U.S. CONSUMER PRODUCT SAFETY COMMISSION

WASHINGTON, D.C. 20207

OFFICE OF COMPLIANCE
AND ENFORCEMENT

Division of
Corrective Actions
Tel: 301-504-0608
Fax: 301-504-0359

MAY 5 1995

Certified Mail

Steve Meyer, Attorney
Gibson, Dunn & Crutcher
333 So. Grand Ave.
Los Angeles, CA 92009

Re: CPSC RP940151
SeaQuest, Inc.
Spectrum SCUBA regulator

Dear Mr. Meyer:

The staff of the Office of Compliance and Enforcement of the U.S. Consumer Product Safety Commission has reviewed the actions proposed by SeaQuest, Inc. concerning SeaQuest's Spectrum SCUBA regulator. Acting under delegation from the Commission, the staff has accepted the plan as adequate.

The staff has also reviewed the progress of the SeaQuest's, corrective action plan. The Division of Corrective Actions has determined that no further monitoring on the part of the Commission is warranted. Therefore, acting under delegation from the Commission, the staff has closed this investigation. The Commission staff, however, will reopen this file if it finds that the public has not been adequately protected from the risk of injury presented by this product by the corrective actions taken by the firm.

The firm has a continuing obligation to inform the Commission of defects associated with this product which could create a substantial product hazard and of information which reasonably supports the conclusion that a product creates an unreasonable risk of serious injury or death. If the firm receives any information affecting the scope, prevalence, or seriousness of the defect or hazard, you must immediately report that information to this Division.

The staff requests that the firm continue to implement its corrective action program until as many products as possible have been removed from the marketplace. If the firm receives information which might indicate that its corrective actions are not satisfactory in eliminating the defect or hazard or that the

effectiveness of the corrective action program was less than what had been reported, you must report that information to the Division of Corrective Actions immediately.

Section 6(b)(1) requires the Commission to give notice thirty days in advance of the intended disclosure of information that identifies the manufacturer or private labeler of a product. The staff is enclosing a summary of the corrective action plan. The Commission publishes a list of product recalls and other corrective actions initiated by firms in an Annual Report to Congress. This information is also occasionally used in lists for specific product categories. This letter gives the firm its opportunity under section 6(b)(1) of the Consumer Product Safety Act (CPSA), 15 U.S.C. § 2055(b)(1), and 16 C.F.R. Part 1101, to comment on the accuracy of the information.

The staff has made every effort to assure that the enclosed information is accurate. If, however, the firm believes that the information is not accurate, please send comments to James DeMarco. The firm's comments must be received within twenty-three calendar days of your receipt of this certified letter if they are to be considered. Please include with any comments specific information to support any claim that the information is not accurate. If the Commission decides to disclose the information, unchanged, over any accuracy objections, it will give the firm ten (10) working days notice, as required by section 6(b)(2) of the CPSA, 15 U.S.C. § 2055(b)(2).

Thank you for your cooperation in this matter. We hope that future dealings between the company and the Division of Corrective Actions, should they become necessary, will be conducted in the same spirit.

If you have any questions in regard to this letter, you may contact James A. DeMarco, Compliance Officer, U.S. Consumer Product Safety Commission, 4330 East West Highway, Room 613, Washington, D.C. 20207-0001, telephone: (301) 504-0608 extension 1353.

Sincerely yours,

Catherine E. Dawna for

Marc J. Schoem
Director
Division of Corrective Actions

Enclosures
FOIA Regulations
Information Disclosure Sheet
Corrective Action Summary

cc: Consumer Product Safety Commission
Western Regional Center
600 Harrison Street
Room 245
San Francisco, CA 94107-1370

Bill N. Oliver
SeaQuest, Inc.
2151 Las Palmas Drive
Carlsbad, CA 92009

Judith Hayes, CECA

Voluntary Corrective Action Plans Under Section 15
of the Consumer Product Safety Act and
Section 15 of the Federal Hazardous Substances Act

The following is a list of voluntary corrective action plans recently accepted by the Commission (or the staff acting under authority delegated by the Commission). A firm's taking corrective action does not constitute admission by the firm that a substantial product hazard exists.

Space does not permit the staff to give a complete list of the specific model numbers of the products involved in each of these corrective actions. Consumers who believe that they have a product affected by one of these actions should follow the instructions given in this list or contact either the manufacturer or the Commission to determine if their product is one of those affected.

Voluntary Corrective Action Plans Under
Section 15 of the Consumer Product Safety Act and
Section 15 of the Federal Hazardous Substances Act

Date	Firm and Product	Alleged Hazard	Remedy
04/95	SeaQuest, Inc. Carlsbad, CA 92009 "Spectrum" SCUBA regulator	In the worst scenario a novice diver could drown.	The firm did notice to dealers, divers, and industry publications. Letters, point-of-puchase posters, an adequate fix and a Press Release were done in July 1994.

