



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:

Jo-Ann Stores, Inc. - Proposed Civil Penalty Settlement of \$50,000.00
(Briefing package dated April 14, 2010, OS No. 3141)

DECISION:

The Commission voted unanimously (5-0) to provisionally accept the Settlement Agreement and Order, which would order Jo-Ann Stores, Inc. ("Jo-Ann"), to pay a civil penalty of \$50,000.00. 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 a proposed agreement as part of its Lead-in-Paint Small Penalty Program and it resolves the staff's allegations that the firm violated section 19(a)(1) and 20(d) of the Consumer Product Safety Act ("CPSA"), 15 U.S.C. §§ 2068(a)(1) and 2069(d). The staff alleges that Jo-Ann's importation, sale or offering for sale, units of the garden tool toys and water globes, entrusted to or for use by children, violated the Lead Paint Ban, and that Jo-Ann committed these prohibited acts "knowingly" as that term is defined in section 20(d) of the CPSA.

For the Commission:

A handwritten signature in black ink, appearing to read "Todd A. Stevenson".

Todd A. Stevenson
Secretary

*Ballot vote due April 20, 2010