



U.S. CONSUMER PRODUCT SAFETY COMMISSION

4330 EAST WEST HIGHWAY
BETHESDA, MARYLAND 20814-4408

Record of Commission Action Commissioners Voting by Ballot*

Commissioners Voting: Chairman Inez M. Tenenbaum
 Commissioner Nancy A. Nord
 Commissioner Anne M. Northup
 Commissioner Robert S. Adler

ITEM:

Build-A-Bear Workshop, Inc.: Proposed Civil Penalty Settlement of \$600,000
(Briefing package dated December 2, 2011, OS No. 4429)

DECISION:

The Commission voted unanimously (4-0) to provisionally accept the Settlement Agreement and Order, which would require Build-A-Bear Workshop, Inc. ("Build-A-Bear") to pay a civil penalty of \$600,000. The provisional Settlement Agreement and Final Order will be announced in a *Federal Register* Notice. The Commission's Office of General Counsel Compliance Division staff negotiated the proposed agreement that settles the staff's allegations that Build-A-Bear knowingly violated the reporting requirements of section 15(b) of the Consumer Product Safety Act ("CPSA"), 15 U.S.C. § 2064(b). The proposed Agreement describes Build-A-Bear's failure to report in a timely manner a defect and hazard in the toy bear beach chairs. The failure to furnish information required by section 15(b) is a prohibited act under section 19(a)(4) of the CPSA, 15 U.S.C. § 2068(a)(4). Section 20(a)(1) of the CPSA, 15 U.S.C. § 2069(a)(1), permits the imposition of civil penalties for any person who knowingly violates section 19 of the CPSA by a company's failure to report information under section 15(b).

For the Commission:

A handwritten signature in black ink, appearing to read "Todd A. Stevenson".

Todd A. Stevenson
Secretary

*Ballot vote due December 8, 2011