PSA 0638 6-13-95

FROM: ROBERT HUNDEMER; LS

TO: J. KENNEDY; CECA

SUBJECT: SPEED MEASUREMENTS OF WATER BALLOONS.

SHORT GREEN DEVICE

WEIGHT IN GRAMS	PULL DISTANCE	FEET PER SEC.
1 239	30 INCHES	68
2 213	30 INCHES	68
3 203	30 INCHES	76
4 250	30 INCHES	61
5 259	30 INCHES	66
6 307	30 INCHES	59
7 279	41 INCHES	81
8 260	41 INCHES	80

LONG ORANGE DEVICE

WEIGHT IN GRAMS	PULL DISTANCE	FEET PER SEC.
1 252	42 INCHES	70
2 179	42 INCHES	83
3 200	42 INCHES	77
4 167	42 INCHES	83
5 327	42 INCHES	73
6 298	42 INCHES	62
7 270	42 INCHES	72
8 370	42 INCHES	73
9 288	60 INCHES	109

143

****FOR OFFICIAL USE ONLY****

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

Requested by: Jean Kennedy Org. Codes: CECA FOWR

Date: 2/24/95 Priority:A Case# FW950004

PRODUCT INFORMATION

Manufacturer: Riva Sport State: San Diego, CA

Product: water balloon slingshot

Sample number: T-793-0353 Sub 1 & 2 (100 & 200yd)

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

EVALUATION REQUESTED: ES - test launch velocities.

_____ - test impact force from several distances, e.g. 30yd, 50yd, 100yd

TOI ASSESSMENT: Dates: Sort by Mfg. __Yes ___No

__IDI __IPII ___NEISS Comments ___NEISS Estimates ___Deaths ___NFIRS

Hazard: eye injury

Requested date: 3/03/95 Attachments:

PSA ACTION (FOR PSA USE ONLY)

Request number: 0168

Date Processed: 2/27

Date Requested:

Due Date: 3/3

Assigned to: ES

Organization:

T.O.:

Req. Summary:

(Rev 6/94 fppsa)

WAT BALLOON SLING SHOT INCIDI S
1989 TO 12-15-94

INCIDENT #	MANF./BRAND	AGE OF VICTIM	DATE OF INJURY	NATURE OF INJURY
910917CCN2267	Aqua Sling	34	910703	temporarily lost vision
911021CNE5014	Aqua Sling	14	910718	lost most eye functions
IL 940812CCN2165	Riva Sport	09	940704	severe eye injuries
H170045A1-91	Aqua Sling	23	910629	eye injury
C265034A1-92	Aqua Sling	14	920612	serious eye injury
H440053A1-94	Blaster	22	940225	injured
C490011A1-94	C X Blaster	unknown	940830	eye injury
N4B0148A1-94	C X Blaster	14	940800	lost an eye
N4B0021A1-94	C X Blaster	unknown	940927	hit by tubing
X4B0572A1-94	C X Blaster	14	940817	struck in eye
G9B0233A1-89	M-Aqua Sling	14	891101	badly damaged eye
H280129A1-92	Northern Hydraulics	09	920717	serious eye injury
H170154A1-91	Original Ringer	12	910728	injured
C495049A1-94	Riva Sport	14	940614	severe eye injury
C4A5017A1-94	Riva Sport	23	930531	serious eye injury
G3B0119A1-93	Sling King	unknown	930610	injured
G460167A1-94	unknown	unknown	940515	face injury
F470082A1-94	unknown	20	940602	injured
	unknown	11	920603	face & eye injuries
	unknown	16	930530	hit in right eye
	unknown	13	930718	left eyelid injury
	unknown	23	930801	hit in right eye

MT 13 Mech, Shulb: remove ribs - loss of movement
OH 39 ~~torn retina~~ - perm eye injury

9 in 1994
5 in 1993
3 in 1992
4 in 1991
1 in 1989

144

FOR OFFICIAL USE ONLY

DIRECTORATE FOR EPIDEMIOLOGY

DATA REVIEW

TO: N. Allen/C. Downs, CECA
Thru: M. Schoem
FROM: M. Edmonds, EPHA

DATE: 12/15/94
DATE DUE: 12/12/94
PRIORITY: c

REQUEST: PSA 9798, RivaSports, Aqua Sling and Generic water sling shot balloon

HAZARD PATTERN: any

SELECTION CRITERIA:

Product Code(s): 1347, 1352, 1365
Text/Other : Water, Aqua, Riva, Sling
Time Frame : 890000 - 941215
NFIRS Search Criteria: N/A

INCIDENTS IDENTIFIED:

Data Base(s)*	# of Incidents	# of Deaths
Accident Investigations	3	--
Reported Incidents	19	--
Death Certificates	--	--
NEISS (Actual number)	4	--
NFIRS	--	--
TOTAL	26	--

* Incidents reported in more than one data base are included only once, in the data base listed first. These are reports EPHA was able to identify from the CPSC data files and should not be considered a statistical sample or a complete count of all such incidents that may have occurred.

NOTES/COMMENTS

Printouts attached

15 Riva
6 other
3 [illegible]
1988 – [illegible]

WATER BALLOON INJURIES: 25 ~~16~~ 18 SERIOUS EYE INJURIES
1 CARDIAC ARREST
1 NECK/ARM/BACK PARALYSIS
5 "INJURED"

DATE	AGE/SEX/STATE	INJURY	SCENARIO	OPERATOR	DOCUM	MANUF
~~871031~~	~~23M MT~~	~~orbital fx loss vision~~	~~balloon hit eye 1000yd fr stadium~~	~~others~~	~~JAMA Dr. Holds~~	homemade
880410	9M CA	**cardiac arrest** recovered	balloon hit **chest** across street 50yd	20y	890925WES4006	Winger
880903	10M AZ	unconscious macular hole loss vision in **eye**	balloon hit **eye** from boat to boat 200~~yds~~ ft	others	881007WES4003	Riva 1
891101	14M IL	eyelid split **eye** hemoraged	balloon hit face	boys	891201CCN0575 G9B023A1-89	Riva 2
910521	13F MT	paralysis of arm & back from **neck** inj	balloon hit **neck** on deck from neighbors yard	teens	941214CWE5020 Sen Baucus	WHAMO Riva 3
910612	14M MN	serious **eye** injury	balloon hit **eye**	others	C265034A1-92	Riva 4
910629	23F NY	**eye** injury	balloon hit eye	others	H170045A1-91	Riva 5
910703	34M MN	loss vision in **eye** recovered	balloon from shore to boat 30yd by 15y son	15y	910917CCN2267	Riva 6

1994 = 10
93 = 2
92 = 3
91 = 6
89 = 1
88 = 2

146

910718	14M	PA	lost eye functions attempting launch	balloon came back from pouch when with two friends (unclear what happened)	self	911021CNE5014 H190035	Riva 7
910728	12M	MN	injured	balloon launched from water balloon slingshot	others	H170154A1-91	Ringer Winger ?
920612	14M	MN	serious eye injury	struck by water balloon fr slingshot		C265034A1-92	Riva 8
920717	9M	MI	serious eye injury	balloon launched by slingshot		H28012A1-92	Northern Hydraulics ? Unk
920814	?	TX	fx face/eye	struck by balloon	others	Azar suit	Riva 9 suit
930531	22M	TX	blind rt eye blowout fx	balloon struck eye from shore to water	20y	950124CAA3276 C45017A1-94	Riva 10
930610	?F	MI	injured	by balloon shot from slingshot		G3B0119A1-93	SlingKing
930720	?m	WA	torn iris	hit by balloon from slingshot		(Firm letter)	CX Blaster
940225	22M	NC	torn iris ~~injured~~ muscle	hit by water balloon from a sling shot		H440053A1-94	Blaster
940515	? M	ND	injured	water balloon rebounded. hit face of young man.	self	G460167A1-94	Unk
940515	?M	CA	perm injury	by water balloon slingshot		Rocha suit	Riva 11 suit
940515	son	MN	torn retina iris	~~[illegible]~~ version, balloon rebounded into face	self	G460167 Eisenbeis	Unk
940530	13M	TN	fx eye recovered	by balloon	others	940609CCN1653 G460042A	Riva 12
940602	20M	OR	injured	balloon launched into boat	others	F470082A1-94	Unk

