

**COMMODITY FUTURES TRADING COMMISSION**

**Public Information Collection Requirement Submitted to Office of Management and Budget for Review**

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice of Submission of Information #3038-0031, Procurement Contracts.

**SUMMARY:** The Commodity Futures Trading Commission has submitted information collection 3038-0031, Procurement Contracts, to OMB for review and clearance under the Paperwork Reduction Act of 1995, (Pub. L. 104-13). The information collected consists of procurement activities relating to solicitations, amendments to solicitations, requests for quotations, construction contracts, award of contracts, performance bonds and payment information for individuals (vendors) or contractors engaged in providing supplies and services.

**DATES:** Comments must be received on or before July 9, 1997.

**ADDRESS:** Persons wishing to comment on this information collection should contact the Desk Officer, CFTC, Office of Management and Budget, Room 3228, NEOB, Washington, DC 20503, (202) 395-7340. Copies of the submission are available from the Agency Clearance Officer, (202) 418-5160.

*Title:* Procurement Contracts.

*Control Number:* 3038-0031.

*Action:* Extension.

*Respondents:* Businesses (including small businesses).

*Estimated Annual Burden:* 604 total hours.

Respondents	Estimated number of respondents	Annual responses	Est. avg. hours. per response
Businesses .....	151	151	4.0

Issued in Washington, DC on June 3, 1997.

**Jean A. Webb,**

*Secretary to the Commission.*

[FR Doc. 97-14891 Filed 6-6-97; 8:45 am]

BILLING CODE 6351-01-M

**CONSUMER PRODUCT SAFETY COMMISSION**

[CPSC Docket No. 97-C0007]

**In the Matter of One Price Clothing Stores, Inc., a Corporation; Provisional Acceptance of a Settlement Agreement and Order**

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Provisional acceptance of a settlement agreement under the Consumer Product Safety Act.

**SUMMARY:** It is the policy of the Commission to publish settlements which it provisionally accepts under the Consumer Product Safety Act in the **Federal Register** in accordance with the terms of 16 C.F.R. § 1605.13(d). Published below is a provisionally-accepted Settlement Agreement with One Price Clothing Stores, Inc., a corporation.

**DATES:** Any interested person may ask the Commission not to accept this agreement or otherwise comment on its contents by filing a written request with the Office of the Secretary by June 23, 1997.

**ADDRESSES:** Persons wishing to comment on this Settlement Agreement should send written comments to the Comment 97-C0007, Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207.

**FOR FURTHER INFORMATION CONTACT:** Howard N. Tarnoff, Trial Attorney, Office of Compliance and Enforcement, Consumer Product Safety Commission, Washington, D.C. 20207; telephone (301) 504-0626.

**SUPPLEMENTARY INFORMATION:** The text of the Agreement and Order appears below.

Dated: June 4, 1997.

**Sadye E. Dunn,**  
*Secretary.*

**Consumer Product Safety Commission**

[CPSC Docket No. 97-C0007]

In the Matter of One Price Clothing Stores, Inc. a Corporation

**Settlement Agreement**

1. One Price Clothing Stores, Inc. (hereinafter, "One Price" or "Respondent"), a corporation, enters into this Settlement Agreement (hereinafter, "Agreement") with the staff of the Consumer Product Safety Commission, and agrees to the entry of the Order incorporated herein. This Agreement and Order are for the sole purpose of settling allegations of the staff that Respondent knowingly sold

and offered for sale, in commerce, certain rayon and rayon/cotton blend skirts featuring a sheer chiffon layer and sheer rayon scarves that failed to comply with the Standard for the Flammability of Clothing Textiles (hereinafter, "Clothing Standard", 16 CFR § 1610.

*I. The Parties*

2. The "staff" is the staff of the Consumer Product Safety Commission (hereinafter, "Commission"), an independent regulatory agency of the United States Government established pursuant to section 4 of the Consumer Product Safety Act (CPSA), 15 U.S.C. § 2053.

3. Respondent One Price is a corporation organized and existing under the laws of the State of Delaware with principal corporate offices at Highway 290— Commerce Park, 1875 East Main Street, Duncan, South Carolina 29334.

*II. Allegations of the Staff*

**A. Rayon and Rayon/Cotton Blend Skirts**

4. Between June 1994 and August 1994, Respondent sold or offered for sale, in commerce, 9,800 style 0609 rayon skirts and 8,400 style 1101 rayon/cotton blend skirts featuring a sheer chiffon layer.

5. The skirts identified in paragraph 4 above are subject to the Clothing Standards, 16 CFR § 1610, issued under section 4 of the Flammable Fabrics Act (FFA), 15 U.S.C. § 1193.

6. The staff tested the skirts identified in paragraph 4 above for compliance with the requirements of the Clothing Standard. See 16 CFR §§ 1610.3 and .4. The test results showed that the skirts violated the requirements of the Clothing Standard and, therefore, were dangerously flammable and unsuitable for clothing because of rapid and intense burning.

7. On August 5, 1994, the staff informed Respondent that the skirts identified in paragraph 4 above failed to comply with the Clothing Standard and requested that One Price review its entire product line for other potential violations.

8. Respondent knowingly sold and offered for sale, in commerce, the skirts identified in paragraph 4 above, in violation of section 3 of the FFA, 15 U.S.C. § 1192, for which a civil penalty may be imposed pursuant to section 5(e)(1) of the FFA, 15 U.S.C. § 1194(e)(1).

**B. Rayon Scarves**

9. Between February 1995 and August 1995, Respondent sold or offered for

sale, in commerce, 6,000 style 3525 sheer rayon scarves.

10. The scarves identified in paragraph 9 above are subject to the Clothing Standard, 16 C.F.R. § 1610, issued under section 4 of the FFA, 15 U.S.C. § 1193.

