



U.S. CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, DC 20207

Record of Commission Action
Commissioners Voting by Ballot*

Commissioners Voting: Chairman Hal Stratton
Commissioner Thomas H. Moore

ITEM:

Hamilton Beach/Proctor-Silex Inc. \$1,200,000 Civil Penalty Settlement
(Briefing package dated March 24, 2005, OS No. 4231)

DECISION:

The Commission voted unanimously (2-0) to provisionally accept the Settlement Agreement and Order, which would order Hamilton Beach/Proctor-Silex Inc. (HB/PS) to pay a civil penalty of \$1,200,000. The Commission Compliance staff alleged that HB/PS failed to report in a timely manner to the CPSC defects that presented substantial product hazards in three products: countertop toasters, juice extractors, and slow cookers. The Compliance staff has negotiated a proposed agreement of \$1,200,000 to settle the allegations that HB/PS violated the reporting requirements of section 15(b) of the Consumer Product Safety Act (CPSA), 15 U.S.C. § 2064(b). 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 March 29, 2005