

Complaint

IN THE MATTER OF
WATCHUNG POOL SUPPLIES, INC., ET AL.
CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE
FEDERAL TRADE COMMISSION ACT

Docket C-2473. Complaint, Oct. 30, 1973—Decision, Oct. 30, 1973.

Consent order requiring a North Plainfield, N.J., retailer and distributor of swimming pools, related accessories, and other products and merchandise, among other things to cease misrepresenting products or services as free or at a discount; misrepresenting prices as reduced or usual and customary; misrepresenting savings that purchasers may realize.

Appearances

For the Commission: *John A. Crowley and Kathryn E. McDonnell.*

For the respondents: *Hughes, McElroy, Connell, Foley & Geiser, Newark, N.J.*

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 Watchung Pool Supplies, Inc., a corporation, and Frank Jannuzzi and Frank C. Jannuzzi, individually and as officers of said corporation, hereinafter sometimes 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 Watchung Pool Supplies, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of New Jersey with its principal office and place of business located at Route 22 and Maple Avenue, North Plainfield, N.J.

Respondents Frank Jannuzzi and Frank C. Jannuzzi are officers of the corporate respondent. They formulate, direct and control the acts and practices of the corporate respondent including the acts and practices hereinafter set forth. Their address is the same as that of the corporate respondent.

PAR. 2. Respondents are now, and for some time last past have been engaged in the advertising, offering for sale, sale and distribution of swimming pools, swimming pool accessories and other

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merchandise and products.

PAR. 3. In the course and conduct of their business as aforesaid, respondents have caused, and now cause, the dissemination of certain advertisements concerning said swimming pools and other products by various means in commerce, as "commerce" is defined in the Federal Trade Commission Act, including, but not limited to, advertisements inserted in newspapers of interstate circulation, and by means of radio broadcasts transmitted by a radio station having sufficient power to carry such broadcasts across state lines, for the purpose of inducing and which had the tendency to induce, directly or indirectly, the purchase of respondents' swimming pools and other products.

In the further course and conduct of their business as aforesaid, respondents have caused, and now cause, their said products, when sold, to be shipped from their place of business in the State of New Jersey to purchasers thereof located in various other states. Respondents maintain, and at all times mentioned herein have maintained, a substantial course of trade in said products in commerce, as "commerce" is defined in the Federal Trade Commission Act.

PAR. 4. By means of advertisements inserted in newspapers and disseminated, as aforesaid, respondents have made various statements and representations of which the following are typical and illustrative, but not all inclusive thereof:

Huge January Clearance

15-ft. POOL 99.99 Reg. 174.99

18' x 48'' POOL 179.99 Reg. 289.99

16' x 32' x 48'' Oval Pool 499.99 Reg. 749.99

Rummage Sale UP TO 50% Off One Week Only!

12' x 42'' POOL Reg. 139.99 Only 79.99

15' x 42'' POOL Reg. 174.99 Only 99.99

18' x 48'' POOL Reg. 309.99 Only 149.99

18' x 48'' POOL Reg. 259.99 Only 129.99

FEBRUARY SALE
SPECIALS 3 DAYS ONLY

	Reg.	Sale
12 ft. x 4 ft.	419.96	\$235
15 ft. x 4 ft.	470.95	260
18 ft. x 4 ft.	530.95	299
21 ft. x 4 ft.	570.95	340
24 ft. x 4 ft.	620.95	370
18 ft. x 12 ft. x 4 ft.	580.95	360
24 ft. x 16 ft. x 4 ft.	750.95	460
32 ft. x 16 ft. x 4 ft.	920.95	600

