

Baker Hostetler

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DEFECTS INVESTIGATION
RECALL MGMT DIV.

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(9 pages)

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November 13, 2007

VIA E-MAIL: RMD.ODI@dot.gov

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Associate Administrator for Enforcement
National Highway Traffic Safety Administration
Attn: Recall Management Division (NVS-215)
1200 New Jersey Avenue, S.E.
Washington, DC 20590

Re: Defect Information Report under 49 C.F.R. Part 573

Dear Sir or Madam:

In compliance with the requirements of 49 C.F.R. Part 573, Defect and Noncompliance Responsibility and Reports, please find enclosed a Defect Information Report which we are submitting on behalf of our client, Safelite Fulfillment, Inc. This report contains details of a potential defect which relates to motor vehicle safety. Certain replacement back glass parts for Dodge pickup trucks may not break into small pieces as is typically expected of tempered glass.

As described in more detail in the Report, Safelite Fulfillment will conduct a voluntary recall program to replace the potentially defective parts. Please contact me with any questions and I look forward to working with the Agency throughout this recall process.

Yours very truly,



Scott E. Damon

Enclosures

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Safety Defect and Noncompliance Report Guide for Equipment

PART 573 Defect Information Report

On November 5, 2007, Safelite Fulfillment, Inc. determined that a potential defect which relates to motor vehicle safety exists in items of motor vehicle equipment listed below, and is furnishing notification to the National Highway Traffic Safety Administration in accordance with 49 CFR Part 573 Defect and Noncompliance Reports.

Date this report was prepared:

November 13, 2007.

Furnish the manufacturer's identification code for this recall (if applicable):

No identification code has been established.

1. Identify the full corporate name of the fabricating manufacturer/brand name/trademark owner of the recalled item of equipment. If the recalled item of equipment is imported, provide the name and mailing address of the designated agent as prescribed by 49 U.S.C. §30164.

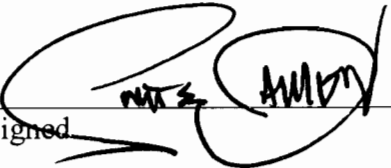
The three subject part numbers, DB10077 YPY, DB10533 YPY, DB10545 GTY were all supplied by Auto Temp, Inc. of 950 Kent Road, Batavia, Ohio 45103, PH: 513-732-6969, FAX: 513-732-6990, DOT manufacturing code 509. The three subject parts were imported into the United States by Wholesale Glass Automotive, 85 Fifth Avenue, Suite 30, Patterson, NJ 07524, PH: 973-345-4693. Contact: Andrew An. Wholesale Glass Automotive is an importer of tempered automotive glass from the manufacturer, Hangzhou Safety Glass Co., Ltd., DOT Code 430. Hangzhou's address is: Industrial Zone, Qiaosi Town, Yuhuan, Hangzhou Zhejiang China 311101. PH: 86-571-86291918, FAX: 86-571-86296199.

Identify the corporate official, by name and title, whom the agency should contact with respect to this recall.

Scott E. Damon
Baker & Hostetler LLP
2300 SunTrust Center
200 South Orange Avenue
Orlando, FL 32801
Telephone Number: 407-649-4000
Fax No.: 407-841-0168

Name and Title of Person who prepared this report:

Scott E. Damon
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200 South Orange Avenue
Orlando, FL 32801
Telephone Number: 407-649-4000
Fax No.: 407-841-0168

Signed 

I. Identify the Recalled Items of Equipment

2. Identify the Items of Equipment Involved in this Recall, for each make and model or applicable item of equipment product line (provide illustrations or photographs as necessary to describe the item of equipment), provide:

Generic name of the item: Replacement back glass

Model/Year: 2007

Part Numbers: DOT 430: DB10077 YPY, DB10533 YPY, DB10545 GTY (“Products”)

Function: The parts serve to replace existing back or rear window glass in certain Dodge pickup trucks.

Other information which characterizes/distinguishes the items of equipment to be recalled:

The particular items to be recalled are referred to as back glass for certain Dodge pickup trucks. The recall will include all parts purchased by Safelite and manufactured by Hangzhou Safety Glass Co., Ltd., identification code DOT 430, for the three identified part numbers regardless of the date of manufacture.