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UNITED STATES GOVERNMENT

MEMORANDUM

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

TO : Jay DeMarco, CECA

August 31, 1994

THROUGH : James F. Hoebel, Acting Director, ESME
: Roy Deppa, ESME

FROM : Troy Whitfield, ESME

SUBJECT : SEA QUEST Inc., Scuba Regulator

REQUEST : File review and sample examination. Determine and assess whether the firm has correctly identified the product defect and made the appropriate fix and/or correction of that problem or defect. Potential hazard(s) involved are possible embolism or drowning resulting from a free flow of air.

BACKGROUND

The product involved in this report is a regulator distributed by Sea Quest Inc. under the name Spectrum. The regulators are manufactured by La Spirotechnique in France and U.S. Divers here in the States for Sea Quest Inc. A regulator is used to deliver air from the scuba tank to the diver. Because the air in the tank is pressurized, it must be delivered to the diver in stages. The first stage of the regulator attaches to the tank and provides the first stage of pressure reduction. A hose connects the first stage to the second stage, which contains the mouthpiece used for breathing by the diver. The problem identified in the file is with a component of the first stage. A high pressure seat, manufactured from brass with a rubber seal molded and bonded into it, is used to control air flow from the tank. In some cases, the rubber seal can become detached resulting in a leak or worse, a free flow condition. Should this occur during a dive, the diver would be required to either breathe from a free flowing regulator, engage in buddy-breathing, or free ascend.

DISCUSSION

Two companies manufacture the Spectrum regulator. While the components are the same, the process utilized by the two companies in the assembly of the regulator is different. The file indicates that Seal Laboratories, at the request of U.S. Divers, conducted an examination of contaminants on two high pressure seats and determined them to be a combination of ester and amine. According to Seal Laboratories, these compounds are similar to the components found in Loctite® type sealants.

Loctite® was not used by U.S. Divers during their production of the regulators and no problem has been identified in their product. Spirotechnique engineers determined that the effects of fumes resulting from the use of Loctite® to secure the threaded yoke retainer in their regulators are most likely responsible for premature degradation of the rubber seal on the high pressure seat. The conclusions of the SEAL analysis and Spirotechnique's engineers combined with the fact that U.S. Divers has had no problems with their regulators would indicate that the firm has correctly identified the use of Loctite® in the manufacture of the high pressure seats as the problem. The use of Loctite® was discontinued in the production of the regulator.

The file describes a corrective action plan instituted by Sea Quest through point of sales posters, safety notices to customers, and magazine advertisements. The plan includes instructions, found in a Technical Bulletin, and parts, found in the Recall Rework Kit, to repair the affected regulators. Both the bulletin and the corrective action plan mention the possible use of a new style or form of high pressure seat to replace the old one. While stated in the file that this new seat provides improved durability and wear characteristics and also resists the effects of Loctite fumes, there are no test results to support these statements.

CONCLUSION

Sea Quest appears to adequately address the problem outlined in this PSA. The actions taken by Sea Quest to inspect and fix, as necessary, all units produced and/or shipped to dealers and consumers are considered adequate and appropriate. However, I have some reservation about the replacement of the high pressure seat with a new style or form which allegedly provides improved durability and wear characteristics and also resists the effects of Loctite fumes without supporting information. Since the original design of the seat assembly uses a brass part with a rubber seal molded into it and U.S. Divers has had no reported problems or failures associated with this part, I am reasonably certain that the fix (discontinuing the use of Loctite® by La Spirotechnique) is adequate. Information as to whether the use of a high pressure seat produced with new materials will prevent any recurrence of the problem during future production is not provided in the file.

cc: Marc Schoem, CECA

Assign to B Whitfield
8/5

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PRODUCT SAFETY ASSESSMENT (PSA) TECHNICAL EVALUATION REQUEST
Note: Print, use black pen, no blue ink.

Requested by: JAY DE MARCO Org. Codes: CECA FO__R

Date: 8/4/94 Priority: C Case# RP94-151

PRODUCT INFORMATION

Manufacturer: SeaQuest State: CA

Product: Scuba Regulator

Brand name, model, etc. Spectrum (3-70100)

Sample number: SEE CO FOR FILE AND OR SAMPLES/EXHIBITS

Sample Disposition: X Return to Requestor ___Store at Whse ___Other:

EVALUATION REQUESTED:

PLEASE DO A FILE REVIEW AND EXAMINE SAMPLES IF APPLICABLE.
DETERMINE AND ASSESS IF THE FIRM HAS CORRECTLY IDENTIFIED
THE PRODUCT DEFECT AND MADE AN APPROPRIATE "FIX" AND OR
CORRECTION OF THAT PROBLEM OR DEFECT.

