



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:

Mega Brands America, Inc. - Proposed Civil Penalty Settlement of \$1,100,000.00
(Briefing package dated April 7, 2009, OS No. 4679)

DECISION:

The Commission voted unanimously (2-0) to provisionally accept the Settlement Agreement and Order, which would order Mega Brands America, Inc., formerly known as Rose Art Industries, Inc. ("Mega Brands") to pay a civil penalty of \$1,100,000.00. 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 \$1,100,000.00 that resolves the staff's claims against Mega Brands for the firm's alleged reporting violation and failure to provide information to the Commission regarding Magnetix magnet building sets in accordance with 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:


Todd A. Stevenson
Secretary

Ballot vote due April 14, 2009