



State of Wisconsin
Governor Scott Walker

APR 18 2018

Department of Agriculture, Trade and Consumer Protection
Sheila E. Harsdorf, Secretary

CL-11091869-2178

March 27, 2018

INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

Combined Lcks WI

RE: File (Refer to this number when contacting our agency)
Bergstrom Corp
1 Neenah Ctr Ste 7
Neenah WI 54956-3087

Dear

Thank you for contacting the Department of Agriculture, Trade and Consumer Protection concerning Bergstrom Corp.

I have written to the business to try to assist you to find a solution to your complaint. I asked them to review your concerns and then contact me to discuss what may be done to resolve your complaint. The company may also contact you directly.

In addition, some issues in your complaint may be within the authority of the agency listed below, so I am forwarding a copy of your complaint directly to them:

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
US DEPARTMENT OF TRANSPORTATION
WEST BUILDING
1200 NEW JERSEY AVE SE
WASHINGTON DC 20590

Telephone: 888-327-4236 or 202 366-0123
Website: www.nhtsa.dot.gov

Agriculture generates \$88 billion for Wisconsin

2811 Agriculture Drive • PO Box 8911 • Madison, WI 53708-8911 • Wisconsin.gov

An equal opportunity employer

NM
5-4-18
WD

Thank you again for bringing your complaint to our attention.

Sincerely,

A handwritten signature in black ink, appearing to be 'E. D. Brown', with a long horizontal stroke extending to the right.

Eric D. Brown
Consumer Protection Investigator
Mediation Unit
Bureau of Consumer Protection
Email: Eric.brown@wisconsin.gov
www.facebook.com/wiconsumer

C: National Highway Traffic Safety Administration

General Consumer Complaint

Your Information

Salutation	Mr.
First Name	[REDACTED]
Last Name	[REDACTED]
Address Line 1	[REDACTED]
City	Combined Lcks
State	WI
Zip	[REDACTED]
Cell Phone	[REDACTED]
Home Phone	[REDACTED]
Work Phone	[REDACTED]
Email	[REDACTED]

Phone me between 8-4 at
Best time to call

Information about the person or business your complaint is against:

Business Name	Bergstrom Toyota Scion Oshkosh
Address Line 1	3245 S Washburn
City	Oshkosh
State	WI
Zip	54904
Business Phone	(920)966-1616
Website	www.berstromauto.com

Name of the person you talked to	Peter Forster
Title of the person you talked to	Customer Service Manager

Your Complaint

I own a 2009 Toyota Camry with a L4-2AZ-FE engine, VIN # 4T4BE46K69R [REDACTED]. In the fall of 2014 my check engine light came on, I was due for an oil change and brought the car into one of the local oil change shops. After changing the oil the technician shared that the oil level was low and thought that may be the cause of the alarm. He cleared the alarm and shared that he heard Toyota was having some problems with Camry's consuming oil and to keep an eye on it. Over the next 6 months or so I kept a close eye on the oil and sure enough I found that I needed to add at least quart of Oil to keep it full to reach the scheduled 3000 mile change. In early July 2015 I contacted Bergstrom Toyota of Oshkosh and scheduled an oil consumption test. When I arrived in Oshkosh I told the Technician that I had one of the cars that he is looking for. I shared that I was currently consuming at least a quart of oil between oil changes and that it was getting worse. Phase 2 of the oil consumption test was completed at Bergstrom Toyota of Oshkosh on July 15 of 2015. (Customer # [REDACTED] Invoice # [REDACTED], 129,600 miles, see attached receipt) The test was a 1,000 mile road test. The oil was changed I drove it for a little over 900 miles because if you went over it voided the test. I was told I would have to pay

for the second test if I went over the 1000 mile limit. I did as instructed and completed Phase 2 of the test. The results of the test per the Dealership was that my car did not consume a drop of oil. (See receipt) I challenged the technician at that time saying that it would be impossible base on my observations. He shared that the engine check out fine and that there was no oil consumption issue. I asked if I could have the test redone to validate and the technician said I could not. In addition this technician informed me that Toyota's guidance was that it is normal for a Camry to consume up to a quart of oil every 1,000 miles. When I questioned him on how often I should change my oil he stated that with the quality oils today, you should be able to get between 4 and 5,000 miles between changes. He said 3,000 was old school. I guess I am conservative and old school because 3,000 has always been my target. I then asked him, if I was consumed a quart of oil every 1,000 miles as he stated was the guidance from Toyota, how much oil I would have in the engine if I waited until 5,000 miles to change it. He seemed confused by the math. The Bergstrom Dealer did not recommend any maintenance on the car at that time. See attached for full description

Information About Your Complaint

Details about the Incident

Which of the following best describes your first contact with the business?*

I Went to the Business

If other, describe the other method of contact.

