



DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2026-0200; Notice 1]

Evenflo Company, Inc., Receipt of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Receipt of petition

SUMMARY: Evenflo Company, Inc. (Evenflo) has determined that certain Evenflo ALL4STAGES child seats do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 213, *Child Restraint Systems*. Evenflo filed a noncompliance report dated August 19, 2025, and subsequently petitioned NHTSA (the “Agency”) on September 15, 2025, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This document announces receipt of Evenflo’s petition.

DATES: Send comments on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and may be submitted by any of the following methods:

- **Mail:** Send comments by mail addressed to the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE, Washington, DC 20590.
- **Hand Delivery:** Deliver comments by hand to the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE, Washington, DC 20590. The Docket Section is open on weekdays from 10 am to 5 pm except for Federal Holidays.

- Electronically: Submit comments electronically by logging onto the Federal Docket Management System (FDMS) website at <https://www.regulations.gov/>. Follow the online instructions for submitting comments.
- Comments may also be faxed to (202) 493-2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to <https://www.regulations.gov/>, including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at <https://www.regulations.gov/> by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a Federal Register notice published on April 11, 2000 (65 FR 19477-78).

FOR FURTHER INFORMATION CONTACT: Corey Barlet, General Engineer, NHTSA, Office of Vehicle Safety Compliance, (202) 366-1119.

SUPPLEMENTARY INFORMATION:

I. Overview: Evenflo determined that certain Evenflo ALL4STAGES child seats do not fully comply with paragraph S5.5 of FMVSS No. 213, Child Restraint Systems (49 CFR 571.213) and filed a noncompliance report on August 19, 2025, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. Evenflo petitioned NHTSA on September 15, 2025, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, *Exemption for Inconsequential Defect or Noncompliance*.

This notice of receipt of Evenflo's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or another exercise of judgment concerning the merits of the petition.

II. Child Seats Involved: Approximately 57,999 Evenflo ALL4STAGES child seats, manufactured between November 15, 2024 and July 22, 2025, were reported by the manufacturer.

III. Rule Requirements: S5.5 of FMVSS No. 213 includes the requirements relevant to this petition. The FMVSS requires that all child restraint system (CRS) labeling, written in a language other than English, must be an accurate translation of the English labeling and must not mislead or confuse the consumer.

IV. Noncompliance: Evenflo explains that the Spanish label for the CRS's recline position has the word *atrás* in the phrase "ORIENTADO HACIA ATRÁS" (meaning "REAR-FACING") and the word *adelante* in the phrase "ORIENTADO HACIA ADELANTE" (meaning "FORWARD-FACING") reversed; thus causing the recline positions intended for use in the forward-facing orientation to be labeled rear-facing and the recline positions intended for use in the rear-facing orientation to be labeled forward-facing.

V. Summary of Evenflo’s Petition: The following views and arguments presented in this section, “V. Summary of Evenflo’s Petition,” are the views and arguments provided by Evenflo. They have not been evaluated by the Agency and do not reflect the views of the Agency. Evenflo describes the subject noncompliance and contends that the noncompliance is inconsequential as it relates to motor vehicle safety.

Evenflo states that the noncompliant labels in question are intended to communicate to the user which recline positions are proper when using the CRS in either the forward or rear-facing configurations. While the English language label correctly indicates the positions to be used to position the child in the restraint when the CRS is oriented in the forward-facing or rear-facing configuration, the Spanish language version of the same label swapped the words for “forward-facing” and “rear-facing.”

Evenflo states that there are other resources available to cue the consumers about how to select the proper recline position when using the CRS: the printed instructions, the color coding on the Spanish and English language labels, and the level indicator on the CRS. Each resource is described below:

- The printed instructions, which Evenflo refers to as the “owner’s manual,” included with each CRS, contains extensive and accurate instructions in both English and Spanish.
- The headers in the printed instructions, which pertain to information specific to forward-facing or rear-facing installation are color coded: forward-facing installations are under a red header and rear-facing installations are under a blue header.¹ These color codes (red for forward-facing, blue for rear-facing) appear accurately on both the Spanish and English-language labels to indicate the correct

¹ In their petition, Evenflo incorrectly stated the colors used on the headers in their written instructions as: red for rear-facing instructions and blue for forward-facing instructions.

recline positions, although the terms for “forward-facing” and “rear-facing” are switched on the Spanish language version of the label.

- A level indicator on the side of the restraint is intended to act as a guide for the caregiver during installation. In addition, some of the non-compliant restraints have a level bubble indicator capsule near the top of the restraint that is intended to be centered when the restraint is properly installed in the rear-facing configuration. Evenflo states that if the user were to install the CRS in a rear-facing configuration with a recline position intended for the forward-facing configuration, the CRS would not be level as indicated on the level indicator(s).

Evenflo states its position that, for the reasons summarized above, the mislabeling of the Spanish language label is unlikely to cause an additional risk to safety as the restraint would be so obviously mispositioned and uncomfortable to the passenger in the rear-facing configuration that the caregiver would not be likely to use the restraint in the erroneously labeled recline position.

Furthermore, Evenflo conducted dynamic sled tests with the 12-month-old CRABI, Hybrid III 3-year-old, and Hybrid III 6-year-old test dummies with the CRS installed using the incorrect recline positions in accordance with the noncompliant Spanish language labels.

Evenflo provides a description and table of the results in their petition. Evenflo stated that all but two of the tests they conducted conformed with injury criteria, excursion criteria, and maximum seat back angles specified in the FMVSS. After conducting tests on the seats in multiple configurations, Evenflo states that using an incorrect recline position would have “no adverse consequences to that child in a crash based on FMVSS No. 213 criteria.”

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject child seats

that Evenflo no longer controlled at the time it determined that the noncompliance existed.

However, any decision on this petition does not relieve CRS distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant child seats under their control after Evenflo notified them that the subject noncompliance existed.

(Authority: 49 U.S.C. 30118, 30120: delegations of authority at 49 CFR 1.95 and 501.8)

Otto G. Matheke III,

Director, Office of Vehicle Safety Compliance.

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