

Decision

IN THE MATTER OF
MAWSON DeMANY FORBES, INC., ET AL.CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE
FEDERAL TRADE COMMISSION AND THE FUR PRODUCTS LABELING ACTS*Docket 7269. Complaint, Oct. 1, 1958—Decision, Feb. 3, 1959*

Consent order requiring furriers in Philadelphia, Pa., to cease violating the Fur Products Labeling Act by deceptive pricing and savings claims for fur products, including false representations in advertising in newspapers that prices were "Below original cost" and "Below wholesale"; that purchasers could "Save one-third and more," could save money because of "tremendous buying power" and "a half-million dollars' worth of * * * inventory * * * being liquidated"; and that fur products offered were from the stock of a liquidating business.

Mr. John T. Walker for the Commission.

Mr. Isadore S. Wachs, of Philadelphia, Pa., for respondents.

INITIAL DECISION BY WILLIAM L. PACK, HEARING EXAMINER

The complaint in this matter charges the respondents with the violation of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder and the Federal Trade Commission Act. An agreement has now been entered into by respondents and counsel supporting the complaint which provides, among other things, that respondents admit all of the jurisdictional allegations in the complaint; that the record on which the initial decision and the decision of the Commission shall be based shall consist solely of the complaint and agreement; that the inclusion of findings of fact and conclusions of law in the decision disposing of this matter is waived, together with any further procedural steps before the hearing examiner and the Commission; that the order hereinafter set forth may be entered in disposition of the proceeding, such order to have the same force and effect as if entered after a full hearing, respondents specifically waiving any and all rights to challenge or contest the validity of such order; that the order may be altered, modified, or set aside in the manner provided for other orders of the Commission; that the complaint may be used in construing the terms of the order; and that the agreement is for settlement purposes only and does not constitute an admission by respondents that they have violated the law as alleged in the complaint.

Order

55 F.T.C.

The hearing examiner having considered the agreement and proposed order and being of the opinion that they provide an adequate basis for appropriate disposition of the proceeding, the agreement is hereby accepted, the following jurisdictional findings made, and the following order issued:

1. Respondent Mawson DeMany Forbes, Inc., is a corporation organized, existing and doing business under the laws of the Commonwealth of Pennsylvania. Individual respondents Morris B. Marks, Barrie A. Marks, and David Marks are president and treasurer, vice president and secretary, and assistant treasurer, respectively, of said corporation. The office and principal place of business of all of said respondents is located at 1133 Chestnut Street, Philadelphia, Pa.

2. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of the respondents, and the proceeding is in the public interest.

ORDER

It is ordered, That Mawson DeMany Forbes, Inc., a corporation, and its officers, and Morris B. Marks, Barrie A. Marks, and David Marks, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, offering for sale, transportation or distribution in commerce, of fur products, or in connection with the sale, advertising, offering for sale, transportation, or distribution of fur products which are made in whole or in part of fur which has been shipped and received in commerce, as "commerce," "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement, or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of fur products, and which:

A. Represents, directly or by implication, that fur products are offered for sale at prices which are below the cost to respondents, when such is not the fact.

B. Represents, directly or by implication, that fur products are offered for sale at prices which are below wholesale prices, when such is not the fact.

1105

Decision

C. Represents, directly or by implication, that price concessions of fur products have been obtained due to buying power, or for any other reason, when such is not the fact.

D. Represents, directly or by implication, that respondents' inventory of fur products advertised and offered for sale is in excess of the actual inventory.

E. Represents, directly or by implication, through percentage savings claims, that the regular or usual retail prices charged by respondents for fur products in the recent regular course of business were reduced in direct proportion to the amount of savings stated, when contrary to fact.

F. Represents, directly or by implication, that any such products are the stock of a business in a state of liquidation, when contrary to fact.

DECISION OF THE COMMISSION AND ORDER TO FILE
REPORT OF COMPLIANCE

Pursuant to Section 3.21 of the Commission's Rules of Practice, the initial decision of the hearing examiner shall, on the 3d day of February 1959, become the decision of the Commission; and, accordingly:

It is ordered, That respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

IN THE MATTER OF
KELLER FUR COMPANY

CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE
FEDERAL TRADE COMMISSION AND THE FUR PRODUCTS LABELING ACTS

Docket 7196. Complaint, July 18, 1958—Decision, Feb. 4, 1959

Consent order requiring a furrier in Kansas City, Mo., to cease violating the Fur Products Labeling Act by tagging certain fur products with the name of an animal in addition to that of the animal producing the fur; by failing to conform to the labeling and invoicing requirements of the Act; and by advertising in newspapers which failed to disclose the names of animals producing the fur in certain products, the country of origin of imported furs, and the fact that fur products contained artificially colored or cheap or waste fur, and which represented falsely that his regular prices were higher than the advertised sale prices.