940614	14M	TX	eye injury	from a water balloon sling shot		C495049A1-94	Riva 13
940704	9F	IL	cut iris torn retina	by balloon @ ~~100~~ 50 yd "catch game" at picnic	others	940812CCN2165	Riva 14
940722	39M	OH	perm injury rt eye	sling recoiled 1 man-style	self	941208CCN0731	Riva 15
940817	14M	FL	lost eyeball	tubing broke when pulled back 4ft and hit child in eye 1 man launch - using deck railing post.	self	941121CCC1103Blaster 941205CCC1134 N4B0148A1-94	

Rocks, Other (Riva Claims) 5 hit in face by rocks,potato

891000	10M	MI	fx jaw lost teeth	rock in sling backfired	self.	H120175A1-91	~~Riva~~ suit
900617	25M	CA	fx nose,jaw lost eye	shooting rocks-rebounded	20y	Riva suit	~~Riva~~ suit
900805	11M	OK	jaw shattered lost teeth	hit in face by rock	self	C095001A1-90	~~Riva~~ suit
921001	19M	CO	lost eye	hit by potato	others	C385018A1	~~Riva~~ suit
940717	12M	MN	lost eye	struck by rock launched in water balloon slingshot	others	C495040A1	Riva

15

SEE Separate folder for copies of incidents

RIVA INJURIES: 15 7yr

880903	10m	AZ	unconscious macular hole loss vision	balloon hit eye from boat to boat 200ft	881007WES4003
891101	14m	IL	eyelid split eye hemoraged	baloon hit face	891201CCN0575
910521	13f	MT	paralysis arm & back	baloon hit neck from neighbor yard	941214CWE5020 perm?
910612	14m	MN	serious eye injury	balloon hit eye	C265034A1-92
910629	23f	NY	eye injury	balloon hit eye	H170045A1
910703	34m	MN	loss vision	baloon from shore 30yd to boat (by son)	910917CCN2267 ✓
910718	14m	PA	lost eye functions	balloon rebound self from pouch	911021CNE5014 ✓
920612	14m	MN	serious eye injury	struck by water balloon fr sling	C265034A
920814	?	TX	fx face/eye	struck by baloon	Azar suit
930531	22m	TX	blind rt eye blowout fx	balloon struck eye 20y fr shore to water	950124CAA3276 perm
940515	?m	CA	perm inj	by water balloon slin	Rocha suit
940530	13m	TN	fx eye recovered	by balloon	940609CCN1653 ✓
940614	14m	TX	eye injury	from water balloon sling	C495049A
940704	9f	IL	cut iris tirb retina	by balloon "game" 50yd at picnic	940812CCN2165 ✓
940722	39m	OH	perm rt eye	sling recoiled self 1-man style	941208CCN0731 ✓

17 IPII 80
11 INDP 80
7 NEISS 90-96

George's Rebuttal 7/15/96

150

Age & Sex	Date	State	Source	Narrative
14 m	6/12/92 91?	MN	IPII	A 14 year old male suffered serious eye injury when struck by a water balloon from a sling shot.
23 f	6/29/91	NY	IPII	A 23 year old female suffered an eye injury after being struck by a water balloon fired from a water balloon sling shot.
14 m	7/18/91	PA	IPII	A 14 year old male was seriously and permanently injured when struck by a wataer balloon sling shot he was loading.
13 m	~~6/20/94~~ 5/30 ?	TN	IPII	A 13 year old male was injured from a water balloon sling shot toy.
10 m	9/3/88	AZ	IPII	A 10 year old boy was injured when a water balloon struck him below the eye
22 m	2/25/94	NC	IPII	A 22 year old male was injured when he was hit by a water balloon from a sling shot.
11 m	8/5/90	OK	IPII	11 year old boy was badly injured when his water slingshot failed to release the rock which then returned striking him in the face.
14 m	11/1/89	IL	IPII	14 year old boys eye was badly damagaed by a water balloon sling shot that struck him in the face.
? f	8/27/88	VT	IPII	A female was slightly injured when she was struck by a water balloon fired from an adult water slingshot.
11 f (2)	5/22/95	PA	IPII	Two 11 year old girls were bruised when an 8 year old male ran out of water balloons and shot rocks from a water balloon slingshot hitting them.
9 m	7/17/92	MI	IPII	A 9 year old male suffered serious eye injury when struck by a water balloon launched from a water balloon sling shot.

