

# FEDERAL TRADE COMMISSION DECISIONS

FINDINGS AND ORDERS, JANUARY 1, 1961, TO JUNE 30, 1961

IN THE MATTER OF

ELLIOTT W. SASSBENDER, SR., ET AL. DOING  
BUSINESS AS J. SEGARI & CO., ETC.

CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF  
SEC. 2(C) OF THE CLAYTON ACT

*Docket 8065. Complaint, Aug. 3, 1960—Decision, Jan. 6, 1961*

Consent order requiring members of a partnership in New Orleans, La., to cease violating Sec. 2(c) of the Clayton Act by accepting brokerage or a discount in lieu thereof—usually at the rate of 10 cents per 1-3/5 bushel box or equivalent, or a lower price reflecting said commission—on purchases of citrus fruit for their own account from Florida packers.

## COMPLAINT

The Federal Trade Commission, having reason to believe that the parties respondent named in the caption hereof, and hereinafter more particularly 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, Section 13), hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH 1. Respondents Elliott W. Sassbender, Sr., and Joseph O. Segari, are individuals and copartners doing business as J. Segari & Co., and Market Place Produce Company, under and by virtue of the laws of the State of Louisiana, with their offices and principal place of business located at 150 Poydras Street, New Orleans 12, Louisiana.

PAR. 2. Respondents, individually and as copartners doing business as J. Segari & Co., and Market Place Produce Company, hereinafter sometimes referred to jointly as respondents, are now, and for the past several years have been, engaged in business primarily as wholesale distributors and jobbers buying, selling and distributing

citrus fruit and produce, as well as other food products, all of which are hereinafter sometimes referred to as food products. Respondents purchase their food products from a large number of suppliers located in many sections of the United States, particularly in the State of Florida. The annual volume of business done by respondents in the purchase and sale of food products is substantial.

PAR. 3. In the course and conduct of their business for the past several years, but more particularly since January 1, 1959, respondents have purchased and distributed, and are now purchasing and distributing, food products in commerce, as "commerce" is defined in the aforesaid Clayton Act, as amended, from suppliers or sellers located in several States of the United States other than the State of Louisiana, in which respondents are located. Respondents transport or cause such food products, when purchased, to be transported from the places of business or packing plants of their suppliers located in various other States of the United States to respondents who are located in the State of Louisiana, or to respondents, customers located in said State, or elsewhere. Thus, there has been at all times mentioned herein a continuous course of trade in commerce in the purchase of said food products across state lines between respondents and their respective suppliers of such products.

PAR. 4. In the course and conduct of their business for the past several years, but more particularly since January 1, 1959, respondents have been and are now making substantial purchases of food products for their own account for resale from some, but not all, of their suppliers, and on a large number of these purchases respondents have received and accepted, and are now receiving and accepting, from said suppliers a commission, brokerage, or other compensation, or an allowance or discount in lieu thereof, in connection therewith.

For example, respondents make substantial purchases of citrus fruit for their own account from a number of packers or suppliers located in the State of Florida, and receive on said purchases, a brokerage or commission, or a discount in lieu thereof, usually at the rate of 10 cents per 1-3/5 bushel box, or equivalent. In many instances respondents receive a lower price from the supplier which reflects said commission or brokerage.

PAR. 5. The acts and practices of respondents in receiving and accepting a brokerage or a commission, or an allowance or discount in lieu thereof, on their own purchases, as above alleged and described, are in violation of subsection (c) of Section 2 of the Clayton Act, as amended (U.S.C. Title 15, Section 13).

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## Decision

*Cecil G. Miles, Esq.*, and *Ernest G. Barnes, Esq.*, supporting the complaint.

Respondents, for themselves.

## INITIAL DECISION BY LEON R. GROSS, HEARING EXAMINER

On August 3, 1960, the Federal Trade Commission issued a complaint against the above-named respondents, in which they were charged with violating § 2(c) of the Clayton Act, as amended (U.S.C. Title 15, §13), by, among other things, receiving and accepting a brokerage or commission or an allowance or discount in lieu thereof, on their own purchases of food products which are sold and transported in interstate commerce, as "commerce" is defined in the Federal Trade Commission and Clayton Acts. A true and correct copy of the complaint was served upon respondents and each and all of them, as required by law. Thereafter respondents agreed to dispose of this proceeding without a formal hearing, pursuant to the terms of an agreement dated November 8, 1960, containing consent order to cease and desist. The agreement was submitted to the undersigned hearing examiner on November 17, 1960, in accordance with §3.25 of the Commission's Rules of Practice for Adjudicative Proceedings. The agreement purports to dispose of this proceeding as to the respondents and each and all of them and contains the form of a consent cease and desist order which the parties have represented is dispositive of the issues involved in this proceeding. The agreement has been signed by the copartner respondents and by counsel supporting the complaint, and has been approved by the Associate Director and the Director of the Bureau of Litigation of the Federal Trade Commission. In said agreement 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 made in accordance with such allegations. In the agreement the 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 rights respondents may have to challenge or contest the validity of the order to cease and desist entered in accordance with the agreement.

