



COOPER TIRE & RUBBER COMPANY  
701 Lima Avenue, Findlay, Ohio 45840

Nicole K. Schwieterman  
CORPORATE COUNSEL

PHONE: (419) 429-73213  
E-mail: nkschwieterman@coopertire.com

May 12, 2021

**SENT VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Steven Cliff, Acting Administrator  
**NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION**  
U.S. Department of Transportation  
1200 New Jersey Avenue, S.E.  
West Building Ground Floor  
Washington, DC 20590

Re: Petition for Inconsequential Defect

Dear Administrator Cliff:

Pursuant to the requirements of 49 CFR Part 556 and Section 156 of the National Highway Traffic Safety and Motor Vehicle Act, Cooper Tire & Rubber Company ("Cooper Tire"), 701 Lima Avenue, Findlay, Ohio 45840, a Delaware corporation, with its principal place of business in Findlay, Ohio, petitions to be exempted from the notification and remedy requirements for failure to comply with the requirements of 49 CFR 574.5 and 49 CFR 571.139 S5.5.1(b) with respect to those tires specified below. The basis for this petition is that the noncompliance is inconsequential as it relates to motor vehicle safety.

Impacted tires:

Cooper Evolution Tour 225/60R16, standard load tubeless radial tires  
U9 X3 1LP 0721, manufactured February 14, 2021 – February 20, 2021

Cooper CS5 Grand Touring 225/50R18, standard load tubeless radial tires  
U9 78 1CW 1221, manufactured March 21, 2021 – March 27, 2021

Total affected units: 294

Estimated percentage containing noncompliance: 100%

Paragraph S5.5.1 of the Federal Motor Vehicle Safety Standard No. 139 requires tires to be labeled with the tire identification number (“TIN”) required by 49 C.F.R. 574. The TIN requirements in turn are provided by 49 C.F.R. 574.5. As is relevant here, NHTSA’s regulation at 49 C.F.R. 575.5(g) states in part,

A new tire manufacturer who continues to use previously assigned two-symbol plant code in place of a new three-symbol plant code and a retreader may optionally comply with this paragraph instead of paragraph (b) of this section until April 13, 2025.

Cooper Tire continues to use a two-symbol plant code at its Tupelo, MS facility, and thus this provision is applicable. See 49 C.F.R. 574.5(a)(5).

49 CFR 574.5 states, “[e]ach tire manufacturer shall conspicuously label on one sidewall of each tire it manufactures...a tire identification number containing the information set forth in paragraphs (a) through (d) of this section...” 49 CFR 574.5(d) indicates “[t]he fourth grouping, consisting of four numerical symbols, must identify the week and year of manufacture. The first two symbols must identify the week of year...The third and fourth symbols must identify the year...”

The tires subject to this petition, on their outboard side only, were molded with an upside down and backwards DOT serial week and year. The serial number stampings should read: DOT U9 X3 1LP 0721 and UP 78 1CW 1221. The outboard side, which includes the date code, was molded with the date code information oriented incorrectly upside down and backwards which resulted in the characters being out of proper sequence.

The existence of the stamping error was determined by visual examination of a subject tire on March 25, 2021 by a tire dealer. Upon further investigation, it was determined that only tires cured in one press location each of the impacted production weeks were affected. Sorting of our internal inventories revealed that for curing press A14R during DOT serial week 0721 and curing press C02L during DOT serial week 1221, there was a total net cure of 1358 tires of which 1064 tires have been accounted for in our warehouses. 294 tires were distributed. A final determination that a noncompliance exists as to those 294 tires was made on April 22, 2021.

The 294 tires subject to this petition meet and/or exceed all performance requirements and all other labeling markings as required by FMVSS No. 139. Furthermore, Cooper Tire is not aware of any crashes, injuries, customer complaints, or field reports associated with the subject tires involved in this petition.

**Request for Determination that the Noncompliance  
is Inconsequential to Motor Vehicle Safety**

While the 294 tires in the subject population contain an upside down and backward date code, these tires are in all other respects properly labeled and meet all performance requirements

under the Federal Motor Vehicle Safety Standards. The improperly positioned date code has no bearing on the performance or operation of the tires and does not create a safety concern to either the operator of the vehicle on which the tires are mounted, or the safety of personnel in the tire repair, retread, and recycle industry.

The upside down and backward date code will not cause confusion for the consumer or dealer that is selecting and mounting the tire, as the error is quite obvious and there is no logical reading or interpretation of the date code in its upside down and backward position. Consumers and dealers will easily be able to see the issue and correctly identify the date code.

Cooper Tire has taken steps over the last few years to add additional checks, training and Poka-Yoke methods in its processes to prevent TIN errors. We are undertaking additional process reviews at this time. Cooper Tire is also reviewing its inspection processes to ensure that any errors are identified earlier and/or prevented before they occur.

NHTSA has granted previous inconsequentiality petitions relating to mislabeled TINs, provided that the mislabeling does not affect the manufacturer's ability to identify the tires. "The purpose of the date code is to identify a tire so that, if necessary, the appropriate action can be taken in the interest of public safety—such as, a safety recall notice." *Bridgestone/Firestone, Inc.; Grant of Application*, 64 Fed. Reg. 29,080 (May 28, 1999); *see also Cooper Tire & Rubber Company, Grant of Application*, 68 Fed. Reg. 16,115 (April 2, 2003) (same). Accordingly, NHTSA has explained in multiple instances that "[t]he agency believes that the true measure of inconsequentiality to motor vehicle safety in this case is the effect of the noncompliance on the ability of the tire manufacturer to identify the tires in the event of recall." *Bridgestone/Firestone, Inc., Grant of Application*, 66 Fed. Reg. 45,076 (Aug. 27, 2001).

As a result, NHTSA has granted petitions and found that TIN noncompliance is inconsequential to safety in cases where the TIN is out of sequence or mislabeled. *See, e.g., Bridgestone Firestone North America Tire, LLC, Grant of Petition*, 71 Fed. Reg. 4396 (Jan. 26, 2006) (granting petition where date code was missing because manufacturer could still identify and recall the tires); *Cooper Tire & Rubber Company, Grant of Application*, 68 Fed. Reg. 16,115 (April 2, 2003) (granting petition where tires were labeled with wrong plant code, because "the tires have a unique DOT identification"); *Bridgestone/Firestone, Inc., Grant of Application*, 66 Fed. Reg. 45,076 (Aug. 27, 2001) (granting petition where the date code was labeled incorrectly, because "the information included on the tire identification label and the manufacturer's tire production records is sufficient to insure that these tires can be identified in the event of a recall"); *Bridgestone/Firestone, Inc.; Grant of Application*, 64 Fed. Reg. 29,080 (May 28, 1999) (granting petition where the wrong year was marked in date code on the tires); *Cooper Tire & Rubber Company; Grant of Application*, 63 Fed. Reg. 29,059 (May 27, 1998) (granting petition where date code was missing where tires had a unique TIN for recall purposes); *Bridgestone/Firestone, Inc.; Grant of Application*, 60 Fed. Reg. 57,617 (Nov. 16, 1995) (granting petition where date code was out of sequence); *Uniroyal Goodrich Tire Company; Grant of Petition*, 59 Fed. Reg. 64,232 (Dec. 13, 1994) (granting petition where week and year were mislabeled on tires).

As with other cases in which NHTSA has granted petitions for a determination of inconsequential noncompliance, Cooper Tire respectfully requests that NHTSA find that the noncompliance is inconsequential to motor vehicle safety and respectfully requests that the Administrator exempt it from the requirements of giving notice and remedy.

As required by 49 C.F.R. 556.4(b)(6), three copies of the information required, in accordance with 49 C.F.R. Part 573, are attached as Attachment A.

Respectfully submitted,

**COOPER TIRE & RUBBER COMPANY**

A handwritten signature in black ink, appearing to read "Nicole K. Schwieterman", with a stylized flourish at the end.

Nicole K. Schwieterman

Enclosures: 573 Defect and Noncompliance Information Report

cc: Choon Lee via email [choon.lee@dot.gov](mailto:choon.lee@dot.gov)



Cooper Tire & Rubber Co.

# Tire Report

NHTSA ID: 21T008 Transaction ID: 21-001570-25932-12 (Amendment 2)

Required fields indicated with \*

<b>Manufacturer: Cooper Tire &amp; Rubber Co.</b>	
701 Lima Avenue Findlay OH 45840	Nicole Schwieterman Corporate Counsel 419-429-7213,

This is a Noncompliance Report. Filing a petition pursuant to 49 CFR 556

Tire Information						
<b>Cooper CS5 Grand Touring 225/50R18</b>						
* <b>Tire Brand:</b> Cooper				<b>Descriptive Information:</b>		
* <b>Tire Line:</b> CS5 Grand Touring				The affected population is certain Cooper CS5 Grand Touring standard load radial tubeless passenger tires produced by the manufacturer from March 21, 2021 through March 27, 2021. These products differ from other products in that they have a unique brand, size or DOT code.		
* <b>Tire Size:</b> 225/50R18						
<b>Production Dates</b>	Begin:	03/21/2021				
	End:	03/27/2021				
Tire Identification Number (TIN)						
* <b>Plant ID code:</b>	* <b>Size code:</b>	<b>Optional code:</b>	* <b>Beg. Date Code:</b>	* <b>End. Date Code:</b>	U9	
78	1CW	1221	1221			
<b>Cooper Evolution Tour 225/60R16</b>						
* <b>Tire Brand:</b> Cooper				<b>Descriptive Information:</b>		
* <b>Tire Line:</b> Evolution Tour				The affected population is certain 225/60R16 Cooper Evolution Tour standard load radial tubeless passenger tires produced by the manufacturer from February 14, 2021 through February 20, 2021. These products differ from other products in that they have a unique brand, size or DOT code.		
* <b>Tire Size:</b> 225/60R16						
<b>Production Dates</b>	Begin:	02/14/2021				
	End:	02/20/2021				
Tire Identification Number (TIN)						
* <b>Plant ID code:</b>	* <b>Size code:</b>	<b>Optional code:</b>	* <b>Beg. Date Code:</b>	* <b>End. Date Code:</b>	U9	
X3	1LP	0721	0721			

Number potentially involved: 294 Estimated percentage of involved with defect: 100%

Defect / Noncompliance Description	
For this Defect/Noncompliance:	
* <b>Describe the defect or noncompliance:</b> The Cooper CS5 Grand Touring tires that were produced between the dates of March 21, 2021 and March 27, 2021 and the Cooper Evolution Tire tires that were produced between the dates of February 14, 2021 and February 20, 2021 have the week/year date plug of the DOT number installed upside down and backward.	* <b>Describe the safety risk:</b> There is no safety risk associated with this non-compliance.
<b>If a noncompliance, provide the applicable FMVSS:</b> 139 - New pneumatic radial tires for light vehicles	<b>Identify any warning which can precede or occur:</b> Not applicable.
<b>If applicable, provide any further FMVSS affected:</b>	
<b>Describe the cause:</b> The week/year serial plugs were incorrectly installed in the mold cavity. The were installed upside down and backward.	
<b>This Recall affects all vehicles.</b>	
If applicable, identify the manufacturer of the defective or noncompliant component. If the manufacturer of the component is unknown, provide the information for the company that supplied the subject component.	

Component manufacturer

Company Information

**Company Name:** Cooper Tire & Rubber Company  
**Country:** United States  
**Address 1:** 1804 South Green Street  
**Address 2:**  
**City:** Tupelo  
**State:** MISSISSIPPI  
**Zip/Postal Code:** 38804

Company Contact Information

**First Name:** Jeff  
**Last Name:** Kamm  
**Position:** Plant Manager  
**Email:** jrkamm@coopertire.com  
**Phone:** 6628422200

**Involved Components**

If the defect or noncompliance involves a specific component(s), identify that component(s) below.

