

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: Edith Ramirez, Chairwoman
Julie Brill
Maureen K. Ohlhausen
Joshua D. Wright

_____)
In the Matter of)
)
DRJAYS.COM, INC.,) DOCKET NO. C-4408
a corporation.)
_____)

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, as amended, 15 U.S.C. § 41 *et seq.*, and by virtue of the authority vested in it by said Act, the Federal Trade Commission (“Commission”), having reason to believe that DrJays.com, Inc. (“respondent”), has violated the provisions of the Federal Trade Commission Act, 15 U.S.C. § 41 *et seq.*, the Fur Products Labeling Act, 15 U.S.C. § 69 *et seq.*, and the Rules and Regulations Under the Fur Products Labeling Act, 16 C.F.R. Part 301, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent DrJays.com, Inc., is a New York corporation with its principal office or place of business at 853 Broadway, Suite 1900, New York, NY 10003.
2. The acts and practices of respondent alleged in this complaint have been in or affecting commerce, as commerce is defined in Section 4 of the Federal Trade Commission Act, 15 U.S.C. § 44, and Section 2(j) of the Fur Products Labeling Act, 15 U.S.C. § 69(j).
3. Respondent has advertised, offered for sale, sold, and distributed fur products, as that term is defined in Section 2(d) of the Fur Products Labeling Act, 15 U.S.C. § 69(d). Respondent advertises and offers fur products for sale through its Internet site www.drjays.com.

4. From approximately January 2010 until approximately January 2012, respondent disseminated, or caused to be disseminated, advertisements for fur products, including, but not limited to, the advertisements for a Snorkel Jacket by Crown Holder (“Snorkel Jacket”), a Fur/Leather Vest by Knoles & Carter (“Fur/Leather Vest”), and a New York Subway Leather Bomber Jacket by United Face (“Bomber Jacket”) that are attached as Exhibit A. These advertisements are from respondent’s website and contained the following statements (emphasis added):

a. The Snorkel Jacket with Fur-lined hood by Crown Holder features:

- Full zip-closure
- 6-pocket design
- 2-hidden pockets
- **Faux fur-lined hood**
- Epaulet straps on shoulders
- Cut and sewn logo patch on left sleeve
- Gold hardware through out [*sic*]
- Logo applique on left chest

b. The Fur/Leather Vest by Knoles and Carter features:

- Leather trims
- **Faux fur on exterior**
- Dual buckle closure on collar, zipper closure down front, with snap closure on bottom trim
- Satin interior

c. The NY Subway Leather Bomber Jacket (Detachable Hood) by United Face features:

- Full zipper closure
- New York subway map embroidered throughout
- Detachable Hood with **faux fur lining**
- Multiple pockets
- Ribbed hem and cuffs
- True to size fit

Respondent sold at least 241 units of the above-described products via its website for a total revenue of at least \$19,062.

5. The Snorkel Jacket had an attached label stating that product contained “real raccoon fur.”

6. In May 2012, respondent's website advertised at least one other product as containing real fur. However, this advertisement, which is attached as Exhibit B, did not disclose the name of the animal that produced the fur.

COUNT I

7. Through the means described in Paragraph 4, respondent represented, expressly or by implication, that the fur in the Snorkel Jacket, the Fur/Leather Vest, and the Bomber Jacket was faux or fake.
8. In truth and in fact, the Snorkel Jacket, the Fur/Leather Vest, and the Bomber Jacket contained real fur. Therefore, the representations set forth in Paragraph 7 were false, deceptive, or misleading.
9. Respondent's practices, 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, 15 U.S.C. § 45(a), and false advertising in violation of Section 5(a)(5) of the Fur Products Labeling Act, 15 U.S.C. § 69c(a)(5), and Sections 301.2(c) and 301.49 of the Rules and Regulations Under the Fur Products Labeling Act, 16 C.F.R. §§ 301.2(c) and 301.49. Pursuant to Sections 3(a) and 3(c) of the Fur Products Labeling Act, 15 U.S.C. § 69a(a) and 69a(c), the false advertising of fur products, within the meaning of the Fur Products Labeling Act and the Rules and Regulations Under the Fur Products Labeling Act, is unlawful and an unfair and deceptive act or practice, in commerce, under the Federal Trade Commission Act, 15 U.S.C. § 41 *et seq.*

COUNT II

10. Through the means described in Paragraphs 4 and 6, respondent did not disclose the names, as set forth in the Fur Products Name Guide, 16 C.F.R. § 301.0, of the animals that produced the fur in the Snorkel Jacket, the Fur/Leather Vest, the Bomber Jacket, and the product advertised in Exhibit B.
11. Respondent's practices, 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, 15 U.S.C. § 45(a), and false advertising in violation of Sections 5(a)(1) and 5(a)(5) of the Fur Products Labeling Act, 15 U.S.C. §§ 69c(a)(1) and (5), and Sections 301.2(c) and 301.49 of the Rules and Regulations Under the Fur Products Labeling Act, 16 C.F.R. §§ 301.2(c) and 301.49. Pursuant to Sections 3(a) and 3(c) of the Fur Products Labeling Act, 15 U.S.C. § 69a(a) and 69a(c), the false advertising of fur products, within the meaning of the Fur Products Labeling Act and the Rules and Regulations Under the Fur Products Labeling Act, is unlawful and an unfair and deceptive act or practice, in commerce, under the Federal Trade Commission Act, 15 U.S.C. § 41 *et seq.*

WHEREFORE, THE PREMISES CONSIDERED, the Federal Trade Commission has caused this Complaint to be signed by its Secretary and its official seal to be hereto affixed, at Washington, D.C., this eighteenth day of July, 2013.

By the Commission.

Donald S. Clark
Secretary

SEAL: