# Safety Defect and Noncompliance Report Guide for Equipment PART 573 Defect and Noncompliance Report

On May 24, 2010, FCP Groton, LLC decided that a defect which relates to motor vehicle safety exists in the 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: May 25, 2010

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 <u>mailing address</u> of the designated agent as prescribed by 49 U.S.C. §30164.

#### Entity Selling the Product and Providing this Notice

FCP Groton, LLC 50 Schoolhouse Road Old Saybrook, CT 06475 (860) 388 - 9001

Agent for Service: Harold K. Bauer, 734 Poquonnock Road, Groton, CT 06340

#### Fabricating Manufacturer

Autoknowlogy Autoparts and Maintenance Equipment Co., LTD NO.2 Longzhuangyuan, Lane 1000 Jiuting Avenue Songjiang DISTRICT, Shanghai CHINA 201615 Tel: 0086-21-37634118

Identify the corporate official, by name and title, whom the agency should contact with

respect to this recall.

Nicholas Bauer, President, FCP Groton, LLC

Telephone Number: (860) 388-9001 x 201 Fax No.: (860) 388 - 9006

Name and Title of Person who prepared this report: Nicholas C. Bauer, President, FCP

Groton, LLC the Nick An-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: Tie Rod, Steering Drag Link.

Manufacturer: Autoknowlogy Autoparts and Maintenance Equipment Co., LTD

Fits vehicles: 95-01 BMW 740i; 95-01 BMW 740iL; 95-01 BMW 750iL

Part Number: <u>32 21 1 096 057</u>

Function: Connects the front left and right tie rods to the steering box

Identify the approximate percentage of the production of all the recalled models manufactured by your company between the inclusive dates of manufacture provided above, that the recalled model population represents. For example, if the recall involved Equipment equipped with certain items of equipment from January 1, 1996, through April 1, 1997, then what was the percentage of the recalled Equipment of all Equipment manufactured during that time period.

We are recalling all 150 items that we obtained in a lot that was shipped to us in September 2009. These items were sold beginning in December 2009 until April 9, 2010.

### **II. Identifying the Recall Population**

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

ModelYearNo. of Potentially involved itemsSee above

Total Number Potentially Affected by theRecall:150

4. Furnish the approximate percentage of the total number of items of equipment estimated to actually contain the defect or noncompliance: <u>unknown</u>

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:

We are recalling the entire lot of 150 units that we purchased in September 2009.

### 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 some unknown reason the solid shaft has allegedly sheered off in four instances. In

at least two of the above-referenced incidents, the customer had used the part in

conjunction with custom, larger-than-OEM wheels and other custom equipment.

**Describe the cause(s) of the defect or noncompliance condition.** It is unknown if there is a casting or other reason for said

condition.

**Describe the consequence(s) of the defect or noncompliance condition.** If the shaft sheers off, the operator of the vehicle may be unable to steer the

vehicle.

Identify any warning which can (a) precede or (b) occur. We are unaware of any warning precursor.

If the defect or noncompliance is in a component or assembly purchased from a supplier, identify the supplier by corporate name and address. Please see the fabricating manufacturer identified above .

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

### 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 March 12, 2010, we received a Certified letter claiming that the part purchased on February 4, 2010 by Randall J. Borglin, 6147 Taylor Ave, Racine, WI 53403 had failed.

On March 25, 2010, we received a telephone call from Dariusz Porebski from Imperial Auto LLC, 845 Woburn Street Unit 5, Wilmington, MA 01887 claiming that the part that

he had purchased on February 28, 2010 had failed.

On April 22, 2010, we received a telephone call from Travis Olson, P.O. Box 492468, Keaau, HI 96749 claiming that the part that he had purchased on March 27, 2010 had failed.

On May 21, 2010, we saw a post on bimmerforums.com claming that Stas Brenner, 17 Summer Street, Sharon, MA, had an issue with a part that he had purchased on March 10, 2010.

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.

FCP Groton, LLC is contacting the customers and offering to replace the part with a replacement part that has been manufactured by a different manufacturer. Due to supply issues, we will be obtaining replacement parts from three different manufacturers. In addition, we will paying the entire cost to install the new part.

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

The remedy component is being obtained from three sources other than the fabricator of the recall part.

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.

We do not know if the fabricator has corrected the recall condition.

# 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.

Today, we are attempting to contact by telephone all customers who purchased an item. In addition, we will send a notice letter to each customer upon receipt of your approval thereof.

#### 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.

We will be submitting these separately.