



U.S. CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MARYLAND 20814-4408

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**Record of Commission Action
Commissioners Voting by Ballot***

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

ITEM:

Subpoena to Delta Enterprise Corporation
(Briefing package dated January 30, 2008, OS No. 5439)

DECISION:

The Commission voted unanimously (2-0) to issue the Special Order and Subpoena to Delta Enterprise Corporation ("Delta") requiring by subpoena the attendance and testimony of witnesses and the production of all documentary evidence relating to the execution of its duties pursuant to section 27(b)(3) of the Consumer Product Safety Act ("CPSA"), 15 U.S.C. § 2076(b)(3) and 16 C.F.R. Part 1118. The Commission also voted unanimously (2-0) to authorize Michelle F. Gillice, or such other person designated by the Assistant Executive Director for Compliance and Field Operations, to take the depositions with the power to administer oaths, ordered by the Special Order and Subpoena, pursuant to Section 27(b)(4), 15 U.S.C. § 2076(b)(4). The information or documents are for the Office of Compliance and Field Operations staff investigation of whether certain cribs manufactured and imported by Delta contain defects which create a substantial risk of injury to children under section 15(c) of the Federal Hazardous Substances Act, 15 U.S.C. § 1274(c). The Compliance staff asked the Commission to issue a special order and subpoena to the firm for documentation, answers to questions and testimony of witnesses in furtherance to the staff's investigation.

For the Commission:

A handwritten signature in blue ink, appearing to read "Todd A. Stevenson", is written over a blue ink stamp that partially overlaps the signature.

Todd A. Stevenson
Secretary

* Ballot vote due February 1, 2008