Identify the approximate percentage of the production of all the recalled models between the inclusive dates of manufacture provided above, that the recalled model population represents.

The recall will encompass 100% of the three part numbers that make up the Products, DB10077 YPY, DB10533 YPY, DB10545 GTY purchased by Safelite and manufactured by Hangzhou Safety Glass Co., Ltd., identified by DOT 430 regardless of year of manufacture.

II. Identifying the Recall Population

3. Furnish the total number of items of equipment recalled potentially containing the defect or noncompliance.

Safelite purchased a total of 696 parts from Auto Temp Inc., as more fully itemized below:

<u>Model</u>	<u>Year</u>	<u>Number of Items Potentially Involved</u>
DOT 430:	All	511
DB10077 YPY	years	
DOT 430:	All	119
DB10533 YPY	years	
DOT 430:	All	66
DB10545 GTY	years	

Total Number Potentially Affected by the Recall: 696

Of the 696 parts, 377 were destroyed. The remaining 319 represent the estimated population.

4. Furnish the approximate percentage of the total number of items of equipment estimated to actually contain the defect or noncompliance:

For purposes of this recall and out of an abundance of caution, Safelite is assuming that 100% of the estimated 696 parts, including Part Nos. DB10077 YPY, DB10533 YPY, DB10545 GTY, (all DOT 430) contain the potential defect. As set forth above, of the estimated 696 parts, 377 were destroyed, resulting in an estimated recall population of 319.

Identify and describe how the recall population was determined-in particular how the recalled models were selected and the basis for the beginning and final dates of manufacture of the recalled items of equipment:

On November 5, 2007, a Safelite vehicle glass technician observed that an inadvertently broken back glass, Part No. DB10077 YPY (DOT 430), broke into larger pieces than would be expected for tempered glass. Thereafter, the technician notified Safelite's Quality Coordinator who then immediately contacted Auto Temp, Inc., Safelite's supplier of the DOT 430 DB10077 YPY back glass, and informed it of the potential defect. Three DOT 430 back glass products, including part number DB10077 YPY, that differed in color and other non-structural component(s) (e.g. heating apparatus) were identified as having the potential defect. Safelite promptly quarantined all three DOT 430 part numbers, regardless of date of manufacture, throughout its entire US operations.

Out of an abundance of caution, Safelite destroyed all three DOT 430 parts identified as having the potential defect, regardless of the date of manufacture. Because Safelite purchases other DOT 430 parts (45 other distinct products) from its supplier, Auto Temp, Inc., it was decided that testing needed to be performed on *all* other 45 DOT 430 products. Auto Temp, Inc. performed the testing. The only parts that appeared to be out of specification were the three DOT 430 back glass products, DB10077 YPY, DB10533 YPY and DB10545 GTY.

The first products bearing the identification DOT 430 glass for the subject part numbers were received by Safelite in June, 2007. As set forth above, regardless of the date of manufacture, all three DOT 430 parts identified as having the potential defect were included in the recall population.

Of the estimated population of 319 parts, Safelite either installed the part in a Dodge truck as part of its fulfillment operations, or sold the parts to wholesale customers. Safelite's records will allow for the identification of the retail and wholesale customers who may have received the parts in question for remedy purposes.

Based upon the events and chronology provided, Safelite has determined that the three design part numbers manufactured by Hangzhou Safety Glass bearing the identification DOT 430 pose a potential safety concern.

III. Describe the Defect or Noncompliance

5. Describe the defect or noncompliance. The description should address the nature and physical location of the defect or noncompliance. Illustrations should be provided as appropriate.

For the three identified part numbers, the defect is such that the back glass does not break into small pieces as expected for tempered glass.

Describe the cause(s) of the defect or noncompliance condition.

The cause may be an error in the proper technique to manufacture tempered glass.

Describe the consequence(s) of the defect or noncompliance condition.

