

contractors oppose adding this product to the Procurement List. The first contractor is a small business that produces similar items for the Department of Defense (DoD), and stated its sales to DoD have dropped significantly. This contractor believes that the loss of opportunities for small business will result in a reduced supply base for DoD. The second contractor is a small HUBZone certified concern located in an area with high unemployment. This contractor also manufactures similar products, comprising the majority of its sales, for DoD, and subcontracts/purchases supplies from other small business concerns in the area. The firm stated it has a relationship with a local agency that provides services for people with severe disabilities where the contractor subcontracts some work to the agency and has designed, built and donated machinery to the agency. The contractor indicates that it would pursue this opportunity if available through a competitive procurement.

In considering whether to add products or services to the Procurement List, the Committee operates in accordance with applicable statutes and regulations. By regulation, the Committee considers whether the addition is likely to have a severe adverse impact on the current contractor. In this instance, both contractors submitting comments confirm that they are not current contractors, that they only manufacture similar products. The product at issue in this addition is a new product developed with full cooperation of the contracting activity, which demonstrates that the supply base issue was considered. The Committee does not view the loss of the opportunity to bid on new work to constitute severe financial impact, as there is no guarantee that a particular offeror would be successful. Accordingly, it is appropriate that the Committee consider this product for addition to the Procurement List.

NSN: 1670-01-598-5067—Containerized Unitized Bulk Equipment (CUBE) Lifeline, Water Kit

NSN: 1670-01-598-5071—Containerized Unitized Bulk Equipment (CUBE) Lifeline, Fuel Kit

NPA: Peckham Vocational Industries, Inc., Lansing, MI

Contracting Activity: Dept of the Army, W6QK ACC—APG Natick, Natick, MA

Coverage: C-List for 100% of the requirement of the Department of the Army, as aggregated by the Army Contracting Command—Aberdeen Proving Ground, Natick Contracting Division, Natick MA.

Services

Service Type/Location: Laundry Service, Veterans Administration Medical Center (VAMC), (offsite: 1809 W 2nd Avenue, Indianola, IA), 601 Highway 6 West, Iowa City, IA

NPA: Genesis Development, Jefferson, IA
Contracting Activity: Department of Veterans Affairs, Nebraska Western-Iowa Health Care System, Omaha, NE

Service Type/Location: Laundry and Dry Cleaning Service, Buckley AFB Lodging & Medical Facilities, Buckley AFB, CO

NPA: Goodwill Industrial Services Corporation, Colorado Springs, CO
Contracting Activity: Dept. of the Air Force, FA2543 460 CONS LGC, Buckley AFB, CO

Barry S. Lineback,

Director, Business Operations.

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COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List Proposed Additions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed additions to the Procurement List.

SUMMARY: The Committee is proposing to add products and a service to the Procurement List that will be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

Comments Must Be Received on or Before: August 20, 2012.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington, Virginia 22202-3259.

FOR FURTHER INFORMATION CONTACT: Barry S. Lineback, Telephone: (703) 603-7740, Fax: (703) 603-0655, or email CMTEFedReg@AbilityOne.gov.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 8503(a)(2) and 41 CFR 51-2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

Additions

If the Committee approves the proposed additions, the entities of the Federal Government identified in this notice will be required to procure the products and service listed below from nonprofit agencies employing persons who are blind or have other severe disabilities.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. If approved, the action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the products and service to the Government.

2. If approved, the action will result in authorizing small entities to furnish the products and service to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501-8506) in connection with the products and service proposed for addition to the Procurement List.

Comments on this certification are invited. Commenters should identify the statement(s) underlying the certification on which they are providing additional information.

End of Certification

The following products and service are proposed for addition to Procurement List for production by the nonprofit agencies listed:

Products

NSN: 8455-00-NIB-0007—Neck Lanyard, Cord Style, Swivel Hook, Black, 36" x .25"

NSN: 8455-00-NIB-0020—Neck Lanyard, Cord Style, Shielded Cardholder, Black, 36" x .25"

NSN: 8455-00-NIB-0021—Neck Lanyard, Strap Style, Swivel Hook, Black, 36" x .75"

NSN: 8455-00-NIB-0022—Neck Lanyard, Strap Style, Clip, Black, 36" x .75"

NSN: 8455-00-NIB-0023—Neck Lanyard, Strap Style, Retractable Reel, Black, 36" x .75"

NSN: 8455-00-NIB-0024—Neck Lanyard, Strap Style, Key Ring, Black, 36" x .75"

Coverage: A-List for the Total Government Requirement as aggregated by the General Services Administration.

NSN: 8455-00-NIB-0005—Neck Lanyard, Cord Style, Clip, Black, 36" x .25"

NSN: 8455-00-NIB-0031—Identification Card Holder, Opaque, 2.375" x 3.5"

Coverage: B-List for the Broad Government Requirement as aggregated by the General Services Administration.

NPA: West Texas Lighthouse for the Blind, San Angelo, TX

Contracting Activity: General Services Administration, Fort Worth, TX

Privacy Filters With Frames

NSN: 7045-00-NIB-0377—17.0"

NSN: 7045-00-NIB-0378—19.0"

NSN: 7045-00-NIB-0389—22.0" Widescreen

NSN: 7045-00-NIB-0390—19.0" Widescreen
 NSN: 7045-00-NIB-0391—24.0" Widescreen
 NPA: Wiscraft, Inc., Milwaukee, WI
Contracting Activity: General Services
 Administration, New York, NY
Coverage: A-List for the Total Government
 Requirement as aggregated by the
 General Services Administration.

