



## 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:

CVS Pharmacy, Inc. - Proposed Civil Penalty Settlement of \$45,000.00  
(Briefing package dated July 22, 2011, OS No. 5422)

### DECISION:

The Commission voted (5-0) to provisionally accept the Settlement Agreement and Order, which would order CVS Pharmacy, Inc. ("CVS"), to pay a civil penalty of \$45,000.00. 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 settle staff allegations that CVS knowingly violated the reporting requirements of section 15(b) of the Consumer Product Safety Act ("CPSA"), 15 U.S.C. § 2064(b), by selling or holding for sale children's jackets that posed a risk of strangulation to children and knowingly failed to immediately inform the Commission about the jackets 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:

  
Todd A. Stevenson  
Secretary

\*Ballot vote due July 28, 2011