If printed ad, when was it printed?

If printed ad, where was it printed?

When did the first contact occur? 07/15/2015

How old is the person who had contact with the business? 18 - 61

What product or service did you buy? Oil Consumption Test

Was it advertised? No

Date advertised?

Where advertised?

Did you sign a contract / agreement?

Date Contract Signed

Number on Contract, Policy or Receipt

Where were you when you signed the contract?

Payment Information

Amount Paid 0

Payment Method

Description of Payment Method (if "Other")

Where did you pay the business?

Description of Payment Location

Interactions with the Business

Did you contact the business about your complaint? Yes

When did you contact the business? 07/15/2015

What happened when you contacted the business?

The informed me that the car had no mechanical defects and that it was not consuming oil. I asked for a second test to validate and asked for a 3000 mile test I asked the technician and later that week called customer service with the same request. both times they said the test is 1000 miles and that I could not have another test.

Resolution Information

Have you filed this complaint with another agency?

Yes

Agency name

Better Buisness Bureau

What happened when you contacted the other agency?

I have not official done it yet. This form is being filled out today and I plan to file with the BBB next.

Have you contacted a private attorney?

No

Have you started court action?

No

How do you feel this complaint should be resolved?*

Yes I do. I will consider this option after hearing the results from your organization. There were several Class action Suits on this specific problem. I do not believe any of those are still open.

I own a 2009 Toyota Camry with a L4-2AZ-FE engine, VIN # 4T4BE46K69F [REDACTED]

In the fall of 2014 my check engine light came on, I was due for an oil change and brought the car into one of the local oil change shops. After changing the oil the technician shared that the oil level was low and thought that may be the cause of the alarm. He cleared the alarm and shared that he heard Toyota was having some problems with Camry's consuming oil and to keep an eye on it.

Over the next 6 months or so I kept a close eye on the oil and sure enough I found that I needed to add at least quart of Oil to keep it full to reach the scheduled 3000 mile change. In early July 2015 I contacted Bergstrom Toyota of Oshkosh and scheduled an oil consumption test. When I arrived in Oshkosh I told the Technician that I had one of the cars that he is looking for. I shared that I was currently consuming at least a quart of oil between oil changes and that it was getting worse. Phase 2 of the oil consumption test was completed at Bergstrom Toyota of Oshkosh on July 15 of 2015. (Customer # [REDACTED], Invoice # [REDACTED], 129,600 miles, see attached receipt) The test was a 1,000 mile road test. The oil was changed I drove it for a little over 900 miles because if you went over it voided the test. I was told I would have to pay for the second test if I went over the 1000 mile limit. I did as instructed and completed Phase 2 of the test. The results of the test per the Dealership was that my car did not consume a drop of oil. (See receipt) I challenged the technician at that time saying that it would be impossible base on my observations. He shared that the engine check out fine and that there was no oil consumption issue. I asked if I could have the test redone to validate and the technician said I could not. In addition this technician informed me that Toyota's guidance was that it is normal for a Camry to consume up to a quart of oil every 1,000 miles. When I questioned him on how often I should change my oil he stated that with the quality oils today, you should be able to get between 4 and 5,000 miles between changes. He said 3,000 was old school. I guess I am conservative and old school because 3,000 has always been my target. I then asked him, if I was consumed a quart of oil every 1,000 miles as he stated was the guidance from Toyota, how much oil I would have in the engine if I waited until 5,000 miles to change it. He seemed confused by the math. **The Bergstrom Dealer did not recommend any maintenance on the car at that time.**

The car continued to consume oil at an accelerated rate and I noticed that later in the oil change cycle, like 1,500 to 2,000 miles, when the oil had aged that the consumption accelerated. Approximately 18 months late the problem was out of control I was easily adding 3 quarts of oil between changes. In January 2016 when checking my dip stick It was half empty and I was only half way to the next oil change so I decided this needed to be seen by a Toyota technician again. I did not add oil like I normally did because I wanted them to see for themselves. I scheduled an oil change for two weeks later on 2/6/17 and brought it to Kolosso Toyota of Appleton this time. (Customer # [REDACTED] Invoice [REDACTED], 161,783 miles,, see attached receipt) In those two weeks another 1.5 quarts of oil were consumed. I shared I had an oil consumption test completed in Oshkosh and that I was told by the Oshkosh Technician that I could not have a second test done. I then asked this Kolosso Technician if he could complete another consumption test because the problem was out of control. He shared that he could not and that I was out of the warranty period now. I was not aware of the extended Warranty period and was confused by this remark. Then just to validate what I had heard from the Oshkosh Technician I asked him what Toyota's Guidance was on oil consumption. He shared that all cars consume oil and that it was Toyota's guidance that a car may consume up to a quart of oil every 1000 miles. I was ticked off and asked so there is no problems here my Car its consuming by this time a little more than a quart per 100 miles. No problem right? My engine was dangerously low but not consuming too much according to Toyota guidance per two separate technicians I did not get a good answer. I he response from the Technician is that this is out of my control and not something he could

help me with. Again I received no recommendation to have the automobile serviced to prevent catastrophic damage. I am not a mechanic, what I know about cars is that they need oil, gas, brake fluid, transmission fluid and antifreeze and to maintain those levels. When I saw issues with Oil levels I was told by Toyota Technicians that there was no problem and was not given guidance to repair anything, I was told is it normal to consume a quart of oil every 1000 miles.

So in the span of approximately 18 months and 32,000 mile my car in their mind had no problems and passed the consumption test. This is wild to me, Toyota knew about this problem and was battling several class action law suits and they still mislead customers dealing with the issue real time in their service stations.

On March 16, 2018 my Camry die while I was on the freeway. It lost power suddenly and had just enough life in it to get me to an off ramp. It blew a rod or something. The engine is leaking oil and coolant and sounds like a mechanic running through service station with a metal tool box filled with a few heavy steal tools. Every light on the dashboard was flashing like a Clark Griswold Christmas tree. Toyota had three opportunities to right this wrong with me. In addition to contacting Bergstrom of Oshkosh customer service two times once in 2015 after the failed test and again this past week. I also contacted Corporate Toyota directly in each case they indicated there was nothing they could or would do to address this mechanical design failure. To add insult to injury this week, Bergstrom of Oshkosh said my car likely had a compression issues due to low oil levels. Well up to this point all the Toyota contacts have denied that the car was eating oil. How could it be low on oil if it wasn't eating oil? I have been a loyal Toyota Camry owner, I am 50 years old and have owned three cars in my life all of them Toyota Camrys. I brought this problem to them and they said it did not exist, further they never recommended I have the vehicle serviced to prevent a catastrophic failure. I guess if they did that they would be admitting a design flaw existed. I also think the creative work of some of Toyota's finest Actuary Scientist lead to the creation Toyota's 1000 mile oil consumption test. Seems to me it should have been 3000 miles minimum. Testing for the first 1000 miles with new oil would be like Judging the reliability of a car base on the first month in service. I am sure 99% of new cars would pass that test which the Actuaries already know. It math how much do we want to spend to fix this problem then design a test to ensure you do not exceed that amount. This is an integrity issue.

Eng Style L4-2A8-FC
Family # 2A29306713

KOLOSSO TOYOTA

3000 W. WISCONSIN AVE. APPLETON, WI 54914
(920) 738-3666 www.kolossotoyota.com

Sales - 1-800-331-4331
- Lucy Helping me 8/18/2017
- Jackey Helping me

1-800-228-8559

CUSTOMER NO.	ADVISOR RON. MARX	TAG NO. 353	DATE OFFERED BACK 02/06/17	INVOICE NO.
LAMERS REALTY INC PO BOX 26 KIMBERLY, WI 54136-0026 allamers@new.rr.com	LABOR RATE	MILEAGE 161,783	COLOR CLASSIC SILV	STOCK NO.
RESIDENCE PHONE 920-858-1658	YEAR / MAKE / MODEL 09/TOYOTA/CAMRY/4DR SDN LE AT	DELIVERY DATE 08/23/08	DELIVERY MILES 18	PRODUCTION DATE 08/01/08
BUSINESS PHONE 920-788-9804	VEHICLE ID. NO. 4T4BE46K69R	SELLING DEALER NO. 48028	R.O. DATE 02/06/17	MILEAGE OFFERED BACK MO: 161783
	E# 2A29306713			