EPI ASSESSMENT: Dates: From_____ TO_____ Sort by Mfg. ___Yes ___No

___IDI ___IPII ___NEISS Comments ___NEISS Estimates ___Deaths ___NFIRS

Hazard: ? Free flow of air: drowning or embolism

Requested date: 9/12/94 Attachments: SEE CO FOR FILE & EXHIBITS OR SAMPLES

(Rev 6/94 fppsa)

PSA ACTION (FOR PSA USE ONLY)

Request number: 9467

Date Processed: 8-5-94

Date Requested: 9-12-94

Due Date:

Assigned to:

Organization: F 4 (TW)

T.O.:

Req. Summary: file review

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seaQuest
Sea Quest, Inc.
2151 Las Palmas Drive
Carlsbad, California 92009-1525 USA
619/438-1101
FAX: 619/438-3142

July 22, 1994

Mr. James A. DeMarco
Compliance Officer
Division of Corrective Actions
U.S. Consumer Product Safety Commission
4330 East West Highway, Room 613
Washington, DC 20207-0001

RE: CPSC RP940151
Sea Quest, Inc.
Spectrum Scuba Diving Regulator

Dear Mr. DeMarco:

The enclosed documents consisting of the Full Report, Voluntary Corrective Action Plan and Confidentiality Request are provided per the instructions received on 8 July 1994.

Two samples of the Spectrum regulator with two additional seats have also been enclosed. Additional seats are provided as explained in item 15e of the Full Report.

All inquires and correspondence regarding this matter should be referred to our counsel, Mr. Steven Meiers of Gibson, Dunn and Crutcher, 333 South Grand Avenue, Los Angeles, California 90071 (telephone 213/229-7356).

Sincerely,

Donald R. Rockwell
Executive Vice President &
General Manager

cc: Steven Meiers
Bill Oliver

RECEIVED
JUL 27 A.M.
Compliance and Enforcement
CPSC

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seaQuest
Sea Quest, Inc.
2151 Las Palmas Drive
Carlsbad, California 92009-1525 USA
619/438-1101
FAX: 619/438-3142

July 20, 1994

Division of Corrective Actions
Consumer Product Safety Commission
4330 East West Highway
Bethesda, Maryland 20814

Re: CPSC RP 940151
Sea Quest, Inc.
Spectrum Regulators

CONFIDENTIALITY REQUEST

Ladies and Gentlemen:

In accordance with 16 United States Code of Federal Regulations, Part 1015.15, this letter constitutes a formal request by Sea Quest, Inc. ("Sea Quest") for confidential treatment of certain information which is being submitted by it to the Commission pursuant to Section 15 of the Consumer Product Safety Act.

Sea Quest requests that the following confidential information be considered exempt from disclosure under 15 United States Code 552(b), or any other statute, and that such information not otherwise be made publicly available:

a. The information in item 6 of the Full Report, RP 940151 (the "Full Report"), submitted by Sea Quest with respect to Spectrum Regulators;

b. The documents which are Exhibits D and E to the Full Report;

c. The number of Spectrum Regulators sold by Sea Quest and the portions thereof shipped to dealers within and outside of the United States (Item 7 of the Full Report);

d. Items 15a and 15e to the Full Report; and

e. The documents which are Exhibits N and O to the Full Report.

f. Item D in the list of exhibits to the Full Report.

RECEIVED
JUL 27 A.M.
Compliance and Enforcement
CPSC

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The foregoing information has never been released to any person who was neither an employee of Sea Quest nor in a confidential relationship with Sea Quest. On information and belief, the information is not commonly known by persons within the industry or readily ascertainable without a minimum of time and effort.

The information has been generated at significant cost to Sea Quest. Release of the information would likely cause substantial harm to the competitive position of Sea Quest, Inc.

The submitter of this request for exemption from disclosure is authorized to make claims of confidentiality on behalf of Sea Quest.

Respectfully submitted,

Donald Rockwell
Executive Vice President and General Manager
Sea Quest, Inc.

LC941930.037

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FULL REPORT OF SEA QUEST, INC.

RP 940151

This Full Report is submitted pursuant to the request, dated July 7, 1994, of Mr. Marc J. Schoem, Director of The Division of Corrective Actions of the United States Consumer Product Safety Commission. The item numbers below are responsive to the items set forth in 16 CFR Section 1115.13(d) and, as to paragraph 15 below, the additional items requested in Mr. Schoem's letter.

