm pellet/BB gun. The victim was transported to Delta Regional Medical Center in Greenville, Mississippi, telephone number 601-378-3783, treated by Dr. David Dillon and admitted to the intensive care unit under the care of Dr. John Brooks. At the time of admission, Lonzo was alert and responsive and was expected to be moved to a room the next day.

In checking with Lonzo's father on 04/02/91, it was learned that Lonzo has suffered no lasting effects of his injury and is now back in school. The complainant's husband gave me permission to release their telephone number, 601-686-7330, for your records.

If I can be of further assistance in this matter, please feel free to contact me at 601-686-7233.

Very truly yours,

SYLVIA D. SESSUMS  
RECORDS SUPERVISOR / POLICE OFFICER

Attachment 2  
910219HCN0686  
G120224

G12 0224

DOI # 910219HCN0686

MAGNOLIA  
Clipping Service  
Jackson, MS

Deer Creek Progress  
Leland, Mississippi  
Weekly

02/07/91

## Boy shot with pellet gun; <sup>506</sup>two arrested in meat theft

At 2:20 p.m. Feb. 3, Mrs. Veronia Miller, 714 Feltus called Police Department and stated her child had been shot. 8 year old male, Lonzo Miller was outside playing with some boys and was accidentally shot in the chest with a daizy powerline pellet gun. He was taken to Delta Regional Medical Center. The doctor said the pellet had penterated chest wall and lodged near the heart. He is in intensive care and his condition is stable. No charges have been filed.

At 8:35 p.m. Feb. 2, an unknown person called Police Department stated somebody was breaking into Delta Meat, 202 7th St. Bolt cutters were used to cut padlock off the truck and building. Approximately \$600 of meat was taken out of truck and placed on the ground. Police arrested a 15-year-old juvenile and Issac Johnson, age 18, of 1005 N. Main, Apt A, Leland. Both are being held by the Police Department.



On the day of the accident the victim was visiting his friend's house. The victim and his friend were playing. Because it was a warm summer day, the victim was not wearing any shirt & was bare-chested. Unknown to the friend's father and mother, the friend retrieved the BB gun, as he and the victim wanted play with it. As stated earlier, both boys had played with the BB gun previously.

#### ACCIDENT

The accident occurred on 8/10/90, just outside of the friend's house. The 12 year old friend thought the safety to the gun was "on", but apparently did not closely examine the safety. The safety was of a "button" type that was located behind the trigger guard (metal guard protecting the trigger). The friend also thought that there were no BBs in the gun. Within moments after bringing the BB gun outside, the friend pumped the gun 3 times, pointed the gun at the victim, and pulled the trigger, not thinking that the gun would fire any BB. There was approximately 2½ to 3 feet distance between the victim & the gun barrel. The gun went off, and a BB shot into the victim's abdomen. The victim's father stated that the BB was a normal sized copper BB. There were no adults present during this incident.

#### POST ACCIDENT

At the time the victim knew that a BB had struck him, but didn't know that it may have actually entered his abdomen. A short time later her went home. He complained to his parents that his abdomen hurt, and informed them of the incident. The victim's parents then took the victim to the hospital. The victim was X-rayed, and a BB was found in his abdomen muscle. The victim was held overnight for observation, and it was determined by physicians that the presence of the BB in the victim's abdomen was not expected to pose any long term problems. No operation was performed to remove it. The victim was released. The victim's injury appears to be healing normally now, though he still returns to a phsician to monitor his progress.

#### PRODUCT IDENTIFICATION

According to the police officer, and the victim's father the BB gun was a Daisy 280 pump air rifle. The victim believed that it was 2 to 3 years old. I telephoned a local retailer to obtain the location (address) of Daisy, and I was told by the retailer that Daisy guns are made by Daisy Manufacturing Co., Inc., Rogers, Arkansas 72757. The victim's father stated that the BB was a normal sized copper BB. This was the only product indentification available.

#### EXHIBITS

1 - Copy of the police report.

