FAC No. SU-[text deleted]

Jarden Zinc Products, Inc.
[text deleted], Esq.
Kirkpatrick & Lockhart, Nicholson, Graham LLP
1601 K Street, NW
Washington, DC 20006

PENALTY NOTICE

Dear Mr. [text deleted]:

A Prepenalty Notice ("Notice") dated March 9, 2006 was issued by the Office of Foreign Assets Control ("OFAC") to Alltrista Zinc Products n/k/a Jarden Zinc Products ("Jarden") for its unauthorized exportation of goods to Sudan. Inasmuch as no license or authorization was issued by OFAC prior to the transactions, it violated the prohibitions set forth in Executive Order 13067 of November 3, 1997 (62 FR 59989, November 5, 1997 – "Executive Order") and the Sudanese Sanctions Regulations, 31 CFR Part 538 (63 FR 35809, July 1, 1998 – "Regulations"), promulgated pursuant to the International Emergency Economic Powers Act, 50 U.S.C. 1701 *et seq*. ("IEEPA"). See §§ 538.205 of the Regulations.

Section 206 of IEEPA, 50 U.S.C. § 1705, provides, in part, for a civil penalty not to exceed $10,000 for each such violation. Section 538.701 of the Regulations provides for a civil penalty not to exceed $11,000 for each such violation, reflecting § 4 of the Federal Civil Penalties Inflation Adjustment Act of 1990 (Pub. L. 101-410, 104 Stat. 890, 28 U.S.C. § 2461 note), as amended by the Debt Collection Improvement Act of 1996 [Pub. L. 104-134, § 31001(s)1, Apr. 26, 1996, 110 Stat. 1321-373]. The Notice proposed a penalty in the amount of $11,000 and advised Jarden of its right to make a written presentation to OFAC setting forth reasons why a penalty should not be imposed, or if imposed, why it should be less than that proposed. Such written response was required to be made within 30 days of the mailing of the Notice.

By letter, dated March 27, 2006, Jarden set forth reasons why it believed the penalty should not be imposed. Specifically, Jarden emphasized that this was its first and only OFAC violation, that it voluntarily disclosed the matter to OFAC and promptly instituted an internal compliance program. Furthermore, Jarden stated that it had limited commercial export experience, working mainly with customers in Europe and Canada.

After a careful review of the entire file, OFAC determines that Jarden has violated the Executive Order and IEEPA. However, it is further determined that some relief is warranted to reflect the presence of the above mitigating factors. Accordingly, the proposed civil penalty in the amount of $11,000 is hereby reduced to $2,750, which amount is imposed upon Company pursuant to the Regulations.

A check payable to the **"U.S. Treasury"** in the amount of $2,750 should be sent within 30 days of the mailing of this Penalty Notice to U.S. Treasury Department, Office of Foreign Assets Control, 2nd Floor Annex, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220. In the alternative, an electronic funds transfer to the Department can be arranged with OFAC Civil Penalties. Please note that interest, administrative charges and late fees will commence to accrue after 30 days of the mailing of the Penalty Notice. Under Public Law 97-365, 31 U.S.C. § 3717, interest at an annual rate inter of 5% and an administrative charge of $12.00 will be added monthly if the amount is not paid by the due date. Should the amount not be paid within ninety (90) days, an additional late charge of 6% will be added.

Please note that the Regulations provide that this matter shall be referred for administrative collection measures or to the United States Department of Justice for collection if the penalty is not paid within 30 days of the mailing of the Penalty Notice.

Please further note that 31 U.S.C. § 7701 requires that a person or entity assessed a penalty by a Federal agency furnish a taxpayer identification number/Social Security Number and also requires the agency to disclose that the agency intends to use such number for the purposes of collecting and reporting on any delinquent penalty amount in the event of a failure to pay the penalty imposed.

Sincerely,

[Signature]

Barbara C. Hammerle
Acting Director
Office of Foreign Assets Control