Service

Service Type/Location: Custodial/Janitorial
 Services, Vancouver US Armed Forces
 Reserve Center (AFRC)/WA070, 15005
 NE 65th Street, Vancouver, WA.

NPA: Portland Habilitation Center, Inc.,
 Portland, OR

Contracting Activity: Dept of the Army,
 W6QM MICC-ARCC North, Fort McCoy, WI

Barry S. Lineback,

Director, Business Operations.

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CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 12-C0007]

Battat Incorporated, Provisional Acceptance of a Settlement Agreement and Order

AGENCY: Consumer Product Safety
 Commission.

ACTION: Notice.

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 CFR 1118.20(e). Published below is a provisionally-accepted Settlement Agreement with Battat Incorporated, containing a civil penalty of \$400,000.00, within twenty (20) days of service of the Commission's final Order accepting the Settlement Agreement.

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 August 6, 2012.

ADDRESSES: Persons wishing to comment on this Settlement Agreement should send written comments to the Comment 12-C0007, Office of the Secretary, Consumer Product Safety Commission, 4330 East West Highway, Room 820, Bethesda, Maryland 20814-4408.

FOR FURTHER INFORMATION CONTACT: Sarah C. Wang, General Attorney, Division of Enforcement and Information, Office of the General Counsel, Consumer Product Safety Commission, 4330 East West Highway,

Bethesda, Maryland 20814-4408; telephone (301) 504-7807.

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

Dated: July 17, 2012.

Todd A. Stevenson,
Secretary.

Settlement Agreement and Order

1. In accordance with 16 CFR 1118.20, Battat Incorporated ("Battat" or the "Firm") and staff ("Staff") of the United States Consumer Product Safety Commission ("Commission" or "CPSC") hereby enter into this Settlement Agreement ("Agreement") under the Consumer Product Safety Act ("CPSA"). The Agreement and the incorporated attached Order resolve Staff's allegations set forth below.

The Parties

2. Staff is the staff of the Commission, an independent federal regulatory agency established pursuant to, and responsible for, enforcement of the CPSA, 15 U.S.C. 2051-2089.

3. Battat is a privately-held company, organized and existing under the laws of the state of Delaware, with its principal office located at 1560 Military Turnpike, Plattsburgh, New York, 12901.

Staff Allegations

4. Between August 2004 and February 2008, Battat distributed approximately 132,000 Magnabild magnetic building sets ("Subject Products") in U.S. commerce. On January 23, 2008, Battat announced a recall for the Subject Products bearing model numbers BB1431H and BB1502H. On March 13, 2008, Battat announced a recall for the Subject Products bearing model numbers BB1439H and BAT-34. The Subject Products sold for approximately \$20-\$40 through online and nationwide retailers.

5. The Subject Products are "consumer products" and, at all relevant times, Battat was a "distributor" of these consumer products, which were "distribute[d] in commerce," as those terms are defined or used in sections 3(a)(5), (7), and (8) of the CPSA, 15 U.S.C. 2052(a)(5), (7), and (8).

6. The Subject Products, which are labeled for ages three and up, are defective because small, powerful magnets can loosen and fall out of the components with normal use. Magnets found by young children can be swallowed or aspirated. If more than one magnet is swallowed, the magnets can attract each other and cause intestinal perforations or blockages, which can be fatal.

7. Battat received its first complaint of magnets coming loose from the Subject Products in October 2005.

8. By March 31, 2006, Battat had received seven consumer reports of magnet liberation and two consumer reports of children ingesting non-magnetized steel balls. Some consumers described multiple magnet liberations from the Subject Products.

9. On March 31, 2006, the Commission announced the recall of Rose Art Magnetix Building Sets, which involved one death, four serious injuries, and 34 incidents involving small magnets.

10. In April 2006, Battat received two additional consumer complaints of magnet liberation. Battat has represented to the Commission that, "At some point, likely April or May [2006], Battat became aware of the Magnetix recall and only then became aware of the possibility that small magnets could cause intestinal injury."

11. Between November 2006 and July 2007, the Commission re-announced the Rose Art Magnetix Building Sets recall due to additional serious injuries to children; the Commission issued a "Magnet Safety Alert," warning parents of the risk of serious injury and death to children from magnet ingestion; and the Commission announced five separate recalls for several million toys containing magnets due to the potential for magnet liberation.

12. Despite being aware of the danger posed to children by the ingestion of magnets such as those in the Subject Products, and with full awareness that the CPSC and industry were actively working to address the hazards posed to children by the ingestion of magnets, Battat failed to notify the CPSC or inform consumers of the Subject Products' defect and resulting potential hazard.

13. Staff contacted Battat on July 9, 2007, to request a full report pursuant to CPSA section 15(b) ("Section 15 Report"). With this request, Staff enclosed two in-depth investigation reports of consumer reports describing magnets liberating from the Subject Products.

14. Battat did not immediately provide the requested Section 15 Report on the Subject Products. As a result, Staff reiterated its request at least two more times from July 2007 to October 2007. Battat did not file the requested Section 15 Report on the Subject Products until October 12, 2007, after at least three requests from Staff.

15. Battat failed to inform the Commission of the defect and resulting potential hazard present in the Subject Products bearing model numbers