

(3) Mail notice to every person to whom Respondent knows the Spacemaker Toaster was delivered or sold; and

(4) Include in the notice required by (1), (2) and (3) above a complete description of the hazard presented, a warning to stop using the Spacemaker Toaster immediately; and clear instructions for returning the Spacemaker Toasters to Respondent. The form and content of the notice will be specified by the Commission.

C. Determine that action under section 15(d) of the CPSA, 15 U.S.C. § 2064(d), is in the public interest and order Respondent:

(1) To cease manufacturing for sale, offering for sale, and distributing in commerce Spacemaker Toasters;

(2) To elect to repair all Spacemaker Toasters so they will not create a fire hazard; to replace all Spacemaker Toasters with a like or equivalent product which will not create a fire hazard; or to refund to consumers the purchase price of the Spacemaker Toasters;

(3) To make no charge to consumers and to reimburse them for any foreseeable expenses incurred in availing themselves of any remedy provided under any order issued in this matter;

(4) To reimburse distributors and dealers for expenses in connection with carrying out any Commission Order issued in this matter;

(5) To submit a plan satisfactory to the Commission, within ten (10) days of service of the final Order, directing that actions specified in paragraphs C(1) through C(4) above be taken in a timely manner;

(6) To keep records of its actions taken to comply with paragraphs C(1) through C(5) above; and to supply these records to the Commission for a period of three (3) years after entry of a Final Order issued by the Commission requiring notice and remedial action, for the purpose of monitoring compliance with the Final Order;

(7) To notify the Commission at least 60 days prior to any change in their business (such as incorporation, dissolution, assignment, sale, or petition for bankruptcy) that results in, or is intended to result in, the emergence of successor ownership, the creation or dissolution of subsidiaries, going out of business, or any other change that might affect;

(8) To take such other and further actions as the Commission deems necessary to protect the public health and safety and to comply with the CPSA.

Issued by Order of the Commission.

Dated: October 29, 1997.

Alan H. Schoem,

Assistant Executive Director, Office of Compliance.

Eric Stone,

Director, Division of Administrative Litigation, Office of Compliance.

William J. Moore, Jr.,

Complaint Counsel, Division of Administrative Litigation, Office of Compliance.

Deborah J. Lewis,

Complaint Counsel, Division of Administrative Litigation, Office of Compliance.

List and Summary of Documentary Evidence Supporting the Complaint

Pursuant to 16 CFR 1025.11(b)(3) of the Commission's Rules of Practice for Adjudicative Proceedings, the following is a list and summary of documentary evidence supporting the Complaint in this matter. Complaint Counsel reserves the right to offer additional evidence during the course of the proceedings.

1. A photograph of a Spacemaker Optima Horizontal Toaster, Model T1000, Type 1.

2. A Consumer Product Safety Commission (CPSC) report dated September 21, 1995, by Terry Van Houten, Division of Human Factors. This report analyzes how consumers may engage in normal use of the Spacemaker Toaster in a manner that increases the risk of fire.

3. CPSC memorandum dated January 23, 1997 from Julie Ayers, Electrical Engineer, Office of Hazard Identification and Reduction to Renae Rauchschalbe, Office of Corrective Actions. This memorandum explains the fire hazard posed by the Spacemaker Toaster.

4. Photographs and videotape of testing conducted by CPSC Office of Hazard Identification and Reduction on April 9, 1997. These tests show that the spread of a fire originating from food in a Spacemaker Toaster mounted underneath an open kitchen cabinet can result in a catastrophic household fire.

5. Photographs of testing conducted by CPSC Office of Hazard Identification and Reduction on June 18, 1997. These tests show that the spread of a fire originating from food in a Spacemaker Toaster mounted underneath a closed kitchen cabinet can result in a catastrophic household fire.

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DEPARTMENT OF DEFENSE

Office of the Secretary

Submission for OMB Review; Comment Request

ACTION: Notice.

The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Title, Associated Form, and OMB Number: Request for Family Member Educational Information; AF Form 1466A; OMB Number 0701-0122.

Type of Request: Reinstatement.

Number of Respondents: 31,656.

Responses Per Respondent: 1.

Annual Responses: 31,656.

average Burden Per Response: 15 minutes.

Annual Burden Hours: 7,914.

Needs and Uses: The information collection requirement is necessary to evaluate family members' needs for special medical or educational services; to assist in making CONUS/OCONUS assignment recommendations; and to code and re-enroll eligible family members into the Exceptional Family Member Program. Respondents are dependents and students who may require medical or education services. Information is collected prior to new assignments. Data is needed to ensure proper medical and educational needs are available at new assignments.

Affected Public: Individuals or Households.

Frequency: On occasion.

Respondent's Obligation: Required to obtain or retain benefits.

OMB Desk Officer: Mr. Edward C. Springer.

Written comments and recommendations on the proposed information collection should be sent to Mr. Springer at the Office of Management and Budget, Desk Officer for DoD, Room 10236, New Executive Office Building, Washington, DC 20503.

DOD clearance Officer: Mr. Robert Cushing.

Written requests for copies of the information collection proposal should be sent to Mr. Cushing, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302.

Dated: October 29, 1997.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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