



U.S. CONSUMER PRODUCT SAFETY COMMISSION

4330 EAST WEST HIGHWAY
BETHESDA, MARYLAND 20814-4408

FOR OFFICIAL USE ONLY

Record of Commission Action
Commissioners Voting by Ballot*

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


ITEM:

Subpoena to Jake's Fireworks
(Briefing package dated January 30, 2008, OS No. 5622)

DECISION:

The Commission voted unanimously (2-0) to issue the Special Order and Subpoena to Jake's Fireworks, Inc. ("Jake's"), 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 Jake's and its affiliated firms: Far East Imports, Inc.; Pacific Northwest Fireworks, Inc.; and Wholesale Fireworks Enterprises, LLC, knowingly introduced or caused to be introduced into interstate commerce or receive in interstate commerce certain fireworks that are banned hazardous substances in FY 2008 in violation of sections 4(a) and (c) of the Federal Hazardous Substances Act, 15 U.S.C. § 1274(c). Based on Jake's lack of responsiveness, 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:


Todd A. Stevenson
Secretary

* Ballot vote due February 1, 2008