ACCIDENT INVESTIGATION REQUEST FORM

Document Number G080269A1

Date of Incident 7/90 Category I.D. TYNNOS1990

Follow-Up Requested  Hazard Analysis  Section 15

Follow-Up Requested  Telephone Call  On-Site

Headquarters Contact Jack Kugler 492-6470

Assignment Message \_\_\_\_\_

~~○~~  
Determine incident scenario and all product details.

Person(s) to Contact \_\_\_\_\_

Guideline \_\_\_\_\_

Requested By M. McDonald

Task Number 900988HCC 23

Assigned to CH10 Date 9/18/90

|      |                          |                           |                       |                          |                       |                 |                  |
|------|--------------------------|---------------------------|-----------------------|--------------------------|-----------------------|-----------------|------------------|
| FORM | VENUE<br>COUNTY CITY/TWP | DATE REPORTED<br>MO DA YR | PRIMARY<br>FIRE CLASS | SEQUENTIAL<br>FIRE CLASS | REPORTING<br>JURIS NO | INCIDENT NUMBER | ORIGINAL<br>YEAR |
| 1    | ██████████               | 08 10 90                  | ██████████            | ██████████               | ██████████            | ██████████      | 90               |

|  |                                     |  |
|--|-------------------------------------|--|
| NATURE OF INCIDENT<br>WEAPONS OFFENSE (INJURED PERSON) | LOCATION OF INCIDENT:<br>██████████ | TIME RECEIVED:<br>2033 <input type="checkbox"/> AM <input type="checkbox"/> PM |
| COMPLAINT/VICTIM NAME<br>██████████ (FATHER)           | ADDRESS<br>██████████               | TELEPHONE<br>██████████  |
| D. O. B.   | <b>PURGED COPY</b>                  |  |

|   |   |
|---|---|
| <b>No. 1 LAST</b> ██████████ <b>FIRST</b> ██████████ <b>MIDDLE</b> ██████████ (INJURED)<br>DOB: ██████████ WGT: ██████████ HGT: ██████████ RACE & SEX: ██████████<br>7/26/76 w/m<br>ADDRESS: ██████████<br>TX: ██████████ OPPTS: ██████████ | <b>No. 2 LAST</b> ██████████ <b>FIRST</b> ██████████ <b>MIDDLE</b> ██████████ (RESPONSIBL#)<br>DOB: ██████████ WGT: ██████████ HGT: ██████████ RACE & SEX: ██████████<br>5/15/78 w/m<br>ADDRESS: ██████████<br>TX: ██████████ OPPTS: ██████████ |
|---|---|

|  |  |
|--|--|
| <b>No. 3 LAST</b> ██████████ <b>FIRST</b> ██████████ <b>MIDDLE</b> ██████████<br>DOB: ██████████ WGT: ██████████ HGT: ██████████ RACE & SEX: ██████████<br>FATHER TO #2<br>ADDRESS: ██████████<br>TX: ██████████ OPPTS: ██████████ | <b>No. 4 LAST</b> ██████████ <b>FIRST</b> ██████████ <b>MIDDLE</b> ██████████<br>DOB: ██████████ WGT: ██████████ HGT: ██████████ RACE & SEX: ██████████<br>ADDRESS: ██████████<br>TX: ██████████ OPPTS: ██████████ |
|--|--|

|  |  |
|--|--|
| <b>Vehicle 1 YEAR</b> ██████████ <b>MAKE</b> ██████████ <b>COLOR</b> ██████████<br>PLATE: ██████████ VIN: ██████████<br>MODEL: 2 DR 4 DR | <b>Vehicle 2 YEAR</b> ██████████ <b>MAKE</b> ██████████ <b>COLOR</b> ██████████<br>PLATE: ██████████ VIN: ██████████<br>MODEL: 2 DR 4 DR |
|--|--|

|   |   |
|---|---|
| <b>Item 1 MAKE</b> ██████████ <b>MODEL</b> ██████████<br>SN: Daisy 280 Pump Air Rifle VALUE: ██████████ WEAPON TOOL: ██████████<br>DAMAGE: ██████████ STOLEN: ██████████ OAN-: ██████████ | <b>Item 2 MAKE</b> ██████████ <b>MODEL</b> ██████████<br>SN: ██████████ VALUE: ██████████ WEAPON TOOL: ██████████<br>DAMAGE: ██████████ STOLEN: ██████████ OAN-: ██████████ |
|---|---|

