



U.S. CONSUMER PRODUCT SAFETY COMMISSION

4330 EAST WEST HIGHWAY
BETHESDA, MARYLAND 20814-4408

Record of Commission Action Commissioners Voting by Ballot*

Commissioners Voting: Chairman Inez M. Tenenbaum
Commissioner Thomas H. Moore
Commissioner Nancy A. Nord

ITEM:

Ross Stores Inc. - Proposed Civil Penalty Settlement of \$500,000.00
(Briefing package dated July 27, 2009, OS No. 3731)

DECISION:

The Commission voted unanimously (3-0) to provisionally accept the Settlement Agreement and Order, which would order Ross Stores, Inc., to pay a civil penalty of \$500,000.00. 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 \$500,000.00 as part of its Drawstring Penalty Program. The agreement resolves the staff's allegations that Ross Stores knowingly violated the reporting requirements of section 15(b) of the Consumer Product Safety Act ("CPSA"), 15 U.S.C. § 2064(b), by holding for sale or selling children's hooded sweatshirts with neck drawstrings that posed a risk of strangulation to children and knowingly failed to immediately inform the Commission about the sweatshirts as required by the CPSA. 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 "Todd A. Stevenson", is written over a horizontal line.

Todd A. Stevenson
Secretary

Ballot vote due August 3, 2009