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or indirectly, by any device or through subsidiaries or otherwise, the whole or any part of the stock, share capital or assets of any firm engaged in the manufacture or sale of cabinet hardware products without the prior approval of the Federal Trade Commission. Within thirty (30) days following the effective date of this order, and annually thereafter, Stanley shall furnish a verified written report setting forth the manner and form in which it intends to comply, is complying, or has complied with this paragraph."

\* \* \* \* \*

*It is further ordered,* That the hearing examiner's initial decision and order to cease and desist, as above modified and as modified by the accompanying opinion, be and they hereby are, adopted as the decision and order of the Commission.

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 IN THE MATTER OF

## CASCADE HAT &amp; CAP CO., ET AL.

CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE  
FEDERAL TRADE COMMISSION AND THE FLAMMABLE FABRICS ACTS

*Docket C-1921. Complaint, May 18, 1971—Decision, May 18, 1971*

Consent order requiring a Portland, Ore., marketer of textile fiber products, including scarves, to cease violating the Flammable Fabrics Act by importing and selling any fabric which fails to conform to the standards of said Act.

## COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act and the Flammable Fabrics Act, as amended, and by virtue of the authority vested in it by said Acts, the Federal Trade Commission, having reason to believe that Cascade Hat & Cap Co., a corporation, and Hyman Stein, individually and as an officer of said corporation, hereinafter referred to as respondents, have violated the provisions of said Acts, and the Rules and Regulations promulgated under the Flammable Fabrics Act, as amended, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues its complaint, stating its charges in that respect as follows:

PARAGRAPH 1. Respondent Cascade Hat & Cap Co. is a corporation organized, existing and doing business under and by virtue of the laws of the State of Oregon. Respondent Hyman Stein is an officer

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of the corporate respondent, and formulates, directs and controls the acts, practices, and policies of said corporate respondent.

The respondents are engaged in marketing and handling textile fiber products, including scarves, with their office and principal place of business located at 303 NW. Park Avenue, Portland, Oregon.

PAR. 2. Respondents are now and for some time last past have been engaged in the sale and offering for sale, in commerce, and have introduced, delivered for introduction, transported and caused to be transported in commerce, and have sold or delivered after sale or shipment in commerce, products, as the terms "commerce" and "product" are defined in the Flammable Fabrics Act, as amended, which products failed to conform to an applicable standard or regulation continued in effect, issued or amended under the provisions of the Flammable Fabrics Act, as amended.

Among such products mentioned hereinabove were scarves.

PAR. 3. The aforesaid acts and practices of respondents were and are in violation of the Flammable Fabrics Act, as amended, and the Rules and Regulations promulgated thereunder, and constituted and now constitute unfair methods of competition and unfair and deceptive acts and practices in commerce, within the intent and meaning of the Federal Trade Commission Act.

## DECISION AND ORDER

The Federal Trade Commission having initiated an investigation of certain acts and practices of the respondents named in the caption hereof, and the respondents having been furnished thereafter with a copy of a draft of complaint which the Division of Textiles and Furs proposed to present to the Commission for its consideration and which, if issued by the Commission, would charge respondents with violation of the Federal Trade Commission Act and the Flammable Fabrics Act, as amended; and

The respondents and counsel for the Commission having thereafter executed an agreement containing a consent order, an admission by the respondents of all the jurisdictional facts set forth in the aforesaid draft of complaint, a statement that the signing of said agreement is for settlement purposes only and does not constitute an admission by respondents that the law has been violated as alleged in such complaint, and waivers and other provisions as required by the Commission's Rules; and

The Commission having thereafter considered the matter and having determined that it had reason to believe that the respondents have

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violated the said Acts, and that complaint should issue stating its charges in that respect, and having thereupon accepted the executed consent agreement and placed such agreement on the public record for a period of thirty (30) days, now in further conformity with the procedure prescribed in Section 2.34(b) of its Rules, the Commission hereby issues its complaint, makes the following jurisdictional findings, and enters the following order:

1. Respondent Cascade Hat & Cap Co. is a corporation organized, existing and doing business under and by virtue of the laws of the State of Oregon.

Respondent Hyman Stein is an officer of said corporation, and formulates, directs, and controls the acts, practices and policies of said corporation.

Respondents are engaged in marketing and handling textile fiber products, including scarves, with their office and principal place of business located at 303 NW. Park Avenue, Portland, Oregon.

2. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of the respondents and the proceeding is in the public interest.

## ORDER

*It is ordered,* That respondents Cascade Hat & Cap Co., a corporation, and its officers, and Hyman Stein, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from manufacturing for sale, selling, or offering for sale, in commerce, or importing into the United States, or introducing, delivering for introduction, transporting or causing to be transported, in commerce, or selling or delivering after sale or shipment in commerce, any product, fabric, or related material; or manufacturing for sale, selling or offering for sale any product made of fabric or related material which has been shipped or received in commerce, as "commerce," "product," "fabric" or "related material" are defined in the Flammable Fabrics Act, as amended, which product, fabric, or related material fails to conform to an applicable standard or regulation continued in effect, issued or amended under the provisions of the aforesaid Act.

*It is further ordered,* That respondents notify all of their customers who have purchased or to whom have been delivered the products which gave rise to this complaint of the flammable nature of said products, and effect recall of said products from such customers.

*It is further ordered,* That the respondents herein either process the products which gave rise to the complaint so as to bring them into conformance with the applicable standard of flammability under the Flammable Fabrics Act, as amended, or destroy said products.

*It is further ordered,* That the respondents herein shall, within ten (10) days after service upon them of this order, file with the Commission a special report in writing setting forth the respondents' intentions as to compliance with this order. This special report shall also advise the Commission fully and specifically concerning (1) the identity of the products which gave rise to the complaint, (2) the number of said products in inventory, (3) any action taken and any further actions proposed to be taken to notify customers of the flammability of said products and effect the recall of said products from customers, and of the results thereof, (4) any disposition of said products since February 27, 1970, and (5) any action taken or proposed to be taken to bring said products into conformance with the applicable standard of flammability under the Flammable Fabrics Act, as amended, or destroy said products, and the results of such action. Such report shall further inform the Commission as to whether or not respondents have in inventory any product, fabric, or related material having a plain surface and made of paper, silk, rayon and acetate, nylon and acetate, rayon, cotton or any other material or combinations thereof in a weight of two ounces or less per square yard, or any product, fabric or related material having a raised fiber surface. Upon request of the Commission respondents shall submit samples of not less than one square yard in size of any such product, fabric, or related material with this report.

