Secretary

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CONSUMER PRODUCT SAFETY COMMISSION

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

DEC 6 1974

6(b) CLEARED:
____ No Mfrs Identified
✓ Excepted
____ Mfrs Notified
____ Comments Processed
unable to locate mfr. 9/17/84

Mr. John B. Baker
J.B. Industries
P.O. Box 368
Issaquah, Washington 98027

Dear Mr. Baker:

This is in response to your November 26, 1974 letter to Mr. Schmeltzer of this office which described and enclosed one of your bicycle safety flags. We must decline your request that the Commission grant an "official stamp of approval" to the flag.

All of the acts administered by the Commission anticipate that the manufacturers, distributors, and retailers of covered products will assume initial responsibility for the safety of their products. The Commission's consideration of specific products is directed toward eliminating the unsafe ones by enforcing the statutory provisions of and regulations under the Consumer Product Safety Act, Federal Hazardous Substances Act, and other acts. We possess insufficient resources to test or otherwise evaluate all products on the market, and it would therefore be unfair and meaningless for us to respond to any requests for approval of specific products or their safety features.

The Commission works to remove unsafe products from the marketplace and encourages industry to assist by manufacturing only safe products. With that in mind, we appreciate the concern with safety that apparently underlies the manufacture of your new bicycle safety flag.

We are sure you understand why the Commission cannot provide any official stamp of approval or even comment affirmatively on the safety aspects of individual products. Thank you for taking the time to inform us of the safety features of your bicycle flag.

Sincerely,

Michael A. Brown

Michael A. Brown

ADVISORY OPINION

J. B. INDUSTRIES

P. O. BOX 368
ISSAQUAH
WASHINGTON
98027

206 / 392-1030

November 26, 1974

Mr. David Schmeltzer
Assistant Genereal Counsel
Consumer Product Safety Commission
1750 K Street N. W.
Washington, D. C. 20207

Dear Mr. Schmeltzer:

I would like to bring to your attention a new, safer bicycle safety flag, and in so doing, explain its advantages, tell you of the support it has received, and ask for your official stamp of approval.

Over the past year and a half, we and serious bikers have worked extremely hard to come up with an alternative safety flag to the tall ones now on the market - one that would be effective AND be safer by eliminating the possibility of dismounting problems which occur when the rider's leg swings over the bike and hits the tall flag.

The result is the enclosed product, FLAGUARD. Its most important feature from a safety standpoint is its pop-apart ball and socket joint which allows the flagstaff to disengage from the base when and if struck. In case of a rapid dismount, the flagstaff first "gives" in the opposite direction, then bends (it is made of strong flexible molded nylon), then pops apart. There is NO OTHER FLAG in the USA today which has these safety features.

Second, it is important to realize that the purpose of the FLAGUARD is NOT ONLY to add visibility to the cyclist with color, but also to place this bright color at the point on the bicyclist where it will do him the most good; i.e., by extending sideways just the width of the bike TO ADD THE PERSPECTIVE OF WIDTH. This is a popular and common concept in Europe. We have improved the concept ~~by~~ by adding the ball and socket joint, making it out of stronger and lighter material, and also by making it retractable. The flag can be swung aside, back over the wheel when not needed.

Please note also that the base of the flag (which attaches to the bike), is notched only for the side positions, so that the flag won't really fly upwards. We realized the importance of not going up very much above the height of the seat long before your present restriction was written (Paragraph 1512.15- Vol. 39, No. 137 of the Federal Register).

The point of attachment is the safest possible with respect to the operation of the bike. It is attached to the through-bolt already on the bike, which tightens the frame around the seat tube as the seat tube slides into the frame. In other words, it attaches to the frame under the seat, and not to the seat. During a rapid dismount, the leg swinging over the bike will pass over and around the flag if it is still in the out position, and there is NO CHANCE of the leg getting hung up on any tall flag projecting upward behind the seat. IF the flagstaff does by chance get hit, it will pop apart, as pointed out above.

