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By Recall Management Division at 2:00 pm, Jul 13, 2012



SUBARU

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c/o Subaru of America

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12V-099

6 Pages

Amended

July 13, 2012

Ref. No.: GR12-041

Ms. Nancy Lummen Lewis
Associate Administrator for Enforcement,
National Highway Traffic Safety Administration
Attention: Recall Management Division (NVS-215)
1200 New Jersey Ave. SE
Washington, DC 20590

**Re: Part 573 Noncompliance Information Report:
Rear Center Seat Automatic Locking Retractor (ALR) on certain 2009-2012 model year Subaru
Forester Vehicles (Third Submission)**

Dear Ms. Lewis:

In accordance with 49 CFR Part 573, "Defect and Noncompliance Responsibility and Reports", Fuji Heavy Industries USA, Inc. on behalf of Subaru of America, Inc. and Fuji Heavy Industries, Ltd., submits the enclosed notification and report concerning a noncompliance with the lockability requirements prescribed in S7.1.1.5 of FMVSS No. 208, "Occupant Crash Protection" on certain 2009 through 2012 model year Subaru Forester vehicles sold in the United States. Our internal designation for this recall campaign will be: WQA-37.

Note: The enclosed updates our previous response dated April 30, 2012 (Ref. No. GR12-023).

Specifically, modifications are being made to the following sections of the report:

- **Page 3:** 573.6(c)(3) - Total Number of Vehicles Potentially Containing the Noncompliance
 - Number of vehicles potentially involved updated
- **Page 5:** 573.6(c)(8) - Description of the Manufacturer's Remedy Program
 - Decision to implement and description of alternative plan added

If you have any questions on the enclosed report, please contact me at (410) 884-4075 or jfro@subaru.com.

Sincerely,

A handwritten signature in black ink, appearing to read "John Frooshani". The signature is stylized and cursive.

John Frooshani
Safety Activities Manager
Government Relations
Fuji Heavy Industries USA, Inc.

Noncompliance Information Report (49 CFR Part 573.6)

573.6(c)(1) - Manufacturer's Name

Vehicle Fabricating Manufacturer:

Fuji Heavy Industries, Ltd. ["FHI"]
1-7-2 Nishi-Shinjuku
Shinjuku-ku
Tokyo 160-8316, Japan

Designated U.S. Agency:

Fuji Heavy Industries USA, Inc.
2235 Rt. 70 West
Cherry Hill, NJ 08002

573.6(c)(2)(ii) - Identification of Vehicles Potentially Containing the Noncompliance

Based on vehicle production records, we have determined from production dates that the recall affected Multipurpose Passenger Vehicle population is as follows:

Make: Subaru
Model Year(s): 2009 through 2012
Model(s): Forester
Production Dates: November 26th, 2007 through March 14th, 2012
VIN Ranges:
2009 Forester: (November 26th, 2007 through March 26th, 2009)
JF2SH6*6*9*700001 through JF2SH6*6*9*797855
2010 Forester: (January 28th, 2009 through August 6th, 2010)
JF2SH6*C*A*700001 through JF2SH6*C*A*918317
2011 Forester: (June 10th, 2010 through August 31st, 2011)
JF2SH**C*B*700001 through JF2SH**C*B*783898
2012 Forester: (May 25th, 2011 through March 14th, 2012)
JF2SH**C*C*400002 through JF2SH**C*C*457256

Note 1: Although the involved vehicles are within the above VIN ranges, not all vehicles in these ranges were sold in the US.

Note 2: Various characters occupy the VIN positions identified by *.

573.6(c)(3) - Total Number of Vehicles Potentially Containing the Noncompliance

Model	Year	Number of Vehicles Potentially Affected
Forester	2009	88,769
	2010	111,842
	2011	74,805
	2012	50,598
Total		326,014

573.6(c)(4) - Percentage of Vehicles Estimated to Actually Contain the Noncompliance

All vehicles identified in 573.6(c)2)(ii).

