MFR/PRVLBR NOTIFIED
✓ No comments made
___ Comments attached
✓ Excisions/Revisions
✓ Firm has not requested further notice

ADVISORY OPINION #172

RECEIVED
OFFICE OF SECRETARY
JAN 21 12 41 PM '75
CONSUMER PRODUCT SAFETY COMMISSION

JAN 21 1975

Mr. Y. Tsuyama, President
Tsuyama Manufacturing Company, Ltd.
53, 3-Chome, Kuwazu-Cho, Higashi Sumiyoshi-ku
Osaka, Japan

Dear Sir:

This is in response to your letter dated August 9, 1974, in which you requested information about the bicycle safety regulations (16 CFR 1500.18(a)(12) and 16 CFR Part 1512) issued by the Consumer Product Safety Commission on July 16, 1974.

In your letter, you asked if any markings were required on reflectors to show that they meet the requirements of the Commission's regulations. No such markings are required by the regulation. If you desire to indicate that your reflectors meet the requirements of the regulation, you may use any markings or symbols which you consider to be appropriate.

You also asked about the procedure to be followed to obtain a certification that the reflectors manufactured by your firm meet the requirements of the Commission's regulations. These regulations are applicable to bicycles as complete vehicles, and not to individual components before assembly onto bicycles. At this time, the regulations contain no provision for certification that components meet the requirements of the regulations. Each bicycle manufacturer has the responsibility to ascertain that his bicycles which are introduced into interstate commerce after the effective date of the regulation meet all of the requirements of the regulations.

The Commission does not intend to certify that any bicycle or component meets the requirements of the regulations, nor does the Commission intend to authorize any outside testing laboratory or organization to certify that bicycles or components meet the requirements of the regulations. All testing conducted by the Commission will

be done exclusively for enforcement purposes — that is, to detect bicycles which do not meet the requirements of the regulations and to support whatever judicial or administrative action may be required to stop the sale of such noncomplying bicycles. If the Commission discovered that a bicycle failed to comply with one or more provisions of the regulations, laboratory certification that some or all of the components of that bicycle met applicable requirements of the regulations would not prevent the Commission from taking action to stop the sale of the bicycle in question.

Sincerely,

Original signed by
Michael A. Brown

Michael A. Brown
General Counsel

BMenza:dmg:1/20/75
bc:
Chairman Simpson
Commissioner Pittle
Commissioner Newman
Commissioner Franklin
Commissioner Kushner
Exec. Dir.
Secretary
Bill Menza, OSCA
A. Brauninger, BCM
K. Edinger, BES
Director OFC
Director BCM
Director OSCA
Director BES

TSUYAMA MFG. CO., LTD.
Manufacturers of Reflectors and Lamps
53, 3-Chome, Kuwazu-cho, Higashi Sumiyoshi-ku,
OSAKA, JAPAN.
TEL: OSAKA (719) 7 7
CABLE: "CAT EYE" OS.
TELEX: J5277062

OFFICE
AUG 13 11 11 AM '74
CONSUMER PRODUCT SAFETY COMMISSION

Osaka August. 9,1974

Mr.Sadyee. Dunn.
Secretary,Consumer Product
Safety Commission.

Washington D.C.20207

Dear Sir

We are makers of reflex reflectors for bicycles in Japan.
Respect to establishment of CONSUMER PRODUCT SAFETY COMMISSION SAFETY REGULATION FOR BICYCLES in the FEDERAL REGISTER published on July 1,1974 and proposal of labeling, we send you our comments to the proposal in Sec.1512.19.d

The comments are concerning reflectors for Bicycles.
The comments are as follows;

1) How do we indicate to consumer the reflectors meet REQUIREMENTS FOR BICYCLES?
2) What indication,certification and approval should we obtain from administeration,for the evidence that the reflectors meet REQUIREMENTS FOR BICYCLES?

Please answer above questions clearly.
About 1) Weare exporting the reflectors,in compliance with REQUIREMENTS OF CHP, NEW YORK state,ILLINOI state etc,and we are indicating putting the MARK "SAE-A" on the surface of reflectors,as these regulations are based on SAE standard class A as for reflective ability.
But we think it neccessary to put other marks or ietters on the lenses instead of "SAE-A" because the REQUIREMENTS in PART 1512 of CPSC are hogher than SAE standard by 150%.
Accordingly,if you suppose that any marks are required ,please give us the information.
About 2) Our products are tested for each product form by approved independent laboratorys like,ITL,ETL,MII,VIA etc.

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TSUYAMA MFG. CO., LTD.

YE.

Manufacturers of Reflectors and Lamps

53, 3-Chome, Kuwazu-cho, Higashi Sumiyoshi-ku,
OSAKA, JAPAN.

TEL: OSAKA (719) 7 7
CABLE: "CAT EYE" OS
TELEX: J5277952

We apply approvals for each product form,submitting testing reports,drawings and samples etc.

For the states joining AAMVA,to AAMVA also we obtain approvals from approved independent laboratorys submitting testing reports,draeing and samples as stated above.

We are now obtaining the approvals through the process as above mentioned.

Please let us know clealy what must be done to get the approvals for our reflectors

A) Please let us know whether C.P.S.C. Would recognize these approved independent laboratories,like ETL,ITL,IMIL and VIA etc, approved by C.H.P. and A.A.M.V.A. et untill now,as inspection laboratories for CPSC or not.

B) Please let us know whether we should apply to each state or AAMVA after approval of independent laboratories in the in the conventional way or we need not apply to any states and any independent laboratories to C.P.S.C.

C) Please let us know wthether you are willing to establish your own independent laboratories.

D) Please advise us whether the approvals of the forms are not neccessary or not.

Any way we suppose the reflectors are checked not only at the assembled bicycles, but also in a condition of non-assembled parts,as the safety regulations of reflec abilities etc are different from other parts of bicycle and include optical require

Please let us know procedures of applications for approvals.

Your prompt reply will be appriciated,

Your faithfully
TSUYAMA MFG CO.,LTD.
Y. Tsuyama
Y.TSUYAMA PRESIDENT

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