We are a very small company, and have taken great pains over a long period of time to develop the FLAGUARD, and feel confident that we have covered and eliminated the current problems with safety flags. We also believe that the flag - any flag - is here to stay as an accepted safety feature, thereby requiring those in the bike industry to develop safer products. If we do not, and I have seen this with my own eyes, the public will use their own crazy ideas in their effort to protect themselves from automobiles. I have seen actual splintered sticks stuck on bikes for this purpose.

Enclosed along with the sample also are some endorsements. Please note the comments of the Director of the Southern Bicycle League, which specifically draws comparisons between the safe aspects of the side flag and the unsafe ones of the tall flags. The American Automobile Association in Seattle is conducting statewide school presentations on bicycle safety, using a special safety bike, and they have chosen Flaguard, without any sales pitch from us. The front page of their monthly showing the bike with the flag on it is enclosed. Finally, we have the endorsement of the International Cycling Association, located in Bellevue, Washington. The ICA was the first organization set up specifically to register serial numbers of bicycles nation-wide ~~by~~ in cooperation

with the Boeing Company's computer services.

I suppose I could go on and on because we are so enthusiastic about Flaguard. A lot of time and money has been spent on its development by people who are more interested in the actual performance than a fast dollar at the expense of safety. We earnestly hope that approval from your office will be forthcoming soon, and look forward to hearing from you. If need be, I will be glad to come back and sit down with you to talk about the flag. Please let me know if you prefer this or if you have any questions.

With thanks for your interest, I am

Sincerely yours,

JBB/bj

John B. Baker

A Summary of Flaguard's Features:

Made of FLEXIBLE nylon.

PULL-APART ball socket allows safest attachment to bike possible. Swinging leg during dismount will pass over flag, or knock flag aside, or apart. Flag is reattached in seconds by snapping together.

Bright color is placed to add PERSPECTIVE OF WIDTH to bike and rider.

Side-safety principle used has been popular and proven in Europe for many years.

Attaches onto bike in safest position possible with regard to operation of bicycle.

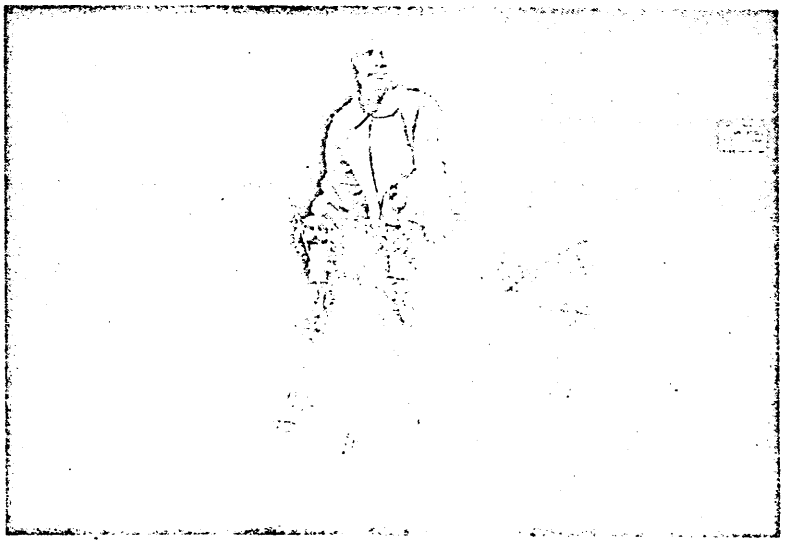
Enclosures: sample product
endorsements
photograph

