

Safety Defect and Noncompliance Report Guide for *Equipment*

PART 573 Defect and Noncompliance Report

Date: 02/07/2013

This report serves as **FULMER HELMETS, INC**'s notification to the U.S. Department of Transportation, National Highway Traffic Safety Administration that a "noncompliance with Federal Motor Vehicle Safety Standards exists in certain **AF-80, AF-81, AF-82 Med, Large, XL, 2X partial coverage motorcycle helmets**. **Fulmer Helmets Inc** decided that this "noncompliance," as applicable existed in these vehicles on **July 2008**.

I. Manufacturer, Designated Agent, and Other Chain of Distribution Information

Manufacturer's corporate name:

FACTORY
JIANGMEN PENGCHENG HELMETS LT
NO 1-7 DONGSHENG RD, GONGHE TOWN
HESHAN CITY, GUANGDONG 529728
PR CHINA

BUSINESS OFFICE
SKY GAIN TRADING LIMITED
9FLOOR, TUNG HIP COMMERCIAL BLDG, 244
DES VOEUX RD CENTRAL
HONG KONG

Equipment's brand or trademark name owner(s)(where applicable):

Fulmer

Designated Agent (imported equipment):

If this notification concerns equipment that was installed in new motor vehicles or new items of motorvehicle equipment, identify by name, address, and telephone number each vehicle manufacturer and equipment manufacturer who purchased that equipment:

If this notification concerns a defective or noncompliant component that the above identified manufacturer did not manufacture, identify that component and provide the name, address, and phone number of the manufacturer of the component (if this manufacturer is unknown, provide this information as to the supplier of the component):

Name, address, email, and phone and fax numbers for the person(s) to whom inquiries about this report should be directed:

Catherine Muscari, PO Box 177, Memphis TN 38101; 901-248-7172; cmuscari@fulmerco.com; Fax: 901-525-7993

Alternate Contact

Rob Robinson, PO Box 177, Memphis, TN 38101; 901-248-7111; rrobinson@fulmerco.com ; Fax: 901-525-7993

Manufacturer's assigned campaign number(where applicable):

II. Identification of the Recall Population and Its Size

Complete the tables below for each item of equipment subject to this notification. Additional tables may be necessary where there are more than three items subject to a notification.

Type of equipment (e.g., tire, child restraint, headlamp):	Motorcycle Helmet
Part/Model number:	AF-80
Size and function (where applicable):	Medium
Inclusive dates of manufacture (month and	Jul-08
Other information necessary to describe this equipment:	Smoothie, partial coverage type helmet - No visor or neck curtain
Total number of these items of equipment:	102

Type of equipment (e.g., tire, child restraint, headlamp):	Motorcycle Helmet
Part/Model number:	AF-80
Size and function (where applicable):	Large
Inclusive dates of manufacture (month and	Jul-08
Other information necessary to describe this equipment:	Smoothie, partial coverage type helmet - No visor or neck curtain
Total number of these items of equipment:	120

Type of equipment (e.g.,tire, child restraint, headlamp):	Motorcycle Helmet
Part/Model number:	AF-80
Size and function (where applicable):	Extra Large
Inclusive dates of manufacture (month and	Jul-08
Other information necessary to describe this equipment:	Smoothie, partial coverage type helmet
Total number of these items of equipment:	270

Type of equipment (e.g.,tire, child restraint, headlamp):	Motorcycle Helmet
Part/Model number:	AF-80
Size and function (where applicable):	2Xtra Large
Inclusive dates of manufacture (month and	Jul-08
Other information necessary to describe this equipment:	Smoothie, partial coverage type helmet - No visor or neck curtain
Total number of these items of equipment:	324

Type of equipment (e.g.,tire, child restraint, headlamp):	Motorcycle Helmet
Part/Model number:	AF-81
Size and function (where applicable):	Medium
Inclusive dates of manufacture (month and	Jul-08
Other information necessary to describe this equipment:	This helmet has a visor option
Total number of these items of equipment:	870

Type of equipment (e.g.,tire, child restraint, headlamp):	Motorcycle Helmet
Part/Model number:	AF-81
Size and function (where applicable):	Large
Inclusive dates of manufacture (month and	Jul-08
Other information necessary to describe this equipment:	This helmet has a visor option
Total number of these items of equipment:	1056

Type of equipment (e.g.,tire, child restraint, headlamp):	Motorcycle Helmet
Part/Model number:	AF-81
Size and function (where applicable):	Extra Large
Inclusive dates of manufacture (month and	Jul-08
Other information necessary to describe this equipment:	This helmet has a visor option
Total number of these items of equipment:	1524

Type of equipment (e.g.,tire, child restraint, headlamp):	Motorcycle Helmet
Part/Model number:	AF-81
Size and function (where applicable):	2Xtra Large
Inclusive dates of manufacture (month and	Jul-08
Other information necessary to describe this equipment:	This helmet has a visor option
Total number of these items of equipment:	1098

Type of equipment (e.g.,tire, child restraint, headlamp):	Motorcycle Helmet
Part/Model number:	AF-82
Size and function (where applicable):	Medium
Inclusive dates of manufacture (month and	Jul-08
Other information necessary to describe this equipment:	This helmet has a visor and neck curtain attachment
Total number of these items of equipment:	0 - none sold - No Demand

