



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:

Henry Gordy International, Inc.: Proposed Civil Penalty Settlement of \$1,100,000
(Briefing package dated September 30, 2011, OS No. 3910)

DECISION:

The Commission voted (5-0) to provisionally accept the Settlement Agreement and Order, which would require Henry Gordy International, Inc., ("Henry Gordy") to pay a civil penalty of \$1,100,000. 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 that settles the staff's allegations that Henry Gordy knowingly violated the reporting requirements of section 15(b) of the Consumer Product Safety Act ("CPSA"), 15 U.S.C. § 2064(b); that Henry Gordy knowingly made a material misrepresentation to staff in the course of an investigation under the CPSA; and that Henry Gordy knowingly violated the automatic reporting provisions of section 102(a) of the Child Safety Protection Act ("CPSA"), Pub. L. 103-267, 108 Stat. 722 (1994), pertaining to small parts incident reporting. The proposed Agreement describes Henry Gordy's failure to report in a timely manner a defect and hazard in the Auto Fire Target Set. 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 October 6, 2011