



**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 Thomas H. Moore  
   Commissioner Nancy A. Nord  
   Commissioner Anne M. Northup  
   Commissioner Robert S. Adler

ITEM:

Jake's Fireworks, Inc., Far East Imports, Inc., Wholesale Fireworks Enterprises, LLC, and Pacific Northwest Fireworks, Inc. - Proposed Civil Penalty Settlement of \$100,000.00 (Briefing package dated November 17, 2010, OS No. 4193)

DECISION:

The Commission voted unanimously (5-0) to provisionally accept the Settlement Agreement and Order, which would order Jake's Fireworks, Inc., Far East Imports, Inc., Wholesale Fireworks Enterprises, LLC, and Pacific Northwest Fireworks, Inc., ("Firms") to pay a civil penalty of \$100,000.00. 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 a proposed agreement of a \$100,000.00 civil penalty and for the Firms to destroy over 200,000 fireworks devices, to settle allegations that the Firms committed repeated violations of the Federal Hazardous Substances Act ("FHSA") by introducing or delivering for introduction into interstate commerce or receiving in interstate commerce fireworks devices which are banned hazardous substances. The violations constituted prohibited acts under section 4(a) and (c) of the FHSA, 15 U.S.C. § 1263(a) and (c). The staff further alleges that the Firms committed these prohibited acts "knowingly" as that term is defined in section 5(c)(5) of the FHSA, 15 U.S.C. § 1264(c)(5).

For the Commission:

A handwritten signature in black ink, appearing to read "T.A. Stevenson", written over a white background.

Todd A. Stevenson  
Secretary

\*Ballot vote due November 23, 2010