Mr. Thomas A. Ziebarth for the Commission.
Respondent, for himself.

INITIAL DECISION BY J. EARL COX, HEARING EXAMINER

The complaint charges respondent with misbranding and with falsely and deceptively invoicing and advertising certain of his fur products, and with failing to maintain full and adequate records disclosing the facts upon which were based pricing and savings claims and representations as to such products, in violation of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder, and of the Federal Trade Commission Act.

After the issuance of the complaint, respondent and counsel supporting the complaint entered into an agreement containing consent order to cease and desist, which was approved by the director and an assistant director of the Commission's Bureau of Litigation, and thereafter transmitted to the hearing examiner for consideration.

The agreement states that respondent is an individual trading as Keller Fur Company, and has his office and principal place of business located at 218 East 11th Street, Kansas City, Mo.

The agreement provides, among other things, that respondent admits all the jurisdictional facts alleged in the complaint, and agrees that the record may be taken as if findings of jurisdictional facts had been duly made in accordance with such allegations; that the record on which the initial decision and the decision of

1108

Order

the Commission shall be based shall consist solely of the complaint and this agreement; that the agreement shall not become a part of the official record unless and until it becomes a part of the decision of the Commission; that the complaint may be used in construing the terms of the order agreed upon, which may be altered, modified or set aside in the manner provided for other orders; that the agreement is for settlement purposes only, and does not constitute an admission by respondent that he has violated the law as alleged in the complaint; and that the order set forth in the agreement and hereinafter included in this decision shall have the same force and effect as if entered after a full hearing.

Respondent waives any further procedural steps before the hearing examiner and the Commission, the making of findings of fact or conclusions of law, and all of the rights he may have to challenge or contest the validity of the order to cease and desist entered in accordance with the agreement.

The order agreed upon fully disposes of all the issues raised in the complaint, and adequately prohibits the acts and practices charged therein as being in violation of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder, and of the Federal Trade Commission Act. Accordingly, the hearing examiner finds this proceeding to be in the public interest, and accepts the agreement containing consent order to cease and desist as part of the record upon which this decision is based. Therefore,

It is ordered, That the respondent Abe Keller, an individual trading as Keller Fur Company, or under any other name, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of fur products, or in connection with the sale, advertising, offering for sale, transportation or distribution of fur products which have been made in whole or in part of fur which has been shipped and received in commerce, as "commerce," "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1. Misbranding fur products by:
 - (a) Failing to affix labels to fur products showing:
 - (1) The name or names of the animal or animals producing the fur or furs contained in the fur product as set forth in the

Order

55 F.T.C.

Fur Products Name Guide and as prescribed under the Rules and Regulations;

(2) That the fur product contains or is composed of used fur, when such is the fact;

(3) That the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is the fact;

(4) That the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(5) The name, or other identification issued and registered by the Commission, of one or more persons who manufactured such fur product for introduction into commerce, introduced it into commerce, sold it in commerce, advertised or offered it for sale in commerce, or transported or distributed it in commerce;

(6) The name of the country of origin of any imported furs used in the fur product;

(7) The item number or mark assigned to a fur product;

(b) Setting forth on labels the name of an animal in addition to the name of the animal that produced the fur;

(c) Setting forth on labels attached to fur products:

(1) Information required under §4(2) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder in abbreviated form;

(2) Information required under §4(2) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder which is intermingled with non-required information;

(3) Information required under §4(2) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder in handwriting;

(4) Information required under §4(2) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder in improper sequence;

(d) Affixing to fur products labels that are inconspicuous;

2. Falsely or deceptively invoicing fur products by:

(a) Failing to furnish invoices to purchasers of fur products showing:

(1) The name or names of the animal or animals producing the fur or furs contained in the fur product as set forth in the Fur Products Name Guide and as prescribed under the Rules and Regulations;

(2) That the fur product contains or is composed of used fur, when such is the fact;

(3) That the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is the fact;

(4) That the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(5) The name and address of the person issuing such invoices;

(6) The name of the country of origin of any imported furs contained in the fur product;

(7) The item number or mark assigned to the fur product;

3. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement, or notice which is intended to aid, promote, or assist, directly or indirectly, in the sale or offering for sale of fur products, and which:

(a) Fails to disclose the name or names of the animal or animals producing the fur or furs contained in the fur product as set forth in the Fur Products Name Guide and as prescribed under the said Rules and Regulations;

(b) Fails to disclose that the fur products contain or are composed of bleached, dyed, or otherwise artificially colored fur, when such is the fact;

(c) Fails to disclose that the fur products are composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(d) Fails to disclose the name of the country of origin of the imported furs contained in fur products;

(e) Represents, directly or by implication, through the use of percentage savings claims or any other means, that any savings are afforded from respondent's regular prices unless the amount for which they are offered constitutes a reduction from the price at which said fur product had been sold by respondent in his recent regular course of business;

4. Making use in advertisements of price reduction or percentage savings claims unless respondent maintains full and adequate records disclosing the facts upon which such claims are based.

DECISION OF THE COMMISSION AND ORDER TO FILE
REPORT OF COMPLIANCE

Pursuant to Section 3.21 of the Commission's Rules of Practice, the initial decision of the Hearing Examiner shall, on the

4th day of February 1959, become the decision of the Commission; and, accordingly:

It is ordered, That respondent Abe Keller, an individual trading as Keller Fur Company, shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with the order to cease and desist.

Decision

IN THE MATTER OF
LOUIS PIZITZ DRY GOODS CO., INC.CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE
FEDERAL TRADE COMMISSION AND THE FUR PRODUCTS LABELING ACTS*Docket 7263. Complaint, Sept. 23, 1958—Decision, Feb. 4, 1959*

Consent order requiring a retailer in Birmingham, Ala., to cease violating the Fur Products Labeling Act by failing to comply with the invoicing requirements, and by advertising in newspapers which represented prices of fur products falsely as "Below wholesale prices," and represented falsely that price concessions were obtainable due to its "tremendous buying power."

Mr. John T. Walker for the Commission.

Pritchard, McCall & Jones, by *Mr. William S. Pritchard*, of Birmingham, Ala., for respondent.

INITIAL DECISION BY J. EARL COX, HEARING EXAMINER

The complaint charges respondent with falsely and deceptively invoicing and advertising certain of its fur products, in violation of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder, and of the Federal Trade Commission Act.

After the issuance of the complaint, respondent, its counsel, and counsel supporting the complaint entered into an agreement containing consent order to cease and desist, which was approved by the director and an assistant director of the Commission's Bureau of Litigation, and thereafter transmitted to the hearing examiner for consideration.

The agreement states that respondent Louis Pizitz Dry Goods Co., Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of Alabama, with its office and principal place of business located at 1821 Second Avenue North, Birmingham, Ala.

The agreement provides, among other things, that the respondent admits all the jurisdictional facts alleged in the complaint and agrees that the record may be taken as if findings of jurisdictional facts had been duly made in accordance with such allegations; that the record on which the initial decision and the decision of the Commission shall be based shall consist solely of the complaint and this agreement; that the agreement shall not

Order

55 F.T.C.

become a part of the official record unless and until it becomes a part of the decision of the Commission; that the complaint may be used in construing the terms of the order agreed upon, which may be altered, modified or set aside in the manner provided for other orders; that the agreement is for settlement purposes only and does not constitute an admission by respondent that it has violated the law as alleged in the complaint; and that the order set forth in the agreement and hereinafter included in this decision shall have the same force and effect as if entered after a full hearing.

Respondent waives any further procedural steps before the hearing examiner and the Commission, the making of findings of fact or conclusions of law, and all of the rights it may have to challenge or contest the validity of the order to cease and desist entered in accordance with the agreement.

The order agreed upon fully disposes of all the issues raised in the complaint, and adequately prohibits the acts and practices charged therein as being in violation of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder, and of the Federal Trade Commission Act. Accordingly, the hearing examiner finds this proceeding to be in the public interest, and accepts the agreement containing consent order to cease and desist as part of the record upon which this decision is based. Therefore,

It is ordered, That respondent Louis Pizitz Dry Goods Co., Inc., a corporation, and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, offering for sale, transportation or distribution, in commerce, of fur products, or in connection with the sale, advertising, offering for sale, transportation, or distribution of fur products which are made in whole or in part of fur which has been shipped and received in commerce, as "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1. Falsely or deceptively invoicing fur products by:
 - A. Failing to furnish invoices to purchasers of fur products showing:
 - (1) The name or names of the animal or animals producing the fur or furs contained in the fur products as set forth in the Fur Products Name Guide and as prescribed under the Rules and Regulations;

