



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:

Aqua-Leisure Industries, Inc. - Proposed Civil Penalty Settlement of \$650,000
(Briefing package dated October 3, 2012, OS No. 5505)

DECISION:

The Commission voted unanimously (4-0) to provisionally accept the Settlement Agreement and Order, which would require Aqua-Leisure Industries, Inc., (Aqua-Leisure) of Avon, MA, to pay a civil penalty of \$650,000, 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 Aqua-Leisure 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 inflatable baby boats, 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). Commissioner Adler will be making a statement regarding the matter.

For the Commission:

Todd A. Stevenson
Secretary

*Ballot vote due October 10, 2012