

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION**

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|--------------------------------|---|-------------------|
| In the Matter of |) | |
| |) | |
| GLOBAL INSTRUMENTS LTD., |) | |
| a corporation, and |) | |
| |) | DOCKET NO. C-4092 |
| CHARLES PATTERSON, |) | |
| individually and as an officer |) | |
| of the corporation. |) | |

COMPLAINT

The Federal Trade Commission, having reason to believe that Global Instruments Ltd., a corporation, and Charles Patterson, individually and as an officer of the corporation (“respondents”), have violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent Global Instruments Ltd. is an Iowa corporation with its principal office or place of business at 819 Industrial Drive, Trenton, Missouri 64683.

2. Respondent Charles Patterson is President of the corporate respondent. Individually or in concert with others, he formulates, directs, or controls the policies, acts, or practices of the corporation, including the acts or practices alleged in this complaint. His principal office or place of business is the same as that of Global Instruments Ltd.

3. The acts and practices of respondents alleged in this complaint have been in or affecting commerce, as “commerce” is defined in Section 4 of the Federal Trade Commission Act.

Electromagnetic Pest-Control Products

4. Respondents have manufactured, advertised, labeled, offered for sale, sold, and distributed electromagnetic pest-control products to the public, including the Pest-A-Cator and the Pest-A-Cator Too! (collectively, “Pest-A-Cator Products”) and Riddex and Riddex Jr. (collectively, “Riddex Products”).

5. Respondents have disseminated or have caused to be disseminated advertisements for the Pest-A-Cator Products and Riddex Products, including but not necessarily limited to the attached Exhibits A through I. These advertisements contain the following statements:

A. “PEST-A-CATOR

- Works on mice, rats, and roaches. . . .
- Guaranteed, or your money back!
- Works in standard size homes up to 2000 square feet.
-
- Fast working - infested areas will be noticeably [sic] clean in 2 - 4 weeks.
-
- Helps in reducing monthly exterminator costs.”

(www.global-instruments.com/pest-a-cator.html) (6/4/02) [Exhibit A]

B. “Pest-A-Cator: The eliminator, not the imitator!

- Guaranteed on mice, rats and roaches.

•

Up to 2,000 sq. ft.

Pest-A-Cator is great for homes, office buildings, schools, restaurants, hospitals, etc.

•

Rodent & Insect Repeller

The Ultimate Power in Electronic Pest Control GUARANTEED!”

(Pest-A-Cator and Pest-A-Cator Plus Brochure—available on website) [Exhibit B]

C. “Pest-A-Cator Too!

Up to 1,000 sq. ft.

Pest-A-Cator Too! is great for smaller homes, condominiums, apartments, mobile homes, etc.”

(Pest-A-Cator and Pest-A-Cator Plus Brochure—available on website) [Exhibit B]

D. “This is not one of those ‘sonic’ noise machines. They only work in one room at a time! Pest-A-Cator uses the household wiring to turn the whole place into one huge pest-irritating machine which forces pests (mice, rats, roaches) to leave the premises.

Pest-A-Cator is the alternative to those harmful or hazardous chemicals,

pesticides and insecticides which can harm children, family pets, friends, the environment and more.

...

A single Pest-A-Cator will aid in ridding most standard 2,000 sq. ft. areas of mice, rats and roaches, all within 2-4 weeks and all without the aid of chemicals and the need for costly exterminators. The unit sends a pulsating signal throughout the wiring of the home annoying insects and rodents, driving them from behind the walls, out of cabinets and from under sinks where they hide and nest.

Just plug the Pest-A-Cator into any 110V outlet and let it work – 24 hours a day, 365 days a year.

...

Your optimum goal for an electronic pest control device is to eliminate the problem. Pest control problems are eliminated when the solution strikes at the nesting areas, which are in the walls, cabinets and under the sinks.

Pest-A-Cator was designed to send a pulsating signal throughout the wiring of the home annoying insects and rodents, driving them from behind the walls, out of cabinets and from under sinks where they hide and nest.”

(Pest-A-Cator and Pest-A-Cator Plus Brochure–available on website) [Exhibit B]

E. “Pest-A-Cator

Don’t drive pests into hiding. Drive them out. . . Drive them away.

...

‘The Pest-A-Cator turns your house wiring into a giant pest repeller!’

. . . The *Pest-A-Cator* uses the wiring in your home to turn the whole place into one huge, pest irritating machine which forces them to leave the premises.

...

The unique activity sends a pulsating signal throughout the wiring of homes, businesses and other structures. This silent pulse annoys insects and rodents, driving them out from behind walls, floors and ceilings where they hide and nest.

...

- Reduces monthly pest control visits.
- Tested by the U.S. Navy and in public housing facilities.

...