*It is further ordered,* That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondent, such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

*It is further ordered,* That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

*It is further ordered,* That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

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IN THE MATTER OF

## CITY STORES COMPANY

CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE  
FEDERAL TRADE COMMISSION ACT*Docket C-1922. Complaint, May 18, 1971—Decision, May 18, 1971*

Consent order requiring a New York City chainstore corporation to cease using collection documents which simulate official documents and falsely representing that an independent attorney will imminently file suit against the alleged debtor.

## COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, and by virtue of the authority vested in it by said Act, the Federal Trade Commission, having reason to believe that City Stores Company, a corporation, hereinafter referred to as respondent, through its Franklin Simon division, has violated the provisions of said Act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues its complaint stating its charges in that respect as follows:

PARAGRAPH 1. City Stores Company is a corporation organized, existing and doing business under and by virtue of the laws of the State of Delaware, with its principal office and place of business located at 500 Fifth Avenue, New York, New York.

PAR. 2. Respondent is now, and for some time last past has been, engaged in operating a diversified group of approximately 133 retail stores, including the collection of delinquent accounts. Franklin Simon, a division of respondent, operates approximately 60 apparel specialty stores in 15 States and Washington, D.C.

PAR. 3. In the course and conduct of its business as aforesaid, respondent is now, and for some time last past has been, engaged in the transmission and receipt of goods, monies, checks, collection forms and letters and other written instruments among and between the various States of the United States and the District of Columbia and maintains, and at all times mentioned herein has maintained, a substantial course of trade in commerce, as "commerce" is defined in the Federal Trade Commission Act.

PAR. 4. In the course and conduct of its business and for the purpose of collecting delinquent accounts, respondent's Franklin Simon division mails or causes to be mailed to alleged debtors various form letters, demands for payment, and other printed material.

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Typical and illustrative of Franklin Simon's forms, but not all inclusive thereof, is the following:<sup>1</sup>

Said "Final Notice and Demand" document is mailed in a gray manila envelope carrying a return address, G.P.O. Box 8740, Philadelphia, Pennsylvania.

By and through the use of the aforesaid form and envelope, including the statements and representations thereon, respondent's Franklin Simon division represented, and now represents, directly or by implication that said "Final Notice and Demand" documents and envelope in form and content are official documents.

In truth and in fact, said "Final Notice and Demand" form and envelope are not official documents, but on the contrary are wholly private in origin.

Therefore, the statements and representations set forth in Paragraph Four hereof were, and are, false, misleading and deceptive.

PAR. 5. In the course and conduct of its business, respondent's Franklin Simon division often causes to be mailed to alleged debtors a letter from an independent attorney, Irwin J. Harrison, Esquire. Said letter reads in part as follows:

"As a result of your failure to make payment of the above amount, your account has been referred to me by Franklin Simon.

Unless payment is promptly made to Franklin Simon, it will be necessary to commence legal action and to obtain a judgment in the amount due with court costs and with the attendant expenses and time loss.

Such legal action can only be avoided by your immediate payment of the balance due on your account."

By and through the use of the aforesaid letter including the statements and representations contained therein, respondent's Franklin Simon division caused to be represented and now causes to be represented, directly or by implication, that the account has been placed with an independent attorney, Irwin J. Harrison, Esquire, for collection and that he has been instructed by Franklin Simon to file suit against the alleged debtor unless the alleged debt is immediately paid in full.

In truth and in fact, said attorney's services are limited to forwarding letters to alleged debtors, receiving telephone replies and the processing of alleged debtors answering letters, including the forwarding of monies received by him to Franklin Simon and said attorney does not institute collection suits for Franklin Simon. In the event that said attorney's letter is unsuccessful in collecting the

<sup>1</sup> Two pictorial forms were omitted in printing.

alleged debt, Franklin Simon refers the account to an independent collection agency which in turn repeats a series of individual dunning letters before any legal action is contemplated.

Therefore, the statements and representations set forth in Paragraph Five hereof were, and are, false, misleading and deceptive.

PAR. 6. In the course of its aforesaid business, and at all times mentioned herein, respondent's Franklin Simon division has been, and now is, in substantial competition, in commerce, with corporations, firms and individuals engaged in the business of the same general kind and nature of the business of Franklin Simon.

PAR. 7. The use by respondent's Franklin Simon division of the aforesaid false, misleading and deceptive statements, representations and practices has had, and now has, the capacity and tendency to mislead members of the purchasing public into the erroneous and mistaken belief that said statements and representations were and are true and to make payments on accounts by reason of said erroneous and mistaken belief.

PAR. 8. The aforesaid acts and practices of respondent's Franklin Simon division as herein alleged, were and are all to the prejudice and injury of the public and of Franklin Simon's competitors and constituted, and now constitute, unfair methods of competition in commerce and unfair and deceptive acts and practices in commerce in violation of Section 5 of the Federal Trade Commission Act.

#### DECISION AND ORDER

The Federal Trade Commission having initiated an investigation of certain acts and practices of the respondent named in the caption hereof, and the respondent having been furnished thereafter with a copy of a draft of complaint which the Bureau of Consumer Protection proposed to present to the Commission for its consideration and which, if issued by the Commission, would charge respondent with violation of the Federal Trade Commission Act; and

The respondent and counsel for the Commission having thereafter executed an agreement containing a consent order, an admission by the respondent of all the jurisdictional facts set forth in the aforesaid draft of complaint, a statement that the signing of said agreement is for settlement purposes only and does not constitute an admission by respondent that the law has been violated as alleged in such complaint, and waivers and other provisions as required by the Commission's Rules; and

The Commission having thereafter considered the matter and having determined that it had reason to believe that the respondent has violated the said Act, and that complaint should issue stating its

charges in that respect, and having thereupon accepted the executed consent agreement and placed such agreement on the public record for a period of thirty (30) days, now in further conformity with the procedure prescribed in § 2.34(b) of its Rules, the Commission hereby issues its complaint, makes the following jurisdictional findings, and enters the following order:

1. Respondent City Stores Company is a corporation organized, existing and doing business under and by virtue of the laws of the State of Delaware, with its office and principal place of business located at 500 Fifth Avenue, New York, New York.

2. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of the respondent, and the proceeding is in the public interest.

ORDER

*It is ordered,* That the respondent City Stores Company, a corporation, and its officers, representatives, agents and employees, directly or through any corporate device, in connection with the collection of delinquent accounts by its Franklin Simon division, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using any document, form or envelope which simulates an official document, form or envelope authorized, issued or approved by any governmental authority.

