

## Synopsis

### Synopsis of Federal Trade Commission Decisions Concerning Labeling, Invoicing and Advertising of Fur Products

The following practices, among others, concerning labeling, invoicing and advertising of furs or fur products are deceptive or unfair and are unlawful under the Fur Products Labeling Act and Section 5(a)(1) of the Federal Trade Commission Act:

#### Labeling

It is an unfair or deceptive act or practice to falsely or deceptively label or identify any fur product or for the label required by the Fur Products Labeling Act affixed to such fur product to contain any form of deception or misrepresentation, directly or by implication, including but not limited to: falsely identifying the name(s) of the animal(s) that produced the fur; labeling fur products with fictitious prices or price representations; falsely labeling fur products as "natural"; and falsely labeling fur products as "original".<sup>1/</sup>

It is an unfair or deceptive act or practice to fail to affix to any fur product a label showing in words plainly legible the name(s) (as set forth in the Fur Products Name Guide issued by the Federal Trade Commission) of the animal(s) that produced the fur.<sup>2/</sup>

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<sup>1/</sup> Samuel A. Mannis and Company, 56 FTC 833 (1960), 293 F. 2d 774 (1961); I. Rubin, Inc., et al., 54 FTC 1242 (1958); B. Wollman & Bros., Inc., et al., 63 FTC 1617 (1963); Edgar Gevirtz trading as Regal Furs, 61 FTC 74 (1962); American Deb Furs, Inc., et al., 56 FTC 1275 (1960); Jacques De Gorter, et al., trading as Pelta Furs, 52 FTC 1307 (1956), 244 F.2d 270 (1957); Associated Dry Goods Corporation, et al, 56 FTC 638 (1959).

<sup>2/</sup> Mandel Brothers, Inc., 54 FTC 50 (1957), 254 F.2d 18 (1958), 359 U.S. 385 (1959), 56 FTC 355 (1959); Brooklyn Fashion Center, Inc., et al., 56 FTC 535 (1959); Samuel A. Mannis and Company, *supra*; Edgar Gevirtz trading as Regal Furs, *supra*; I. Rubin, Inc., et al., *supra*.

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It is an unfair or deceptive act or practice to fail to affix to any fur product a label showing in words plainly legible that the fur product contains or is composed of used or second-hand used fur, when that is the fact.3/

It is an unfair or deceptive act or practice to fail to affix to any fur product a label showing in words plainly legible that the fur product contains bleached, dyed or otherwise artificially colored fur, when that is the fact.4/

It is an unfair or deceptive act or practice to fail to affix to any fur product a label showing in words plainly legible that the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when that is the fact.5/

It is an unfair or deceptive act or practice to fail to affix to any fur product a label showing in words plainly legible the name, or other identification issued and registered by the Commission, of one or more of the persons who manufacture such product for introduction into commerce, introduce it into commerce, advertise, offer it for sale, sell, transport or distribute it in commerce.6/

It is an unfair or deceptive act or practice to fail to affix to any fur product a label showing in words plainly legible the name of the country of origin of any imported furs used in the fur product.7/

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3/ Kitty Lefin trading as Kitty Lefin Fur House, 56 FTC 1189 (1960).

4/ Mandel Brothers, Inc., supra; I. Rubin, Inc. et al., supra; B. Wollman & Bros., Inc., et al., supra.

5/ Hoving Corporation, 57 FTC 690 (1960), 290 F. 2d 803 (1961).

6/ Samuel A. Mannis and Company, supra; Edgar Gevirtz trading as Regal Furs, supra; American Deb Furs, Inc., et al., supra; Kitty Lefin trading as Kitty Lefin Fur House, supra.

7/ Mandel Brothers, Inc., supra; Brooklyn Fashion Center, Inc., et al., supra; I. Rubin, Inc., et al., supra; Kitty Lefin trading as Kitty Lefin Fur House, supra.

It is an unfair or deceptive act or practice to set forth on a label affixed to a fur product the name(s) of any animal(s) other than the name(s) provided for in the Fur Products Name Guide issued by the Federal Trade Commission.8/

It is an unfair or deceptive act or practice to fail to set forth the information required by the Fur Products Labeling Act and the rules and regulations promulgated thereunder on one side of a label affixed to a fur product, or to mingle required information with non-required information.9/

It is an unfair or deceptive act or practice for the information required on a label by the Fur Products Labeling Act and the rules and regulations promulgated thereunder to be set forth in handwriting, by the use of abbreviations or ditto marks, and to fail to set forth such required information in the sequence required by Rule 30 of said rules and regulations.10/

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8/ Brooklyn Fashion Center, Inc., et al., supra; Jacques De Gorter, et al., trading as Pelta Furs, supra.

9/ Ben Cohen trading as Benton Furs, 54 FTC 203 (1957); Brooklyn Fashion Center, Inc., et al., supra; Associated Dry Goods Corporation, et al., supra; Samuel A. Mannis and Company, supra; Harry Graff & Son, Inc., et al., 56 FTC 92 (1959); Maurice Ball trading as Maurice Ball Furs, 54 FTC 436 (1957); Edgar Gevirtz trading as Regal Furs, supra; The Higbee Company, 55 FTC 1921 (1959); I. Rubin, Inc. et al., supra; American Deb Furs, Inc., et al., supra; Jacques De Gorter, et al., trading as Pelta Furs, supra; Hoving Corporation, supra.

10/ Samuel A. Mannis and Company, supra; B. Wollman & Bros., Inc., supra; Mandel Brothers, Inc., supra; The Higbee Company, supra; Ben Cohen trading as Benton Furs, supra; I. Rubin, Inc., et al., supra; Edgar Gevirtz trading as Regal Furs, supra; Maurice Ball trading as Maurice Ball Furs, supra; Jacques De Gorter, et al., trading as Pelta Furs, supra; Kitty Lefin trading as Kitty Lefin Fur House, supra; Associated Dry Goods Corporation, et al., supra; Brooklyn Fashion Center, Inc., et al., supra.

It is an unfair or deceptive act or practice to fail to assign an item number or mark to fur product(s) and to fail to place said item number or mark on the label(s) affixed to such fur product(s) in the manner prescribed by rule 40 of the rules and regulations promulgated under the Fur Products Labeling Act.11/

It is an unfair or deceptive act or practice to remove or mutilate, or to cause or participate in the removal or mutilation of, prior to the time any fur product is sold and delivered to the ultimate consumer, any label required by the Fur Products Labeling Act to be affixed to such fur product.12/

#### Invoicing

It is an unfair or deceptive act or practice to fail to invoice any fur or fur product so as to show the name(s) as set forth in the Fur Products Name Guide issued by the Federal Trade Commission of the animal(s) that produced the fur.13/

It is an unfair or deceptive act or practice to fail to invoice any fur product to show that the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when that is the fact.14/

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11/ Ben Cohen trading as Benton Furs, supra.

12/ Maurice Ball trading as Maurice Ball Furs, supra; Kitty Lefin trading as Kitty Lefin Fur House, supra.

13/ Mandel Brothers, Inc., supra; Edgar Gevirtz trading as Regal Furs, supra; I. Rubin, Inc., et al., supra; The Higbee Company, supra.

14/ Mandel Brothers, Inc., supra; Hoving Corporation, supra; Maurice Ball trading as Maurice Ball Furs, supra; Edgar Gevirtz trading as Regal Furs, supra; I. Rubin, Inc., et al., supra; B. Wollman & Bros., Inc., et al., supra; American Deb Furs, Inc., et al., supra.

It is an unfair or deceptive act or practice to fail to invoice any fur product to show that the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when that is the fact.15/

It is an unfair or deceptive act or practice to fail to invoice any fur or fur product to show the name and address of the person or firm issuing such invoice.16/

It is an unfair or deceptive act or practice to fail to invoice any fur or fur product to show the name of the country of origin of imported furs or those contained in a fur product.17/

It is an unfair or deceptive act or practice for the invoice relating to any fur or fur product to contain the name(s) of any animal(s) other than the name(s) specified in the Fur Products Name Guide issued by the Federal Trade Commission.18/

It is an unfair or deceptive act or practice for the invoice relating to any fur or fur product to contain any form of misrepresentation or deception, directly or by implication, with respect to such fur or fur product, including but not limited to: invoicing furs or fur products with fictitious prices or fictitious price representations; and invoicing furs

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15/ [Hoving Corporation, supra](#); [Maurice Ball trading as Maurice Ball Furs, supra](#).

16/ [Mandel Brothers, Inc., supra](#).

17/ [Rudolph Mendiola trading as Wholesale Fur House, 56 FTC 1265 \(1960\)](#); [Maurice Ball trading as Maurice Ball Furs, supra](#); [I. Rubin, Inc., et al., supra](#); [American Deb Furs, Inc., et al., supra](#); [Leviant Brothers, Inc., et al., 56 FTC 120 \(1959\)](#); [Kitty Lefin trading as Kitty Lefin Fur House, supra](#).

18/ [Edgar Gevirtz trading as Regal Furs, supra](#); [American Deb Furs, Inc., et al., supra](#); [Ben Cohen trading as Benton Furs, supra](#); [Jacques De Gorter, et al., trading as Pelta Furs, supra](#).

or fur products so as to show that such furs or fur products are “natural” when that is not the fact.19/

It is an unfair or deceptive act or practice to set forth on an invoice the information required by the Fur Products Labeling Act and the rules and regulations promulgated thereunder by the use of abbreviations.20/

It is an unfair or deceptive act or practice to fail to assign an item number or mark to fur product(s) and to fail to disclose said item number or mark on invoices relating to such fur product(s) in the manner prescribed by rule 40 of the rules and regulations promulgated under the Fur Products Labeling Act.21/

### Advertising

It is an unfair or deceptive act or practice for any advertisement, invoice, representation, public announcement or notice which is intended to aid, promote, or assist directly or indirectly in the sale or offering for sale of a fur or fur product to fail to show the name(s) (as set forth in the Fur Products Name Guide issued by the Federal Trade Commission) of the animal(s) that produced the fur.22/

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19/ Harry Graff & Son, Inc., et al., supra; Irving C. Katz Co., Inc., et al., 56 FTC 103 (1959); Kolomer Bros., Inc., et al., 56 FTC 113 (1959); B. Wollman & Bros., Inc., et al., supra; American Deb Furs, Inc., et al., supra; Leviant Brothers, Inc., et al., supra.

20/ I. Rubin, Inc., et al., supra; B. Wollman & Bros., Inc., et al., supra; Edgar Gevirtz trading as Regal Furs, supra; The Higbee Company, supra; Ben Cohen trading as Benton Furs, supra; American Deb Furs, Inc., et al., supra; Jacques De Gorter, et al., trading as Pelta Furs, supra.

21/ I. Rubin, Inc., et al., supra; Jacques De Gorter, et al., trading as Pelta Furs, supra.

22/ Brooklyn Fashion Center, Inc., et al., supra; Hoving Corporation, supra; Edgar Gevirtz trading as Regal Furs, supra; The Higbee Company, supra; I. Rubin, Inc., et al., supra; The Higbee Company, supra; I. Rubin, Inc., et al., supra; B. Wollman & Bros., Inc., et al., supra; Kitty Lefin trading as Kitty Lefin Fur House, supra; Jacques De Gorter, et al., trading as Pelta Furs, supra.

It is an unfair or deceptive act or practice for any advertisement, invoice, representation, public announcement or notice, which is intended to aid, promote, or assist directly or indirectly in the sale or offering for sale any fur product to fail to show that the fur product contains used or second-hand used fur, when that is the fact.23/

It is an unfair or deceptive act or practice for any advertisement, invoice, representation, public announcement or notice which is intended to aid, promote, or assist directly or indirectly in the sale or offering for sale of any fur product to fail to show that the fur product is bleached, dyed, or otherwise artificially colored fur, when that is the fact.24/

It is an unfair or deceptive act or practice for any advertisement, invoice, representation, public announcement or notice which is intended to aid, promote, or assist directly or indirectly in the sale or offering for sale of a fur product to fail to show that the fur product is composed in whole or in substantial part of paws, tails, bellies or waste, when that is the fact.25/

It is an unfair or deceptive act or practice for any advertisement, invoice, representation, public announcement, or invoice which is intended to aid, promote, or assist directly or indirectly in the sale or offering for sale of a fur

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23/ Samuel A. Mannis and Company, supra; Kitty Lefin trading as Kitty Lefin Fur House, supra.

24/ Brooklyn Fashion Center, Inc., et al., supra; Hoving Corporation, supra; The Higbee Company, supra; I. Rubin, Inc., et al., supra; B. Wollman & Bros., Inc., et al., supra; Jacques De Gorter, et al., trading as Pelta Furs, supra; Kitty Lefin trading as Kitty Lefin Fur House, supra.

25/ Hoving Corporation, supra.

product to contain the name(s) of any animal(s) other than the name (s) specified in the Fur Products Name Guide issued by the Federal Trade Commission.26/

It is an unfair or deceptive act or practice for any advertisement, invoice, representation, public announcement, or notice which is intended to aid, promote, or assist directly or indirectly in the sale or offering for sale of a fur product to contain any form of misrepresentation or deception, directly or by implication, with respect to such fur product, including but not limited to: using the word "original" to describe a fur product as being exclusively designed when that is not the fact; advertising fur products with fictitious prices or fictitious price representations; representing that fur products offered for sale are those of a manufacturer and jobber willing to sacrifice his stock for immediate cash when that is not the fact; using the word "guaranteed" in an advertisement without disclosing the nature and extent of the guarantee; and representing in advertising that there are thousands of furs to choose from when that is not the fact.27/

It is an unfair or deceptive act or practice to falsely advertise a fur or fur product as being offered for sale at the wholesale price or at manufacturers' cost or less, or to advertise a fur or fur product at prices purported to be reduced from what are in fact fictitious prices or at a purported

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26/ Brooklyn Fashion Center, Inc., et al., supra; Hoving Corporation, supra; Maurice Ball trading as Maurice Ball Furs, supra; Edgar Gevirtz trading as Regal Furs, supra; The Higbee Company, supra; B. Wollman & Bros., Inc., et al., supra; Jacques De Gorter, et al., trading as Pelta Furs, supra.

27/ Samuel A. Mannis and Company, supra; Maurice Ball trading as Maurice Ball Furs, supra; Edgar Gevirtz trading as Regal Furs, supra; Irving C. Katz Co., Inc., et al., supra; Kolomer Bros., Inc., et al., supra; B. Wollman & Bros., Inc., et al., supra; Harry Graff & Son, Inc., et al., supra; Jacques De Gorter, et al., trading as Pelta Furs, supra; Leviant Brothers, Inc., et al., supra.



reduction in price when such purported reduction is in fact fictitious.28/

It is an unfair or deceptive act or practice to advertise a fur product with comparative prices and percentage savings claims (except on the basis of current market values) unless the time during which the fur product was offered for sale at such compared price is disclosed.29/

It is an unfair or deceptive act or practice to make pricing claims or representations in advertising of the types described in rule 44, §§(a), (b), (c) and (d) of the rules and regulations promulgated under the Fur Products Labeling Act without maintaining full and adequate records disclosing the facts upon which such claims or representations are based.30/

It is an unfair or deceptive act or practice for any advertisement, invoice, representation, public announcement or notice which is intended to aid, promote, or assist directly or indirectly in the sale or offering for sale of any fur product to fail to show the name of the country of origin of any imported furs contained in such fur product.31/

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28/ Mandel Brothers, Inc., supra; Samuel A. Mannis and Company, supra; Maurice Ball trading as Maurice Ball Furs, supra; Irving C. Katz Co., Inc., et al., supra; I. Rubin, Inc., et al., supra; B. Wollman & Bros., Inc., et al., supra; Edgar Gevirtz trading as Regal Furs, supra; Ben Cohen trading as Benton Furs, supra; Kolomer Bros., Inc., et al., supra; Leviant Brothers, Inc., et al., supra; Jacques De Gorter, et al., trading as Pelta Furs, supra.

29/ Associated Dry Goods Corporation, et al., supra; Jacques De Gorter, et al., trading as Pelta Furs, supra.

30/ Mandel Brothers, Inc., supra; Samuel A. Mannis and Company, supra; I. Rubin, Inc., et al., supra; B. Wollman & Bros., Inc., et al., supra; Edgar Gevirtz trading as Regal Furs, supra; Leviant Brothers, Inc., et al., supra; Jacques De Gorter, et al., trading as Pelta Furs, supra.

31/ Brooklyn Fashion Center, Inc., et al., supra; Hoving Corporation, supra; B. Wollman & Bros., Inc., et al., supra; Jacques De Gorter, et al., trading as Pelta Furs, supra.

It is an unfair or deceptive act or practice to set forth in any advertisement, invoice, representation, public announcement or notice which is intended to aid, promote, or assist directly or indirectly in the sale or offering for sale of any fur product the information required by the Fur Products Labeling Act and the rules and regulations promulgated thereunder by the use of abbreviations or ditto marks, and to fail to set forth such required information in close proximity with other such required information and, if printed, in legible and conspicuous type of equal size.32/

#### False Guaranty

It is an unfair or deceptive act or practice to furnish a false guaranty that a fur product is not misbranded or that it is not falsely advertised or invoiced under the provisions of the Fur Products Labeling Act.33/

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32/ Samuel A. Mannis and Company, supra; B. Wollman & Bros., Inc., et al., supra; Kitty Lefin trading as Kitty Lefin Fur House, supra.

33/ Harry Graff & Son, Inc., et al., supra; Irving C. Katz Co., Inc., et al., supra; Leviant Brothers, Inc., et al., supra.