The consequence of the defect is that the glass products, if broken, may not break into the desired small pieces. The breakage of the glass products in larger pieces may present a safety risk to the occupants of the vehicle which contain the glass.

Identify any warning which can (a) precede or (b) occur.

There is not any apparent warning which would be expected for the glass failing to break in the proper manner expected for tempered glass.

If the defect or noncompliance is in a component or assembly purchased from a supplier, identify the supplier by corporate name and address.

DOT 430 part numbers DB10077 YPY, DB10533 YPY, DB10545 GTY were purchased by Safelite from its supplier, Auto Temp, Inc. of 950 Kent Road, Batavia, Ohio 45103, PH: 513-732-6969, FAX: 513-732-6990. Auto Temp, Inc. purchased the three DOT 430 part numbers from Wholesale Glass Automotive, 85 Fifth Avenue, Suite 30, Patterson, NJ 07524; PH: 973-345-4693. Contact: Andrew An. Wholesale Glass Automotive imports the DOT 430 part numbers DB10077 YPY, DB10533 YPY, DB10545 GTY from Hangzhou Safety Glass Co., Ltd., DOT code 430. Hangzhou's address is: Industrial Zone, Qiaosi Town, Yuhan, Hangzhou Zhejiang China 311101. PH: 86-571-86291918; FAX: 86-571-86296199.

Identify the name and title of the chief executive officer or knowledgeable representative of the supplier.

The Vice President of Manufacturing of Auto Temp, Inc. is Matt Fassler: 950 Kent Road, Batavia, Ohio 45103. PH: 513-732-6969. FAX: 513-732-6990. Email: mfassler@autotempinc.com. www.autotempinc.com. Auto Temp, Inc. is Safelite's direct supplier of the parts in question.

Wholesale Glass Automotive, 85 Fifth Avenue, Suite 30, Patterson, NJ 07524; PH: 973-345-4693. Contact: Andrew An. Wholesale Glass Automotive is believed to import the tempered automotive glass from Hangzhou Safety Glass Co., Ltd., DOT code 430. Hangzhou's address is: Industrial Zone, Qiaosi Town, Yuhan, Hangzhou Zhejiang China 311101. PH: 86-571-86291918; FAX: 86-571-86296199. Wholesale Glass Automotive is Auto Temp, Inc.'s direct supplier. Hangzhou Safety Glass Co., Ltd. is the manufacturer and is believed to export the parts in question to Wholesale Glass Automotive.

IV. Provide the Chronology in Determining the Defect/Noncompliance

If the recall is for a defect, complete item 6, otherwise item 7.

6. With respect to a defect, furnish a chronological summary (including dates) of all the principle events that were the basis for the determination of the defect. The summary should include, but not be limited to, the number of reports, accidents, injuries, fatalities, and warranty claims.

On November 5, 2007, a Safelite technician observed that an inadvertently broken back glass, Part No. DB10077 YPY (DOT 430), broke into larger pieces than would be expected for tempered glass. Thereafter, the technician notified Safelite's Quality Coordinator who then immediately contacted Auto Temp, Inc., Safelite's supplier of the DOT 430 DB10077 YPY back glass, and informed it of the potential defect. Three DOT 430 back glass products, including part number DB10077 YPY, that differed in color and other non-structural component(s) (e.g. heating apparatus) were identified as having the potential defect. Safelite promptly quarantined all three DOT 430 part numbers, regardless of date of manufacture, throughout its entire US operations.

Out of an abundance of caution, Safelite destroyed all three DOT 430 parts identified as having the potential defect, regardless of the date of manufacture. Because Safelite purchases other DOT 430 parts (45 other distinct products) from its supplier, Auto Temp, Inc., it was decided that testing needed to be performed on *all* other 45 DOT 430 products. Auto Temp, Inc. performed the testing. The only parts that appeared to be out of specification were the three DOT 430 back glass products, DB10077 YPY, DB10533 YPY and DB10545 GTY.

The first products bearing the identification DOT 430 glass for the subject part numbers were received by Safelite in June, 2007. As set forth above, regardless of the date of manufacture, all three DOT 430 parts identified as having the potential defect were included in the recall population.

