#113

ADVISORY OPINION

JAN 21 1975

[redacted]

Dear [redacted]

This is in response to your letter dated September 27, 1974, concerning the Commission's bicycle safety regulations (16 CFR 1500.18(a)(12) and 16 CFR Part 1512).

In your letter you indicated that your firm manufactures bicycle tires which state the recommended inflation pressure in letters 3.0 mm high, rather than 3.2 mm as required by 16 CFR 1512.10. You asked whether your firm could continue to ship tires with lettering 3.0 mm high to the United States for replacement use until your firm is able to acquire new molds to increase the height of the lettering to 3.2 mm.

Provisions of 16 CFR 1512.1 state that the requirements of the regulations are applicable to "a bicycle as defined in §1512.2(a)." Paragraph 1512.2(a) defines the term "bicycle" as a "two-wheeled vehicle." Therefore, the requirements of 16 CFR 1512.10 are applicable to tires which are a part of a bicycle which is sold as a complete vehicle, but are not applicable to tires which are sold as individual items for replacement parts.

Sincerely,

Original signed by
Michael A. Brown
Michael A. Brown
General Counsel

WMenza:dmg:1/21/75

bc:
Chairman Simpson
Commissioner Pittle
Commissioner Newman
Commissioner Franklin
Commissioner Kushner

Executive Dir.
Secretary
Director, BCM
Director, OSCA
Director, BES

Director, OFC

[redacted]

774-7924

September 27, 1974

Mr. David Schmeltzer,
Assistant General Counsel,
U.S. Consumer Product Safety Commission,
1750 k St. N.W.,
Washington, D.C. 20207

Dear Sir:

We are Japanese Bicycle Tire Manufacturer, whose name is [redacted] Nagoya, Japan.

[redacted] is sales office.

We have problem about dimension of letters for the inflation pressure.

Our tires presently have letters for the inflation pressure at minimum 3.0 mm., and having tried measuring with metric vernier caliper, we are unable to make such a fine measurement to determine difference between 3.2 and 3.0 mm.

Therefore, we intend to increase the size of these letters as soon as possible, but since there are hundreds of molds that have to be changed, may we have permission to continue to ship those tires for replacement use until such time as we have altered all molds.

Sincerely yours,

[redacted]

[redacted] General Manager

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SEP 30 1974
TECHNICAL ANALYSIS DIVISION

Copy to: Mr. Bill Menza, Room 846,
U.S. Consumer Product Safety Commission,
5401 Westbard Ave.,
Washington, D.C. 20207

Mr. Ken Edinger, Room 724,
U.S. Consumer Product Safety Commission,
5401 Westbard Ave.,
Washington, D.C. 20207