**Purchaser Information**

**Chronology of Defect / Noncompliance Determination**

**Provide the chronology of events leading up to the defect decision or test data for the noncompliance decision.:**

The existence of the condition (i.e. week/year plug installed upside down and backward) was initially identified by a dealer on March 25, 2021. A product restriction was immediately issued and production records reviewed. Cooper Tire concluded that Cooper CS5 Grand Touring tires produced during production week 1221 and Cooper Evolution Tour tires produced during production week 0721 have the condition. It was determined that 294 affected tires were no longer in internal inventories. On April 22, 2021 Cooper Tire's Compliance Committee determined that a non-compliance with applicable Federal Motor Vehicle Safety Standard exists in 294 units. The committee further determined the identified non-compliance is inconsequential as it relates to motor vehicle safety.

**Identify the Remedy**

**Describe the defect/noncompliance remedy program, including the manufacturer's plan for reimbursement.**

**Describe what distinguishes the remedy component from the recalled component.**

**Identify and describe how and when the recall condition was corrected in production.**

The issue was resolved when the week/year plugs were removed at the end of the serial week.

**Identify the Recall Schedule**

**Describe the recall schedule for notifications.:**

**Planned Dealer Notification Begin Date:**

**Planned Dealer Notification End Date:**

**Planned Owner Notification Begin Date:**

**Planned Owner Notification End Date:**

**Manufacturer's identification code for this recall (if applicable):**

179

Please be reminded that owner notification letters must be mailed no more than 60 days from submission of this report.

**Manufacturer Comments to NHTSA Staff**

Cooper Tire will file a petition for an exemption from the recall requirements of the Vehicle Safety Act pursuant to 49 CFR 556 on the basis that the non-compliance identified in the affected population of tires is inconsequential as it relates to motor vehicle safety.

**Document Upload**

There are 0 documents associated with this report.



Cooper Tire & Rubber Co.

# Tire Report

NHTSA ID: 21T008 Transaction ID: 21-001570-25932-12 (Amendment 2)

Required fields indicated with \*

<b>Manufacturer: Cooper Tire &amp; Rubber Co.</b>	
701 Lima Avenue Findlay OH 45840	Nicole Schwieterman Corporate Counsel 419-429-7213,

This is a Noncompliance Report. Filing a petition pursuant to [49 CFR 556](#)

Tire Information					
<b>Cooper CS5 Grand Touring 225/50R18</b>					
* <b>Tire Brand:</b> Cooper			<b>Descriptive Information:</b>		
* <b>Tire Line:</b> CS5 Grand Touring			The affected population is certain Cooper CS5 Grand Touring standard load radial tubeless passenger tires produced by the manufacturer from March 21, 2021 through March 27, 2021. These products differ from other products in that they have a unique brand, size or DOT code.		
* <b>Tire Size:</b> 225/50R18					
<b>Production Dates</b>	Begin:	03/21/2021			
	End:	03/27/2021			
Tire Identification Number (TIN)					
* <b>Plant ID code:</b>	* <b>Size code:</b>	<b>Optional code:</b>	* <b>Beg. Date Code:</b>	* <b>End. Date Code:</b>	U9
78	1CW	1221	1221		
<b>Cooper Evolution Tour 225/60R16</b>					
* <b>Tire Brand:</b> Cooper			<b>Descriptive Information:</b>		
* <b>Tire Line:</b> Evolution Tour			The affected population is certain 225/60R16 Cooper Evolution Tour standard load radial tubeless passenger tires produced by the manufacturer from February 14, 2021 through February 20, 2021. These products differ from other products in that they have a unique brand, size or DOT code.		
* <b>Tire Size:</b> 225/60R16					
<b>Production Dates</b>	Begin:	02/14/2021			
	End:	02/20/2021			
Tire Identification Number (TIN)					
* <b>Plant ID code:</b>	* <b>Size code:</b>	<b>Optional code:</b>	* <b>Beg. Date Code:</b>	* <b>End. Date Code:</b>	U9
X3	1LP	0721	0721		