**INFORMATION:**  
 Compl said that subj #1 and #2 were shooting the air rifle when #1 was shot by #2. subj #2 stated he thought the safety was on. #2 also said he pulled the trigger and the gun went off. Subj #1 at this point told #2 that he had just been shot. Subj #1 was taken to ██████████ Hospital in ██████████ Compl told writer that #1 was going to be kept in hospital overnight for observation. Subj #1 was shot in stomach. Writer talked with #3 who is father of #2 and he said he took the gun from his son. The incident took place along side the home of #2 and ██████████ owned the gun.

TASK 900918HCC2317

900918HCC2317

GO8 0269

# ASSIGNMENT PURGED COPY

[REDACTED]

[REDACTED]

AUG-22-90

2 ■ A 14-YEAR-OLD [REDACTED] BOY was  
 1 accidentally shot in the stomach with a BB gun  
 Q by his 12-year-old friend Aug. 10. According to  
 [REDACTED] Police, the boys were playing and  
 the 12-year-old thought the safety was on when  
 he pulled the trigger and the gun when off. The  
 victim was taken to [REDACTED] Hospital in [REDACTED]  
 [REDACTED] where doctors determined that they  
 would leave the pellets in the boy's abdomen.  
 Officer [REDACTED] said the victim had been  
 released from the hospital and doctors did not  
 expect the BB pellets to cause any problems.  
 The Daisy 280 pump air-rifle was confiscated  
 by the 12-year-old's father, police said. No  
 charges will be filed in the incident. According  
 to [REDACTED] it is illegal for anyone under 18 to be  
 in possession of an air rifle unless accompanied  
 by an adult.

EPDS SEP 17 1990

15

10/1

EPD 9

J

MFR/PRVLR NOTIFIED

December 2, 1993

DEC 22 1993

- No Comments made
- Comments attached
- Excisions/Revisions
- Firm has not requested further notice

C3C0014

Consumer Product Safety Commission  
 Westwood Towers  
 5401 Westbard Avenue  
 Bethesda, Maryland 20816

2-3-97  
 MFR/PRVLR NOTIFIED  
 No Comments made  
 Comments attached  
 Excisions/Revisions  
 Firm has not requested further notice

1237

The purpose of this letter is to express my concern regarding the easy availability of imitation, look-a-like handguns being sold in many department stores in the U.S. including my State of Virginia.

During this year I have visited retail stores in many States to include my State of Virginia and was appalled to find these dangerous weapons are being sold to juveniles. The department stores I visited were K-Mart, Wal-Mart and Roses. In early June I dispatched letters to their Presidents outlining my observations and concern regarding the danger such weapons pose to the public, the police and school systems. I suggested that it would be in the public interest and a good will gesture on their part if they would cease selling to juveniles. Only one response was received. The response from Roses is enclosed and is self-explanatory. It is in response to my letter of June 16th which is also enclosed. Upon visiting many stores the following are a few examples of imitation handguns I found.

a. Crosman air gun 357 "Six" CO2 ten-shot revolver which sells for \$39.97. 6 inch steel rifled barrel. .177 Cal with velocity of 435 FPS. Warning notices on product: May cause serious injury or death up to 400 yards. Adult supervision required. For use by those 16 years of age and older.

b. Daisy Powerline 1200, CO2 powered BB pistol selling for \$29.97. Smooth bore steel barrel. 60 shot magazine with velocity of 420 FPS. Warning notices on product: Should be used by persons 16 years and older with adult supervision. May be dangerous up to 240 yards.

c. Marksman, 1020 Air Pistol which sells for \$17.67. This is a .177 Caliber that shoots 18 pellets without reloading and is a look-a-like of the Cal .45 handgun I used while on active military duty. Warning notices on product: May be dangerous up to 175 yards. Not a toy, adult supervision required. May cause serious injury. Intended for use by those 14 years or older with adult supervision.

d. Daisy Powerline 45 pellet repeater selling for \$48.97. 13 shot clip with a velocity of 400 FPS. 5 inch rifled steel barrel. Warning notices on product: Should only be used by persons 16 years of age and older with adult supervision. May cause serious injury or death up to 240 yards.

