

UNITED STATES OF AMERICA  
BEFORE FEDERAL TRADE COMMISSION

COMMISSIONERS: Jon Leibowitz, Chairman  
William E. Kovacic  
J. Thomas Rosch  
Edith Ramirez  
Julie Brill

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**In the Matter of** )  
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**P.C. Richard & Son, Inc.,** )  
**d/b/a Pcrichard.com,** )  
**a corporation,** )  
)  
**and** )  
)  
**P.C. Richard & Son, LLC,** )  
**d/b/a Pcrichard.com** )  
**a limited liability company.** )  
)  

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DOCKET NO. C-4303

**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 Complaint that the Bureau of Consumer Protection proposed to present to the Commission for its consideration and which, if issued by the Commission, would charge the Respondents with violation of the Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Under the Energy Policy and Conservation Act, 16 C.F.R. Part 305 (“Appliance Labeling Rule”); and

The Respondents, their attorney, and counsel for the Commission having thereafter executed an Agreement Containing Consent Order (“Consent Agreement”), containing (1) an admission by the Respondents of all the jurisdictional facts set forth in the aforesaid draft Complaint; and (2) a statement that the Respondents waive any further procedural steps, the requirement that this Decision and Order contain a statement of findings of fact and conclusions of law, and all rights to seek judicial review or otherwise to challenge or contest the validity of this Decision and Order; and

The Commission having thereafter considered the matter and having determined that it has reason to believe that the Respondents have violated the Appliance Labeling Rule, and that a Complaint should issue stating its charges in that respect, and having thereupon accepted the executed Consent Agreement, the Commission hereby issues its Complaint, makes the following jurisdictional findings and enters the following Order:

1. Respondent P.C. Richard & Son, Inc., d/b/a Pcrichard.com is a Delaware corporation with its principal office or place of business at 150 Price Parkway, Farmingdale, NY 11735. Respondent maintains a website at [www.pcrichard.com](http://www.pcrichard.com), which advertises, offers for sale, and sells a variety of products to retail customers, including refrigerators, freezers, clothes washers, dishwashers, and room air conditioners.
2. Respondent P.C. Richard & Son, LLC, d/b/a Pcrichard.com is a New York limited liability company with its principal office or place of business at 150 Price Parkway, Farmingdale, NY 11735. Respondent maintains a website at [www.pcrichard.com](http://www.pcrichard.com), which advertises, offers for sale, and sells a variety of products to retail customers, including refrigerators, freezers, clothes washers, dishwashers, and room air conditioners.
3. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of the Respondents, and this proceeding is in the public interest.

## **ORDER**

### **DEFINITIONS**

1. Unless otherwise specified, "Respondents" shall mean P.C. Richard & Son, Inc., d/b/a Pcrichard.com and P.C. Richard & Son, LLC, d/b/a Pcrichard.com and their successors and assigns.

### **I.**

**IT IS ORDERED THAT**, within five business days after the date of service of this Order, Respondents shall pay, jointly and severally, pursuant to 42 U.S.C. § 6303(a) and FTC Rules of Practice, 16 C.F.R. §§ 1.97-1.98, a civil penalty in the amount of \$180,000. Respondents shall make this payment by electronic fund transfer to the Treasurer of the United States, pursuant to a procedure to be specified by Commission staff in writing. In the event of default, Respondents shall be liable for interest calculated in accordance with 28 U.S.C. § 1961.

By the Commission.

SEAL:  
ISSUED: October 20, 2010

Donald S. Clark  
Secretary