**Number potentially involved:** 294      **Estimated percentage of involved with defect:** 100%

Defect / Noncompliance Description
<p>For this Defect/Noncompliance:</p> <p>* <b>Describe the defect or noncompliance:</b> The Cooper CS5 Grand Touring tires that were produced between the dates of March 21, 2021 and March 27, 2021 and the Cooper Evolution Tire tires that were produced between the dates of February 14, 2021 and February 20, 2021 have the week/year date plug of the DOT number installed upside down and backward.</p> <p><b>If a noncompliance, provide the applicable FMVSS:</b> 139 - New pneumatic radial tires for light vehicles</p> <p><b>If applicable, provide any further FMVSS affected:</b></p> <p><b>Describe the cause:</b> The week/year serial plugs were incorrectly installed in the mold cavity. The were installed upside down and backward.</p> <p><b>This Recall affects all vehicles.</b></p> <p>If applicable, identify the manufacturer of the defective or noncompliant component. If the manufacturer of the component is unknown, provide the information for the company that supplied the subject component.</p>
<p>* <b>Describe the safety risk:</b> There is no safety risk associated with this non-compliance.</p> <p><b>Identify any warning which can precede or occur:</b> Not applicable.</p>

Component manufacturer

Company Information

**Company Name:** Cooper Tire & Rubber Company  
**Country:** United States  
**Address 1:** 1804 South Green Street  
**Address 2:**  
**City:** Tupelo  
**State:** MISSISSIPPI  
**Zip/Postal Code:** 38804

Company Contact Information

**First Name:** Jeff  
**Last Name:** Kamm  
**Position:** Plant Manager  
**Email:** jrkamm@coopertire.com  
**Phone:** 6628422200

**Involved Components**

If the defect or noncompliance involves a specific component(s), identify that component(s) below.

**Purchaser Information**

**Chronology of Defect / Noncompliance Determination**

**Provide the chronology of events leading up to the defect decision or test data for the noncompliance decision.:**

The existence of the condition (i.e. week/year plug installed upside down and backward) was initially identified by a dealer on March 25, 2021. A product restriction was immediately issued and production records reviewed. Cooper Tire concluded that Cooper CS5 Grand Touring tires produced during production week 1221 and Cooper Evolution Tour tires produced during production week 0721 have the condition. It was determined that 294 affected tires were no longer in internal inventories. On April 22, 2021 Cooper Tire's Compliance Committee determined that a non-compliance with applicable Federal Motor Vehicle Safety Standard exists in 294 units. The committee further determined the identified non-compliance is inconsequential as it relates to motor vehicle safety.

**Identify the Remedy**

**Describe the defect/noncompliance remedy program, including the manufacturer's plan for reimbursement.**

**Describe what distinguishes the remedy component from the recalled component.**

**Identify and describe how and when the recall condition was corrected in production.**

The issue was resolved when the week/year plugs were removed at the end of the serial week.

**Identify the Recall Schedule**

**Describe the recall schedule for notifications.:**

**Planned Dealer Notification Begin Date:**

**Planned Dealer Notification End Date:**

**Planned Owner Notification Begin Date:**

**Planned Owner Notification End Date:**

**Manufacturer's identification code for this recall (if applicable):**

179

Please be reminded that owner notification letters must be mailed no more than 60 days from submission of this report.

**Manufacturer Comments to NHTSA Staff**

Cooper Tire will file a petition for an exemption from the recall requirements of the Vehicle Safety Act pursuant to 49 CFR 556 on the basis that the non-compliance identified in the affected population of tires is inconsequential as it relates to motor vehicle safety.

**Document Upload**

There are 0 documents associated with this report.





Cooper Tire & Rubber Co.