dup

don't count

14 m	7/18/91	PA	INDP	Victim was at home with two friends playing with a sling shot which hurls water balloons. This is a large item which requires three persons to operate and a friend was on each side holding a handle and victim had placed balloon in pouch and pulled back on rubber rods. He was struck.
14 m	8/17/94	FL	INDP	A 14 year old male placed water balloon into the pouch of slingshot and pulled the pouch and surgical tubing back a distance of approximately 4 feet. Prior to releasing, the surgical tubing of the slingshot broke, snapped back towards the victim's face and struck the victim in the left eye.
9 f	7/4/94	IL	INDP	A 9 year old girl sustained severe eye injuries when she was struck in the face by a water balloon that had been launched from a water balloon launcher during a July 4th picnic.
39 m	7/22/94	OH	INDP	A 39 year old male has permanent eye damage when an "Aqua Sling" he was using recoiled and hit him in the eye. The victim was outside his home on the concrete driveway with his sons and they were shooting water balloons to a neighbor and his sons across the street.
22 m	5/31/93	TX	INDP	Victim was at a local lake with friends. The victim was in the lake when he was unexpectedly hit in the left eye with a water balloon propelled by a wataer balloon sling shot being operated by some friends on the shore of the lake. The victim had to be helped out of the water.
13 f	5/21/91	MT	INDP	A 13 year old girl was struck by a water balloon launched by a waater balloon launching toy. The girl was hit in the neck and has suffered a broken collarbone and nerve damage in the area hit by the balloon.

152

12 m	7/28/91	MN	IPII	A 12 year old male was injured after being hit by a water balloon shot from a water balloon slingshot.
14 m	6/14/94	TX	IPII	A 14 year old male suffereed a severe eye injury from a water balloon sling shot.
19 m	10/1/96	CO	IPII	A 19 year old male lost an eye when struck by a potato launched in a water balloon slingshot.
10 m	10/1/89	MI	IPII	A 10 year old male suffered a broken jaw, lost teeth and torn flesh when he was hit by a rock used in a water balloon slingshot.
? m	5/15/94	ND	IPII	A young man was injured when a water balloon in a slingshot rebounded hitting his face.
13 f	1/1/90	MI	IPII	A 13 year old female was permanently injured when struck by a water balloon launched in a launcher.
10 m	9/3/88	AZ	INDP	A 10 year old male was boating with his family, when the family stopped their boat to watch other boaters shooting water balloons at each other using large launching rubber slings. One of the balloons struck the victim below his left eye. The victim suffered a blowout fracture around the eye.
34 m	7/3/91	MN	INDP	The 34 year old male victim was on a lake in his boat shooting water filled balloons with a water balloon sling shot. His 15 year old son was shooting back at him with another one. He was about 30 yards away when he was struck in the face with a balloon.

don't have Dup

153

34 f	8/27/88	VT	INDP	A 34 year old female was severely bruised on her right thigh when she was struck, while sailing, by a water balloon fired from a slingshot.
22 m	3/19/87	MI	INDP	A 22 year old male received a permanent eye injury when he was struck by a water balloon that had been launched from a water slingshot at the university he was attending.
9 m	4/10/88	CA	INDP	A 9 year old male was knocked unconscious and suffered a cardiac arrest when he was hit in the chest with a water balloon. The victim was given CPR, revived, and hospitalized. The victim is monitored as an outpatient.
13 m	8/23/90	XX	NEISS	Bruise contusion rt ribs - Pt. and friends playing with giant slingshot using potatos - Pt. struck by potato.
11 m	6/3/92	XX	NEISS	Corneal abrasion. Pt. was hit in the face, eye, with a water balloon that was propelled by a sling shot.
23 m	8/1/93	XX	NEISS	Hit in right eye by water balloon flung by slingshot (catapult toy) hyphema to eye.
35 f	6/8/95	XX	NEISS	While assisting in booy scout games, pt was hit in 1 eye by water balloon thrown from catapult sling shot. cx; os corneal abras/contusion.
7 m	9/3/95	XX	NEISS	Hit in right eye by water balloon fired from slingshot/orbital FX.
8 m	5/18/96	XX	NEISS	Rt chest wall contusion-shot with a powerful sling shot with a water balloon
7 m	5/31/96	XX	NEISS	Child at home was hit in both eyes with a balloon that was shot with a slingshot. DX: corneal abrasions
23	7/04/96	XX	NEISS	
8y.	7/07/96			