1. The report is submitted on behalf of Sea Quest, Inc. ("Sea Quest") by Donald Rockwell, Executive Vice President and General Manager (the Senior Officer of Sea Quest in the United States), whose address is:

   Sea Quest, Inc.
   2151 Las Palmas Drive
   Carlsbad, California 92009

2. Sea Quest, whose address is set forth above, is the importer of the product which is the object of this Full Report. The manufacturer is La Spirotechnique I.C., which is a non-U.S. entity and a sister corporation of Sea Quest. The address of the manufacturing plant for the product in question is:

   La Spirotechnique I.C.
   06510 Carros Industries (T)
   France

3. The product is known as the Spectrum Regulator. A regulator is the device which delivers air from the SCUBA tank to the SCUBA diver.

   Set forth below are the model number and approximate retail price for this product:

Model No.	Approximate Retail Price
Spectrum 3-70100	$315

Two samples of the Spectrum Regulator, model 3-70100 (the only model of this Regulator), are transmitted with this letter. The Regulators have a serial number on the brass housing of the first stage. The serial numbers begin with the prefix AE, AF, AG, AK, AL or BB, etc. (the first letter designates the year, A being 1993 and B being 1994, and the second letter indicates the month in which the forging of the brass housing was done, E being May, F being June, etc.). The Regulators may be produced somewhat later. Regulators with the serial numbers AE, AF, AG, AK, AL and BB were produced between April 1993 and May 1994. Except for

these letter designations at the beginning of the serial number, there is no date code on these Regulators.

Enclosed as Exhibit A is a copy of Sea Quest's catalog, which contains a photograph of this product at page 12. Sea Quest believes the distinctive identifying mark on this Regulator is its second-stage front cover label, which uses the word "Sea Quest Spectrum." This Regulator is the only regulator sold by Sea Quest which uses those words.

4. Air in a scuba tank is under pressure. The regulator is the device which carries the air from the tank to the diver's mouth. The first stage of the regulator attaches to the tank. A hose connects the first stage to the second stage, which contains the mouthpiece through which the divers breathes. The first stage also provides the first stage of pressure reduction in the pressure of the air as it moves from the tank to the diver. A component of the first stage in doing this is a high pressure seat. All high pressure seats used in Spectrum Regulators prior to May 1, 1994 consisted of a brass part into which a rubber seal is molded and bonded.

The rubber seal has a finite life. For most divers, the seat will last for the full time between recommended overhaul intervals (at least once per year) without leaking. Information about regulator maintenance and overhaul is contained in Exhibit B. If the high pressure seat is not replaced as necessary, it will begin to leak, slowly at first, but increasingly fast until it is replaced. This mode of seat degradation is inherent because of the material (rubber) which is used. Because the degradation occurs over time, the diver receives a gradually increasing warning that the regulator needs maintenance.

However, as a result of the effect of fumes resulting from the use of Loctite on the threaded yoke retainer in these Regulators, the rubber on the high pressure seat could be affected, with the result that there could be a partial delamination or tear, resulting in quicker seal degradation than would otherwise occur. (Loctite is a thread locking compound, manufactured by an unaffiliated third person.) The use of Loctite in Spectrum First Stage Regulators was discontinued on or about June 15, 1994.) In turn, this could result in a leak condition or, in the worst case, a free flow of air.

It is likely that any leak or free flow condition would occur when the air valve is first turned on, which is before the diver has begun his or her dive. However, it is possible, although unlikely, that these conditions could commence after the diver has begun his or her dive in the water.

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If the seal should become delaminated when the diver is submerged, and if the flow of air is too fast, it may be difficult for the diver to keep the mouthpiece of the second-stage regulator in his or her mouth or, in the case of inexperienced or novice divers, possibly even contribute to a potentially dangerous panic situation. The diver would then be required to breathe from a free-flowing regulator, engage in buddy-breathing with the dive partner or free ascend.

A drawing showing the Spectrum Regulator and its parts is enclosed as Exhibit C.

5. Sea Quest is not aware of any reports of injury or death associated with this product or these high-pressure seats generally. The injuries which it is conceivable could result in a worst-case situation are serious injury, such as an embolism or brain damage from lack of oxygen, decompression sickness ("bends") or even death.

6. The manufacturer of Spectrum Regulators commenced in April 1993 and the first regulators were shipped by Sea Quest to distributors or dealers in September 1993.

In October 1993 Sea Quest was contacted by Sea & Sea Products Ltd. (a Japanese company) with respect to potential problems with high pressure seats on three Spectrum Regulators. Attached as Exhibit D is a copy of the Sea Quest file which contains, it believes, all of the correspondence with Sea & Sea with respect to this matter.

From time to time over the next several months, Sea Quest received additional correspondence from dealers, distributors or customers with respect to possible difficulties with the high pressure seats. The first domestic report of any potential difficulty with high pressure seats in the Spectrum Regulator was received on or about November 16, 1993. In addition to the Sea & Sea communications referred to above, Sea Quest has received oral or written communications indicating potential difficulties with the high pressure seats in an aggregate of 17 Spectrum Regulators. A copy of all such communications from third parties regarding which Sea Quest has been able to locate is Exhibit E.

