



U.S. CONSUMER PRODUCT SAFETY COMMISSION

4330 EAST WEST HIGHWAY
BETHESDA, MARYLAND 20814-4408

Record of Commission Action
Commissioners Voting by Ballot*

Commissioners Voting: Acting Chairman Nancy Nord
 Commissioner Thomas H. Moore

ITEM:

Vornado Liquidating Trust; Civil Penalty Settlement; Civil Penalty Settlement
\$500,000.00
(Briefing package dated January 24, 2008, OS No. 4308)

DECISION:

The Commission voted unanimously (2-0) to provisionally accept the Settlement Agreement and Order, which would order Vornado Liquidating Trust ("Vornado") to pay a civil penalty of \$500,000.00. The provisional Settlement Agreement and Final Order will be announced in a *Federal Register* Notice. The Commission's Office of Compliance and Field Operations staff negotiated a proposed agreement of \$500,000.00 to settle the allegations that Vornado violated the reporting requirements of section 15(b) of the Consumer Product Safety Act ("CPSA"), 15 U.S.C. § 2064(b), by manufacturing and distributing 1 million portable electric whole room heaters that posed a fire hazard to consumers. 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:


Todd A. Stevenson
Secretary

Ballot vote due January 30, 2008