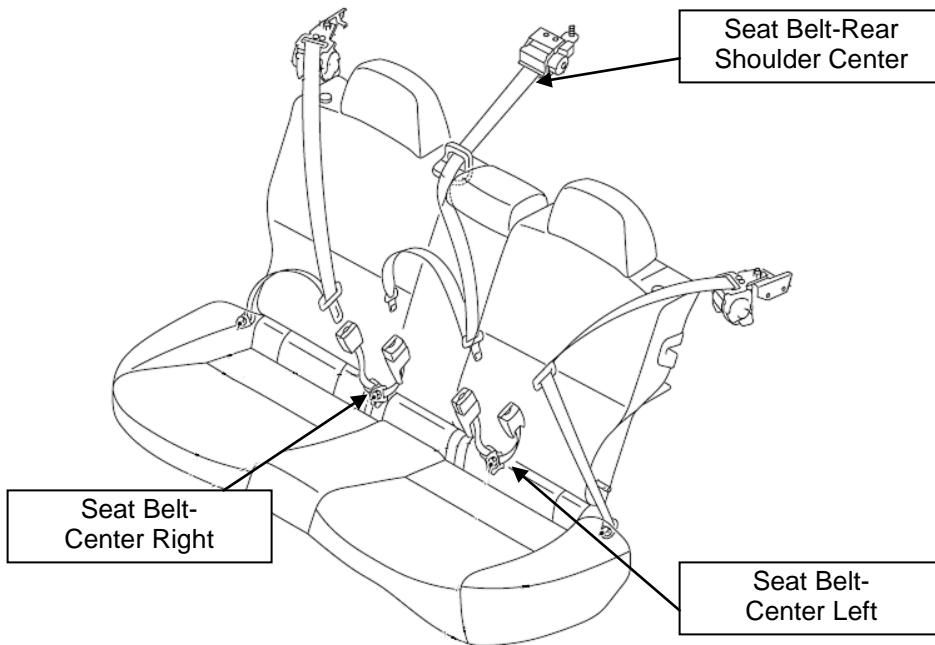
573.6(c)(5) - Description of the Noncompliance

To permit installation of a Child Restraint System (CRS) using a vehicle's seat belt, an Automatic Locking Retractor (ALR) is provided for all seating positions except the Driver's. To activate the ALR function, the seatbelt must be fully pulled out from the retractor assembly. Then, as the belt is allowed to rewind into the retractor, clicks are heard, which indicate the retractor is functioning as an ALR. As an ALR, the seatbelt can be locked over a range of several, distinct positions (depending on how much webbing is allowed to rewind into the retractor) to facilitate the installation of CRSs of different shapes and sizes.

Subaru has determined that the seatbelt assemblies located in the rear center seating position of certain 2009 through 2012 model year Forester vehicles do not meet the lockability requirements prescribed under S7.1.1.5(a) and S7.1.1.5(c) of FMVSS No. 208, "Occupant Crash Protection." Specifically, depending on the shape and size of the CRS being installed, the ALR might not activate (i.e. lock), which could prevent the CRS from being tightly secured to the vehicle.

This noncompliance determination only applies to the rear center seating position (i.e. the ALRs located at the front passenger and rear outboard seating positions are not affected).

