Used or Rebuilt Merchandise

SYNOPSIS OF FEDERAL TRADE COMMISSION DECISIONS
CONCERNING THE SALE OF USED AND/OR REBUILT MERCHANDISE

The Federal Trade Commission has determined that the following acts or practices in the advertising and sale of used and/or rebuilt merchandise are unfair or deceptive and are unlawful under Section 5(a)(1) of the Federal Trade Commission Act.

-- It is an unfair or deceptive act or practice to advertise merchandise that is used or composed of reconditioned materials without specifically disclosing that fact in the advertisement. 1/

-- It is an unfair or deceptive act or practice to offer a product for sale which is used or is composed in whole or in part of reconditioned materials without stamping or otherwise affixing a disclosure of that fact onto the product, or onto the wrapping or box in which such product is sold, or in some other manner clearly and conspicuously disclosing that fact so that it will be seen by the retail customer at the point of sale. 2/

1/ Joseph Winkler & Company, et al., Dkt. No. 5645, 46 FTC 107, 113-114 (1949); Jacob Swimmer, d/b/a National Lacquer Manufacturing Co., et al., Dkt. No. 4088, 35 FTC 178, 185, 187-188 (1942); Penn-Lub Oil Products Co., Dkt. No. 4524, 34 FTC 1049, 1056-1058 (1942).

2/ Metropolitan Golf Ball Inc., et al., Dkt. No. 8528, 66 FTC 378, 384-386 (1964); Maurice J. Lennett, et al., d/b/a Lenco Spring Co., Dkt. No. 5964, 49 FTC 914, 191-920, 922 (1953); Benjamin Molin, et al., t/a Bond Trading Co., Dkt. No. 5535, 46 FTC 626, 629-630 (1950).