don't have

Homemade

Water Balloon Slingshots Briefing

INJURY DATA

- 33 cases identified since 1987 (Summary attached)
  (NEISS estimate, based on 8 cases from 1/1/90 - 7/15/96 = 460)
  (5 of these cases since 1/1/95, estimate = 300)

- The majority of the injuries included in the 33 cases were to the eye. Eye injuries ranged from a lost eye and three cases of fractured orbital bones to milder eye injuries such as corneal abrasions. Several other victims received bruises to other body parts, two received broken bones (one from a rock one from a balloon). In the case involving a balloon, the victim also suffered permanent nerve damage. In another case the victim went into cardiac arrest, but was revived.

- 28 involving water balloons

- 5 involving rocks or potatoes used in place of water balloons

- Most recent case July 4, 1996 - Investigation pending

MANUFACTURER INFORMATION (From Compliance)

- Three manufacturers - One other went out of business in 1991.

- One reports having made 400,000 slingshots from 1987 - present.

- One reported having made slingshots since 1988, but only knew units sold for 1994 when they sold 25,000. They described 1994 as a big year.

- One reported having made approximately 10,000 per year from 1985 to the present.

RECENT STAFF ACTIONS

- In response to PSA requests in early 1995, technical staff reached the following findings:

- ES concluded that the slingshots could launch a balloon with an initial velocity of up to 74 mph.

- Human Factors concluded:

  "This product is likely to have appeal to both children and adults and is likely to be misused. Unless competition is involved, it is likely that consumers will shoot water balloons at people to make it more interesting. Based on consumers' previous experience with water balloons, the perceived hazardousness is probably low.

  Warning information is likely to be ignored or not taken seriously because the product is a water-fun toy. Consumers who purchase this product are probably not seeking warning information, they are purchasing a fun product for their leisure time. Therefore, a warning label is not an adequate solution to the product hazard."

COMPLIANCE ACTION

- Each of the three manufacturers has been the object of a section 15 action, one in 1987 and again in 1994, the other two in 1995. These cases are still open.

AGE & SEX	DATE	STATE	SOURCE	NARRATIVE
23 f	7/4/96	XX	NEISS	Pt. inj. left eye while at friend's house-Someone shot a water balloon using large sling shot/Balloon hit patient in face, DX; Blowout fx left orbit
7 m	5/31/96	XX	NEISS	Child at home was hit in both eyes with a balloon that was shot with a slingshot. DX: corneal abrasions
8 m	5/18/96	XX	NEISS	Rt chest wall contusion-shot with a powerful sling shot with a water balloon
7 m	9/3/95	XX	NEISS	Hit in right eye by water balloon fired from slingshot/orbital FX.
35 f	6/8/95	XX	NEISS	While assisting in boy scout games, pt was hit in 1 eye by water balloon thrown from catapult sling shot. cx; os corneal abras/contusion.
11 f (2)	5/22/95	PA	IPII	Two 11 year old girls were bruised when an 8 year old male ran out of water balloons and shot rocks from a water balloon slingshot hitting them.
14 m	8/17/94	FL	INDP	A 14 year old male placed water balloon into the pouch of slingshot and pulled the pouch and surgical tubing back a distance of approximately 4 feet. Prior to releasing, the surgical tubing of the slingshot broke, snapped back towards the victim's face and struck the victim in the left eye.
39 m	7/22/94	OH	INDP	A 39 year old male has permanent eye damage when an "Aqua Sling" he was using recoiled and hit him in the eye. The victim was outside his home on the concrete driveway with his sons and they were shooting water balloons to a neighbor and his sons across the street.
14 m	7/14/94	TX	IPII	A 14 year old male suffered a severe eye injury from a water balloon sling shot.

