



U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue SE
Washington, DC 20590

April 6, 2009

MR. ROSARIO M. VIGNALI
WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER, LLP
3 GANNETT DRIVE
WHITE PLAINS, NY 10604-3407

NVS-215kjs
09E-011

Subject: AFTERMARKET ROOF MOUNTED LOAD CARRIERS

Dear MR. VIGNALI:

This letter serves to acknowledge the notification to the National Highway Traffic Safety Administration (NHTSA) filed on behalf of your client, Thule, Inc. (Thule) of a safety defect in the products described below for which a safety recall campaign shall be conducted pursuant to 49 U.S.C. § 30119.

Please review the following information to ensure that it conforms to your records as this information is being made available to the public. If the information does not agree with your records, please contact us immediately to discuss your concerns.

Makes/Models/Model Years:

Mfg's Report Date: March 31, 2009

MAZDA/CX-7/2007-2009
MAZDA/CX-9/2007-2009
MAZDA/MAZDA3/2004-2009
MAZDA/MAZDA5/2006-2009
MAZDA/MAZDA6/2003-2009
SUBARU/FORESTER/2009
SUBARU/IMPREZA/2008-2009
SUBARU/IMPREZA STI/2008-2009
SUBARU/IMPREZA WRX/2008-2009
SUBARU/OUTBACK SPORT/2008-2009
THULE/3068/9999
THULE/3069/9999

NHTSA Campaign Number: 09E-011 **Components:** EQUIPMENT

Potential Number of Units Affected: 2,323

Summary:

THULE, INC. IS RECALLING 2,323 OWNER-INSTALLED ROOF-MOUNTED FIT KITS, MODELS 3068 AND 3069, MANUFACTURED BETWEEN JANUARY 1, 2008 AND FEBRUARY 28, 2009 THAT ARE USED WITH THULE PODIUM FOOT PACKS, MODELS 460 AND 460R. THESE FIT KITS WERE SOLD AS AFTERMARKET EQUIPMENT FOR USE ON THE VEHICLES LISTED ABOVE. THE BOLT(S) USED TO SECURE THE FOOT TO THE VEHICLE WAS MANUFACTURED TO A HARDNESS THAT MAY CAUSE THE BOLT(S) TO BE BRITTLE AND POTENTIALLY BREAK UNDER STRESS.

Consequence:

THIS MAY RESULT IN THE BOLT(S) SNAPPING OFF DURING USE OR WITHOUT A LOAD. THE UNSECURED RACK AND LOAD CAN THEN COME LOOSE WHILE DRIVING CREATING A POTENTIAL ROAD HAZARD, POSSIBLY RESULTING IN A VEHICLE CRASH.

Remedy:

THULE WILL MAIL A RETRO FIT KIT ALONG WITH REPAIR INSTRUCTIONS TO OWNERS FREE OF CHARGE. THE SAFETY RECALL IS EXPECTED TO BEGIN ON OR BEFORE APRIL 13, 2009. OWNERS MAY CONTACT THULE TOLL-FREE AT 1-800-238-2388.

Notes:

THIS RECALL ONLY PERTAINS TO THULE AFTERMARKET ROOF MOUNTED LOAD CARRIERS AND HAS NO RELATION TO ANY ORIGINAL EQUIPMENT INSTALLED ON THE LISTED PASSENGER VEHICLES. OWNERS MAY ALSO CONTACT THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION'S VEHICLE SAFETY HOTLINE AT 1-888-327-4236 (TTY 1-800-424-9153), OR GO TO [HTTP://WWW.SAFERCAR.GOV](http://www.safercar.gov).

The information in your defect report appears to satisfy the requirements of 49 CFR 573.6.

We have received Thule's proposed owner notification letter and it is currently under review. You will be notified of any changes or concerns once our review is complete. Copies of all notices, bulletins, dealer notifications, and other communications that relate to this recall, including a copy of the final owner notification letter and any subsequent owner follow-up notification letter(s), are required to be submitted to this office no later than 5 days after they are originally sent (if they are sent to more than one manufacturer, distributor, dealer, or purchaser/owner).

Thule must file a sample of the envelope which you intend to use to mail the recall notice to owners. The words "SAFETY", "RECALL", "NOTICE" in any order must be printed on the envelope in larger font than the customers name and address.

As stated in Part 573.7, submission of the first of six consecutive quarterly status reports is required within one month after the close of the calendar quarter in which notification to purchasers occurs. Therefore, the first quarterly report will be due on or before 30 days after the close of the calendar quarter.

Your contact for this recall will be Kelly Schuler, who may be reached by phone at 202-366-5227, by email at Kelly.Schuler@dot.gov, or through the office email at RMD.ODI@dot.gov. We look forward to working with you for successful completion of this recall campaign.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Person", written in a cursive style.

George H. Person
Chief, Recall Management Division
Office of Defects Investigation
Enforcement