



## U.S. CONSUMER PRODUCT SAFETY COMMISSION

4330 EAST WEST HIGHWAY  
BETHESDA, MARYLAND 20814-4408

Record of Commission Action  
Commissioners Voting by Ballot\*

This is a DRAFT RCA.  
It will be replaced by a Final RCA.

Commissioners Voting:      Chairman Inez M. Tenenbaum  
   Commissioner Nancy A. Nord  
   Commissioner Anne M. Northup  
   Commissioner Robert S. Adler

### ITEM:

Battat Incorporated - Proposed Civil Penalty Settlement of \$400,000  
(Briefing package dated July 3, 2012, OS No. 5689)

### DECISION:

The Commission voted unanimously (4-0) to provisionally accept the Settlement Agreement and Order, which would require Battat Incorporated (Battat) of Plattsburgh, NY, to pay a civil penalty of \$400,000, as specified. The provisional Settlement Agreement and Final Order will be announced in a *Federal Register* Notice. The Commission's Office of the General Counsel Compliance Division staff negotiated the proposed agreement to settle staff allegations that Battat knowingly failed to report in a timely manner under section 15(b) of the Consumer Product Safety Act (CPSA), 15 U.S.C. § 2064(b), a defect and hazard in its Magnabild Magnetic Building Sets (Magnabilds), in violation of 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 13, 2012  
(Commissioner Nord extended the due date for the vote from July 10, 2012.)  
(All votes were received in the Office of the Secretary by July 11, 2012.)