LABOR & PARTS		TECH(S): 346 367	
J# 1 00702		EXPRESS LUBE	
CUSTOMER REQUESTS EXPRESS LUBE SERVICE.		14.00	
CHANGE ENGINE OIL AND FILTER.		200 miles between oil change	
Express Oil & Filter Change 2.4L/07/09		1 break oil change	
PARTS	QTY	FP-NUMBER	DESCRIPTION
JOB # 1	1	90915-YZZF1	FILTER S/A OIL
JOB # 1	1	90430-12031	GASKET
JOB # 1	5	00279-1QT20-01	5W20 QTS W
J# 1 TOTAL PARTS		15.79	
J# 1 TOTAL LABOR & PARTS		29.79	

J# 2 1170201		TECH(S): 346 367	
ENGINE CONCERN		0.00	
CUSTOMER HAS CONCERNS ON OIL LOSS			
NO OIL ON DIPSTICK ON ARRIVAL			
.05 QTS IN ENGINE			
CUSTOMER WAS AWARE OF CONCERN NO OIL WAS ADDED			
PARTS	QTY	FP-NUMBER	DESCRIPTION
J# 2 TOTAL PARTS		0.00	
J# 2 TOTAL LABOR & PARTS		0.00	

MISC	CODE	DESCRIPTION	CONTROL NO.
JOB # A		1HW ENVIRONMENTAL FEE	
TOTAL - MISC		0.47	

ESTIMATE
CUSTOMER HEREBY ACKNOWLEDGES RECEIVING
ORIGINAL ESTIMATE OF \$35.00 (+TAX)

TOTALS	TOTAL LABOR....	14.00
	TOTAL PARTS....	15.79
	TOTAL SUBLET....	0.00
	TOTAL G.O.G....	0.00
	TOTAL MISC CHG....	0.47
	TOTAL MISC DISC....	0.00
	TOTAL TAX.....	1.51

THANK YOU FOR YOUR BUSINESS!!

TOTAL INVOICE \$ 31.77

KOLOSSO TOYOTA
3000 WEST WISCONSIN AVENUE
APPLETON, WI 54914
(920) 738-3666

CUSTOMER SIGNATURE

Parts & Service Hours:
M-W 7:30 am - 7:00 pm
T-Th-F 7:30 am - 5:30 pm
Sat 7:30 am - 2:00 pm

Sales Hours:
M-Th 9:00 am - 8:00 pm
Fri 9:00 am - 5:30 pm
Sat 9:00 am - 5:00 pm

"Any warranties on the product hereby are those made by the manufacturer. The seller, KOLOSSO TOYOTA, expressly disclaims all warranty, express or implied, including a warranty of merchantability or fit for particular purpose, and neither the seller nor its employees assume any liability in connection with the sale of products."

Motor vehicle repair trade practices are administered by the Bureau of Consumer Protection, P.O. Box 1, Wisconsin 53708-8911.

Customer Number: [REDACTED]

Invoice No: [REDACTED]

INVOICE

Page 1 of 1

BERGSTROMBergstrom Toyota Scion
3245 S. Washburn - Oshkosh, WI 54904
(920) 966-1616
www.bergstromauto.com

COMBINED LOCKS, WI [REDACTED]

Home: [REDACTED]

Bus: [REDACTED]

Cell: [REDACTED]

Email: email [REDACTED]

home

SERVICE ADVISOR: 1933 TYLER SCHUPPE

COLOR		YEAR	MAKE/MODEL		VIN	LICENSE	MILEAGE IN / OUT		TAG
		09	TOYOTA CAMRY		4T4BE46K69R		129626 / 129626		T1031
DEL. DATE	PROD. DATE	WARR. EXP.	PROMISED		PO NO.	RATE	PAYMENT	INV. DATE	
23AUG08		23AUG2008	20:00 15JUL15				CASH	15JUL15	
R.O. OPENED		READY		REPAIR PERFORMED BY:		OPTIONS: ENG:2.4 Liters			
15JUL15		15JUL15							