2. Falsely representing or causing to be falsely represented that respondent corporation intends to imminently file suit against the debtor unless the alleged debt is immediately paid in full.

3. Falsely representing or causing to be falsely represented that respondent has instructed an independent attorney to file suit against an alleged debtor unless the alleged debt is immediately paid in full.

*It is further ordered,* That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

*It is further ordered,* That respondent notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

*It is further ordered,* That the respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

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IN THE MATTER OF

## OSAGE HANDKERCHIEF CO., INC., ET AL.

CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE  
FEDERAL TRADE COMMISSION AND THE FLAMMABLE FABRICS ACTS*Docket C-1923. Complaint, May 18, 1971—Decision, May 18, 1971*

Consent order requiring a New York City importer and distributor of textile fiber products, including ladies' scarves, to cease violating the Flammable Fabrics Act by importing and selling any fabric which fails to conform with the standards of said Act.

## COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act and the Flammable Fabrics Act, as amended, and by virtue of the authority vested in it by said Acts, the Federal Trade Commission, having reason to believe that Osage Handkerchief Co., Inc., a corporation, and Edward Debowsky, individually and as an officer of said corporation, hereinafter referred to as respondents, have violated the provisions of said Acts and the Rules and Regulations promulgated under the Flammable Fabrics Act, as amended, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues its complaint stating its charges in that respect as follows:

PARAGRAPH 1. Respondent Osage Handkerchief Co., Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of New York. Its office and principal place of business is located at 40 West 37th Street, New York, New York.

Respondent Edward Debowsky is an officer of the corporate respondent. He formulates, directs and controls the acts, practices and policies of the said corporate respondent including those hereinafter set forth.

Respondents are engaged in the importation, sale and distribution of textile fiber products, including, but not limited to, ladies' scarves.

PAR. 2. Respondents are now and for some time last past have been engaged in the sale and offering for sale, in commerce, and the importation into the United States, and have introduced, delivered for introduction, transported and caused to be transported in commerce, and have sold or delivered after sale or shipment in commerce, products, as the terms "commerce," and "product" are defined in the Flammable Fabrics Act, as amended, which fail to conform.

to an applicable standard or regulation continued in effect, issued or amended under the provisions of the Flammable Fabrics Act, as amended.

Among such products mentioned hereinabove were ladies' scarves.

PAR. 3. The aforesaid acts and practices of respondents were and are in violation of the Flammable Fabrics Act, as amended, and the Rules and Regulations promulgated thereunder, and constituted, and now constitute, unfair methods of competition and unfair and deceptive acts and practices in commerce, within the intent and meaning of the Federal Trade Commission Act.

#### DECISION AND ORDER

The Federal Trade Commission having initiated an investigation of certain acts and practices of the respondents named in the caption hereof, and the respondents having been furnished thereafter with a copy of a draft of complaint which the Bureau of Consumer Protection proposed to present to the Commission for its consideration and which, if issued by the Commission, would charge respondents with violation of the Federal Trade Commission Act and the Flammable Fabrics Act, as amended; and

The respondents and counsel for the Commission having thereafter executed an agreement containing a consent order, an admission by the respondents of all the jurisdictional facts set forth in the aforesaid draft of complaint, a statement that the signing of said agreement is for settlement purposes only and does not constitute an admission by respondents that the law has been violated as alleged in such complaint, and waivers and other provisions as required by the Commission's Rules; and

The Commission having thereafter considered the matter and having determined that it had reason to believe that the respondents have violated the said Acts, and that complaint should issue stating its charges in that respect, and having thereupon accepted the executed agreement and placed such agreement on the public record for a period of thirty (30) days, now in further conformity with the procedure prescribed in § 2.34(b) of its Rules, the Commission hereby issues its complaint, makes the following jurisdictional findings, and enters the following order:

1. Respondent Edward Debowsky is an officer of the corporate respondent. He formulates, directs and controls the acts, practices and policies of the said corporate respondent including those hereinafter set forth.

Respondent Osage Handkerchief Co., Inc., is a corporation or-

ganized, existing and doing business under and by virtue of the laws of the State of New York. Its office and principal place of business is located at 40 West 37th Street, New York, New York.

Respondents are engaged in the importation, sale and distribution of textile fiber products, including, but not limited to ladies' scarves.

2. The Federal Trade Commission has jurisdiction of the subject matter of the proceeding and of the respondents and the proceeding is in the public interest.

#### ORDER

*It is ordered,* That the respondents Osage Handkerchief Co., Inc., a corporation, and its officers, and Edward Debowsky, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from manufacturing for sale, selling, offering for sale, in commerce, or importing into the United States, or introducing, delivering for introduction, transporting or causing to be transported in commerce, or selling or delivering after sale or shipment in commerce, any product, fabric, or related material; or manufacturing for sale, selling or offering for sale, any product made of fabric or related material which has been shipped or received in commerce as "commerce," "product," "fabric" and "related material" are defined in the Flammable Fabrics Act, as amended, which product, fabric, or related material fails to conform to an applicable standard or regulation issued, amended or continued in effect, under the provisions of the aforesaid Act.

*It is further ordered,* That respondents notify all of their customers who have purchased or to whom have been delivered the ladies' scarves which gave rise to the complaint, of the flammable nature of said scarves and effect the recall of said scarves from such customers.

*It is further ordered,* That the respondents herein either process the scarves which gave rise to the complaint so as to bring them into conformance with the applicable standard of flammability under the Flammable Fabrics Act, as amended, or destroy said scarves.

*It is further ordered,* That the respondents herein shall, within ten (10) days after service upon them of this order, file with the Commission an interim special report in writing setting forth the respondents' intentions as to compliance with this order. This special report shall also advise the Commission fully and specifically concerning (1) the identity of the scarves which gave rise to the complaint, (2) the number of said scarves in inventory, (3) any action taken and any further actions proposed to be taken to notify customers of the flammability of said scarves and effect the recall

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of said scarves from customers, and of the results thereof, (4) any disposition of said scarves since September 2, 1970 and (5) any action taken or proposed to be taken to bring said scarves into conformance with the applicable standard of flammability under the Flammable Fabrics Act, as amended, or destroy said scarves and the results of such action. Such report shall further inform the Commission as to whether or not respondents have in inventory any product, fabric, or related material having a plain surface and made of paper, silk, rayon and acetate, nylon and acetate rayon, cotton or any other material or combinations thereof in a weight of two ounces or less per square yard, or any product, fabric, or related material having a raised fiber surface. Respondents shall submit samples of not less than one square yard in size of any such product, fabric, or related material with this report.