<Affected Center Seat Belts of Rear Seat>



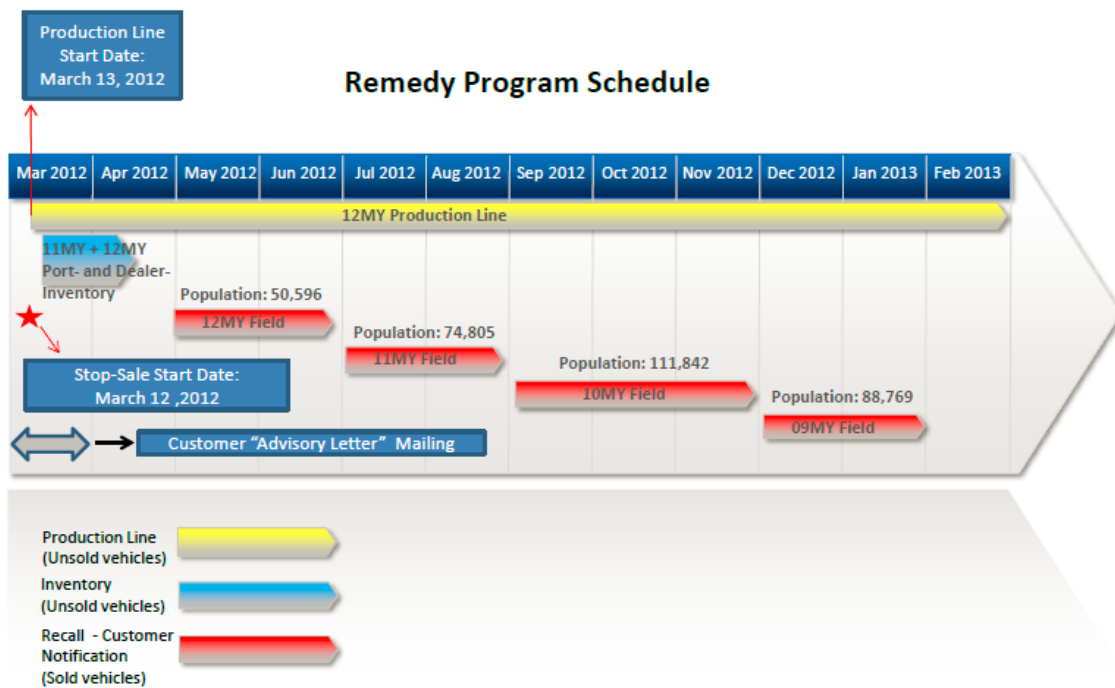
573.6(c)(7) – Test Results and Information used to determine the existence of a Noncompliance

In testing per the procedure of S7.1.1.5(c), once the ALR of the rear center seat belt is activated and allowed to retract, there is a distinct point where the ALR disengages, preventing some CRSs that need a short belt path routing from being tightly secured to the vehicle. On March 5, 2012, FHI held a Recall Committee meeting and determined that this was a noncompliance issue which should be corrected through a recall. The rear center seat belt assembly continues to satisfy the requirements of the standard for other tests and for the majority of CRS installations.

573.6(c)(8) - Description of the Manufacturer's Remedy Program

(i)-(ii) Subaru of America, Inc. notified U.S. dealers on March 12, 2012. The remedy plan for unsold vehicles in inventory calls for dealers to replace the rear center seat belt assembly with a new one having a shorter belt length and modified Automatic Locking Retractor (ALR) gears. Starting in September 2012, Subaru will phase-in an alternative plan to remedy previously sold (i.e. NOT production line) vehicles. The alternative plan calls for dealers to replace the rear seat belt buckle assemblies with a new one having a shorter belt length and add a resin sleeve to one of the rear center seat belt buckles.

Due to production constraints of the supplier having to manufacture large quantities of replacement parts for the following: (1) Production line, (2) Port- and dealer- inventory, and (3) Customer vehicles, the remedy will be launched in a phased approach as illustrated in the chart below:



573.6(c)(10) - Submission of Recall Communications

Fuji Heavy Industries USA, Inc. will provide copies of all notices, bulletins and other recall related communications to NHTSA within 5 days after their distribution.

573.6(c)(11) - Manufacturer's Campaign Number

Our identification code for this recall campaign will be: WQA-37.

577.5(a) - Submission of Owner Notification Letter

A copy of the initial notification, an "Advisory Letter" letter, was submitted to NHTSA's Recall Management Division for review on March 8, 2012 and approved on March 9, 2012. The mailing began on March 26, 2012 and was completed on March 30, 2012. A second letter, the "Owner Notification" letter, was submitted to NHTSA's Recall Management Division for review on April 11, 2012 and approved on April 17, 2012. Mailing of this letter will be phased by model year in accordance with the schedule provided in 573.6(c)(8) above.