EPDS

CONSUMER PRODUCT INCIDENT REPORT

7 NOV 1985

[redacted]

2. Telephone No. [redacted] (Home) (Work)

4. City, State, Zip Code: St. Louis Park, 55416 MN.

5. Give details of [redacted], or illness. Describe how incident occurred. (Use reverse side if necessary.)

The respondent was wiping a glass casserole dish when it broke in half. The respondent thought she could have been cut severely on the broken edge. This casserole dish was part of a set. It is made of white milk glass. The respondent indicated she had used the dish in the oven, allowed it to cool and then washed it by hand.

MFR/PRVLBR NOTIFIED
No Comments made
Comments attached
Excisions/Revisions
[redacted]

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6. If injury or illness: Victim's Name _____ Relationship _____
Age _____ Sex _____ Date _____ Type Injury No injury
Body Part Involved _____ Treatment _____

7. Description of Product: Glass casserole dish

8. Was the product:
Damaged before incident? Yes ☐ No ☒
Repaired before incident? Yes ☐ No ☒
Repaired after incident? Yes ☐ No ☒

9. Brand Name: Fire King

10. Identifying Numbers, Letters, etc.

11. Manufacturer's Name and Address: Anchor Hocking, Lancaster, Ohio 43130

12. Dealer's Name and Address: [redacted]

13. How product acquired? Purchased New ☐ Second Hand ☐ Other Gift

14. Age of Product: Sept. 1975

15. Is product available for inspection? Yes ☒ No ☐ Other _____

16. Does product have warning labels or instructions? Yes ☐ No ☐
Are they available? Yes ☐ No ☐

17. Have you contacted the manufacturer? Yes ☐ No ☒
If not, do you plan to contact them? Yes ☒ No ☐

18. Do you object to the use of your name? Yes ☐ No ☒

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19. Receiving Office: MIN-RP

20. Date Received: 10-16-85

21. Received by: Carolyn A. Schultz

22. Reporting Office

23. Source of Report: Letter ☐ Phone ☒ Visit ☐ Other _____

24. Document No. 85 A 0142

25. Follow-Up Action: No MWRO follow-up at this time. File

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

26. Product Code(s) A. 0461 B.

27.

28. Distribution: MWRO, EPDS

29. Endorser's Name/Title: James R. Murrish, ADPM

N

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I called the company, customer Service, Collect, twice, but they refused the calls. La Belle's, Minnetonka, don't carry this model now + won't exchange after 30 days. I said I didn't use it for at least the first 60 days. They gave me the name + number to call in Minnesota: 614-687-2160 = J. Francis or L. Helser.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

[redacted] 11/14/85

Signature Date

'85 NOV 18

NATI CLE

- [x] Do not release my name.
- [ ] You may release my name to the manufacturer but not to the general public.
- [ ] You may release my name to the manufacturer and to the public.

G5A0142/0461

Anchor Hocking

109 North Broad Street
Lancaster, Ohio 43132

July 28, 1987

Mr. Todd A. Stevenson
Freedom of Information Officer
Office of the Secretary
U. S. Consumer Product Safety Commission
Washington, D. C. 20207

Re: FOIA Request S-706082

Dear Mr. Stevenson:

Your letter dated June 30, 1987, addressed to J. Ray Topper, our former President, has been referred to me for reply.

As we understand your letter, the Consumer Product Safety Commission ("Commission") is currently considering disclosure of the documents enclosed with your letter in response to a FOIA request. You are requesting our comments in accordance with Section 6(b)(1) of the Consumer Product Safety Act ("CPSA") prior to the release of the documents.

Section 6(b)(1) of the CPSA provides in pertinent part that:

> The Commission shall take reasonable steps to assure, prior to its public disclosure thereof, that information from which the identity of such manufacturer or private labeler may be readily ascertained is accurate, and that such disclosure is fair in the circumstances and reasonably related to effectuating the purposes of this Act.

The standards for accuracy and fairness are clarified in recently-promulgated Commission regulations. 16 C.F.R. Subsection 1101.32 and 1101.33. Upon review of the materials which are to be disclosed, it is apparent that these standards are not met and it is not "fair in the circumstances . . . [or] reasonably related to effectuating the purpose of this Act."

First, we have been informed that as of June 17, 1987 that the claim of the individual who made the request, Connie Holewinski, has been settled. Therefore, she will not be pursuing any further the instances related in her letter of March 30, 1987.

8/4/87 DSFOI called Holewinski - she still wants the records.

Second, none of the material to be disclosed offers any technical analysis of the products in question or the causation of the incidents. The consumer product incident reports, none which apparently were the subject of any field investigation, do not provide sufficient detail to determine the peculiar circumstances surrounding the breakage incidents and whether or not the circumstances were similar; nor is there any indication whether or not the glass utility dish in the Schlabach incident, the glass baking dishes in the Hopewell and Polster incidents, or the casserole dish lid in the Hamilton incident were used according to the use and care instructions which accompanied them. None of the incident reports include any causal analysis, testing or evaluation which would allow one to conclude that a product defect was involved. A scientific or technical evaluation might have revealed alternative causes for each of these incidents.

Under these circumstances there is no basis to conclude that the requested information is reliable for Ms. Holewinski's purposes or that release of the information at this stage is either fair or would effectuate the purposes of the Act. On the contrary, the only purpose to be disclosed at this point would apparently be to stir up additional controversy concerning a number of minor and not apparently related incidents.

We would note, in addition, that the Schlabach, Hopewell and Polster incidents have been settled or otherwise concluded and that nothing has been received by us from Hamilton with respect to his incident.

If any of this material is nevertheless disclosed, it should be made clear that each incident report relates allegations of a consumer and does not represent a finding by the Commission that the product in question was in any way defective. If the Commission wishes any further assistance or clarification of this matter, please get in touch with us.

Sincerely,

Robert H. Seeley
Attorney