Commencing in 1993 and throughout this period, Sea Quest dealt with Spirotechnique, the manufacturer of the Spectrum Regulators, so that Spirotechnique's engineers could determine whether there was a potential defect and, if so, what remedy would be appropriate to cure it.

During this period, Sea Quest was advised by Spirotechnique and by another of its sister corporations, U.S. Divers Co., Inc., that they had received no reports of potential

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problems using the high pressure seats in their products (these are the same high pressure seats used in the Spectrum Regulator). In addition, at the request of Sea Quest, U.S. Divers performed various tests on its high pressure seats in an effort to determine whether there was a potential problem with the high pressure seats and, if so, its cause. No problem was discovered. These results obviously supported a conclusion that a potential defect was not present.

Sea Quest also tested its own inventory of high pressure seats in Spectrum Regulators, using a pick test on the rubber seal. (The pick test is a destructive test designed to test the adhesion of the rubber seal to the brass body of the high pressure seat.) On May 1, 1994 Sea Quest determined that, as a result of this testing, its Spectrum Regulators with serial numbers beginning with the letters "AE" and "AF" (these are Spectrum Regulators manufactured from April through July 1993) apparently contained high pressure seats that had a potential problem. The testing done by Sea Quest on regulators in its inventory which begin with the letters "AK", "AL" and "BB" (BB being the next regulators manufactured after those with the AL designation and sold by Sea Quest) did not disclose any potential problems with their high pressure seats.

On or about June 24, 1994 Spirotechnique advised Sea Quest that its engineers suspected that the use of Loctite may have contributed to a weakening of the high pressure seats, stating that it would conduct further tests and advise Sea Quest within a week. On July 1, 1994 Spirotechnique advised Sea Quest that fumes from Loctite had been found to weaken the high pressure seats.

Sea Quest is informed that Loctite is not used in the first stage of regulators which are manufactured, using the same high pressure seat, by U.S. Divers, thus explaining why U.S. Drivers had no potential problems with its products using the same high pressure seats. Sea Quest is also informed that the use of Loctite on Spectrum First Stage Regulators was discontinued by the manufacture on or about June 15, 1994.

Sea Quest determined to recall its Spectrum Regulators and, on July 6, 1994, orally notified the Consumer Product Safety Commission, providing to Mr. James De Marco of the Commission's Staff the Initial Report required by 16 CFR § 1115.13(c).

7. Sea Quest has sold approximately 2,863 Spectrum Regulators, of which 1,198 have been shipped primarily to dealers outside of in the United States and 246 of the remainder of which were reworked prior to shipment so as not to be subject to this potential problem. Sea Quest has 1,125 other Spectrum Regulators, including the two being sent with

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this Full Report, in its inventory. Thus, the number of Spectrum Regulators in the hands of dealers or customers in the United States which might contain this potential problem is 1,421.

CONFIDENTIAL

8. The Spectrum Regulators were imported to the United States commencing in August 1993.

9. Sea Quest has 1,125 Spectrum Regulators (including the two transmitted to the Commission with this Full Report) in its inventory. As stated in the response to item 7 Sea Quest has shipped Spectrum Regulators to dealers. Sea Quest does not know how many of these Spectrum Regulators have been sold to consumers by the dealers.

10. The rework procedure to remedy this potential problem is described in the accompanying Technical Bulletin (Exhibit F to this Full Report). Sea Quest is informed that this potential problem has been eliminated in the future by eliminating the use of Loctite in the first stages of the Spectrum Regulators. In addition, Spectrum Regulators may be manufactured with a high pressure seat which does not have a rubber component and as to which Loctite, even if it were used, would not be relevant.

11. On July 14 and 15, 1994 Sea Quest transmitted drafts of the recall documents referred to in subparagraphs (b - e) below (i.e., the recall documents other than the draft press release and advertisement) to Mr. James De Marco of the Commission's Staff. Subsequent conversations revealed that those documents did not arrive at Mr. De Marco's desk. Another copy was sent by fax on July 18, 1994. Also on July 18, 1994 a fax letter was sent to Mr. De Marco (i) transmitting press releases and a list of publishers to which it was proposed a press release be sent and (ii) confirming information concerning an advertisement to be published concerning the recall (see subparagraphs (a) and (f) below). On July 19, 1994 Mr. De Marco transmitted comments on those documents to Sea Quest (through its attorney). The comments were incorporated into the documents, which were then finalized.

Set forth below is a description of the procedures that have been implemented to notify dealers and consumers.

