



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

ITEM:

Haier America Trading, LLC - Proposed Civil Penalty Settlement of \$587,500.00
(Briefing package dated July 7, 2009, OS No. 5285)

DECISION:

The Commission voted unanimously (3-0) to provisionally accept the Settlement Agreement and Order, which would order Haier America, LLC, to pay a civil penalty of \$587,500.00. 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 a proposed agreement of \$587,500.00 that resolves the staff's allegations that Haier America, LLC, knowingly violated the reporting requirements of section 15(b) of the Consumer Product Safety Act ("CPSA"), 15 U.S.C. § 2064(b), by failing to report a defect in its Haier Oscillating Tower Fan. 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 16, 2009