*It is further ordered,* That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondent, such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of this order.

*It is further ordered,* That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

*It is further ordered,* That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

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 IN THE MATTER OF

## WARREN-REED, INC., ET AL.

CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE  
FEDERAL TRADE COMMISSION AND THE FLAMMABLE FABRICS ACTS

*Docket C-1924. Complaint, May 18, 1971—Decision, May 18, 1971*

Consent order requiring a Birmingham, Ala., millinery shop which sells and distributes millinery, handbags and accessories, including scarves, to cease violating the Flammable Fabrics Act by importing and selling any fabric which fails to conform to the standards of said Act.

## COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act and the Flammable Fabrics Act, as amended, and by virtue of the

authority vested in it by said Acts, the Federal Trade Commission, having reason to believe that Warren-Reed, Inc., a corporation, and Armistead C. Warren, individually and as an officer of said corporation, hereinafter referred to as respondents, have violated the provisions of said Acts, and Rules and Regulations promulgated under the Flammable Fabrics Act, as amended, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues its complaint, stating its charges in that respect as follows:

PARAGRAPH 1. Respondent Warren-Reed, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of Alabama. Respondent Armistead C. Warren is an officer of said corporate respondent. He formulates, directs and controls the acts, practices and policies of said corporation.

Respondents are engaged in the business of the sale and distribution of products, namely millinery, handbags and accessories, including but not limited to scarves. Their office and principal place of business is located at 2215 First Avenue, Birmingham, Alabama.

PAR. 2. Respondents are now and for some time last past have been engaged in the sale and offering for sale, in commerce, and have introduced, delivered for introduction, transported and caused to be transported in commerce, and have sold or delivered after sale or shipment in commerce, products, as "commerce," and "product," are defined in the Flammable Fabrics Act, as amended, which fail to conform to an applicable standard or regulation continued in effect, issued or amended under the provisions of the Flammable Fabrics Act, as amended.

Among such products mentioned hereinabove were scarves.

PAR. 3. The aforesaid acts and practices of respondents were and are in violation of the Flammable Fabrics Act, as amended, and the Rules and Regulations promulgated thereunder, and as such constituted and now constitute unfair methods of competition and unfair and deceptive acts and practices in commerce, within the intent and meaning of the Federal Trade Commission Act.

#### DECISION AND ORDER

The Federal Trade Commission having initiated an investigation of certain acts and practices of the respondents named in the captioned hereof, and the respondents having been furnished thereafter with a copy of a draft of complaint which the Division of Textiles and Furs, Bureau of Consumer Protection proposed to present to the

Commission for its consideration and which, if issued by the Commission, would charge respondents with violation of the Federal Trade Commission Act and the Flammable Fabrics Act, as amended; and

The respondents and counsel for the Commission having thereafter executed an agreement containing a consent order, an admission by the respondents of all the jurisdictional facts set forth in the aforesaid draft of complaint, a statement that the signing of said agreement is for settlement purposes only and does not constitute an admission by respondents that the law has been violated as alleged in such complaint, and waivers and other provisions as required by the Commission's Rules; and

The Commission having thereafter considered the matter and having determined that it had reason to believe that the respondents have violated the said Acts, and that complaint should issue stating its charges in that respect, and having thereupon accepted the executed consent agreement and placed such agreement on the public record for a period of thirty (30) days, now in further conformity with the procedure prescribed in § 2.34(b) of its Rules, the Commission hereby issues its complaint, makes the following jurisdictional findings, and enters the following order:

1. Respondent Warren-Reed, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of Alabama.

Respondent Armistead C. Warren is an officer of the proposed corporate respondent. He formulates, directs and controls the acts, practices and policies of said corporate respondent.

Respondents are engaged in the business of the sale and distribution of products, namely millinery, handbags and accessories, including but not limited to scarves. Their office and principal place of business is located at 2215 First Avenue, Birmingham, Alabama.

2. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of the respondents, and the proceeding is in the public interest.

#### ORDER

*It is ordered,* That respondent Warren-Reed, Inc., a corporation, and its officers and Armistead C. Warren, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from selling, offering for sale, in commerce or importing into the United States, or introducing, delivering for introduction, transporting or causing to be transported in com-

merce, or selling or delivering after sale or shipment in commerce, any product, fabric, or related material, as "commerce," "product," "fabric" or "related material" are defined in the Flammable Fabrics Act, as amended, which product, fabric or related material fails to conform to any applicable standard or regulation continued in effect, issued or amended under the provisions of the aforesaid Act.

*It is further ordered,* That respondents notify all of their customers who have purchased or to whom have been delivered the products which gave rise to the complaint, of the flammable nature of said products, and effect recall of said products from such customers.

*It is further ordered,* That the respondents herein either process the products which gave rise to the complaint so as to bring them into conformance with the applicable standard of flammability under the Flammable Fabrics Act, as amended, or destroy said products.

*It is further ordered,* That the respondents herein shall, within ten (10) days after service upon them of this order, file with the Commission a special report in writing setting forth respondents' intentions as to compliance with this order. This special report shall also advise the Commission fully and specifically concerning (1) the identity of the product which gave rise to the complaint, (2) the number of said products in inventory, (3) any action taken and any further actions proposed to be taken to notify customers of the flammability of said products and effect the recall of said products and of the results thereof, (4) any disposition of said products since August 25, 1970 and (5) any action taken to bring said products into conformance with the applicable standard of flammability under the Flammable Fabrics Act, as amended, or destroy said products, and the results of such action. Such report shall further inform the Commission as to whether or not respondents have in inventory any product, fabric or related material having a plain surface and made of paper, silk, rayon and acetate, nylon and acetate, rayon, cotton or any other material or combinations thereof in a weight to two ounces or less per square yard, or any product, fabric or related material having a raised fiber surface. Upon request of the Commission respondents shall submit samples of not less than one square yard in size of any such product, fabric, or related material with this report.

*It is further ordered,* That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

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*It is further ordered,* That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

*It is further ordered,* That respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

## IN THE MATTER OF

## FABERGE, INC., ET AL.

CONSENT ORDER ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE  
FEDERAL TRADE COMMISSION ACT

*Docket C-1925. Complaint, May 18, 1971—Decision, May 18, 1971*

Consent order requiring a New York City seller and distributor of a device designated as a "Tone-O-Matic" belt to cease advertising that any such device can be an effective substitute for physical exercise and offering for sale its "Tone-O-Matic" belt without furnishing a warning that it may be physically injurious to some persons.

## COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, and by virtue of the authority vested in it by said Act, the Federal Trade Commission, having reason to believe that Faberge, Inc., a corporation, and Tone-O-Matic Products, Inc., a corporation, hereinafter referred to as respondents, have violated the provisions of said Act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues its complaint stating its charges in that respect as follows:

PARAGRAPH 1. Respondent Faberge, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of Minnesota, with its principal office and place of business located at 1345 Avenue of the Americas, in the city of New York, State of New York.

Respondent Tone-O-Matic Products, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of Florida, with its office and principal place of business located at 2436 30th Avenue in the city of St. Petersburg, State of Florida. Tone-O-Matic Products, Inc., is a wholly-owned subsidiary of Faberge, Inc.

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PAR. 2. Respondents are now, and for some time last past have been, engaged in the advertising, offering for sale, sale and distribution of a device which falls within the classification of "device," as said term is defined in the Federal Trade Commission Act. The device is designated by respondents as "Tone-O-Matic" belt. Said device is a weighted belt which consists of a leatherette covering with several compartments containing lead granules, and "Velcro" fastening strips at both ends of the belt which when pressed together hold the belt in place around the waist. Respondents instruct the wearers of said device to wear it while in the conduct of their normal activities or while participating in various sporting activities.

PAR. 3. Respondents cause the said device when sold, to be transported from their place of business in the State of Florida to purchasers thereof located in various other States of the United States and in the District of Columbia. Respondents maintain, and at all times mentioned herein have maintained, a course of trade in such device in commerce, as "commerce" is defined in the Federal Trade Commission Act. The volume of business in such commerce has been, and is substantial.

PAR. 4. In the course and conduct of their business as aforesaid, respondents have disseminated, and caused the dissemination of, certain advertisements concerning the said device by the United States mails and by various means in commerce, as "commerce" is defined in the Federal Trade Commission Act, including but not limited to, advertisements inserted in magazines and other advertising media, and by means of television and radio broadcasts transmitted by television and radio stations located in various States of the United States and in the District of Columbia, having sufficient power to carry such broadcasts across state lines, for the purpose of inducing and which were likely to induce, directly or indirectly, the purchase of said device; and have disseminated, and caused the dissemination of, advertisements concerning said device by various means, including but not limited to the aforesaid media, for the purpose of inducing and which were likely to induce, directly or indirectly, the purchase of said device in commerce, as "commerce" is defined in the Federal Trade Commission Act.

PAR. 5. Typical of the statements and representations contained in said advertisements, disseminated, as aforesaid, but not all inclusive thereof, are the following:

Tone up \* \* \* Trim Down. New and easy way while you work or play. Good news! Now you can recapture that lean waist look without long hours of monotonous exercise. Wear the Tone-O-Matic, and normal body movements pro-

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vide the exercise by forcing inactive muscles to carry the weight \* \* \* all you do is wear it.

Trim your waistline while you work or play.

WEAR THE TONE-O-MATIC and firm up your waist without exercise and strengthen slack muscles. And all that effortless exercise can whittle inches off your waist (firm up your thighs and hips, too).

TONE-O-MATIC SCIENTIFICALLY WEIGHTED BELT

Good news \* \* \* if you lack the time or will power for regularly scheduled exercise don't despair \* \* \* here is your answer. Just wrap the Tone-O-Matic around your waist and go about your normal activities. No fuss \* \* \* no strain \* \* \* you are exercising in your own everyday movements. Wear the Tone-O-Matic and normal body movements provide the exercise by forcing inactive muscles to carry the weight.

You can trim inches off your waistline simply by wearing this scientifically weighted belt.

\* \* \* if you don't have the time or the inclination to get that much needed exercise solve the problem . . . by wearing a Tone-O-Matic belt. Wait until you see what it can do for your waistline.

PAR. 6. Through the use of said advertisements, and others similar thereto, not specifically set out herein, respondents have represented and are now representing, directly or by implication that:

- 1. The Tone-O-Matic is effective as a substitute for exercise, in keeping physically fit, causing weight reduction, reduction of waistline and in firming abdominal muscles.
2. The Tone-O-Matic is safe for use.

PAR. 7. In truth and in fact:

- 1. The Tone-O-Matic is not effective as a substitute for exercise, in keeping physically fit, causing weight reduction, reduction of waistline and in firming abdominal muscles.
2. The Tone-O-Matic is not safe for use for all individuals. In fact, the wearing of the said device can cause physical injury to some individuals who wear it.

Therefore, the advertisements referred to in Paragraph Five and Six hereof were, and are, misleading in material respects and constituted, and now constitute "false advertisements" as that term is defined in the Federal Trade Commission Act.

PAR. 8. The dissemination by the respondents of the false advertisements, as aforesaid, constituted, and now constitutes, unfair and deceptive acts and practices in commerce, in violation of Sections 5 and 12 of the Federal Trade Commission Act.

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## DECISION AND ORDER

The Federal Trade Commission having initiated an investigation of certain acts and practices of the respondents named in the caption hereof, and the respondents having been furnished thereafter with a copy of a draft of complaint which the Bureau of Consumer Protection proposed to present to the Commission for its consideration and which, if issued by the Commission, would charge respondents with violation of the Federal Trade Commission Act and;

The respondents and counsel for the Commission having thereafter executed an agreement containing a consent order, an admission by the respondents of all the jurisdictional facts set forth in the aforesaid draft of complaint, a statement that the signing of said agreement is for settlement purposes only and does not constitute an admission by respondents that the law has been violated as alleged in such complaint, and waivers and other provisions as required by the Commission's Rules; and

The Commission having thereafter considered the matter and having determined that it had reason to believe that the respondents have violated the said Act, and that complaint should issue stating its charges in that respect, and having thereupon accepted the executed consent agreement and placed such agreement on the public record for a period of thirty (30) days, now in further conformity with the procedure prescribed in Section 2.34(b) of its Rules, the Commission hereby issues its complaint, makes the following jurisdictional findings, and enters the following order:

1. Respondent Faberge, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of Minnesota, with its principal place of business located at 1345 Avenue of the Americas, in the city of New York, State of New York.

Respondent Tone-O-Matic Products, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of Florida, with its office and principal place of business located at 2436 30th Avenue in the city of St. Petersburg, State of Florida. Tone-O-Matic Products, Inc., is a wholly-owned subsidiary of Faberge, Inc.

2. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of the respondents, and the proceeding is in the public interest.