(a) Commencing on July 19, 1994, one of two press releases were transmitted to various publications. The differences between the press releases are that the press release sent to publications which serve associations of sport diving instructors asked instructors who come in contact with users of Spectrum Regulators to inform them of the recall. The other press release did not contain this request. Copies of the press releases and of the list of publications to

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which press releases were sent, with those publications which serve associations of sport diving instructors and were sent the first press release referred to above indicated by a check mark, are Exhibit G to this Full Report.

(b) Commencing on July 19, 1994, a notice labeled "IMPORTANT SAFETY NOTICE" was mailed to all dealers to which Sea Quest had shipped one or more Spectrum Regulators. At the same time, a substantially similar notice labeled "IMPORTANT SAFETY NOTICE" was mailed to all other Sea Quest dealers. Copies of these notices are Exhibits H and I to this Full Report.

(c) Commencing on July 19, 1994, along with the notices referred to above, Sea Quest mailed to all of its dealers a Technical Bulletin, a Recall Rework Kit and a Spectrum Regulator Recall Field Rework Report, copies of which are Exhibits F, J and K to this Full Report.

(d) Commencing on July 19, 1994, as part of the package of materials referred to above, all Sea Quest dealers were also sent an orange point of sale poster, also labeled "IMPORTANT SAFETY NOTICE," which the other "IMPORTANT SAFETY NOTICES" (Exhibit H and J) requests dealers to display prominently in their dive shops. A sample of the point of sale poster is Exhibit L to this Full Report.

(e) Commencing on July 19, 1994, a notice, labeled "IMPORTANT SAFETY NOTICE," was mailed to all customers from whom Sea Quest has warranty cards indicating they purchased a Spectrum Regulator. A copy of this notice and of the form of envelope in which it was mailed is Exhibit M to this Full Report.

(f) Sea Quest advertises only in Skin Diver Magazine. Sea Quest has arranged for an advertisement, the text of which will be the same or essentially the same as the point-of-sale posted (Exhibit L). It is to be run in Skin Diver Magazine, (September 1994 issue), NAUI-Sources (Journal) (September 1994 issue), Dive Training Magazine (September 1994 issue) and PADI-Underseas Journal (fourth quarter (October 1994) issue) or, as to any publications where the deadline for the issue has passed, in the next issue.

12. All of the Spectrum Regulators in the inventory of Sea Quest, except one of those sent to the Commission with this Full Report, are being reworked and none will be shipped until they are reworked. The materials referred to in item 11 have been mailed so Spectrum Regulators in the possession of dealers and customers can also be reworked.

13. Spectrum Regulators are manufactured by La Spirotechnique I.C. in France and shipped to Sea Quest (or at its) direction), which sells them through its authorized dealers. Sea Quest advertises its products in sport diving publications.

14. Upon request, Sea Quest will provide to the Commission a list of the names and addresses of its dealers and the retail purchases of Spectrum Regulators known to it. This information is proprietary and will be transmitted with a confidentiality request.

15a. Substantially all of the test reports, analyses and evaluations that relate to the potential problem were done at La Spirotechnique I.C. Sea Quest does not have any such reports, analyses or evaluations. The written reports which Sea Quest has of the tests done by U.S. Divers are Exhibit N. The written report of the pick test done by Sea Quest is Exhibit O.

15b. Except to the extent Exhibit C is responsive to the request for engineering drawings, Sea Quest believes all engineering drawings are at the manufacturer, La Spirotechnique I.C.

15c. The name of the dealer in Japan who, on October 25, 1993, first reported the potential problem is Sea & Sea Products Ltd. 3-2-30 Saiwacho, Kawaguchi-shi, Satama, Japan 332, which notified Robbert Bruins of Sea Quest. Mr. Bruins notified Spirotechnique. As set forth in the response to item 6, Spirotechnique engineers determined the reason for the potential problem.

15d. There have been no reports of injuries or deaths with respect to this potential problem. The only written communications received by Sea Quest which might be considered "complaints" are discussed in the response to item 6 and, Sea Quest believes, the only writings received from third persons which might be considered "complaints" are attached as Exhibits D and E.

15e. Two samples of the Spectrum Regulators are transmitted with this Full Report, each of which is accompanied by retail packaging and customer instructions. The Spectrum Regulator so indicated has been reworked. Also enclosed are two high pressure seats, 200 bar (which is subject to degradation by exposure to Loctite fumes) and two 300 bar high pressure seats (which are not subject to degradation by exposure to Loctite fumes). A sample of the Recall Rework Kit is also enclosed as Exhibit I to this Full Report.

15f. The Sea Quest catalog is Exhibit A to this Full Report. The Spectrum Regulator is depicted on page 12.

The submission of this Full Report does not constitute an admission by Sea Quest that a reportable information or a substantial product hazard exists.