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
------	--------	------	------	-------	------	-----	-------

B G/S AFTER LAST ALIGNMENT THE VEHICLE PULLS VERY HARD TO THE LEFT AT ALL SPEEDS

TELLUS DEFAULT

2115 IT

(N/C)

129626 test drove, verified pull, crossed front tires, now car pulls a little right. problem is in tires, If concern persists, tires will need replacing

C. MULTI POINT INSPECTION

GDVC DEFAULT

2115 IT

(N/C)

D GUEST IS IN FOR PART 2 OF OIL CONSUMPTION TEST (ORIGINAL R.O.=147099)

TELLUS PLEASE TELL US MORE

2115 IT

(N/C)

129626 performed part 2 of oil consumption test, oil level did not dip at all on dip stick, test passed

SHUTTLE CREATED 2015-07-13

03:11:00PM TAKEN BY ZACH FINK

*
* [] CASH [] CHECK# [] CREDIT CARD [] CHARGE*
* [] INITIALS [] DATE *

"THANK YOU FOR YOUR BUSINESS"

WARRANTY DISCLAIMER: ALL PARTS AND ACCESSORIES ARE SOLD AND ALL REPAIRS ARE PROVIDED BY THE DEALERSHIP AS-IS. THE DEALERSHIP HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES, EXPRESS AND IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE AND NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR IT ANY LIABILITY IN CONNECTION WITH THE SALE OF PARTS OR PRODUCTS OR THE REPAIR. THE ONLY WARRANTIES ON PARTS AND ACCESSORIES OR REPAIRS ARE THOSE WHICH MAY BE OFFERED BY THE MANUFACTURER OR THE ORIGINAL PARTS DISTRIBUTOR AND ONLY SUCH MANUFACTURER OR DISTRIBUTOR SHALL BE LIABLE FOR PERFORMANCE UNDER SUCH WARRANTIES. CUSTOMER SHALL NOT BE ENTITLED TO RECOVER FROM THE DEALERSHIP ANY CONSEQUENTIAL DAMAGES, DAMAGES TO PROPERTY, DAMAGES FOR LOSS OF USE, LOSS OF TIME, LOSS OF PROFIT OR INCOME, OR ANY OTHER INCIDENTAL DAMAGES.

By signing below, you acknowledge that you were notified of and authorized the Dealership to perform the service/repairs itemized in this invoice and that you received (or had the opportunity to inspect) any replaced parts as requested by you. The vehicle is being returned to you in exchange for your payment of the Amount Due.

* SHOP SUPPLY COSTS:

We have added a charge equal to 9% of the total cost of labor, not to exceed \$25.00, to the Repair Order for shop supplies used in connection with this repair.

ALL PARTS ARE NEW
UNLESS OTHERWISE
INDICATED.

DESCRIPTION	TOTALS
LABOR AMOUNT	\$ 0.00
PARTS AMOUNT	\$ 0.00
GAS, OIL, LUBE	\$ 0.00
SUBLET AMOUNT	\$ 0.00
MISC. CHARGES *	\$ 0.00
TOTAL CHARGES	\$ 0.00
LESS INSURANCE	\$ 0.00
SALES TAX	\$ 0.00
PLEASE PAY THIS AMOUNT	\$ 0.00

DATE CUSTOMER SIGNATURE

AUTHORIZED DEALERSHIP REPRESENTATIVE SIGNATURE

Motor vehicle repair practices are regulated by chapter ATCP 132, Wis. Adm. Code, administered by the Bureau of Consumer Protection, Wisconsin Dept. of Agriculture, Trade and Consumer Protection, P.O. Box 8911, Madison, Wisconsin 53708-8911.

DealerCAP 02008 ADP (03/09) SERVICE INVOICE TYPE 2 - 29120 - "AS-IS" - WISCONSIN - 9988084

Guest Copy

CONSUMER PROTECTION

US POSTAGE \$000.68