## ORDER

*It is ordered,* That respondents Faberge, Inc., a corporation, and its officers, and Tone-O-Matic Products, Inc., a corporation, and its

officers, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of Tone-O-Matic belts, or any other device of similar composition or possessing substantially similar attributes, do forthwith cease and desist from directly or indirectly:

1. Disseminating, or causing the dissemination of any advertisements, by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which represent directly or by implication that:

a. Any such device is or can be effective as a substitute for exercise.

b. Any such device is or can be effective in keeping physically fit.

c. Any such device is or can be effective in causing weight reduction or reduction of waistline.

d. Any such device is or can be effective in toning or firming abdominal muscles.

2. Advertising, offering for sale, selling or distributing the Tone-O-Matic or any other such device unless the following statement is disclosed clearly and conspicuously in all such advertisements and on the outside of all containers or packages in which the said product is sold:

"WARNING: This product may be physically injurious to some individuals. Consult your physician before purchase and use."

3. Disseminating, or causing the dissemination of, any advertisement, by any means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of respondents' devices in commerce, as "commerce" is defined in the Federal Trade Commission Act, which contains any of the representations prohibited in Paragraph 1 hereof.

4. Disseminating, or causing the dissemination of, any advertisement, by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of respondents' devices, in commerce, as "commerce" is defined in the Federal Trade Commission Act, which contains statements which are inconsistent with, negate or contradict the affirmative disclosure required by Paragraph 2 of this order, or which in any way obscures the meaning of such disclosure.

*It is further ordered,* That the respondent corporations shall forth-

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with distribute a copy of this order to each of their operating divisions.

*It is further ordered,* That respondents submit to the Commission within sixty (60) days after the order becomes final all advertising for products covered by this order to show the manner of compliance therewith, and thereafter will submit samples of all such advertising each six months to show continued compliance.

*It is further ordered,* That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondents such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporations which may affect compliance obligations arising out of the order.

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IN THE MATTER OF

ITHACA GUN COMPANY, INC.

CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE  
FEDERAL TRADE COMMISSION ACT

*Docket C-1926. Complaint, May 26, 1971—Decision, May 26, 1971*

Consent order requiring an Ithaca, N.Y., manufacturer and seller of sporting firearms and firearm accessories to cease requiring its retail dealers to agree to sell at resale prices fixed by respondent, harassing and threatening dealers to observe its resale prices, requesting dealers to report dealers who do not observe the established prices, preventing independent dealers from selling its products to any other distributor, and distributing list or documents indicating resale prices without stating such prices are only suggested.

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, and by virtue of the authority vested in it by said Act, the Federal Trade Commission, having reason to believe that Ithaca Gun Company, Inc., a corporation, and more particularly described and referred to hereinafter as respondent, has violated and is now violating the provisions of Section 5 of said Act (15 U.S.C. 45), and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues its complaint, stating its charges in respect thereto as follows.

PARAGRAPH 1. Respondent Ithaca Gun Company, Inc., is a corporation organized, existing and doing business under and by virtue

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of the laws of the State of New York, with its office and principal place of business located at 123 Lake Street, Ithaca, New York.

PAR. 2. Respondent has been and is now engaged in the manufacture, sale and distribution of sporting firearms and firearm accessories, with net sales in 1969 in excess of \$11,000,000. Respondent manufactures sporting firearms and firearms accessories at its plant located in Ithaca, New York, and sells such products directly to approximately 7,000 authorized dealers located throughout the United States.

PAR. 3. In the course and conduct of its business as aforesaid, respondent has been and is now engaged in commerce, as "commerce" is defined in the Federal Trade Commission Act, in that respondent has caused and now causes its various products to be shipped from the state of manufacture thereof to other States of the United States for resale and distribution through its authorized dealers.

PAR. 4. Except to the extent that competition has been hindered, frustrated, lessened and eliminated as set forth in this complaint, respondent has been and is now in competition with other persons, firms and corporations engaged in the manufacture, sale and distribution of sporting firearms and firearm accessories.

PAR. 5. Respondent, in combination, agreement, understanding and conspiracy with some of its authorized dealers, or with the cooperation or acquiescence of other of its dealers, has for the last several years been engaged in a planned course of action to fix, establish and maintain certain specified uniform prices at which its products are resold. In furtherance of said planned course of action, respondent has for the past several years engaged in the following acts and practices, among others:

- (a) Regularly furnishing all its dealers with price lists and necessary supplements thereto containing the established resale prices;
- (b) Establishing agreements, understandings and arrangements with its dealers, some of whom are located in states which do not have fair trade laws, as a condition precedent to the granting of a dealership, that such dealers will maintain its resale prices;
- (c) Informing its dealers, by direct and indirect means, that it expects and requires all of its dealers to maintain and enforce its resale prices, or such dealerships will be terminated;
- (d) Requiring its dealers to agree not to sell or otherwise supply its firearms and firearm accessories to anyone who is not an authorized dealer of the respondent;
- (e) Soliciting and obtaining from its dealers, cooperation and assistance in identifying and reporting dealers who advertise, offer

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to sell or sell respondent's products at prices lower than its established resale prices;

(f) Directing its salesmen, representatives, and other employees to secure and report information identifying any dealer who fails to adhere to and maintain its established resale prices; and,

(g) Threatening to terminate and terminating the authorization certificates of its dealers who fail or refuse to observe and maintain respondent's established resale prices.

PAR. 6. By means of the aforesaid acts and practices, and more, respondent, in combination, agreement, understanding and conspiracy with certain of its authorized dealers and with the acquiescence of other of its authorized dealers, has established, maintained and pursued a planned course of action to fix and maintain certain specified uniform prices at which respondent's products will be re-sold.

PAR. 7. The acts and practices of respondent as hereinabove described, have been and are now having the effect of hindering, lessening, restricting, restraining and eliminating competition in the resale and distribution of respondent's firearms and firearm accessories, and constitute unfair methods of competition in commerce, all in derogation of the public interest and in violation of Section 5 of the Federal Trade Commission Act.