Please address all questions concerning this Full Report to our counsel, Steven Meiers, Gibson, Dunn & Crutcher, 333 S. Grand Avenue, Los Angeles, California 90071, telephone 213/229-7356, fax 213/229-7520. Thank you.

Dated: July 20, 1994.

Respectfully submitted,

Sea Quest, Inc.

By: _____
Donald Rockwell
Executive Vice President
and General Manager

List of Exhibits to Full Report

A. Sea Quest Catalogue

B. Product Brochure

C. Drawing of Spectrum Regulator and its components

D. Sea & Sea Products (Japan) communications CONFIDENTIAL CONFIDENTIAL

E. Other Communications Regarding Potential Problems with the High Pressure Seat

F. Technical Bulletin

G. Press Releases and list of publications to which the press releases were transmitted (check marks on the list indicate publications which serve associations of sport diving instructors, which were sent the press release asking instructors who come in contact with users of Spectrum Regulators to inform them of the recall)

H. IMPORTANT SAFETY NOTICE to Sea Quest Dealers who have been shipped one or more Spectrum Regulators

I. IMPORTANT SAFETY NOTICE to all other Sea Quest Dealers

J. Recall Rework Kit

K. Spectrum Regulator Recall Field Rework Report

L. IMPORTANT SAFETY NOTICE Point of Sale Poster

M. IMPORTANT SAFETY NOTICE mailed to Customers and Envelope

N. U.S. Divers engineers' reports CONFIDENTIAL

O. Sea Quest pick test reports CONFIDENTIAL

LC941870.052

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SEA QUEST, INC.
VOLUNTARY CORRECTIVE ACTION PLAN
PURSUANT TO 16 CFR SECTION 1115.20(a)
REGARDING SPECTRUM REGULATORS
RP 940151

Pursuant to 16 CFR Section 11156.20(a), Sea Quest, Inc. ("Sea Quest") submits the following Voluntary Corrective Action Plan with respect to Spectrum Regulators to the Consumer Product Safety Commission (the "Commission"). Item numbers below correspond to item numbers in 16 CFR Section 1115.20(a)(1).

(i) The product in question is a SCUBA regulator known as a Spectrum Regulator. A "high pressure seat," which is in the first-stage of the Spectrum Regulator, could be adversely affected by the use of Loctite on a part in the first-stage (the use of Loctite in the first stage was discontinued on or about June 15, 1994). If this should occur, the rubber seal on the high pressure seat could delaminate or tear, resulting in a leak condition or, in the worst case, a free flow of air. It is likely that any leak or free flow condition would occur when the air valve is first turned on, which is before the dive has begun. However, it is possible, although unlikely, that these conditions could commence after the diver has begun his or her dive in the water.

Sea Quest is not aware of any reports of injury or death associated with this product. If the seal should become delaminated or tear when the diver is submerged, and if the flow of air is too fast, it may be difficult for the diver to keep the mouthpiece of the second-stage regulator in his or her mouth or, in the case of inexperienced or novice divers, possibly even contribute to a potentially dangerous panic situation. The diver would then be required to breathe from a free-flowing regulator, engage in buddy-breathing with the dive partner or free ascend. The injuries which it is conceivable could result in a worst case situation are serious injury such as embolism or brain damage from lack of oxygen, decompression sickness ("bends") or even death.

(ii) Set forth below is a statement of the means to be employed to notify the public of the alleged product hazard.

(a) Commencing on July 19, 1994, one of two press releases were transmitted to various publications. The differences between the press releases are that the press release sent to publications which serve associations of sport diving instructors asked instructors who come in contact with users of Spectrum Regulators to inform them of the recall. The other press release were sent to publications with general circulation and did not contain this

request. Copies of the press releases and of the list of publications to which press releases were sent, with those publications which serve associations of sport diving instructors and were sent the first press release referred to above indicated by a check mark are Exhibit 1 to this Full Report.

(b) Commencing on July 19, 1994, a notice labeled "IMPORTANT SAFETY NOTICE" was mailed to all Sea Quest dealers to which Sea Quest had shipped one or more Spectrum Regulators. At the same time, a substantially similar notice labeled "IMPORTANT SAFETY NOTICE" was mailed to all other Sea Quest dealers. A copy of this notice is Exhibit 2 to this Voluntary Corrective Action Plan.

(c) Commencing on July 19, 1994, along with the notices referred to above, Sea Quest mailed to all of its dealers a Technical Bulletin, a Recall Rework Kit and a Spectrum Regulator Recall Field Rework Report, copies of which are Exhibits 4, 5 and 6 to this Voluntary Corrective Action Plan.