# Tire Report

NHTSA ID: 21T008 Transaction ID: 21-001570-25932-12 (Amendment 2)

Required fields indicated with \*

<b>Manufacturer: Cooper Tire &amp; Rubber Co.</b>	
701 Lima Avenue Findlay OH 45840	<u>Nicole Schwieterman</u> Corporate Counsel 419-429-7213,

This is a Noncompliance Report. Filing a petition pursuant to [49 CFR 556](#)

Tire Information						
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* <b>Tire Brand:</b> Cooper	<b>Descriptive Information:</b>					
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* <b>Tire Size:</b> 225/50R18						
<b>Production Dates</b>	Begin:	03/21/2021				
	End:	03/27/2021				
Tire Identification Number (TIN)						
* <b>Plant ID code:</b>	* <b>Size code:</b>	<b>Optional code:</b>	* <b>Beg. Date Code:</b>	* <b>End. Date Code:</b>	U9	
78	1CW	1221	1221			
<b>Cooper Evolution Tour 225/60R16</b>						
* <b>Tire Brand:</b> Cooper	<b>Descriptive Information:</b>					
* <b>Tire Line:</b> Evolution Tour	The affected population is certain 225/60R16 Cooper Evolution Tour standard load radial tubeless passenger tires produced by the manufacturer from February 14, 2021 through February 20, 2021. These products differ from other products in that they have a unique brand, size or DOT code.					
* <b>Tire Size:</b> 225/60R16						
<b>Production Dates</b>	Begin:	02/14/2021				
	End:	02/20/2021				
Tire Identification Number (TIN)						
* <b>Plant ID code:</b>	* <b>Size code:</b>	<b>Optional code:</b>	* <b>Beg. Date Code:</b>	* <b>End. Date Code:</b>	U9	
X3	1LP	0721	0721			

Number potentially involved: 294 Estimated percentage of involved with defect: 100%

Defect / Noncompliance Description
<p>For this Defect/Noncompliance:</p> <p>* <b>Describe the defect or noncompliance:</b> The Cooper CS5 Grand Touring tires that were produced between the dates of March 21, 2021 and March 27, 2021 and the Cooper Evolution Tire tires that were produced between the dates of February 14, 2021 and February 20, 2021 have the week/year date plug of the DOT number installed upside down and backward.</p> <p><b>If a noncompliance, provide the applicable FMVSS:</b> 139 - New pneumatic radial tires for light vehicles</p> <p><b>If applicable, provide any further FMVSS affected:</b></p> <p><b>Describe the cause:</b> The week/year serial plugs were incorrectly installed in the mold cavity. The were installed upside down and backward.</p> <p><b>This Recall affects all vehicles.</b></p> <p>If applicable, identify the manufacturer of the defective or noncompliant component. If the manufacturer of the component is unknown, provide the information for the company that supplied the subject component.</p>
<p>* <b>Describe the safety risk:</b> There is no safety risk associated with this non-compliance.</p> <p><b>Identify any warning which can precede or occur:</b> Not applicable.</p>

Component manufacturer

Company Information

**Company Name:** Cooper Tire & Rubber Company  
**Country:** United States  
**Address 1:** 1804 South Green Street  
**Address 2:**  
**City:** Tupelo  
**State:** MISSISSIPPI  
**Zip/Postal Code:** 38804

Company Contact Information

**First Name:** Jeff  
**Last Name:** Kamm  
**Position:** Plant Manager  
**Email:** jrkamm@coopertire.com  
**Phone:** 6628422200

**Involved Components**

If the defect or noncompliance involves a specific component(s), identify that component(s) below.

**Purchaser Information**

**Chronology of Defect / Noncompliance Determination**

**Provide the chronology of events leading up to the defect decision or test data for the noncompliance decision.:**

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**Identify the Remedy**

**Describe the defect/noncompliance remedy program, including the manufacturer's plan for reimbursement.**

**Describe what distinguishes the remedy component from the recalled component.**

**Identify and describe how and when the recall condition was corrected in production.**

The issue was resolved when the week/year plugs were removed at the end of the serial week.

**Identify the Recall Schedule**

**Describe the recall schedule for notifications.:**

**Planned Dealer Notification Begin Date:**

**Planned Dealer Notification End Date:**

**Planned Owner Notification Begin Date:**

**Planned Owner Notification End Date:**

**Manufacturer's identification code for this recall (if applicable):**

179

Please be reminded that owner notification letters must be mailed no more than 60 days from submission of this report.