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The Federal Trade Commission having initiated an investigation of certain acts and practices of the respondent named in the caption hereof, and the respondent having been furnished thereafter with a copy of a draft of complaint which the Bureau of Competition proposed to present to the Commission for its consideration and which, if issued by the Commission, would charge respondent with violation of the Federal Trade Commission Act; and

The respondent, its attorney and counsel for the Commission having thereafter executed an agreement containing a consent order, an admission by the respondent of all the jurisdictional facts set forth in the aforesaid draft of complaint, a statement that the signing of said agreement is for settlement purposes only and does not constitute an admission by respondent that the law has been violated as alleged in such complaint, and waivers and other provisions as required by the Commission's rules; and

The Commission having thereafter considered the matter and having determined that it had reason to believe that the respondent has violated the said Act, and that complaint should issue stating

its charges in that respect, having thereupon accepted the executed consent agreement and placed such agreement on the public record for a period of thirty (30) days, and having fully considered comments received from the public during said period, now in further conformity with the procedure prescribed in Section 2.34 (b) of its Rules, the Commission hereby issues its complaint, makes the following jurisdictional findings, and enters the following order:

1. Respondent Ithaca Gun Company, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of New York, with its office and principal place of business located at 123 Lake Street, Ithaca, New York.

2. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of the respondent, and the proceeding is in the public interest.

ORDER

*It is ordered*, That respondent, Ithaca Gun Company, Inc., a corporation, its subsidiaries, successors, assigns, officers, directors, agents, representatives, and employees, individually or in concert, directly or through any corporate or other device, in connection with the manufacture, distribution, offering for sale or sale of firearms and firearm accessories, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from hindering, suppressing, or eliminating competition or from attempting to hinder, suppress, or eliminate competition between or among dealers handling respondent's products by:

1. Requiring dealers, through a franchise agreement or other means, to agree that they will resell at prices specified by respondent or that they will not resell below or above specified prices;

2. Requiring prospective dealers to agree, through direct or indirect means, that they will maintain respondent's specified resale prices as a condition of buying respondent's products;

3. Requesting dealers, either directly or indirectly, to report any person or firm who does not observe the resale prices suggested by respondent, or acting on reports so obtained by refusing or threatening to refuse sales to the dealers so reported;

4. Harassing, intimidating, coercing or threatening dealers, either directly or indirectly, to observe, maintain, or advertise established resale prices;

5. Directing or requiring respondent's salesmen, or any other agents, representatives, or employees, directly or indirectly, as part of any plan or program of requiring its dealers to adhere

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to its suggested resale prices, to report dealers who do not observe such suggested resale prices, or to act on such reports by refusing or threatening to refuse sales to dealers so reported;

6. Requiring from dealers charged with price cutting or failure to observe suggested resale prices, promises or assurances of the observance of respondent's resale prices as a condition precedent to future sales to said dealers;

7. Publishing, disseminating or circulating to any dealer, any price lists, price books, price tags or other documents indicating any resale or retail prices without stating on such lists, books, tags or other documents that the prices are suggested or approximate;

8. Utilizing any other cooperative means of accomplishing the maintenance of resale prices established by respondent;

9. Requiring or inducing by any means, dealers or prospective dealers to refrain, or to agree to refrain from reselling respondent's products to any other dealers or distributors;

*Provided, however,* Nothing hereinabove shall be construed to waive, limit or otherwise affect the right of respondent to enter into, establish, maintain and enforce in any lawful manner any price maintenance agreement excepted from the provisions of Section 5 of the Federal Trade Commission Act by virtue of the McGuire Act amendments to said Act and any other applicable statutes, whether, now in effect or hereafter enacted.

*It is further ordered,* That the respondent herein shall within sixty (60) days after service upon it of this order, mail a copy of this order to each of its dealers in the States of Alabama, Alaska, Hawaii, Kansas, Mississippi, Missouri, Montana, Nebraska, Nevada, Rhode Island, Texas, Utah, Vermont, Wyoming and Puerto Rico and the District of Columbia under cover of the letter annexed hereto as Exhibit A, and furnish the Commission proof of the mailing thereof.

*It is further ordered,* That the respondent herein shall:

1. Within sixty (60) days after service upon it of this order send each dealer terminated between January 1, 1966, and the date hereof and listed in Exhibit B annexed hereto (such list of terminated dealers having been previously verified by the staff of the Federal Trade Commission) a letter advising him that he may apply within thirty (30) days from receipt of that letter for reinstatement as a certified dealer;

2. Upon receipt of such application promptly reinstate any such dealer as a certified dealer; and

3. Within one hundred and twenty (120) days after service upon it of this order submit to the Commission a list of all

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dealers on Exhibit B who have not been reinstated and the reason or reasons therefor.

*It is further ordered,* That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions, and to all of its sales personnel and shall instruct each sales person employed by it now or in the future to read this order and to be familiar with its provisions.

*It is further ordered,* That respondent Ithaca Gun Company, Inc., notify the Commission at least 30 days prior to any proposed change in the corporate respondent which may affect compliance obligations arising out of this order, such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation of or dissolution of subsidiaries or any other change in the corporation.

*It is further ordered,* That the respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with this order.

## EXHIBIT A

[Letterhead of Ithaca Gun Company, Inc.]

Dear Dealer: Ithaca Gun Company, Inc. has entered into an agreement with the Federal Trade Commission relating to the distributional activities and pricing policy of Ithaca Gun. A copy of the consent order entered into pursuant to that agreement is enclosed herewith.

Ithaca Gun has entered into this agreement solely for the purpose of settling a dispute with the Commission, and the agreement and order is not to be construed as an admission by Ithaca Gun that it has violated any of the laws administered by the Commission. Instead, the order merely relates to the activities of Ithaca Gun in the future.

In order that you may readily understand the terms of the order we have set forth the essentials of the agreement with the Commission although you must realize that the order itself is controlling rather than the following explanation of its provisions:

(1) While Ithaca Gun may suggest resale prices for its products, distribute suggested resale price lists, and preticket with suggested prices, Ithaca Gun will not solicit the agreement of its dealers in your state to adhere to those suggested prices or take any other action to induce such dealers to follow those suggested prices since they are not binding.

(2) Ithaca Gun will not solicit, invite or encourage dealers in your state to report any person not following its suggested prices, and furthermore will not act on any such reports sent to it.

(3) Ithaca Gun will not require or induce its dealers in your state to refrain from advertising Ithaca Gun products at any price they choose or from selling Ithaca Gun products at any price to any person of their choice.

Yours sincerely,

JERALD T. BALDRIDGE,  
*President.*

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## EXHIBIT B

Keith's Hardware  
3625 Parkway Ave.  
Birmingham, Ala. 35226

J. O. Callahan & Son  
Black Rock, Arkansas 72415

Jim Shepard Guns  
1521 West Magnolia Blvd.  
Burbank, Calif. 91506

San Gabriel Valley Gun Club  
4001 Fish Canyon Road  
Duarte, Calif. 91010

Sam Luis Sport Shop  
542 Packeco Blvd.  
Los Banos, Calif. 93635

Ship Ahoy Country Store  
5676 Holt Blvd.  
Ontario, Calif. 91762

Suburban Sportsman, Inc.  
2720 Summer St.  
Stamford, Conn. 06901

T. R. Brown Co.  
11 South Railroad Ave.  
Camden-Wyoming, Del. 19934

O'Daniels Grocery & Gun Store  
1122 North Main  
Acworth, Georgia 30101

Dean's, Inc.  
1126 West Peachtree St., N.E.  
Atlanta, Georgia 30309

The Outdoorsman  
370 Shoup Ave.  
Idaho Falls, Idaho 83401

Canton Sporting Goods  
120 South Main St.  
Canton, Illinois 61520

Witvoet Gun Shop  
179th & Corchester  
South Holland, Ill. 60473

Cantrell Lumber & Hardware Co.  
Xenia, Illinois 62399

Bait King  
116 South 10th & ½ St.  
Terre Haute, Indiana

Mile Zero  
2605 Rhomberg Ave., Box 876  
Dubuque, Iowa

Dick's Gun Repair  
Fareside Road  
Topsham, Maine 04086

Airport Sales  
180 Crawford St.  
Leominster, Mass. 01453

Detra Sporting Goods  
71-2 Union Square  
Somerville, Mass 02143

Nicks Sporting Goods  
23833 John R  
Hazel Park, Mich. 48030

Allen's Sports Center  
Route 3, North on M-66  
Ionia, Mich. 48846

Dave's  
911 Military St.  
Port Huron, Mich. 48060

Smith's Hardware  
106 Main St.  
Starkville, Miss.

Brown's Sports Center  
16th St. West at Alpine Ave.  
Billings, Montana 59102

Reiter's Marina  
450 Main Highway 10E  
Billings, Montana 59101

The Sportsman of Butte  
18 North Main  
Butte, Montana 59701

M. L. Brown Co.  
812 North Main  
Helena, Mont. 59601

Wolf Enterprises  
27 Main St.  
Denville, New Jersey 07834

Roth-Schlenger, Inc.  
Sayre Woods Shopping Center  
Parlin, New Jersey 08859

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Roth-Schlenger, Inc. Route 22 & West Chestnut St. Union, New Jersey 07083	Sunset Sporting Goods 4625 North Detroit Ave. Toledo, Ohio 43612
Furr's Family Center No. 22 Central & San Pedro Albuquerque, New Mexico 87108	Thomson Hardware & Sporting Goods 116 North Main Altus, Oklahoma 73521
Morley's Sporting Goods 52-54 Division St. Amersterdam, New York 12010	Hales Sporting Goods P. O. Box 693 Blackwell, Okla. 74631
Avoca Pharmacy 12 Main St. Avoca, New York 14809	Lampus Company 2656 Northeast Union Portland, Oregon 97212
Johnny Jo Stores, Inc. Camillus Plaza Camillus, New York 13031	Don Williams Hardware Co. P. O. Box 193 The Dallas, Oregon 97058
Owego-Murray Co., Inc. 181 Front St. Owego, New York 13827	M. C. Ebbecke Hardware Co., Inc. 606 Hamilton St. Allentown, Penna. 18100
Ray's Gun Shop R. D. 3, Route 22 Plattsburgh, New York 12901	S. L. Spotto 804 West Crawford Connellsville, Penna. 15425
Marjax Enterprises, Inc. 2720 West Henrietta Road Rochester, New York 14620	Mike Sahlaney Estate, Inc. Main St. Houtzdale, Penna. 16651
Badgley & Wheeler Hardware Main St. Schoharie, New York 12157	Froff's Fishing Equip. 62 Landis Ave. Millersville, Penna. 17551
Dom's Sports Shop 2467 Niagara Falls Blvd. Tonawanda, New York 14150	Jerrys Sport Center R. D. No. 1, Route 347 Olyphant, Penna. 18447
Albert Coppotelli 2103 Genesee St. Utica, New York 13501	Nulls General Store R. D. 2, Route 15 S. Gettysburg, Penna. 17325
Sportsman's Supply Co. 600 North Cherry St. Winston-Salem, North Carolina 27100	Lenny's Sport Center 15 West Third St. Williamsport, Penna. 17701
Dakota Firearms 24 North Main Minot, North Dakota 58701	Royal Arms 846 Pine Abilene, Texas 79600
F & G Police Equip. Co. 860 Broad Road Bedford, Ohio 44146	Bargain Fair of Denton, Inc. 1620 University Drive Denton, Texas 76201
Southern Ohio Distributors 3700 Redbank Road Cincinnati, Ohio 45200	Don's Tackle Box 333 Highway 64 Henderson, Texas 75652

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Texas Gun Clinic  
3450 Gulf Freeway  
Houston, Texas 77004

Stewart Hardware  
North Side Square  
Kaufman, Texas 75142

The Gift House  
120 25th St.  
Ogden, Utah

Village Barber & Sport Shop  
2603 West Albany  
Kennewick, Wash. 99336

Al Kreideman  
548 Janich Circle, W.  
Stevens Point, Wisconsin 54481

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 IN THE MATTER OF

## RADIGAN BROTHERS, INCORPORATED, ET AL.

CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE  
TRUTH IN LENDING AND THE FEDERAL TRADE COMMISSION ACTS

*Docket C-1927. Complaint, June 1, 1971—Decision, June 1, 1971*

Consent order requiring a Gary, Ind., retailer of furniture to cease violating the Truth in Lending Act by failing to disclose in its credit transactions the annual percentage rate, the total of payments, the cash price, the cash downpayment, the unpaid balance, the amount financed, the deferred payment price, and other disclosures required by Regulation Z of said Act.

## COMPLAINT

Pursuant to the provisions of the Truth in Lending Act and the implementing regulation promulgated thereunder, and the Federal Trade Commission Act, and by virtue of the authority vested in it by said Acts, the Federal Trade Commission having reason to believe that Radigan Brothers, Incorporated, a corporation, and John B. Radigan, William J. Radigan and Joseph B. Radigan, individually, and as officers of said corporation, hereinafter referred to as respondents, have violated the provisions of said Acts and implementing regulation, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues its complaint stating its charges in that respect as follows:

PARAGRAPH 1. Radigan Brothers, Incorporated, is a corporation organized, existing and doing business under and by virtue of the laws of the State of Indiana, with its principal office and place of business located at 637 Broadway Street, Gary, Indiana.

Respondents John B. Radigan, William J. Radigan and Joseph B. Radigan are officers of the corporate respondent. They formulate.

