

~~RESTRICTED FOR OFFICIAL USE ONLY~~



*Release
S. Dunn
Secretary*

U.S. CONSUMER PRODUCT SAFETY COMMISSION

WASHINGTON, D.C. 20207

CPSC EXECUTIVE SESSION
October 17, 1974

1750 K Street, NW.
9:30 a.m.

Presiding: Chairman Simpson

Present: Commissioner Kushner
Commissioner Franklin
Commissioner Newman
Commissioner Pittle

ITEM

Request to issue subpoena to L.P. Gas Equipment Company (Memo of 10/17/74 to Commissioners from Secretary).

DECISION

The Commission authorized the issuance of the subpoena (copy attached).

VOTE

Concurring in above decision:

Chairman Simpson

R. Simpson

Commissioner Kushner

M. Kushner

Commissioner Franklin

B. Franklin

Commissioner Newman

C. Newman

Commissioner Pittle

P. David Pittle

Submitted by Commissioner Franklin.

~~RESTRICTED FOR OFFICIAL USE ONLY~~

CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, D.C. 20207

October 21, 1974

Mr. William Huestis
President
L.P. Gas Equipment Inc.
539 North Cleveland Ave.
St. Paul Minnesota 55114

Dear Mr. Huestis:

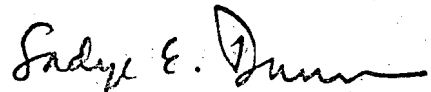
The Consumer Product Safety Commission has been investigating possible hazards associated with the "Low Temperature Leak Detector" also referred to as "Blue Leak Detector" sold by the L.P. Gas Equipment, Inc. To date, the Commission has been unable to obtain sales and distribution information relating to these leak detectors.

Accordingly, the Commission has decided to issue the attached subpoena, pursuant to section 27(b)(3) of the Consumer Product Safety Act, which specifies the information required.

It should be noted that failure to respond to the subpoena at the time specified therein may, pursuant to section 27(c) of the Act, lead to entry of a court order directing compliance with the Commission's subpoena.

Other parts of the Consumer Product Safety Act provide for additional sanctions. Section 19(a)(3) prohibits any person from failing or refusing to make reports or provide information required under the Act. Section 20 of the Act provides for the imposition of civil penalties computed on a daily basis, and section 22 provides for injunctive sanctions against any person who knowingly violates section 19 of the Act. Section 21 of the Act, moreover, provides for criminal penalties of fine and imprisonment under certain circumstances.

Sincerely,


Sadye E. Dunn
Secretary
Consumer Product Safety Commission

○

United States of America
CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, D.C. 20207

SUBPOENA AD TESTIFICANDUM
and
SUBPOENA DUCES TECUM

Mr. William Huestis, President
L.P. Gas Equipment, Inc.
539 North Cleveland Avenue
St. Paul, Minnesota 55114

To assist the Consumer Product Safety Commission in its investigation of possible hazards associated with the "Low Temperature Leak Detector" also referred to as "Blue Leak Detector" sold by L.P. Gas Equipment, Inc. project no. 541091, you are hereby directed as authorized by Sec. 27(b)(3), of the Consumer Product Safety Act 15 U.S.C. 2076(b)(3) to appear before the Commission's Hearing Officer John F. Rabusch at Room 650, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111 on November 8, 1974. The purpose of your appearance is to give testimony on the gas leak detector described herein.

You are further directed to bring with you for submittal to the Commission two copies of the materials specified below:

Records relating to the sale and distribution of a product known as "Low Temperature Leak Detector" also referred to as "Blue Leak Detector" by L.P. Gas Equipment, Inc. in eight and sixteen-ounce containers, one-gallon containers, and unlabeled containers, from March 5, 1973 through September 27, 1974. The term "records" includes but is not limited to sales invoices, customers purchase orders, shipping memoranda, bills of lading and other related documents, including memoranda of telephone calls and other oral communications:

The corporate charter of L.P. Gas Equipment, Inc.;


Corporate documents showing the names and addresses of present officers of L.P. Gas Equipment, Inc.;

The last annual statement of L.P. Gas Equipment, Inc.;

All complaints and reports of fire or personal injury associated with gas leaks which may have been caused by deterioration of gas lines or gas line couplings on which a "Low Temperature Leak Detector" or "Blue Leak Detector" was used. The term "reports" includes but is not limited to all physical forms of: Correspondence, letters, telegrams, photographs, files, memoranda, including memoranda of telephone calls and other writing prepared by any person or persons, including those by insurance firms, investigators, laboratories and researchers; and includes both originals and copies whether or not sent or received.

BY ORDER OF THE COMMISSION:

In testimony whereof, the undersigned
Secretary of the Consumer Product
Safety Commission, has hereunto set
her hand and caused the seal of the
Consumer Product Safety Commission to
be affixed at Washington, D. C. this
21st day of October
1974.



Sadye E. Dunn
Secretary
Consumer Product Safety Commission