AGE & SEX	DATE	STATE	SOURCE	NARRATIVE
9 f	7/4/94	IL	INDP	A 9 year old girl sustained severe eye injuries when she was struck in the face by a water balloon that had been launched from a water balloon launcher during a July 4th picnic.
13 m	6/20/94	TN	IPII	A 13 year old male was injured from a water balloon sling shot toy.
? m	5/15/94	ND	IPII	A young man was injured when a water balloon in a slingshot rebounded hitting his face.
22 m	2/25/94	NC	IPII	A 22 year old male was injured when he was hit by a water balloon from a sling shot.
22 m	5/31/93	TX	INDP	Victim was at a local lake with friends. The victim was in the lake when he was unexpectedly hit in the left eye with a water balloon propelled by a water balloon sling shot being operated by some friends on the shore of the lake. The victim had to be helped out of the water.
23 m	8/1/93	XX	NEISS	Hit in right eye by water balloon flung by slingshot (catapult toy) hyphema to eye.
11 m	6/3/92	XX	NEISS	Corneal abrasion. Pt. was hit in the face, eye, with a water balloon that was propelled by a sling shot.
14 m	6/12/92	MN	IPII	A 14 year old male suffered serious eye injury when struck by a water balloon from a sling shot.
9 m	7/17/92	MI	IPII	A 9 year old male suffered serious eye injury when struck by a water balloon launched from a water balloon sling shot.
19 m	10/1/92	CO	IPII	A 19 year old male lost an eye when struck by a potato launched in a water balloon slingshot.

AGE & SEX	DATE	STATE	SOURCE	NARRATIVE
23 f	6/29/91	NY	IPII	A 23 year old female suffered an eye injury after being struck by a water balloon fired from a water balloon sling shot.
12 m	7/28/91	MN	IPII	A 12 year old male was injured after being hit by a water balloon shot from a water balloon slingshot.
34 m	7/3/91	MN	INDP	The 34 year old male victim was on a lake in his boat shooting water filled balloons with a water balloon sling shot. His 15 year old son was shooting back at him with another one. He was about 30 yards away when he was struck in the face with a balloon.
14 m	7/18/91	PA	INDP	Victim was at home with two friends playing with a sling shot which hurls water balloons. This is a large item which requires three persons to operate and a friend was on each side holding a handle and victim had placed balloon in pouch and pulled back on rubber rods. He was struck. He was permanently injured.
13 f	5/21/91	MT	INDP	A 13 year old girl was struck by a water balloon launched by a water balloon launching toy. The girl was hit in the neck and has suffered a broken collarbone and nerve damage in the area hit by the balloon.
11 m	8/5/90	OK	IPII	11 year old boy was badly injured when his water slingshot failed to release the rock which then returned striking him in the face.
13 f	1/1/90	MI	IPII	A 13 year old female was permanently injured when struck by a water balloon launched in a launcher.

AGE & SEX	DATE	STATE	SOURCE	NARRATIVE
13 m	8/23/90	XX	NEISS	Bruise contusion rt ribs - Pt. and friends playing with giant slingshot using potatoes - Pt. struck by potato.
14 m	11/1/89	IL	IPII	14 year old boys eye was badly damaged by a water balloon sling shot that struck him in the face.
10 m	10/1/89	MI	IPII	A 10 year old male suffered a broken jaw, lost teeth and torn flesh when he was hit by a rock used in a water balloon slingshot.
10 m	9/3/88	AZ	INDP	A 10 year old male was boating with his family, when the family stopped their boat to watch other boaters shooting water balloons at each other using large launching rubber slings. One of the balloons struck the victim below his left eye. The victim suffered a blowout fracture around the eye.
34 f	8/27/88	VT	INDP	A 34 year old female was severely bruised on her right thigh when she was struck, while sailing, by a water balloon fired from a slingshot.
9 m	4/10/88	CA	INDP	A 9 year old male was knocked unconscious and suffered a cardiac arrest when he was hit in the chest with a water balloon. The victim was given CPR, revived, and hospitalized. The victim is monitored as an outpatient.
22 m	3/19/87	MI	INDP	A 22 year old male received a permanent eye injury when he was struck by a water balloon that had been launched from a water slingshot at the university he was attending.

