



INDEPENDENT LUBRICANT MANUFACTURERS ASSOCIATION

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June 28, 2004

Mr. Robert Frisby
Assistant Director
Division of Enforcement
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Re: DaimlerChrysler Corporation Complaint

Dear Mr. Frisby:

The Independent Lubricant Manufacturers Association (“ILMA”) would like to know what steps can be take to expedite the Federal Trade Commission’s (“FTC”) consideration of the Association’s November 11, 2003 complaint, requesting that the Commission investigate and take action against DaimlerChrysler Corporation (“DCC”) for the automaker’s unfair trade practices involving its ATF+4® automatic transmission fluid. ILMA supplemented its complaint on March 4, 2004, and the Association has forwarded angry consumer emails concerning the availability and price of ATF+4 to FTC staff. In addition to ILMA, the Automotive Oil Change Association filed a related complaint against DCC over ATF+4 with the Commission on December 18, 2003.

Since our March 4 letter, ILMA members continue to complain that DCC’s anticompetitive “Mopar Bulk Oil/ATF+4” program is costing them longstanding business with Chrysler dealers. The Chrysler dealers tell our members that “there is nothing they can do.” ILMA’s members continue to ask the Association why the FTC has not taken any action to stop what they believe is a clear “tie” in violation of the Magnuson-Moss Warranty Act and the Commission’s regulations.

The FTC is just starting to see the wave grow with consumer unhappiness with being forced to find a Chrysler dealer to purchase ATF+4 at a very high price in order to maintain warranty coverage for their vehicles. Some of these angry consumers searching on the Internet have come across ILMA’s web site and our discussion of the ATF+4 situation. These consumers have emailed the Association with their complaints. As I mentioned above, we have forwarded these emails to FTC staff (with the expletives aimed at DCC deleted in one instance).

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ILMA understands that the FTC has resource constraints and other pressing issues. However, it would be appreciated if we could receive some indication as to where the Association's complaint stands in the process at the Commission and if there is anything that we can do to expedite its consideration.

Sincerely,

Celeste Powers, CAE
Executive Director

cc: ILMA Board of Directors
Steve Christie, AOCA
Jeffrey L. Leiter, Esq.