



U.S. Department  
of Transportation

**National Highway  
Traffic Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

November 12, 2013

Mr. Anthony T. Ballato, Esq.  
Attorney at Law  
5476 Merrick Road  
Massapequa, New York 11758

NVS-216 am  
Ref. No. 10520309

Dear Mr. Ballato:

Thank you for your correspondence concerning your client's model year (MY) 2008 Ford F-350 Super Duty truck. The National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation received your correspondence. We regret any inconvenience our delay in responding may have caused you.

NHTSA is the Federal agency responsible for improving safety on our Nation's highways. We are authorized to order manufacturers to recall and repair motor 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 trend may exist. We do not have authority to act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

You indicate that your client's MY 2008 Ford F-350 truck has problems with the diesel engine, EGR valve, and high pressure fuel pump. You state that Ford has failed to repair these problems. In addition, you allege Ford does not honor their warranties and that the dealers place blame on the consumers. You deem appropriate that NHTSA conduct an investigation, assess fines, and sanctions against Ford for failing to honor vehicle warranties.

We have reviewed our database in an effort to identify whether a safety defect trend exists with regard to problems with diesel engines, EGR valves, and high pressure fuel pumps in MY 2008 Ford F-350 Super Duty trucks. At this time, there is insufficient evidence to warrant opening a safety defect investigation. 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. The NHTSA investigation and recall process is on our web site at [www-odi.nhtsa.dot.gov/recalls/recallprocess.cfm](http://www-odi.nhtsa.dot.gov/recalls/recallprocess.cfm).

NHTSA is aware of several Ford Technical Service Bulletins (TSBs) that may address the problems your client describes with his truck. However, the issuance of a TSB does not necessarily reflect the existence of a safety-related defect in accordance with the National Traffic and Motor Vehicle Safety Act. Therefore, NHTSA cannot require Ford to perform the corrective action described in the TSB on your client's vehicle at no cost.

If you have not done so, you may consider contacting the Federal Trade Commission (FTC). The 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 to contact the FTC: by toll free telephone at 1-877-FTC-HELP (1-877-382-4357); by mail at Federal Trade Commission, CRC-240, Washington, DC 20580; and by using the Internet complaint form at [www.ftccomplaintassistant.gov](http://www.ftccomplaintassistant.gov).

You may also consider contacting the Better Business Bureau (BBB) Auto Line. The BBB offers free mediation/arbitration to resolve warranty disputes under guidelines established by the FTC. Remedies include repair, reimbursement, repurchase or replacement, depending on program eligibility. You can visit their web site at [www.bbb.org](http://www.bbb.org) to file a complaint and review eligibility information, or call the BBB Auto Line at 1-800-955-5100.

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.gov](http://www.nhtsa.gov) or call the Auto Safety Hotline at 1-888-327-4236. Also, a summary listing of vehicle owners' complaints, safety recalls, manufacturers' service bulletins, etc. can be obtained at our web site.

Sincerely,



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