



**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  
   Commissioner Anne M. Northup  
   Commissioner Robert S. Adler

ITEM:

Black & Decker (U.S.) Inc. - Proposed Civil Penalty Settlement of \$960,000.00  
(Briefing package dated July 22, 2011, OS No. 5421)

DECISION:

The Commission voted unanimously (5-0) to provisionally accept the attached Settlement Agreement and Order, which would require Black & Decker (U.S.) Inc. ("Black & Decker"), to pay a civil penalty of \$960,000.00. 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 the proposed agreement to resolve staff allegations that Black & Decker knowingly violated the reporting requirements of section 15(b) of the Consumer Product Safety Act ("CPSA"), 15 U.S.C. § 2064(b). Black & Decker failed to report in a timely manner several defects that exist in its electric grass and weed trimmer and edger. 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".

Todd A. Stevenson  
Secretary

\*Ballot vote due July 28, 2011