**Manufacturer Comments to NHTSA Staff**

Cooper Tire will file a petition for an exemption from the recall requirements of the Vehicle Safety Act pursuant to 49 CFR 556 on the basis that the non-compliance identified in the affected population of tires is inconsequential as it relates to motor vehicle safety.

**Document Upload**

There are 0 documents associated with this report.

# Part 573 Safety Recall Report

# 21T-008

**Manufacturer Name :** Cooper Tire & Rubber Co.**Submission Date :** APR 28, 2021**NHTSA Recall No. :** 21T-008**Manufacturer Recall No. :** 179**Manufacturer Information :**

Manufacturer Name : Cooper Tire &amp; Rubber Co.

Address : 701 Lima Avenue

Findlay OH 45840

Company phone : 4194206040

**Population :**

Number of potentially involved : 294

Estimated percentage with defect : 100 %

**Tire Information :**

Tire Brand 1 : Cooper

Tire Line : CS5 Grand Touring and Evolution Tour

Tire Size : 225/50R18 and 225/60R16

**Descriptive Information :** The affected population is certain standard load radial tubeless passenger tires produced by the manufacturer from March 21, 2021 through March 27, 2021 for the CS5 Grand Touring Tires and February 14, 2021 through February 20, 2021 for the Evolution Tour tires. These products differ from other products in that they have a unique brand, size or DOT code.

Production Dates : FEB 14, 2021 - MAR 27, 2021

**TIN (Tire Identification Number)**

Plant ID	Size code	Optional Code	Begin M Code	End M Code
U9	78	1CW	1221	1221
U9	X3	1LP	0721	0721

**Description of Noncompliance :**

**Description of the Noncompliance :** The Cooper CS5 Grand Touring tires that were produced between the dates of March 21, 2021 and March 27, 2021 and the Cooper Evolution Tire tires that were produced between the dates of February 14, 2021 and February 20, 2021 have the week/year date plug of the DOT number installed upside down.

FMVSS 1 : 139 - New pneumatic radial tires for light vehicles

FMVSS 2 : NR

**Description of the Safety Risk :** There is no safety risk associated with this non-compliance.**Description of the Cause :** The week/year serial plugs were incorrectly installed in the mold cavity. The were installed upside down.**Identification of Any Warning that can Occur :** Not applicable.

**Involved Components :**

Component Name : NR

Component Description : NR

Component Part Number : NR

**Supplier Identification :****Component Manufacturer**

Name : Cooper Tire &amp; Rubber Company

Address : 1804 South Green Street  
Tupelo Mississippi 38804

Country : United States

**Chronology :**

The existence of the condition (i.e. week/year plug installed upside down) was initially identified by a dealer on March 25, 2021. A product restriction was immediately issued and production records reviewed. Cooper Tire concluded that Cooper CS5 Grand Touring tires produced during production week 1221 and Cooper Evolution Tour tires produced during production week 0721 have the condition. It was determined that 294 affected tires were no longer in internal inventories. On April 22, 2021 Cooper Tire's Compliance Committee determined that a non-compliance with applicable Federal Motor Vehicle Safety Standard exists in 294 units. The committee further determined the identified non-compliance is inconsequential as it relates to motor vehicle safety.

**Description of Remedy :**

Description of Remedy Program : NR

How Remedy Component Differs  
from Recalled Component : NRIdentify How/When Recall Condition  
was Corrected in Production : The issue was resolved when the week/year plugs were removed at the end of the serial week.**Recall Schedule :**

Description of Recall Schedule : NR

Planned Dealer Notification Date : NR - NR

Planned Owner Notification Date : NR - NR

**Purchaser Information :**

The following manufacturers purchased this defective/noncompliant equipment for possible use or installation in new motor vehicles or new items of motor vehicle equipment:

Name : NR

Address : NR

NR

Country : NR

Company Phone : NR

\* NR - Not Reported

**From:** [Mark Cherveney](#)  
**To:** [Lindley, Jayton \(NHTSA\)](#)  
**Cc:** [Dane Taylor](#)  
**Subject:** RE: [EXT] Petition for Inconsequential Defect - Cooper Evolution Tour & Cooper CS5 Grand Touring  
**Date:** Wednesday, October 13, 2021 6:25:42 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[NHTSA Response - Cooper Evolution and CS5 10-12-21.pdf](#)

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**CAUTION:** This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good evening Jayton.