Type of equipment (e.g.,tire, child restraint, headlamp):	Motorcycle Helmet
Part/Model number:	AF-82
Size and function (where applicable):	Large
Inclusive dates of manufacture (month and	Jul-08
Other information necessary to describe this equipment:	This helmet has a visor and neck curtain attachment
Total number of these items of equipment:	0 - none sold - No Demand

Type of equipment (e.g.,tire, child restraint, headlamp):	Motorcycle Helmet
Part/Model number:	AF-82
Size and function (where applicable):	Extra Large
Inclusive dates of manufacture (month and	Jul-08
Other information necessary to describe this equipment:	This helmet has a visor and neck curtain attachment
Total number of these items of equipment:	12

Type of equipment (e.g.,tire, child restraint, headlamp):	Motorcycle Helmet
Part/Model number:	AF-82
Size and function (where applicable):	2Xtra Large
Inclusive dates of manufacture (month and	Jul-08
Other information necessary to describe this equipment:	This helmet has a visor and neck curtain attachment
Total number of these items of equipment:	72

Provide the following information as to all the items of equipment (“the recall population”) identified above:

Grand total number of items of equipment in the recall population: **5,448**

The percentage of the recall population you estimate actually contain the defect or noncompliance:

1% or less

Identify and describe how the recall population was determined (e.g., on what basis the recalled models were selected and how the inclusive dates of manufacture were determined):

A test performed by ACT labs for DOT on April 20, 2011 was received on January 3rd, 2012 showing a failure.

Describe how the recall population is different from any similar items of equipment not subject to this notification:

The manufacture date is July 2008

III. Description of the Defect or Noncompliance and Chronology of Events

Describe the defect or noncompliance, including a summary and detailed description of the nature and physical location (if appropriate) of the defect or noncompliance. Graphic aids should be provided where necessary.

The ambient low temperature and water immersed helmets failed the impact attenuation test because accelerations in excess of 200g exceeded cumulative duration of 2.0msec. These helmets failed at the rear location during the second impact of the flat anvil. The dwell times were 2.3msec, 2.3 msec, and 2.1 msec respectively.

Penetration Failure: The ambient and low temperature helmet failed the penetration requirement because the striker contacted the head form when tested at the right front location

Labeling: The symbol DOT was 2.5 cm from the bottom instead of 3.5cm. Labels appeared to be non-permanent

Describe the cause(s) of the defect or noncompliance condition.

Describe the consequence(s) of the defect or noncompliance condition.

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Identify any warning(s) that may precede the defect or noncompliance condition.

For defects, provide a dated, chronological summary of all the principle events that were the basis for the determination that the defect is related to motor vehicle safety, including a summary of all warranty claims, field or service reports, and other information such as numbers of crashes, injuries and fatalities.

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For noncompliances, identify the test results and other information considered in determining the existence of the noncompliance, and provide the date of each test and observation indicative of that noncompliance.

Test Date: April 20th, 2011

Final Report : 218-ACT-11-003 HS #641691

IV. The Remedy Program and Its Schedule

Describe the program for remedying the defect or noncompliance, including the plan for reimbursing those owners and purchasers who may have incurred costs to remedy the defect or noncompliance before receiving the manufacturer’s notification concerning that defect or noncompliance. Also include, where applicable, details with dates concerning any production remedy that was conducted or will be conducted.

- We will replace consumer's helmets or reimburse their purchase price for any/all helmets returned
- We will issue parcel service call tags for the return.
- This helmet is no longer in our line.
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Provide the estimated date(s) on which owner and purchaser notifications will be issued and the estimated date(s) for completion of those notifications.

03/08/13

Provide the estimated date(s) on which dealer and distributor notifications will be issued and the estimated date(s) for completion of those notifications.

03/08/13

Describe the distinguishing characteristics of the remedy component/assembly versus the recalled component/assembly.

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******* IMPORTANT REMINDERS *******

A DRAFT version of the letter that the manufacturer intends to mail to owners and purchasers notifying them of the defect and/or noncompliance must be submitted to NHTSA at least five Federal Government business days before those letters are issued. In addition, it is recommended that the draft version of the letter that the manufacturer intends to send to its dealers and distributors concerning the defect and/or noncompliance also be submitted for review. For prompt receipt and review, drafts may be submitted to the attention of the Recall Management Division (NVS-215) via facsimile on (202)366-7882, or email to RMD.ODI@dot.gov.

A representative copy of all notices, bulletins, and other communications that relate directly to the defect or noncompliance and which are sent to more than one manufacturer, distributor, dealer, or purchaser, must be submitted to NHTSA no later than five days after they are initially sent. This requirement applies both to the final version of the notification letter that is sent to owners and purchasers, as well as the final version that is sent to dealers and distributors. It also includes any follow-up notifications issued concerning a recall. The representative copies of the letters sent to owners and purchasers, and dealers and distributors, must be submitted via certified mail. It is strongly recommended, however, that additional representative copies be submitted via facsimile on (202)366-7882, or email to RMD.ODI@dot.gov, so that the submission can be more promptly reviewed. All submissions should be conspicuously labeled with the appropriate NHTSA-assigned recall number.