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By Recall Management Division at 9:56 am, Jun 05, 2012



SUBARU

Fuji Heavy Industries U.S.A., Inc.

c/o Subaru of America
Subaru Plaza
PO Box 6000
Cherry Hill, NJ 08034-6000
856-488-8500
856-488-8669 fax

June 4, 2012
Ref. No.: GR12-028

12V-254
(3 Pages)

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:
Inaccurate Description of the Front Passenger Occupant Classification System in the Owner's
Manuals of certain 2013 model year Subaru BRZ and Toyota Scion FR-S Vehicles**

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 Owner's Manual information requirements prescribed in S4.5.1(f) of FMVSS No. 208, "Occupant Crash Protection" on certain 2013 model year Subaru BRZ and Toyota Scion FR-S vehicles sold in the United States.

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".

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)(i) - Identification of Vehicles Potentially Containing the Noncompliance

Based on vehicle production records, we have determined from production dates that the recall affected Passenger Car population as of May 25th, 2012 is as follows:

Make: Subaru
Model Year(s): 2013
Model(s): BRZ
Production Dates: November 25th, 2011 through May 25th, 2012

Make: Toyota
Model Year(s): 2013
Model(s): Scion FR-S
Production Dates: March 22nd, 2012 through May 14th, 2012

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

1,886 Subaru BRZ and 1,156 Toyota Scion FR-S vehicles are affected (as of May 25th, 2012).

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

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

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

Fuji Heavy Industries, Ltd. has determined that the Owner's Manual of certain 2013 model year Subaru BRZ and Toyota Scion FR-S vehicles do not meet the requirements prescribed in S4.5.1(f) of FMVSS No. 208, "Occupant Crash Protection." An inaccurate description of the actual operation of the "Front Passenger Occupant Classification System" was provided. In addition, other portions of the Owner's Manuals, describing the air bag system, require clarification.

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

A review of the owner’s manual determined that the description was not accurate as to the actual operation of the “Front Passenger Occupant Classification System.”

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

(i) The remedy plan calls for Subaru of America, Inc. to distribute, via first class-mail, corrected owner’s manuals, in conjunction with the requisite notification letter, to affected owners of Subaru BRZ vehicles.

(ii) Subaru of America, Inc. expects to notify owners of BRZ vehicles within 30 days of this report.

Toyota will notify NHTSA separately of its remedy program.

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.

Toyota will notify NHTSA separately of its dealer mailing schedule and supply a copy of the dealer bulletin at that time.

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

Subaru’s identification code for this recall campaign will be: WQB-38. Toyota will notify NHTSA separately of its campaign number.

577.5(a) - Submission of Owner Notification Letter

A copy of the owner notification letter will be submitted to NHTSA's Recall Management Division at least 5 business days prior to mailing.

Toyota will notify NHTSA separately of its owner mailing schedule and supply a draft of the owner letter at that time in accordance with the regulations.