OUR CLUB NOW HAS
155,959 MEMBERS

THE WASHINGTON

Vol. LVI, No. 3

BIKE SAFETY DEMONSTRATED



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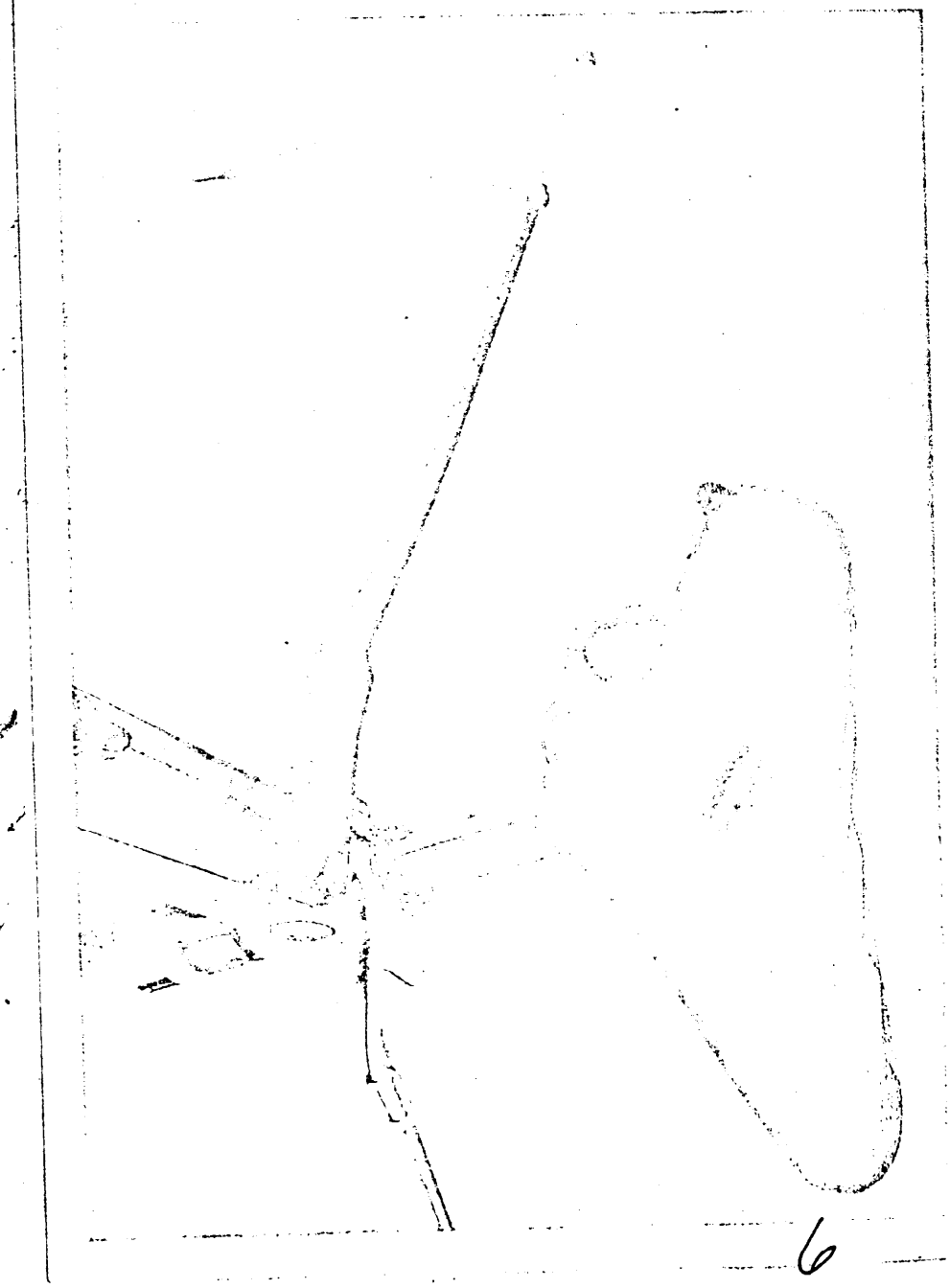

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SOUTHERN BICYCLE LEAGUE
242 Superior Avenue Decatur, Georgia 30030

Dear Sirs,

Enclosed is a copy of our magazine 'FREEWHEELIN' in which we gave you a free advertisement on page 8. I hope you will forgive this Liberty but we were excited to find that an american company was making the safety flags which we had admired in Denmark. The SBL's test indicate that conventional "pole" flags present serious safety hazards to both cyclists and pedestrians.

