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Release 3/75

Sadye Dunn
Secretary

CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, D.C. 20207

CPSC EXECUTIVE SESSION

June 27, 1974
1750 K St., NW
9:30 am

PRESIDING: Commissioner Kushner (Vice Chairman)

PRESENT : Commissioner Newman
Commissioner Pittle

ITEM

Bay Area Mattress Company, Project #651513

--Memo June 24, 1974, to Commissioners from S.D. Butts

DECISION

The Commission accepts the recommendations of General Counsel and the Bureau of Compliance to proceed in this matter via the issuance of a proposed complaint and notice under Part 2, Subpart C of the FTC rules. The proposed letter of the respondent to his customers should be modified to (1) be more explicit with respect to the fact that a violation has occurred and what the nature of the violation was, and (2) provide for full refund plus allowance for reasonable transportation costs (method to be determined by the manufacturer).

COMMISSION VOTE

Issue proposed complaint and notice under Part 2, Subpart C of the FTC Rules:

Commissioner Franklin (7-1-74) *B. Franklin*

Commissioner Kushner *J. Kushner*

Commissioner Newman *Chenman*

Initiate criminal proceedings:

Chairman Simpson (7-3-74) *R. Simpson*

Commissioner Pittle* *R. David Pittle*

*Opinion Attached

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ITEM: Bay Area Mattress Company, Project #651513

OTHER OPTIONS CONSIDERED

- 1) Seek Consent Agreement Under Sec. 2.14
- 2) Issue complaint and refer to ALJ under Part 3 of the FTC Rules
- 3) Abstain

Submitted by:
Commissioner Kushner
July 8, 1974

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