



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:

Excelligence Learning Corporation d/b/a Discount School Supply - Proposed Civil Penalty Settlement of \$25,000.00
(Briefing package dated November 21, 2009, OS No. 4601)

DECISION:

The Commission voted unanimously (5-0) to provisionally accept the Settlement Agreement and Order, which would order Excelligence Learning Corporation d/b/a Discount School Supply to pay a civil penalty of \$25,000.00. 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 \$25,000.00 that resolves the staff's allegations that the firm violated section 19(a)(1) and 20(d) of the Consumer Product Safety Act ("CPSA"), 15 U.S.C. §§ 2068(a)(1) and 2069(d). Section 20(a)(1) of the CPSA, 15 U.S.C. § 2069(a)(1), permits the imposition of civil penalties for the violations.

For the Commission:


Todd A. Stevenson
Secretary

Ballot vote due December 2, 2009