Of the estimated population of 319 parts, Safelite either installed the part in a Dodge truck as part of its fulfillment operations or sold the parts to wholesale customers. Safelite's records will allow it to identify which retail and wholesale customers received the parts in question for remedy purposes.

Based upon the events and chronology provided, Safelite has determined that only back glass manufactured by Hangzhou Safety Glass bearing the identification DOT 430 with the three designated part numbers pose a potential safety concern.

The determination of a potential defect was the result of breakage in the glass observed at one of Safelite's facilities. Safelite does not have any information to indicate that any accident, injury, fatality, warranty claim or other product failure has occurred with a retail or wholesale consumer.

7. With respect to a noncompliance, identify and provide the test results or other data (in chronological order and including dates) on which the noncompliance was determined.

Not applicable.

V. Identify the Remedy

8. Furnish a description of the manufacturer's remedy for the defect or noncompliance. Clearly describe the differences between the recall condition and the remedy.

Safelite will remove and replace all back glass originally manufactured by Hangzhou Safety Glass Co., Ltd. bearing the identification DOT 430 for part numbers DB10077 YPY, DB10533 YPY, DB10545 GTY for all consumers at no charge. Safelite has destroyed all inventory of the parts in question to ensure that no product which may contain the defect will be sold or used. The remedy will cause the glass which may not break as expected for tempered glass to be replaced by properly tempered glass.

It is not expected that any parties who have acquired the potentially defective parts will have yet incurred expenses to remedy or replace such parts. Pursuant to Safelite's policies and practices, Safelite will reimburse any owner or purchaser who incurred out-of-pocket expenses to obtain a remedy for the defect addressed by this Report within a reasonable time in advance of the notification to owners or purchasers. To ensure consistency, Safelite will require that owners or purchasers verify such out-of-pocket expenses by providing Safelite with original receipts or other adequate proof of payment.

Clearly describe the distinguishing characteristics of the remedy component/assembly versus the recalled component/assembly.

The distinguishing characteristics of the replacement products will be the manner in which the replacement product glass breaks in the event of an accident or other cause for breakage. The replacement glass will conform to specifications for tempered glass to provide the safety factor associated with tempered glass.

Identify and describe how and when the recall condition was corrected in production. If the production remedy was identical to the recall remedy in the field, so state. If the product was discontinued, so state.

Safelite did not manufacture the parts in question. The parts in question will be replaced for consumers who have obtained the parts. All remaining parts have been destroyed. As set forth above, of the total estimated 696 parts identified as the affected population, 377 parts have been destroyed. The remaining 319 will be the subject of the remedy. Safelite has discontinued purchase of any of the three part numbers, DB10077 YPY, DB10533 YPY, DB10545 GTY, originally manufactured by Hangzhou Safety Glass bearing identification DOT 430.

VI. Identify the Recall Schedule

Furnish a schedule or agenda (with specific dates) for notification to other manufacturers, dealers/retailers, and purchasers. Please identify any foreseeable problems with implementing the recall.

In order to comply with the National Highway Traffic Safety Administration regulations and the Code of Federal Regulations regarding notification to other manufacturers, dealers, retailers and purchasers, Safelite will provide to the Office of Defects Investigation its proposed communications five days in advance of the service of any communications. On or about November 21, 2007, Safelite will provide to the Office of Defects Investigation its proposed notification to other manufacturers, dealers/retailers and purchasers. Following review by the Office of Defect Investigation, Safelite will begin to serve notification on or about December 3, 2007. Safelite anticipates completion of notification by December 17, 2007.

VII. Furnish Recall Communications

9. Furnish a final copy of all notices, bulletins, and other communications that relate directly to the defect or noncompliance and which are sent to more than one manufacturer, distributor, or purchaser. This includes all communications (including both original and follow-up) concerning this recall from the time your company determines the defect or noncompliance condition on, not just the initial notification. *A DRAFT copy of the notification documents should be submitted to this office by Fax (202-366-7882) for review prior to mailing.*

Safelite has not served any communications or notices to more than one manufacturer, distributor or purchaser related to the defect.