Notes on 2-1-95 letter

1. Not a defect nor an SPH — per Brock Landry & Rice

2. We are not recalling water slings from other mfg at this time.
Send to me — not to CA. I'm working w Mike Futhe's working on reg
We are continuing our invest. I have just been put on this project.

put this in my notes

3. Product — military spec nylon, parachute nylon thread

4. Warnings — For ages 21 and over (NOT) likely
Shoot only at targets not at people (NOT) likely
Personal injury can result from improper use — Personal & improper (clearly)

Serious Injury can result from Improper use — wrong meaning
Not for use by anyone under age 21
without adult supervision (NOT) likely — 16 yr old 18 yr old need supervision

One person operation — DO NOT ATTEMPT
SERIOUS injury MAY Result — YES
NOT DESIGNED for Use by Only ONE Person — CLEAR

Warnings on sling at the handle:
WARNING: FOLLOW DIRECTIONS — unclear as some don't make sense
DO NOT SHOOT AT PEOPLE — doesn't square with fun
INJURY CAN RESULT — not clear how
USE AQUA SLING BALLOON & TARGET — questionable
AN ADULT GAME — NOT FOR CHILDREN — ? What are children 714 716 718 721

5 Sales 1987 11/94 400,000 units sporting goods stores

6. Like roller blades NOT — [illegible] warnings that are inconsistent with the [illegible] no percept of risk of injury.

159

To file:

Date: 2/21/95

From: Jean Kennedy, CECA

Sent FOIs: (5) to Brock Landry, atty for Riva

941208CCN0731
940609CCN1653
~~649 0051 (941208CCN0731~~
940812CCN2165
911021CNE5014
910917CCN2267

Withhold these documents that were alleged, per 6b

941214CNE5020
950124CAA3276

Marc sent?

12/12/94

To: Cathy Downs, CECA

From: Lee D. Baxter, FOWR

Subject: Aqua Water Balloon Slingshot - Riva Sports
Chronology

7/4/94 Injury incident to 9 year old female Park Ridge, Il

7/25/94 Consumer complaint ~~[illegible]~~ by mother of child

8/12/94 On site investigation initiated

~~9/19/94 [illegible]~~
~~[illegible]~~

9/22/94 Investigation received/reviewed in San Francisco.

9/26/94 (approximate) Query made to CECA about possible follow-up. Initial response after review in CECA was not to pursue.

10/11/94 week (approximate) Discussed previous testing of water balloon slingshot with John Preston.

~~10/17/94 (approximate)~~ Discussed case possibilities with Mike Gidding. Mike agreed we should pursue a case.

10/17/94 Case assigned to Norven Allen to manage. Request made for ~~[illegible]~~ engineering testing done previously.

161

11/9/94 Telephone call from Marc Schoen, CECA, requesting

recall of water balloon slingshot.

11/10/94 Discussed case and telephone contact approach with Mike Gidding, CEAL.

11/10/94 Telephoned Mr. Robert Jacobs, owner/operator of Riva Sports. Jacobs refused to take any action and "hung up".

11/30/94 Preliminary determination panel. Decision class B "go".
Sample requested from Chicago.

12/1/94 Case opening letter sent to Riva Sports.

12/5/94 (approximate) Investigations requested on other incidents identified Franklin, Tn and Mento, OH. Another water balloon slingshot CX Blaster, Tampa, FL implicated in Tennessee incident.

12/12/94 Return receipt on case opening letter received.

Water Balloon Slig Shot Devices

In late 1989, the staff became aware of the budding interest in a new sports product called water balloon sling shots. These products were designed, labelled and marketed as "target shooting" devices.

The design is very elementary; surgical tubing connected to a rubber sling which must be held by two individuals while the third loads the sling with a large balloon filled with water. The missile is then projected at a target which is furnished in the kit. The product warns the users not to fire at living targets. The lable depicts adults using the product.

