



U.S. CONSUMER PRODUCT SAFETY COMMISSION

4330 EAST WEST HIGHWAY
BETHESDA, MARYLAND 20814-4408

Record of Commission Action Commissioners Voting by Ballot*

Commissioners Voting: Acting Chairman Nancy Nord
 Commissioner Thomas H. Moore

ITEM:

Marshalls of MA, Inc. - Proposed Civil Penalty Settlement of \$235,000.00
(Briefing package dated March 30, 2009, OS No. 4273)

DECISION:

The Commission voted unanimously (2-0) to provisionally accept the Settlement Agreement and Order, which would order Marshalls of MA, Inc., ("Marshalls") to pay a civil penalty of \$235,000.00. 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 \$235,000.00 as part of its Drawstring Small Penalty Program to settle the allegations that Marshalls 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", is written over a horizontal line.

Todd A. Stevenson
Secretary

Ballot vote due April 6, 2009