



IMPORTANT PRODUCT SAFETY NOTICE

July 17, 2020

Dear Mr./Mrs. Dealer Principal:

ICP records show that your business purchased Observer® non-Wifi thermostats between 2012 and 2015. The part number was TSTAT0101SC. In December 2018, ICP released a Service Bulletin (SB18-0021) which contained a **Mandatory Field Action** policy. The issue was determined to be a software error that was released in certain field upgraded software versions 3.12 through 3.19. The software error was not present during the manufacture of the thermostats, but rather introduced when additional features were released in versions 3.12 to 3.19 available for upgrade in the field. In order to update the software, the dealer would have downloaded a version between 3.12 and 3.19 and installed it directly into the thermostat. Observer® non-Wifi thermostats are not capable of over-the-air software updates. Any software changes made in the field would require a dealer technician to download a new version onto a flash drive and install it directly into the customer's thermostat.

The effect of the software error is that in some instances, if there is a fault or communication error at the outdoor unit when the thermostat is set to "COOL" mode, the thermostat may send a call for heating, which could cause the furnace to turn ON. The furnace could be gas or electric heat. If the gas or electric heat is running while the thermostat is set to "COOL" mode, it could lead to an uncontrolled overheating of the living space until the user turns off or changes the system setting.

To eliminate the potential safety risk, in 2018, ICP with the support of the U.S. Consumer Products Safety Commission and Health Canada, initiated a safety campaign to check and as needed, update the thermostat's software to eliminate this potential risk.

The field action policy has two parts. One is a simple process for dealers to check with consumers to see if the software was upgraded in the field to a version in the affected range of 3.12 to 3.19. If the software was not in the affected range, a claim can be filed for part "A" of the bulletin policy. If the software was in the affected range of 3.12 to 3.19, the dealer would need to install software version 3.20 available from ICP. In this case, a claim can be filed for part "B" of the bulletin policy.

Our records indicate that the mandatory field action outlined in SB18-0021 has not been completed by your organization. Attached to this letter are records of Observer non-Wifi

product sales to your company. In some cases, records have been consolidated to include products shipped to multiple offices of the same distributor. If necessary, please forward the records to the appropriate branch or office location for follow-up.

Under Section 3.3 of the current version of ICP's Distribution Agreement, an ICP distributor "will use its best efforts to assist ICP to locate previously sold products in the event of a recall or other product related action; and will assist ICP in its administration of a recall or other product related action program. [The] [d]istributor will retain records adequate to trace the sale of Products in the event of a recall or similar program." Should an incident result from your failure to effectuate the mandatory field action on one of the products sold by your office, we reserve the right to seek indemnification from you for any claims or damages resulting from the incident. We trust that this will not be necessary, and that you will help locate and complete the mandatory rework with all due haste.

ICP is committed to ensuring the safety and well-being of our customers and consumers of our products. ICP continually monitors and evaluates the performance of its products in order to ensure its customers are experiencing the quality and safety they expect from an ICP product. When any situation or condition arises that affects the safe operation of ICP equipment, immediate action is taken.

Sincerely,

Product Safety Team
International Comfort Products
650 Heil Quaker Avenue
Lewisburg, TN 37091

Order Number	Quantity	Location
273687	1	VINELAND
198050	2	VINELAND
237302	2	VINELAND
293892	2	VINELAND
371517	2	VINELAND
388093	2	VINELAND
396046	2	VINELAND
308297	3	VINELAND
317970	4	VINELAND
360318	4	VINELAND
431189	6	VINELAND
425045	8	VINELAND
465968	1	NEW BRITAIN
575804	1	VINELAND
580405	1	VINELAND
475442	2	VINELAND
479248	2	WARMINSTER
479270	2	VINELAND
479275	2	VINELAND
538296	2	VINELAND
564456	2	VINELAND
574844	2	VINELAND
459231	4	VINELAND
559206	4	VINELAND