- Please find attached our production conformity FMVSS 139 performance results for the subject tires.
- In addition, attached below is a photograph of the labeling noncompliance you requested (Evolution Tour).



Please do not hesitate to contact me if you have any additional questions.

Thank you.

Mark

***Best regards,***

***Mark Cherveney***  
*Manager Global Regulations, Standards & Compliance*  
office 330.796.3519  
cell 330.760.3674  
[mark.cherveney@goodyear.com](mailto:mark.cherveney@goodyear.com)



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**From:** Lindley, Jayton (NHTSA) <jayton.lindley@dot.gov>  
**Sent:** Tuesday, September 28, 2021 3:26 PM

**To:** Nicole Schwieterman <nkschwieterman@coopertire.com>

**Cc:** Dane Taylor <dane.taylor@goodyear.com>; Mark Cherveney <mark.cherveney@goodyear.com>

**Subject:** [EXT] Petition for Inconsequential Defect - Cooper Evolution Tour & Cooper CS5 Grand Touring

**External Email....WARNING....Think before you click or respond....WARNING**

Nicole,

I am the NHTSA Safety Compliance Engineer reviewing the petition that was submitted for inconsequential non-compliance related to the subject tires. I had a few additional questions/requests that would assist me in evaluating the petition.

1. Can you provide some photographs of the labeling defects?
2. You claim that the subject tires meet or exceed all the performance requirements of FMVSS 139. Please provide any documentation you have to verify this claim.

Please provide the requested photographs and documentation at your earliest convenience so that I may include them in the evaluation.

Thanks,

Jayton Lindley  
NHTSA Safety Compliance Engineer  
San Angelo Test Facility  
131 Comanche Trail, Building 3527  
Goodfellow AFB, Texas 76908  
325-655-0547



COOPER TIRE & RUBBER COMPANY  
701 Lima Avenue, Findlay, Ohio (419) 423-1321

Conformity test results:

- 225/60R16 98H SL
- Plant: Tupelo (U9)
- DOT Serial week: 4420
- Test dates: 11/03/2020 – 11/06/2020

**ENDURANCE:**

- DOT Minimum level (miles) 2662.5 Miles
  - ENDURANCE: Miles achieved at removal 2833 Miles
  - Inspection results: Pass (Pass/Fail)

**HIGH SPEED:**

- DOT Minimum level (miles) 239.5 Miles
  - HIGH SPEED: Miles achieved at removal 945 Miles
  - Inspection results: Pass (Pass/Fail)

**BEAD UNSEAT:**

- DOT Minimum level 11,120 N
  - BEAD UNSEAT 13,433 N
  - Results Pass (Pass/Fail)

**PLUNGER (STRENGTH):**

- DOT Minimum level 294 J
  - Plunger (AVG) 334 J
  - Results Pass (Pass/Fail)



Conformity test results:

- 225/50R18 95T SL
- Plant: Tupelo (U9)
- DOT Serial week: 4320
- Test dates: 10/29/2020 – 11/02/2020

**ENDURANCE:**

- DOT Minimum level (miles) 2662.5 Miles
  - ENDURANCE: Miles achieved at removal 2833 Miles
  - Inspection results: Pass (Pass/Fail)

**HIGH SPEED:**

- DOT Minimum level (miles) 239.5 Miles
  - HIGH SPEED: Miles achieved at removal 945 Miles
  - Inspection results: Pass (Pass/Fail)

**BEAD UNSEAT:**

- DOT Minimum level 11,120 N
  - BEAD UNSEAT 13,989 N
  - Results Pass (Pass/Fail)

**PLUNGER (STRENGTH):**

- DOT Minimum level 294 J
  - Plunger (AVG) 395 J
  - Results Pass (Pass/Fail)