The Pest-A-Cator is cost effective. A 1,500 square foot, 8 room house will cost a consumer the price of one unit.”

(Pest-A-Cator, Pest-A-Cator Plus and PestVacator Product Brochure) [Exhibit C]

F. “Pest-A-Cator Too

- Specially designed for smaller living quarters such as apartments, condominiums, mobile homes, etc. . .
- Works on mice, rats, and roaches . . . Guaranteed or your money back!

- Works in areas up to 1,000 square feet. . . .
- Fast working! Infested areas will be noticeably [sic] clean in 2 - 4 weeks.”
(www.global-instruments.com/pest-a-cator2.html) (6/4/02) [Exhibit D]

G. **“1. HOW DOES IT WORK?”**

Pest-A-Cator is NOT an ultrasonic product. It works with the electrical wiring in your home. The electrical wiring inside your home already has an existing field surrounding it. Pest-A-Cator, when plugged in, pulses this field. It doesn't really add to or take away from the field, just pulses it. Rats, mice, and cockroaches like to live and nest inside the walls. They feel this and don't like it and it drives them out. This means that if there is an infestation of rats, mice or roaches, the consumer WILL see more during the first four weeks or so, because it is driving them out of the walls. We recommend using traps, glue boards, etc. the first few weeks to help clean up the initial problem.

...

6. WHAT IS IT GUARANTEED TO WORK ON?

Rats, Mice and Cockroaches ONLY! Consumer testimonials state that it works on ants, spiders, crickets, etc., but we do NOT guarantee it to work on these pests.

...

8. WILL I EVER SEE A PEST AFTER PLUGGING IN THE PEST-A-CATOR?

Consumers may still see an occasional rat, mouse or cockroach that has wandered in, but they will not stay and take up residency in the home after a Pest-A-Cator is plugged in. If they can, they will leave the same way they came in.”

(www.global-instruments.com/faq.html) (6/5/02) [Exhibit E]

- H. “A single Pest-A-Cator unit will aid in ridding most standard 2,000 square foot areas of mice, rats and roaches within 2-4 weeks. The unique activity sends a pulsating signal throughout the wiring of homes, businesses and other structures. This silent pulse annoys insects and rodents, driving them out from behind walls, floors and ceilings where they hide and nest.”

Just plug the *Pest-A-Cator* into any 110 outlet and let it go to work.”

([www.global-instruments.com/how it works.html](http://www.global-instruments.com/how%20it%20works.html)) (6/5/02) [Exhibit F]

- I. MALE ANNOUNCER: “. . . Introducing a revolutionary unit that rids homes of roaches, rats and mice without toxic chemicals, harmful side effects, unsightly boxes or high monthly fees.”

ON SCREEN: Pest-A-Cator product

MALE ANNOUNCER: “Introducing the Pest-A-Cator, the safe and effective way to get rid of these pests once and for all.”

...

MALE ANNOUNCER: “This innovative technology drives rodents and roaches out of your home and it’s completely safe for humans, as well as cats, dogs and fish.”

...

MALE ANNOUNCER: “It starts to work immediately by altering the normal field around your wiring, creating an environment that aids in the control of mice, rats and roaches where the problem exists, in the walls and ceilings.”

ON SCREEN: Animation of pests leaving home
(Television commercial) (date unknown) [Exhibit G]

- J. MALE ANNOUNCER: “It takes two to four weeks to take care of normal pest and rodent problems.”
ON SCREEN: “Allow 2-4 weeks for infestations”
MALE ANNOUNCER: “Then your problem will be gone – and won’t come back as long as the unit is plugged in.”
ON SCREEN: “Problem Gone!”
MALE ANNOUNCER: “-- and won’t come back as long as the unit is plugged in.”
ON SCREEN: “PEST-A-CATOR product
No Harmful Chemicals. Today’s Pest Control.
Don’t drive pests into hiding?
Drive them out . . .
Drive them away.”
(Television commercial) (date unknown) [Exhibit H]

- K. “Introducing **RIDDEX**
‘The Environmental Alternative For Safer Pest Control’
Want to reduce the use of hazardous chemicals (insecticides and pesticides) in your everyday life, around children, and food products?
...
Just plug in the ‘**RIDDEX**’ to a standard 110 or 220 volt outlet and this new technology starts working by altering the normal field around your wiring, creating an environment that aids in the control of mice, rats, and roaches in the walls and ceiling where your problem exists.
House wiring turns your home into a giant pest repeller!
- Makes your home Pest-Free without harmful chemicals.
 - Uses electrical wiring in the walls to drive pests away from homes, hotels, motels, offices, restaurants and mobile homes.
 - Environmental Alternative.
 - No need for pest control services.
- ...
• One unit takes care of an average home (2,000 sq. ft.)
...
DRIVES OUT ROACHES RODENTS INSECTS & OTHER PESTS

