



U.S. CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, DC 20207

Record of Commission Action
Commissioners Voting by Ballot*

Commissioners Voting: Chairman Hal Stratton
 Commissioner Thomas H. Moore

ITEM:

Nautilus, Inc. \$950,000 Civil Penalty Settlement
(Briefing package dated March 29, 2005, OS No. 3010)

DECISION:

The Commission voted unanimously (2-0) to provisionally accept a Settlement Agreement and Order, which would order Nautilus, Inc., (Nautilus) to pay a civil penalty of \$950,000, concerning the Nautilus Bowflex Power Pro with Lat Tower, Bowflex Power Pro without Lat Tower and Bowflex Ultimate Fitness Machines. The Commission Office of Compliance staff alleged that Nautilus failed to report to the Commission defects in the fitness machines which could create substantial product hazards or created unreasonable risks of serious injury or death and 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 blue ink, appearing to read "Todd A. Stevenson".

Todd A. Stevenson
Secretary

* Ballot vote due April 1, 2005