(d) Commencing on July 19, 1994, as part of the package of materials referred to above, all Sea Quest dealers were also sent an orange point of sale poster, also labeled "IMPORTANT SAFETY NOTICE," which the other "IMPORTANT SAFETY NOTICE" (Exhibits 2 and 3 to this Voluntary Corrective Action) requested them to display prominently in their dive shops. A sample of the point of sale poster is Exhibit 7 to this Voluntary Corrective Action Plan.

(e) Commencing on July 19, 1994, a notice, also labeled "IMPORTANT SAFETY NOTICE", was mailed to all customers from whom Sea Quest has warranty cards indicating they purchased a Spectrum Regulator. A copy of this notice and of the form of envelope in which it was mailed are Exhibit 8 to this Voluntary Corrective Action Plan.

(f) Sea Quest advertises only in Skin Diver Magazine. Sea Quest has arranged for an advertisement, the text of which will be the same as the point of sale posted (Exhibit 8). It is to be run in Skin Diver Magazine, (September 1994 issue), NAUI-Sources (Journal) (September 1994 issue), Dive Training Magazine (September 1994 issue) and PADI-Underseas Journal (fourth quarter (October 1994) issue) or, as to any publications where the deadline for the issue has passed, in the next issue.

(iii) The Spectrum Regulator model number is Spectrum 3-70100.

(iv) As is set forth in the IMPORTANT SAFETY NOTICE point of sale poster and the IMPORTANT SAFETY NOTICE to customers (Exhibits 7 and 8 hereto), prior to being reworked, Spectrum Regulators should not be used.

(v) Sea Quest has been informed that the rubber seal on the high pressure seat may experience degradation and accompanying delamination or tearing if exposed to fumes from Loctite, which was previously used in the manufacture of Spectrum First Stage Regulators.

(vi) The corrective action that has been taken is detailed in item (ii). The corrective action to be done is described in the Technical Bulletin (Exhibit 4 hereto). The Recall Rework Kit is Exhibit 5 hereto. Except for Spectrum Regulators in Sea Quest's inventory (which will be reworked before they are shipped), the rework of Spectrum Regulators will be done by dealers free of charge to consumers.

(vii) Sea Quest imports, but does not manufacture, this product. Sea Quest has been informed by the manufacturer that this potential problem has been eliminated as to future Spectrum Regulators by eliminating the use of Loctite. In addition, Spectrum Regulators manufactured in the future may also utilize a form of high pressure seat which does not use rubber and which is not subject to degradation by exposure to Loctite fumes.

(viii) The steps that have been taken and will be taken to modify products in the distribution chain are described in items (ii), (vi) and (vii). The Spectrum Regulators in Sea Quest's inventory will be reworked before they are shipped.

(ix) This Voluntary Corrective Action Plan is signed below.

(x) Sea Quest acknowledges that the Commission may monitor this Voluntary Corrective Action Plan. Sea Quest agrees to furnish the necessary information for the Commission to do so, including customer lists. To the extent requested information is confidential, it may be supplied with a confidentiality request.

(xi) Sea Quest acknowledges that the Commission may publicize the terms of this Voluntary Corrective Action Plan to the extent necessary to inform the public of the nature and extent of the potential product hazard and of the actions being undertaken to correct it.

(xii) The submission of this corrective action plan does not constitute an admission by Sea Quest that either reportable information or a substantial product hazard exists.

(xiii) Sea Quest acknowledges that this Voluntary Corrective Action Plan becomes effective only upon final acceptance by the Commission.

Dated: July 20, 1994.

Respectfully submitted,

Sea Quest, Inc.

By: _____
Donald Rockwell
Executive Vice President/General Manager

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Exhibits to Voluntary Corrective Action Plan

1. Press Releases and list of publications to which the press releases were transmitted (check marks on the list indicate publications which serve associations of sport diving instructors, which were sent the press release asking instructors who come in contact with users of Spectrum Regulators to inform them of the recall).
2. IMPORTANT SAFETY NOTICE to Dealers to which Sea Quest has shipped one or more Spectrum Regulators
3. IMPORTANT SAFETY NOTICE to all other Sea Quest Dealers
4. Technical Bulletin
5. Recall Rework Kit
6. Recall Rework Report
7. IMPORTANT SAFETY NOTICE Point of Sale Poster
8. IMPORTANT SAFETY NOTICE to Consumers

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*** ACTIVITY REPORT ***
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WASHINGTON, DC 20207

OFFICE OF COMPLIANCE
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DIVISION OF
CORRECTIVE ACTIONS
Tel: 301-504-0608
FAX: 301-504-0359

7/20/94

DATE: [redacted] 94 PAGES TRANSMITTED 3 + cover

TO: Steven Meiers

TITLE: ATTY for Seagrest

OFFICE: Gibson, Dunn & Crutcher

FAX #: 213-229-7520

FROM: J.A. DEMARCO

REMARKS: [illegible] CALL ME!

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