(2) That the fur product contains or is composed of used fur, when such is the fact;

(3) That the fur product contains or is composed of bleached, dyed or otherwise artificially colored fur, when such is the fact;

(4) That the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(5) The name and address of the person issuing such invoices;

(6) The name of the country of origin of any imported furs contained in a fur product;

(7) The item number or mark assigned to a fur product;

B. Setting forth information required under §5(b)(1) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder in abbreviated form;

C. Failing to set forth the term "Dyed Mouton processed Lamb" in the manner required;

2. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement, or notice which is intended to aid, promote, or assist, directly or indirectly, in the sale or offering for sale of fur products, and which:

A. Represents, directly or by implication, that fur products are offered for sale at prices which are below wholesale, when such is not the fact;

B. Represents, directly or by implication, that price concessions for fur products purchased have been obtained due to buying power, or for any other reason, when such is not the fact.

DECISION OF THE COMMISSION AND ORDER TO FILE
REPORT OF COMPLIANCE

Pursuant to Section 3.21 of the Commission's Rules of Practice, the initial decision of the hearing examiner shall, on the 4th day of February 1959, become the decision of the Commission; and, accordingly:

It is ordered, That respondent Louis Pizitz Dry Goods Co., Inc., a corporation, shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with the order to cease and desist.

Order

55 F.T.C.

IN THE MATTER OF
FEDERAL LIFE AND CASUALTY COMPANY

ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF
THE FEDERAL TRADE COMMISSION ACT

Docket 6312. Complaint, Mar. 11, 1955—Order, Feb. 4, 1959

Order dismissing for lack of jurisdiction, following the per curiam decision of the Supreme Court in the combined cases of *Federal Trade Commission v. National Casualty Company* and *Federal Trade Commission v. The American Hospital and Life Insurance Company* (357 U.S. 560), complaint charging a Battle Creek, Mich., insurance company with falsely advertising its accident and health insurance policies.

Before *Mr. Frank Hier*, hearing examiner.

Mr. Donald K. King and *Mr. J. W. Brookfield, Jr.* for the Commission.

Beaumont, Smith & Harris, of Detroit, Mich., for respondent.

FINAL ORDER

This matter having come before the Commission upon the appeal of respondent from the hearing examiner's initial decision and upon briefs and oral argument in support of and in opposition thereto; and

The Commission having considered the record and the ruling of the Supreme Court of the United States in its *per curiam* opinion of June 30, 1958, in the combined cases of *Federal Trade Commission v. National Casualty Company* and *The American Hospital and Life Insurance Company*, 357 U.S. 560 (1958), entered subsequent to the filing of the instant appeal, and having concluded that the complaint herein should be dismissed:

It is ordered, That the initial decision herein, filed December 31, 1956, be, and it hereby is, vacated and set aside.

It is further ordered, That the complaint herein be, and it hereby is, dismissed.

Decision

IN THE MATTER OF
PROJANSKY, INC., ET AL.

CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE
FEDERAL TRADE COMMISSION AND THE FUR PRODUCTS LABELING ACTS

Docket 7276. Complaint, Oct. 10, 1958—Decision, Feb. 7, 1959

Consent order requiring a furrier in Rochester, N.Y., to cease violating the Fur Products Labeling Act by labeling fur products with excessive fictitious prices represented as regular selling prices; by identifying them falsely in labeling and advertising with respect to the names of animals which produced the fur; by failing to comply with other labeling requirements of the Act; and by advertising in newspapers which failed to disclose the names of animals producing certain furs or that some products contained cheap or waste fur, or to set forth the term "Dyed Mouton processed Lamb" in the manner required, and represented prices as reduced from purported regular prices which were in fact fictitious.

Mr. S. F. House for the Commission.

Baker & Carver, by *Mr. Barton Baker*, of Rochester, N.Y., for respondents.

INITIAL DECISION BY ABNER E. LIPSCOMB, HEARING EXAMINER

The complaint herein was issued on October 10, 1958, charging respondents with misbranding and falsely and deceptively advertising certain of their fur products, in violation of the Federal Trade Commission Act and of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder:

Thereafter, on November 20, 1958, respondents, their counsel, and counsel supporting the complaint herein entered into an Agreement Containing Consent Order to Cease and Desist, which was approved by the director and an assistant director of the Commission's Bureau of Litigation, and thereafter submitted to the hearing examiner for consideration.

