

**Analysis of Proposed Consent Order to Aid Public Comment**  
***In the Matter of Asbury Automotive Group, Inc. d/b/a Coggin Automotive Group and Crown Automotive Group, a corporation, File No. 152 3103***

The Federal Trade Commission (“FTC” or “Commission”) has accepted, subject to final approval, an agreement containing a consent order from Asbury Automotive Group, Inc. The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the FTC will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement’s proposed order.

issues. Federal law currently does not prohibit open safety recalls; Congress and some states and the Commission, however, can take action under the FTC Act to address claims that mislead consumers about safety-related issues. The Commission can take such action in addition to (and entirely independent of) what consumers themselves can bring under state law. The Commission cannot alter any state laws or legislative proposals; rather, it can act only as afforded under other such laws, as they exist now.

More specifically, the complaint in this case alleges that Asbury Automotive Group, Inc. used false and misleading advertisements on one of its websites that included the following:

Our Crown Certified Used Vehicles Include: | 150 Point  
Bumper-to-bumper inspection . . .

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**Inspected, Reconditioned & Certified**

Every Crown Certified used car or truck has undergone a 150 point bumper-to-bumper inspection by Certified mechanics. We find and fix problems from bulbs to brakes before offering a vehicle for sale.

disclosure of this fact. The proposed complaint alleges that th