

# CONSUMER PRODUCT INCIDENT REPORT

MARCH 1987

3/10  
3/11

1. Name of Respondent <b>[REDACTED]</b>	2. Telephone No. (Home) <b>[REDACTED]</b> (Work) <b>[REDACTED]</b>
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3. Street Address <b>[REDACTED]</b>	4. City, State, Zip Code Plantation, FL 33317
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5. Give details of accident, injury, or illness. Describe how incident occurred. (Use reverse side if necessary.)

*Consumer was baking chicken in dish between 325°-350° for about 35-45 minutes. Consumer opened door to oven, slid oven rack out to baste chicken when dish exploded. Pieces shattered in both large and small pieces. Consumer is sure dish was not damaged prior to incident. When consumer contacted*

6. If injury or illness: Victim's Name \_\_\_\_\_ Relationship \_\_\_\_\_

Age \_\_\_\_\_ Sex \_\_\_\_\_ Date 3/3/87 Type Injury N/A

Body Part Involved \_\_\_\_\_ Treatment \_\_\_\_\_

7. Description of Product <i>Glass Baking Dish (9X14)</i>	8. Was the product: Damaged before incident? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Repaired before incident? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Repaired after incident? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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9. Brand Name <i>Anchor Hocking</i>	10. Identifying Numbers, Letters, etc. <i># 1450</i>
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11. Manufacturer's Name and Address <i>Anchor Hocking 2980 West Fair Avenue Lancaster, OH 43132</i>	12. Dealer's Name and Address <i>Albertson's University Drive Plantation, FL</i>
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13. How product acquired? Purchased New <input checked="" type="checkbox"/> Second Hand <input type="checkbox"/> Other _____	14. Age of Product <i>3 months</i>
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15. Is product available for inspection? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other _____	16. Does product have warning labels or instructions? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Are they available? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
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17. Have you contacted the manufacturer? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If not, do you plan to contact them? Yes <input type="checkbox"/> No <input type="checkbox"/>	18. Do you object to the use of your name? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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### FOR ADMINISTRATIVE USE ONLY

19. Receiving Office <i>Hotline</i>	20. Date Received <i>3/4/87</i>	21. Received by <i>Rockelle S. Hammond</i>	22. Reporting Office
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23. Source of Report Letter <input type="checkbox"/> Phone <input checked="" type="checkbox"/> Visit <input type="checkbox"/> Other _____	24. Document No. <i>H 730844</i>
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25. Follow-Up Action <i>7/19/87 MFR/PRVLR NOTIFIED</i> <input checked="" type="checkbox"/> No Comments made <input checked="" type="checkbox"/> Comments attached <input checked="" type="checkbox"/> Excisions/Revisions <input checked="" type="checkbox"/> Firm has not requested further notice	26. Product Code(s) A. <i>0461</i> B. _____
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27. Distribution <i>2/1/87</i>	29. Endorser's Name/Title <i>[Signature]</i>
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28. Distribution <i>2/1/87</i>	29. Endorser's Name/Title <i>[Signature]</i>
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H7 30844

page 2

(Janette Grove) who asked that she mail  
them samples of the glass for analysis.  
Desk purchased 12/86

EPDS

MAR 1 0 1987

N

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

*correct & accurate*

RECEIVED  
'87 MAR 30 P4:00  
NAT'L INJURY PREVENTION  
CLEARINGHOUSE  
CPSC

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.



Signature

Date

*3/26/87*

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.

*A 730844/0461*  
*17 MAR 1987*

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# 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.

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

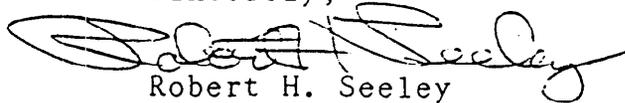
Second, none of the material to be disclosed offers any technical analysis of the products in question or the causation of the incidents. The consumer product incident reports, none which apparently were the subject of any field investigation, do not provide sufficient detail to determine the peculiar 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