



U.S. CONSUMER PRODUCT SAFETY COMMISSION

WASHINGTON, D.C. 20207

Record of Commission Action
Commissioners Voting by Ballot

1111 18th Street, N.W.
Washington, D.C.

Voting: Chairman King
Commissioner Franklin
Commissioner Pittle
Commissioner Sloan

ITEM

Enforcement Counsel's Motion for Leave to Respond to Presiding Officer's Recommendation in the Matter of Spare Parts, et al., CPSC Docket No. 78-1

(Briefing material transmitted by the Office of the Secretary on November 16, 1978)

DECISION

Based upon the information presented in the above-referenced material, the Commission granted the Motion for Leave to Respond to the Presiding Officer and approved issuance of the attached Order dated November 29, 1978.


VOTE

Concurring: Chairman King (11/22/78)
Commissioner Franklin (11/20/78)
Commissioner Pittle (11/22/78)
Commissioner Sloan (11/22/78)

NOT VOTING: Commissioner Zagoria (11/22/78)

Attachment

For the Commission:


Sadye E. Dunn
Secretary

UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

In the Matter of:)
)
)

SPARE PARTS, a Corporation also)
trading as "MR. MARTY", and)
)

STUART M. WEISER, individually)
and as an officer of the)
Corporation)
)
)
)

CPSC Docket No. 78-1

ORDER

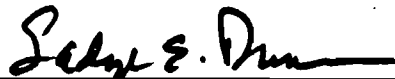
Administrative Law Judge Paul N. Pfeiffer has certified the proposed consent agreement containing a cease and desist order submitted by the respondents in this proceeding to the Commission. Over the objection of Enforcement Counsel, the Administrative Law Judge has recommended acceptance of the proposed consent agreement. Enforcement Counsel has moved for leave to file a response to Judge Pfeiffer's recommendation and to permit the respondents to do so as well. In view of the important issue raised herein as to the proper scope of cease and desist orders voluntarily resolving cases under the Flammable Fabrics Act, the Commission has decided that the views of the parties are desirable. Accordingly, it is

ORDERED, that the Motion for Leave to Respond to Presiding Officer's Recommendation is hereby granted; and it is

FURTHER ORDERED, that the parties may simultaneously file a reply to the Presiding Officer's Memorandum within ten (10) days from receipt of this Order, and it is

FURTHER ORDERED, that the parties may simultaneously file a response to their respective replies to the Presiding Officer's Memorandum within ten (10) days from receipt of their replies.

BY THE COMMISSION



Sadye E. Dunn, Secretary
Consumer Product Safety
Commission

Dated: *November 27, 1978*