As you know we are experiencing a tremendous surge of gun related crimes being committed by juveniles. As you also know it is illegal to sell real handguns to persons under 21 years of age, therefore many are electing to purchase imitation look-a-likes. The anticipated enactment of stricter Federal control legislation now under consideration and stricter controls being enacted in many States will create a temptation for minors, and others under 21 to obtain imitation handguns. The low cost and easy availability will appeal to those inclined to commit crimes and introduce into the schools.

I suspect there are stores in addition to those I visited that sells dangerous imitation handguns, and I am sure there are other types of imitation handguns being sold in addition to those listed above.

Could your office look into this from a safety and consumer standpoint and advise me what your office can do to help correct this problem? Please advise.

2 Enclosures:  
as stated.

Sincerely,



Howard Whitaker  
Colonel, U.S. Army Retired  
123 Harrop's Glen  
Williamsburg, VA 23185

June 16, 1993

Mr. George L. Jones  
President and CEO  
Roses Stores, Inc  
P.O. Drawer 947  
Henderson, NC 27536

Dear Mr. Jones:

The purpose of this letter is to request you consider discontinuing the sales of air pistols to juveniles in your stores. Such actions would be in the public interest.

Upon shopping in your store in Williamsburg, Virginia I was appalled to find imitation look-a-likes of many types of handguns which can be purchased by juveniles. An example is the 4.5 mm 1010 Marksman Air Pistol which can expel 18 rounds of steel BBs and pellets without reloading. This dangerous weapon can cause injuries up to 175 yards. The manufacturer advertises the weapon as not a toy and is intended for use by persons 14 years of age and older under adult supervision. As you know it is illegal for persons under 21 years of age to purchase real handguns, therefore it is tempting for youngsters to purchase the easily concealable imitation guns.

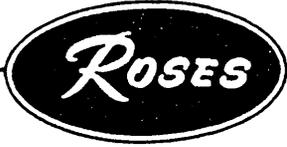
Gun related crimes committed by juveniles are escalating in our country in both rural and urban localities posing serious threats to the public, the police and our school systems. For public safety reasons it would be a good will gesture on your part if you ceased selling these products or at least curb the sales to juveniles.

Your response is solicited.

Respectfully yours,



Howard Whitaker  
Colonel, U.S. Army Retired  
123 Harrop's Glen  
Williamsburg, VA 23185



*ROSE'S* STORES, INC.

P.O. DRAWER 947 HENDERSON, N.C. 27536

EXECUTIVE & BUYING OFFICE  
TELEPHONE 919-430-2600  
ACCOUNTING OFFICE & WAREHOUSE  
TELEPHONE 919-430-2100

August 30, 1993

Colonel Howard Whitaker  
U. S. Army Retired  
123 Harrop's Glen  
Williamsburg, VA 23185

Dear Colonel Whitaker:

I am responding to the letter that you wrote to Mr. George Jones, our President and CEO, regarding the sale of our pistols to individuals under a certain age. Mr. Jones forwarded your letter to me for review.

We currently are following all Federal, State and Local regulations concerning the sale of such items. It is not our current plan to begin to impose an age restriction for our customers. If such regulations were to be legally imposed, we certainly would maintain strict compliance at that time.

I certainly respect your concerns and appreciate your taking the time to write to us.

Sincerely,

ROSE'S STORES, INC.

Rob Gruen,  
Senior Vice President, Merchandising

RG/cmw

