



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 Hal Stratton
Commissioner Nancy Nord
Commissioner Thomas H. Moore

ITEM:

Acuity Brands, Inc. Proposed Civil Penalty Settlement
(Briefing package dated February 23, 2006, OS No. 5026)

DECISION:

The Commission voted unanimously (3-0) to accept the Settlement Agreement and Order, which would order Acuity Inc., to pay a civil penalty of \$700,000. The Settlement Agreement and Final Order will be announced in a *Federal Register* Notice. The Office of Compliance staff negotiated a proposed agreement of \$700,000 to settle the allegations that Acuity Inc., 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 "T.A. Stevenson", written over a horizontal line.

Todd A. Stevenson
Secretary

Ballot vote due March 7, 2006