



U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue SE.
Washington, DC 20590

September 16, 2011

[REDACTED]
Montclair, NJ [REDACTED]

NVS-216 nam
Ref. No. 10393499

Dear [REDACTED]

Thank you for your correspondence concerning your model year (MY) MY 2004 Subaru Forrester. Your letter was received by the National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation.

NHTSA is the Federal agency responsible for improving safety on our Nation's highways. We are authorized to order manufacturers to recall and repair vehicles or motor vehicle equipment when our investigations indicate that they contain safety defects in their design, construction, or performance. We also monitor the adequacy of manufacturers' recall campaigns. In order for the agency to initiate an investigation, we look carefully at the body of consumer complaints and other available data to determine whether a defect may exist. We cannot act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

We appreciate the report you provided. You indicate that you had to replace the head gasket in your MY 2004 Subaru Forrester two times. You want Subaru to address this problem with a recall and reimburse you for the cost of repairs and rental car expenses that you paid.

We reviewed our database and have not identified a safety defect trend with regards to the leaking head gaskets in MY in 2004 Subaru Forrester vehicles. At this time, there is insufficient evidence to warrant opening a safety defect investigation for a recall. The information you provided has been entered into our database. It will be considered with future reports to identify any safety defect trends that may require our attention. A brochure explaining the investigation process is enclosed for your information, or you may visit our web site at www.odi.nhtsa.dot.gov.

Your reimbursement request for the repairs you paid for and rental car expenses do not fall under our jurisdiction. If you have not done so you may consider contacting your local Consumer Protection Agency, Better Business Bureau, or the New Jersey Office of the Attorney General. In addition, the Federal Trade Commission (FTC) has jurisdiction over non-safety defects, paint,



fraud or deception, warranty and dealership problems, remuneration matters, and fair trade practices. There are three ways you can contact the FTC: by toll free telephone at

1-877-FTC-HELP (1-877-382-4357); by mail at the Federal Trade Commission, CRC-240, Washington, DC 20590; and by the Internet complaint form at www.ftc.gov/ftc/complaint.htm.

Should you encounter a safety-related problem with a motor vehicle or motor vehicle equipment in the future, we would appreciate it if you would complete an electronic Vehicle Owner's Questionnaire online at www.nhtsa.dot.gov/ivoq or call the Auto Safety Hotline at 1-888-327-4236. A summary listing of vehicle owners' complaints, safety recalls, manufacturers' service bulletins, etc., can be obtained at www.nhtsa.dot.gov/cars/problems.

Sincerely yours,



Randy Reid, Chief
Correspondence Research Division
Office of Defects Investigation
Enforcement

Enclosure