The agreement identifies respondent Projansky, Inc. as a New York corporation, with its office and principal place of business located at 39 East Avenue, Rochester, N.Y., and respondent Henri P. Projansky as president of said corporate respondent, in which capacity he formulates, directs, and controls the acts, policies and practices thereof, his address being the same as that of the said corporate respondent.

Respondents admit all the jurisdictional facts alleged in the complaint, and agree that the record may be taken as if findings

Order

55 F.T.C.

of jurisdictional facts had been duly made in accordance with such allegations.

Respondents waive any further procedure before the hearing examiner and the Commission; the making of findings of fact or conclusions of law; and all of the rights they may have to challenge or contest the validity of the order to cease and desist entered in accordance with the agreement. All parties agree that the record on which the initial decision and the decision of the Commission shall be based shall consist solely of the complaint and the agreement; that the order to cease and desist, as contained in the agreement, when it shall have become a part of the decision of the Commission, shall have the same force and effect as if entered after a full hearing, and may be altered, modified or set aside in the manner provided for other orders; that the complaint herein may be used in construing the terms of said order; and that the agreement is for settlement purposes only, and does not constitute an admission by the respondents that they have violated the law as alleged in the complaint.

Having considered the allegations of the complaint and the provisions of the agreement and the proposed order, the hearing examiner is of the opinion that such order constitutes a satisfactory disposition of this proceeding. Accordingly, in consonance with the terms of the aforesaid agreement, the hearing examiner accepts the Agreement Containing Consent Order to Cease and Desist; finds that the Commission has jurisdiction over the respondents and over their acts and practices as alleged in the complaint; and finds that this proceeding is in the public interest. Therefore,

It is ordered, That Projansky, Inc., a corporation, and its officers, and Henri P. Projansky, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, or offering for sale in commerce, or the transportation or distribution in commerce of any fur products, or in connection with the sale, advertising, offering for sale, transportation, or distribution of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1117

Order

1. Misbranding fur products by:

A. Failing to affix labels to fur products showing:

(1) The name or names of the animal or animals producing the fur or furs contained in the fur product, as set forth in the Fur Products Name Guide and as prescribed under the Rules and Regulations;

(2) That the fur product contains or is composed of used fur, when such is the fact;

(3) That the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is the fact;

(4) That the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(5) The name, or other identification issued and registered by the Commission, of one or more persons who manufactured such fur product for introduction into commerce, introduced it into commerce, sold it in commerce, advertised, or offered it for sale in commerce, or transported or distributed it in commerce;

(6) The name of the country of origin of any imported furs contained in a fur product;

B. Falsely or deceptively labeling or otherwise identifying any such product as to the name or names of the animal or animals that produced the fur from which such product was manufactured;

C. Representing on labels affixed to the fur products, or in any other manner, that certain amounts are their regular and usual prices, when such amounts are in excess of the prices at which respondents have usually and customarily sold such products in the recent, regular course of business;

D. Setting forth on labels affixed to fur products information required under §4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form;

2. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement, or notice, which is intended to aid, promote, or assist, directly or indirectly, in the sale or offering for sale of fur products, and which:

A. Fails to disclose:

(1) The name or names of the animal or animals producing the fur or furs contained in the fur product, as set forth in the Fur Products Name Guide, and as prescribed under the rules and regulations;

(2) That the fur product is composed in whole or in substan-

Decision

55 F.T.C.

tial part of paws, tails, bellies, or waste fur, when such is the fact;

B. Fails to set forth the term "Dyed Mouton Processed Lamb" in the manner required;

C. Fails to set forth the information required under §5(a) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder, in type of equal size and conspicuousness, and in close proximity with each other;

D. Represents, directly or by implication, that the regular or usual price of any fur product is any amount which is in excess of the price at which respondents have usually and customarily sold such products in the recent, regular course of business;

3. Falsely or deceptively advertising or otherwise identifying any such product as to the name or names of the animal or animals that produced the fur from which such product was manufactured.

DECISION OF THE COMMISSION AND ORDER TO FILE
REPORT OF COMPLIANCE

Pursuant to Section 3.21 of the Commission's Rules of Practice, the initial decision of the hearing examiner shall, on the 7th day of February 1959, become the decision of the Commission; and, accordingly:

It is ordered, That respondents Projansky, Inc., a corporation, and Henri P. Projansky, individually and as an officer of said corporation, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