...
Allow two to four weeks for satisfactory results.
(RIDDEX Brochure) [Exhibit I]

6. Through the means described in Paragraph 5, respondents have represented, expressly or by implication, that:
 - A. Pest-A-Cator Products and Riddex Products effectively repel, drive away or eliminate mice, rats, and cockroaches from users' homes, office buildings, restaurants and other buildings in two to four weeks;
 - B. One Pest-A-Cator unit effectively repels, drives away or eliminates mice, rats, and cockroaches throughout standard size homes up to 2,000 square feet;
 - C. One Pest-A-Cator Too! unit effectively repels, drives away or eliminates mice, rats, and cockroaches throughout smaller homes, condominiums, apartments, and mobile homes up to 1,000 square feet;
 - D. One Riddex unit effectively repels, drives away or eliminates mice, rats, and cockroaches throughout homes up to 2,000 square feet;
 - E. Pest-A-Cator Products and Riddex Products are an effective alternative to or eliminate the need for chemicals, pesticides, insecticides, exterminators, and pest control services;
 - F. Pest-A-Cator Products send a pulsating signal throughout the electrical wiring inside homes, businesses and other structures in a manner that drives mice, rats, and cockroaches out from the nesting areas in the walls, floors, ceilings, cabinets, and under sinks;
 - G. After using the Pest-A-Cator for two to four weeks, pests and rodents will be gone and will not return as long as the unit stays plugged in; and
 - H. Riddex Products alter the field around electrical wiring inside homes, hotels, motels, offices, restaurants and mobile homes in a manner that drives mice, rats, and cockroaches out.
7. Through the means described in Paragraph 5, respondents have represented, expressly or by implication, that they possessed and relied upon a reasonable basis that substantiated the representations set forth in Paragraph 6, at the time the representations were made.
8. In truth and in fact, respondents did not possess and rely upon a reasonable basis that substantiated the representations set forth in Paragraph 6 at the time the representations were made. Therefore, the representation set forth in Paragraph 7 was, and is, false or

misleading.

Pest-A-Cator Plus Products

9. Respondents have manufactured, advertised, labeled, offered for sale, sold, and distributed combination electromagnetic and ultrasonic pest control products to the public, including the Pest-A-Cator Plus and the Pest-A-Cator Too! Plus (collectively, “Pest-A-Cator Plus Products”).
10. Respondents have disseminated or have caused to be disseminated advertisements for the Pest-A-Cator Plus Products, including but not necessarily limited to the attached Exhibits C, J, and K. These advertisements contain the following statements:
 - A. “Electronic Pest Control Just Got Better! Introducing PEST-A-CATOR Plus Patented ‘Pulse’ technology Plus Ultrasonic Technology creates the ultimate power in electronic pest control! GUARANTEED!
...
Pest-A-Cator Plus products are the best of both worlds! Why? Because it [sic] has two technologies integrated into one product that’s effective in repelling pests from the entire home. Pulse or electro-magnetic technology works through the household wiring to upset nesting sites of mice, rats and roaches within walls, ceilings and floors. Ultrasonic technology controls a variety of pests (rodents, insects, spiders, bats, etc.) in open areas that have a high rate of visual activity. . .
.
Pest-A-Cator Plus and Pest-A-Cator Too! Plus products are great to use in homes, office buildings, schools, restaurants, hospitals, etc.
...
Pest-A-Cator Plus – Up to 2,000 sq. ft.
...
Pest-A-Cator Too! Plus – Up to 1,000 sq. ft.”
(Pest-A-Cator, Pest-A-Cator Plus, and PestVacator Product Brochure) [Exhibit C]
 - B. “Pest-A-Cator Plus Patented ‘Pulse’ technology PLUS Ultrasonic Technology creates the ultimate power in electronic pest control!
 - Only 1 unit needed per Average home of 2000 sq. ft....
2 TECHNOLOGIES IN 1!
‘Pulse Technology’
 - State of the art technology controls pest [sic] deep within the walls, ceilings and floors.
 - Guaranteed to aid with controlling on [sic] mice, rats and roaches.
 - Highly effective in areas up to 2,000 sq. ft. and up to 1,000 sq. ft. with Pest-A-Cator Too Plus

‘Ultrasonic’ Technology’

...

- Ultrasonic sound waves continue to bounce throughout the unobstructed room to aid with the control of pests on a continual basis.
- Aids in controlling rodents & insects (i.e. spiders, silverfish, etc.)”
(www.global-instruments.com/pest-a-catorplus.html) (6/5/02) [Exhibit J]

C. “Pest-A-Cator Too! Plus

- Recommended for apartments, condominiums, multi-family and [sic] structures 1000 sq. ft. or less.

...

- Highly effective in areas up to 1,000 sq. ft. . . .”
(www.global-instruments.com/pest-a-catorplus_2.html) (6/5/02) [Exhibit K]

11. Through the means described in Paragraph 10, respondents have represented, expressly or by implication that:

- A. Pest-A-Cator Plus Products’ pulse or electromagnetic technology works or pulsates through the household wiring to upset nesting sites of mice, rats, and cockroaches within walls, ceilings, and floors;
- B. Pest-A-Cator Plus Products effectively repel, control, or eliminate mice, rats, cockroaches, rodents, insects, spiders, silverfish, and bats from homes, office buildings, schools, restaurants, and hospitals;
- C. One Pest-A-Cator Plus unit effectively repels, controls, or eliminates mice, rats, cockroaches, rodents, insects, spiders, silverfish, and bats from homes, office buildings, schools, restaurants, and hospitals up to 2,000 square feet; and
- D. One Pest-A-Cator Too! Plus unit effectively repels, controls, or eliminates mice, rats, cockroaches, rodents, insects, spiders, silverfish, and bats from apartments, condominiums, and multi-family structures up to 1,000 square feet.

12. Through the means described in Paragraph 10, respondents have represented, expressly or by implication, that they possessed and relied upon a reasonable basis that substantiated the representations set forth in Paragraph 11, at the time the representations were made.

13. In truth and in fact, respondents did not possess and rely upon a reasonable basis that substantiated the representations set forth in Paragraph 11, at the time the representations were made. Therefore, the representation set forth in Paragraph 12 was, and is, false or misleading.

PestVacator Products

14. Respondents have manufactured, advertised, labeled, offered for sale, sold, and distributed ultrasonic pest control products to the public, including the PestVacator 800 and PestVacator 1500 (collectively, "PestVacator Products").
15. Respondents have disseminated or have caused to be disseminated advertisements for PestVacator Products, including but not necessarily limited to the attached Exhibits C and L. These advertisements contain the following statements:
- A. "PestVacator's ultrasonic technology is a safe and humane way to drive household pests (mice, rats, bats, crickets, spiders and other insects) away from your home including attics, basements and crawl spaces. Most household pests hear sounds far above the range of human hearing. Having no ability to adapt to these annoying sounds, they will leave the protected area for a more comfortable living area, most often outdoors.
- ...
PestVacator electronic pest control products; The friendly and effective alternative to using chemicals & traps.
PestVacator will aid in ridding your home of insects and rodents by using safe and powerful ultrasonic signals which penetrate the nervous systems of these pests, yet are undetectable to humans and common household pets.
Model PV800
...
• Protects areas up to 800 sq. ft.
...
Model PV1500
...
• Same attributes as the PV800 but works in areas up to 1500 sq. ft."
(Pest-A-Cator, Pest-A-Cator Plus, and PestVacator Product Brochure) [Exhibit C]
- B. "PestVacator Electronic Insect & Rodent Repeller
- Ultrasonic Technology
 - Aids in ridding the protected area of unwanted pests – up to 800 Sq. Ft. of protection!"
- ...
• No toxic chemicals, posions [sic] or traps needed."

16. Through the means described in Paragraph 15, respondents have represented, expressly or by implication, that:
 - A. PestVacator Products effectively repel, drive away or eliminate mice, rats, bats, crickets, spiders, and other insects from the user's home, including attics, basements and crawl spaces;
 - B. One Pest Vacator 800 effectively repels, drives away or eliminates mice, rats, bats, crickets, spiders, and other insects from the user's home, including attics, basements and crawl spaces, up to 800 square feet;
 - C. One PestVacator 1500 effectively repels, drives away or eliminates mice, rats, bats, crickets, spiders, and other insects from the user's home, including attics, basements and crawl spaces, up to 1500 square feet; and
 - D. PestVacator Products eliminate the need for toxic chemicals, poisons, or traps.
17. Through the means described in Paragraph 15, respondents have represented, expressly or by implication, that they possessed and relied upon a reasonable basis that substantiated the representations set forth in Paragraph 16, at the time the representations were made.
18. In truth and in fact, respondents did not possess and rely upon a reasonable basis that substantiated the representations set forth in Paragraph 16, at the time the representations were made. Therefore, the representation set forth in Paragraph 17 was, and is, false or misleading.
19. The acts and practices of respondents as alleged in this complaint constitute unfair or deceptive acts or practices, in or affecting commerce, in violation of Section 5(a) of the Federal Trade Commission Act.

THEREFORE, the Federal Trade Commission this twenty-second day of August, 2003, has issued this complaint against respondents.

By the Commission, Commissioner Harbour not participating.

Donald S. Clark
Secretary

SEAL: