

Decision

IN THE MATTER OF
NATHAN GLIKSMAN
TRADING AS ATLANTIC TEXTILE COMPANY

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

Docket 7167. Complaint, May 29, 1958—Decision, Oct. 17, 1958

Consent order requiring a manufacturer in Malden, Mass., to cease violating the Wool Products Labeling Act by tagging as "90% Wool 10% Synthetics," woolen stock which contained substantially more than 10 percent of nonwoolen fibers, and by failing in other respects to comply with the labeling requirements of the Act.

Mr. John T. Walker for the Commission.

No appearance for the respondent.

INITIAL DECISION BY WILLIAM L. PACK, HEARING EXAMINER

The complaint in this matter charges the respondent with misbranding certain wool products in violation of the Wool Products Labeling Act and the Rules and Regulations promulgated thereunder, and the Federal Trade Commission Act. An agreement has now been entered into by respondent and counsel supporting the complaint which provides, among other things, that respondent admits 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, respondent 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 respondent that he has violated the law as alleged in the complaint.

The hearing examiner having considered the agreement and

Order

55 F.T.C.

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 Nathan Gliksman is an individual, trading as Atlantic Textile Company, with his principal place of business located at 77 Mount Vernon Street, Malden, Mass.

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

ORDER

It is ordered, That respondent Nathan Gliksman, an individual, trading as Atlantic Textile Company, or under any other name, and respondent's representatives, agents or employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, of woolen stocks or other "wool products," as such products are defined in and subject to the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling or otherwise identifying such products as to the character or amount of the constituent fibers included therein;

2. Failing to securely affix to or place on each such product a stamp, tag, label or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentages by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers;

(b) The maximum percentages of the total weight of such wool product of any nonfibrous loading, filling, or adulterating matter;

(c) The name or the registered identification number of the manufacturer of such wool product or of one or more persons engaged in introducing such wool product into commerce, or in the offering for sale, sale, transportation, distribution or delivery

601

Decision

for shipment thereof in commerce, as "commerce" is defined in the Wool Products Labeling Act of 1939.

It is further ordered, That respondent Nathan Gliksman, an individual, trading as Atlantic Textile Company, or under any other name, and respondent's representatives, agents or employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of woolen stocks, or any other wool products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from misrepresenting the constituent fibers thereof on invoices or other shipping memoranda or in any other manner.

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 17th day of October 1958, become the decision of the Commission; and, accordingly:

It is ordered, That respondent herein 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.

IN THE MATTER OF
KULIN WASTE CO. ET AL.

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

Docket 6983. Complaint, Dec. 13, 1957—Decision, Oct. 18, 1958

Consent order requiring a manufacturer in Worcester, Mass., to cease violating the Wool Products Labeling Act by identifying woolen stocks which contained substantial quantities of reprocessed or reused wool, as "90% wool, 5% rayon and 5% other fibers" in invoices and shipping memoranda.

Mr. Daniel T. Coughlin and Mr. Henry Stringer for the Commission.

Mr. Samuel Kunen, and Mr. Sydney Litter, of Marlboro, Mass., for Kulin Waste Co., Louis Kulin and Abraham Kulin.

INITIAL DECISION AS TO CERTAIN RESPONDENTS
BY WILLIAM L. PACK, HEARING EXAMINER

The complaint in this matter charges the respondents with violating the Wool Products Labeling Act and the Rules and Regulations promulgated thereunder, and the Federal Trade Commission Act, in connection with the sale of wool stock. An agreement for disposition of the proceeding as to all respondents except Michael Silver has now been entered into by such respondents and their attorneys and counsel supporting the complaint. The term "respondents" as used hereinafter will not include Michael Silver.

The agreement provides, among other things, that respondents admit all of the jurisdictional allegations of 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.

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, Kulin Waste Co. (erroneously referred to in the complaint as Kulin Waste Co., Inc.) is a corporation existing and doing business under the laws of the Commonwealth of Massachusetts. Individual respondents, Louis Kulin and Abraham Kulin are president and treasurer, respectively, of said corporation. The office and principal place of business of all respondents is located at 31 Mulberry Street, Worcester, Mass.

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 the respondents, Kulin Waste Co. (erroneously referred to in the complaint as Kulin Waste Co., Inc.), a corporation, and its officers, and Louis Kulin and Abraham Kulin, individually and as officers of said corporation, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, of wool stock or other "wool products," as such products are defined in and subject to the Wool Products Labeling Act of 1939, which products contain, purport to contain or in any way are represented as containing "wool," "reprocessed wool," or "reused wool," as those terms are defined in said Act, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling or otherwise identifying such products as to the character or amount of the constituent fibers contained or included therein;

2. Falsely or deceptively identifying such products as to the character or amount of the constituent fibers contained or in-

Decision

55 F.T.C.

cluded therein on sales invoices or shipping memoranda applicable thereto;

3. Failing to securely affix to or place on each such product a stamp, tag, label or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product exclusive of ornamentation not exceeding five per centum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five per centum or more and (5) the aggregate of all other fibers;

(b) The maximum percentages of the total weight, of such wool product of any nonfibrous loading, filling or adulterating matter;

(c) The name or the registered identification number of the manufacturer of such wool product or of one or more persons engaged in introducing such wool product into commerce, or in the offering for sale, sale, transportation, distribution or delivery for shipment thereof in commerce, as "commerce" is defined in the Wool Products Labeling Act of 1939.

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 18th day of October 1958, become the decision of the Commission; and, accordingly:

It is ordered, That respondents Kulin Waste Co. (erroneously referred to in the complaint as Kulin Waste Co., Inc.), a corporation, and Louis Kulin and Abraham Kulin, individually and as officers 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.

Decision

IN THE MATTER OF

SYDCO INDUSTRIES, INC., ET AL.

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

Docket 7030. Complaint, Jan. 14, 1958—Decision, Oct. 18, 1958

Consent order requiring a jobber in New York City of small household electrical appliances including percolators, blenders, and fryer-cookers, to cease representing falsely in advertising matter, on labels, price tags, and imprinted cartons for purchasers' use in retail sale, that exaggerated and fictitious prices were the usual retail selling prices; through use of the Good Housekeeping seal, that certain of their appliances had been approved or guaranteed by Good Housekeeping Magazine; through prominent use of the names "General Electric" and "Westinghouse," that certain of their products were manufactured by those companies; that their said appliances had been advertised in Life Magazine; and that their percolators and blenders were trimmed in 24 karat "Warranted Gold Plate."

Mr. Ames W. Williams supporting the complaint.

Mr. Morris Rosenzweig, of New York, N.Y., for respondents.

INITIAL DECISION BY JOHN B. POINDEXTER, HEARING EXAMINER

On January 14, 1958, the Federal Trade Commission issued a complaint alleging that Sydco Industries, Inc., a corporation, Morton Springer, Sam Springer, and Syd Springer, individually and as officers of said corporation, hereinafter referred to as respondents, had violated the provisions of the Federal Trade Commission Act by making false, misleading and deceptive statements and representations concerning their products, small household electrical appliances, including percolators, blenders and fryer-cookers.

After issuance and service of the complaint, the respondents, their counsel, and counsel supporting the complaint entered into an agreement for a consent order. The order disposes of the matters complained about. The agreement has been approved by the director and acting assistant director of the Bureau of Litigation.

The pertinent provisions of said agreement are as follows: Respondents admit all jurisdictional facts; the complaint may be used in construing the terms of the order; the order shall have the same force and effect as if entered after a full hearing and the said agreement shall not become a part of the official record of the proceeding unless and until it becomes a part of

Order

55 F.T.C.

the decision of the Commission; the record herein shall consist solely of the complaint and the agreement; respondents waive the requirement that the decision must contain a statement of findings of fact and conclusions of law; respondents waive further procedural steps before the hearing examiner and the Commission, and the order may be altered, modified, or set aside in the manner provided by statute for other orders; respondents waive any right to challenge or contest the validity of the order entered in accordance with the agreement and the signing of said 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.

The undersigned hearing examiner having considered the agreement and proposed order and being of the opinion that the acceptance thereof will be in the public interest, hereby accepts such agreement, makes the following jurisdictional findings, and issues the following order:

JURISDICTIONAL FINDINGS

1. Respondent Sydco Industries, Inc., is a corporation existing and doing business under and by virtue of the laws of the State of New York, with its office and principal place of business located at 622 Broadway, New York, N.Y.

2. Respondents Morton Springer, Sam Springer, and Syd Springer are individuals and officers of the said corporate respondent, serving respectively as president, vice president and secretary with their office and principal place of business located at the same place as that of the corporate respondent.

3. 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 respondents, Sydco Industries, Inc., a corporation, and its officers, and Morton Springer, Sam Springer, and Syd Springer, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of small household electrical appliances including percolators, blenders and fryer-cook-

607

Order

ers, or any other products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or indirectly:

(a) That any stated price, which is in excess of the price at which such products are regularly and usually sold at retail, is the retail price of such products.

(b) That their merchandise has been advertised in Good Housekeeping Magazine; or has been advertised in any other magazine or publication, unless such is the fact.

(c) That merchandise is gold plated, unless it has a surface plating of gold or gold alloy applied by a mechanical process provided, however, that a product or part thereof, on which there has been affixed by an electrolytic process a coating of gold, or a gold alloy of not less than 10 karat fineness, the minimum thickness of which is equivalent to seven one-millionths of an inch of fine gold may be marked or described as gold electroplate or gold electroplated.

2. Using the Good Housekeeping seal of approval in connection with their merchandise; or representing in any manner that their merchandise has been awarded said seal of approval, or that their merchandise has been approved by any other group or organization, unless such is the fact, provided, however, that this prohibition shall not be construed as prohibiting a truthful statement that a part of an article of merchandise has been approved by a group or organization, when such part is clearly and conspicuously identified.

3. Using the name of any company in connection with merchandise which has not been manufactured in its entirety by said company; or representing, directly or indirectly, that merchandise not manufactured in its entirety by a specified company, was so manufactured, provided, however, that this prohibition shall not be construed as prohibiting a truthful statement that a part of an article of merchandise has been manufactured by a specific company when such part is clearly and conspicuously identified.

4. Furnishing means or instrumentalities to retailers, distributors or others by or through which they may mislead the public with respect to any of the matter set out in paragraphs 1, 2, and 3 above.

Decision

55 F.T.C.

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 18th day of October 1958, become the decision of the Commission; and, accordingly,

It is ordered, That the 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.

Complaint

IN THE MATTER OF
CHINOOK PACKING COMPANY ET AL.CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION
OF SEC. 2(c) OF THE CLAYTON ACT*Docket 7147. Complaint, May 8, 1958—Decision, Oct. 18, 1958*

Consent order requiring packers of salmon in Chinook, Wash., to cease discriminating in price in violation of Section 2(c) of the Clayton Act by granting discounts or allowances in lieu of brokerage on many sales of canned and fresh salmon products to brokers purchasing for their own account for resale.

COMPLAINT

The Federal Trade Commission, having reason to believe that the parties respondent named in the caption hereof, and hereinafter more particularly designated and described, have been and are now violating the provisions of subsection (c) of Section 2 of the Clayton Act, as amended (U.S.C., Title 15, Sec. 13), hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH 1. Respondent Chinook Packing Company, hereinafter sometimes referred to as respondent Chinook, or as corporate respondent, is a corporation organized, existing and doing business under and by virtue of the laws of the State of Washington, with its principal office and place of business located at Chinook, Wash. Respondent Chinook has been for the past several years, and is now, engaged in packing, selling and distributing canned salmon, and to a lesser extent in the sale of fresh salmon at retail, all of which are sometimes hereinafter referred to as sea food products. Respondent Chinook is a substantial factor in the sale and distribution of sea food products, particularly canned salmon.

PAR. 2. Respondent Albion L. Gile is an individual and is president and treasurer of corporate respondent. Respondent Gile, together with his wife, owns a substantial majority of the outstanding capital stock of the corporate respondent. As president and treasurer and as a substantial owner, as described above, respondent Gile exercises authority and control over the corporate respondent and its business activities, including the direction of its sales and distribution policies.

PAR. 3. In the course and conduct of their business, respond-

ents, both corporate and individual, for the past several years, have sold and distributed, and are now selling and distributing, their sea food products in commerce, as "commerce" is defined in the aforesaid Clayton Act, to buyers located in the several states of the United States, other than the state in which respondents are located. Said respondents transport, or cause such sea food products, when sold, to be transported, from their place of business in the State of Washington to buyers, or to the buyers' customers, located in various other States of the United States. There has been at all times mentioned herein a continuous course of trade in commerce in said sea food products across State lines between respondents and the respective buyers of said products.

PAR. 4. Respondents, both corporate and individual, for the past several years, have sold and distributed, and are now selling and distributing, their sea food products in commerce to customers located in the several States of the United States, generally through brokers. When selling through brokers, respondents have paid, granted or allowed them for their services in effecting the sales, a brokerage ranging from 2 to 5 percent of the net selling price of the merchandise sold.

In a substantial number of instances, however, respondents, both corporate and individual, have made sales to some brokers for their own account for resale, on which sales they have paid, granted or allowed these brokers a commission, brokerage, or other compensation, or an allowance or discount in lieu thereof.

PAR. 5. In making payments of commissions, brokerage, or discounts or allowances in lieu thereof, to certain buyers for their own account for resale, as alleged and described hereinabove, the respondents both corporate and individual, have violated and are now violating the provisions of subsection (c) of Section 2 of the Clayton Act, as amended (U.S.C., Title 15, Sec. 13).

Mr. Cecil G. Miles and *Mr. John J. McNally*, for the Commission.
Mr. Albion L. Gile, for himself and respondent corporation.

INITIAL DECISION BY LOREN H. LAUGHLIN, HEARING EXAMINER

The Federal Trade Commission (sometimes also hereinafter referred to as the Commission) issued its complaint herein, charging the above-named respondents, Chinook Packing Company, a corporation, and Albion L. Gile, individually and as an officer of said corporation, with having violated the provisions of §2(c) of the Clayton Act, as amended (U.S.C. Title 15, §13). The respondents were duly served with process and the initial hearing

canceled pending negotiations for settlement between the parties.

On August 25, 1958, there was submitted to the undersigned hearing examiner of the Commission for his consideration and approval an "Agreement Containing Consent Order to Cease and Desist," which had been entered into by and between the individual respondent for himself and the corporate respondent and Cecil G. Miles and John J. McNally, counsel supporting the complaint, under date of June 17, 1958, subject to the approval of the Bureau of Litigation of the Commission. Such agreement had been thereafter duly approved by that Bureau.

On due consideration of the said "Agreement Containing Consent Order to Cease and Desist," the hearing examiner finds that said agreement, both in form and in content, is in accordance with §3.25 of the Commission's Rules of Practice for Adjudicative Proceedings, and that, by said agreement, the parties have specifically agreed that:

1. Respondent Chinook Packing Company is a corporation existing and doing business under and by virtue of the laws of the State of Washington, with its office and principal place of business located in the city of Chinook, State of Washington.

Respondent Albion L. Gile is an individual and is president and treasurer of Chinook Packing Company, with his principal office and place of business located in the city of Chinook, State of Washington.

2. Pursuant to the provisions of subsection (c) of Section 2 of the Clayton Act, as amended (U.S.C., Title 15, §13), the Federal Trade Commission, on May 8, issued its complaint in this proceeding against respondents and a true copy was thereafter duly served on respondents.

3. Respondents admit all of the jurisdictional facts alleged in the complaint and agree that the record may be taken as if findings of jurisdictional facts had been duly made in accordance with such allegations.

4. This agreement disposes of all of this proceeding as to all parties.

5. Respondents waive:

- a. Any further procedural steps before the hearing examiner and the Commission;
- b. The making of findings of fact or conclusions of law; and
- c. All of the rights they may have to challenge or contest the validity of the order to cease and desist entered in accordance with this agreement.

Order

55 F.T.C.

6. 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.

7. This agreement shall not become a part of the official record unless and until it becomes a part of the decision of the Commission.

8. This 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.

9. The following order to cease and desist may be entered in this proceeding by the Commission without further notice to respondents. When so entered it shall have the same force and effect as if entered after a full hearing. It may be altered, modified or set aside in the manner provided for other orders. The complaint may be used in construing the terms of the order.

Upon due consideration of the complaint filed herein and the said "Agreement Containing Consent Order to Cease and Desist" the latter is hereby approved, accepted and ordered filed, the same not to become a part of the record herein, however, unless and until it becomes a part of the decision of the Commission. The hearing examiner finds from the complaint and the said "Agreement Containing Consent Order to Cease and Desist" that the Commission has jurisdiction of the subject matter of this proceeding and of the persons of each of the respondents herein; that the complaint states a legal cause for complaint under the Clayton Act, as amended, against each of the respondents both generally and in each of the particulars alleged therein; that this proceeding is in the interest of the public; that the following order as proposed in said agreement is appropriate for the just disposition of all of the issues in this proceeding as to all of the parties hereto; and that said order therefore should be, and hereby is, entered as follows:

ORDER

It is ordered, That Chinook Packing Company, a corporation, and its officers and Albion L. Gile, individually and as an officer of said corporation, and respondents' agents, representatives, or employees, directly or through any corporate or other device, in connection with the sale of seafood products in commerce, as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

Paying, granting or allowing, directly or indirectly, to any

611

Decision

buyer, or to anyone acting for or in behalf of, or who is subject to the direct or indirect control of such buyer, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon or in connection with any sale of their seafood products to such buyer for his own account.

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 18th day of October 1958, become the decision of the Commission; and, accordingly:

It is ordered, That respondents Chinook Packing Company, a corporation, and Albion L. Gile, 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.

IN THE MATTER OF
SAMUEL MILLER & SONS, INC., ET AL

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

Docket 7164. Complaint, May 28, 1958—Decision, Oct. 18, 1958

Consent order requiring manufacturers in New York City to cease violating the Wool Products Labeling Act by stamping or tagging as "All Wool," interlining materials which contained substantial quantities of nonwoolen fibers, and by failing in other respects to comply with the labeling requirements of the Act.

Mr. John T. Walker for the Commission.

No appearance for the respondents.

INITIAL DECISION BY WILLIAM L. PACK, HEARING EXAMINER

The complaint in this matter charges the respondents with misbranding certain wool products in violation of the Wool 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.

The hearing examiner having considered the agreement and proposed order and being of the opinion that they provide an