The League would be interested in selling Maggie Flags to the membership and general biking public in our area. Presently we have affliates in 14 Southern and midwestern States.

We would appreciate reciering samples, price lists and further information. One question, can the Maggie Flag be impressed with a Logo? The League is rather proud of its symbol, a bike and sunrise.

Thank you for your help.

Sincerly,
James J. Benghill,
Director

7

INTERNATIONAL CYCLING ASSOCIATION
BOX 1811
BELLEVUE, WA. 98009
(206) 455-0225

May 29, 1974

Mr. John B. Baker
J.B. Industries
Box 368
Issaquah, Washington 98027

Dear John:

You will be pleased to learn that our membership has selected flag-guard over all other devices of its type on merits of design, function, durability, and price; and because we feel its use will make for safer cycling, our board has voted the use of our logo and statement of endorsement on advertising or packaging of flag-guard per our discussion.

Please send me two of the flags for my children's bikes.

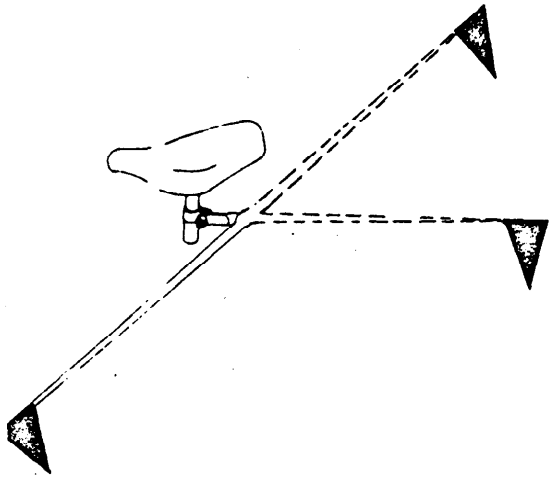
Best wishes for success in your marketing.

Alex J. Wells
Services Coordinator
International Cycling Association

AJW/kv

8

FLAGUARD

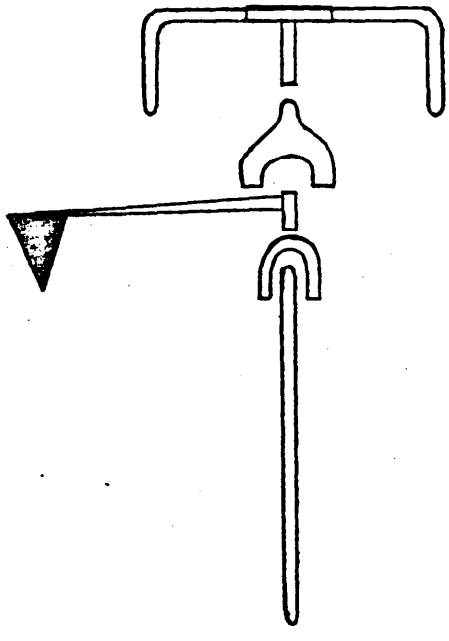


FLAGUARD is the only multi-position bike safety flag. It features an exclusive ball joint which allows the flag to be knocked aside in emergency situations, and the side safety concept popular in Europe.

FLAGUARD adds color and WIDTH to the bicyclist - safety's most important dimensions - by projecting out, not up, and is safer for rapid dismount.

FLAGUARD attaches to almost any bicycle. It can be retracted from the side positions, and its snap joint allows the flag to be temporarily removed and then re-attached as needed.

It is the safest, most versatile safety flag available.



PATENT PENDING

SPECIFICATIONS:

Tough, flexible, molded nylon.
Ultra Light - 1½ ounces.
Staff - 16½"; Base - 4"
Packaged to sell in clear poly bag with colorful advertising.

J. B. INDUSTRIES

P. O. BOX 368
ISSAQUAH
WASHINGTON
98027

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