11. The staff tested the scarves identified in paragraph 9 above for compliance with the requirements of the Clothing Standard. The test results showed that the scarves violated the requirements of the Clothing Standard, and, therefore, were dangerously flammable and unsuitable for clothing because of rapid and intense burning.

12. Respondent knowingly sold and offered for sale, in commerce, the scarves identified in paragraph 9 above, in violation of section 3 of the FFA, 15 U.S.C. § 1192, for which a civil penalty may be imposed pursuant to section 5(e)(1) of the FFA, 15 U.S.C. § 1194(e)(1).

### III. Response of One Price

13. One Price denies the allegations of the staff set forth in paragraphs 4 through 12 above that it knowingly sold or offered for sale, in commerce, the skirts and scarves identified in paragraphs 4 and 9 above, in violation of section 3 of the FFA, 15 U.S.C. § 1192. One Price notes that it knows of no claims or reports of any injuries associated with the skirts and scarves identified in paragraphs 4 and 9 above. Further, One Price points out that it took immediate action, as soon as the allegations of problems with these items were brought to its attention.

### IV. Agreement of the Parties

14. The Commission has jurisdiction over this matter under the Consumer Product Safety Act (CPSA), 15 U.S.C. §§ 2051 *et seq.*, the Flammable Fabrics Act (FFA), 15 U.S.C. §§ 1191 *et seq.*, and the Federal Trade Commission Act (FTCA), 15 U.S.C. §§ 41 *et seq.*

15. This Agreement is entered into for settlement purposes only and does not constitute an admission by Respondent or a determination by the Commission that Respondent knowingly violated the FFA or the Clothing Standard. This Agreement becomes effective only upon its final acceptance by the Commission and service of the incorporated Order upon Respondent.

16. The parties agree that this Agreement resolves the allegations of the staff enumerated in Section II above, and the Commission will not initiate any other criminal, civil, or administrative action against Respondent for those alleged violations, based upon information currently known to the staff.

17. Upon final acceptance of this Agreement by the Commission and issuance of the Order, Respondent knowingly, voluntarily, and completely waives any rights it may have in this matter (1) to an administrative or judicial hearing, (2) to judicial review or other challenge or contest of the validity of the Commission's actions, (3) to a determination by the Commission as to whether Respondent failed to comply with the FFA as alleged, (4) to a statement of findings of fact and conclusions of law, and (5) to any claims under the Equal Access to Justice Act.

18. The Commission may disclose the terms of this Agreement and Order to the public consistent with Section 6(b) of the CPSA, 15 U.S.C. § 2055(b).

19. Upon provisional acceptance of this Agreement and Order by the Commission, this Agreement and Order shall be placed on the public record and shall be published in the **Federal Register** in accordance with the procedures set forth in 16 CFR 1605.13(d). If the Commission does not receive any written request not to accept this Agreement and Order within 15 days, this Agreement and Order shall be deemed finally accepted on the 20th day after the date it is published in the **Federal Register**, in accordance with 16 CFR 1605.13(e).

20. Upon final acceptance by the Commission of this Agreement and Order, the Commission shall issue the attached Order, incorporated herein by reference. This Agreement becomes effective after service of the incorporated Order upon Respondent.

21. A violation of the attached Order shall subject Respondent to appropriate legal action.

22. This Agreement may be used in interpreting the incorporated Order. Agreements, understandings, representations, or interpretations made outside of this Agreement may not be used to vary or contradict its terms.

23. The provisions of this Agreement and Order shall apply to Respondent, its successors and assigns, agents, representatives, and employees, directly or through any corporation, subsidiary, division, or other business entity, or through any agency, device or instrumentality.

Dated: May 6, 1997.

By:

Grant H. Gibson,

*Vice President and General Counsel, One Price Clothing Stores, Inc., Highway 290, Commerce Park, 1875 East Main Street, Duncan, SC 29334.*

Dated: May 6, 1997.

By:

Howard N. Tarnoff,

*Trial Attorney, Division of Administrative Litigation, Office of Compliance.*

Eric L. Stone,

*Acting Director, Division of Administrative Litigation, Office of Compliance.*

David Schmeltzer,

*Assistant Executive Director, Office of Compliance, U.S. Consumer Product Safety Commission, Washington, DC 20207.*

### Order

Upon consideration of the Settlement Agreement entered into between Respondent One Price Clothing Stores, Inc. and the staff of the Consumer Product Safety Commission; and the Commission having jurisdiction over the subject matter and Respondent; and it appearing that the Settlement Agreement and Order is in the public interest,

I

*It is Ordered That* the Settlement Agreement and Order be and hereby is accepted.

II

*It is further Ordered That* Respondent pay to the United States Treasury a civil penalty of **FIFTY THOUSAND DOLLARS** (\$50,000) within twenty (20) days after service upon Respondent of the Final Order.

III

*It is further Ordered That* for a period of three years following the service upon Respondent of the Final Order in this matter, Respondent notify the Commission within 30 days following the consummation of the sale of a majority of its stock or following a change in any of its corporate officers responsible for compliance with the terms of this Consent Order Agreement.

Provisionally accepted and Provisional Order issued on the 4th day of June, 1997.

By order of the Commission.

**Sadye E. Dunn,**

*Secretary, Consumer Product Safety Commission.*

[FR Doc. 97-15006 Filed 6-6-97; 8:45 am]

BILLING CODE 6355-01-M

## CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

### Learn and Serve America National Clearinghouse

**AGENCY:** Corporation for National and Community Service.

**ACTION:** Notice of availability of funds.

**SUMMARY:** The Corporation for National and Community Service (Corporation) announces the availability of