The opportunity for abuse is evident. The Engineering and Compliance staffs collected several varieties and tested them to measure velocity. The readings were in the 80, 90 100 mph range on initial launch but the velocity quickly fell off due to the weight and irregular shape of the balloon. The staff did recognize, however, that if a person were struck with such a balloon at a reasonably close range, serious injury would occur.

The simplistic design of the product lends itself to be easily created in a basement and marketed for little money. The staff was unable at that time to trace the three or four incidents that were reported to any particular manufacturer. They did know definitely that some were homemade.

The product best lends itself to a banning order rather that section 15 action but during the staff's early investigation there was no interest on the part of the Commission in issuing a banning order.

We did not hear of additional incidents until this past summer:

7/4/94Injury incident to 9 yr old female in Illinois

7/25/94CPSC received complaint by mother of victim

8/12/94On-site investigation initiated

9/22/94Investigation rec'd and reviewed in San Francisco

9/26/94FOWR asked CECA about possible section 15 follow-up. Initial response after CECA review was not to pursue.

10/11/94 FOWR discussed previous testing of water balloons sling shots with John Preston.

Discussed case possibilities with Mike Gidding.
Mike agreed the case was worth pursuing.

10/17/94	Case assigned to Norvan Allen who requested previous test results. Old CECA files had been sent to achieves but could not be located when requested. Engineering files had been purged during move from old building. FOWR continued to request strategy meeting with CEAL and CECA staff to plan approach for handling the manufacturer.
11/9/94	Product appears on Dr. Kaufman's toy list
11/9/94	Marc Schoem phoned FOWR requesting immediate action with the identified manufacturer, Riva Sports.
11/10/94	FOWR discussed case and type of approach with Mike Gidding.
11/10/94	FOWR telephoned Mr. Robert Jacobs, owner/operator Riva Sports. Mr. Jacobs refused to take any action and "hung up."
11/30/94	Preliminary determination panel met. Decided on a Class B "go". Sample was requested through FOCR.
12/1/94	Case opening letter sent to Riva Sports. Certified card returned to FOWR 12/7. Response due from firm 12/16/94.
12/5/94	FOWR requested investigations of other identified incidents in Tennesee and Ohio. (A different brand, CX Blaster was also assigned in Florida).
12/12/94	Congressional inquiry regarding an incident 3 1/2 years ago in Montana. The Commission was unaware of this incident but will assign it for follow-up.

Water Balloon Slig Shot Devices

In late 1989, the staff became aware of the budding interest in a new sports product called water balloon sling shots. These products were designed, labelled and marketed as "target shooting" devices.

The design is very elementary; surgical tubing connected to a rubber sling which must be held by two individuals while the third loads the sling with a large balloon filled with water. The missile is then projected at a target which is furnished in the kit. The product warns the users not to fire at living targets. The lable depicts adults using the product.

The opportunity for abuse is evident. The Engineering and Compliance staffs collected several varieties and tested them to measure velocity. The readings were in the 80, 90 100 mph range on initial launch but the velocity quickly fell off due to the weight and irregular shape of the balloon. The staff did recognize, however, that if a person were struck with such a balloon at a reasonably close range, serious injury would occur.

The simplistic design of the product lends itself to be easily created in a basement and marketed for little money. The staff was unable at that time to trace the three or four incidents that were reported to any particular manufacturer. They did know definitely that some were homemade.

The product best lends itself to a banning order rather that section 15 action but during the staff's early investigation there was no interest on the part of the Commission in issuing a banning order.

We did not hear of additional incidents until this past summer:

7/4/94Injury incident to 9 yr old female in Illinois

7/25/94CPSC received complaint by mother of victim

8/12/94On-site investigation initiated

9/22/94Investigation rec'd and reviewed in San Francisco

9/26/94FOWR asked CECA about possible section 15 follow-up. Initial response after CECA review was not to pursue.

10/11/94 FOWR discussed previous testing of water balloons sling shots with John Preston.

Discussed case possibilities with Mike Gidding.
Mike agreed the case was worth pursuing.