The parties further agree, in said agreement, 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 agreement shall not become a part of the official record unless and until it becomes a part of the decision of the Federal Trade Commission; that the order to cease and desist entered in this

proceeding by the Commission may be entered without further notice to the respondents, and when so entered such order will have the same force and effect as if entered after a full hearing. Said order may be altered, modified or set aside in the manner provided for other orders, and the complaint may be used in construing the terms of the order.

The parties have covenanted that the said 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.

This proceeding having now come on for final consideration on the complaint and the aforesaid agreement containing consent order, and it appearing that the order which is approved in and by said agreement disposes of all the issues presented by the complaint as to all of the parties involved, said agreement is hereby accepted and approved as complying with §§3.21 and 3.25 of the Commission's Rules of Practice for Adjudicative Proceedings. 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, makes the following findings and issues the following order:

#### FINDINGS

1. The Federal Trade Commission has jurisdiction over the parties and the subject matter of this proceeding;

2. Respondents Elliott W. Sassbender, Sr., and Joseph O. Segari are copartners trading and doing business as J. Segari & Co. and Market Place Produce Company, with their office and principal place of business located at 150 Poydras Street, in the City of New Orleans, State of Louisiana.

3. Respondents are engaged in commerce as "commerce" is defined in the Federal Trade Commission Act.

4. The complaint filed herein states a cause of action against the respondents under §2(c) of the Clayton Act, as amended (U.S.C. Title 15, §13), and this proceeding is in the public interest. Now, therefore,

*It is ordered* That respondents Elliott W. Sassbender, Sr., and Joseph O. Segari, individually and as copartners doing business as J. Segari & Co. and Market Place Produce Company, and their agents, representatives, and employees, directly or through any corporate, partnership, sole proprietorship, or other device, in connection with the purchase of citrus fruit or other food products in commerce, as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

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## Complaint

Receiving or accepting, directly or indirectly, from any seller, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon or in connection with any purchase of citrus fruit or other food products for respondents' own account, or where respondents are the agents, representatives, or other intermediaries acting for or in behalf, or are subject to the direct or indirect control, of any buyer.

## 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 6th day of January, 1961, become the decision of the Commission; and, accordingly:

*It is ordered.* That respondents Elliott W. Sassbender, Sr., and Joseph O. Segari, individually and as copartners doing business as J. Segari & Co. and Market Place Produce Company, 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.

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 IN THE MATTER OF

## ROUGH WEAR CLOTHING COMPANY, INC. ET AL.

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

*Docket 8109. Complaint, Aug. 30, 1960—Decision, Jan. 6, 1961*

Consent order requiring manufacturers in Middletown, Pa., to cease violating the Wool Products Labeling Act by labeling interlinings of men's jackets as "100% Reprocessed Wool" when they contained a substantial amount of non-woolen fibers, and by failing to label other wool products as required.

## COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, and by virtue of the authority vested in it by said Acts the Federal Trade Commission, having reason to believe that Rough Wear Clothing Company, Inc., a corporation, and Meyer S. Jacobs and Edward Guiterman, individually and as officers of said corporation, hereinafter referred to as respondents, have violated the provisions of said Acts and the Rules and Regulations promulgated under said Wool Products Labeling Act, and it appearing to the Commission that a proceeding by

it in respect thereof would be in the public interest, hereby issues its complaint stating its charges in that respect as follows:

PARAGRAPH 1. Respondent Rough Wear Clothing Company, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of New York. Individual respondent Meyer S. Jacobs is President and individual respondent Edward Guiterman is Treasurer of said corporate respondent. The individual respondents formulate, direct and control the acts, policies and practices of the corporate respondent, including the acts and practices hereinafter referred to. The address of the office and principal place of business of all respondents is Wilson Street, Middletown, Pennsylvania.

PAR. 2. Subsequent to the effective date of the Wool Products Labeling Act of 1939, and more especially since June 1, 1959, respondents have manufactured for introduction into commerce, introduced into commerce, sold, transported, distributed, delivered for shipment and offered for sale in commerce as "commerce" is defined in the Wool Products Labeling Act of 1939 wool products as "wool products" are defined therein.

PAR. 3. Certain of said wool products were misbranded by respondents within the intent and meaning of Section 4(a)(1) of said Wool Products Labeling Act and the Rules and Regulations promulgated thereunder in that they were falsely and deceptively labeled or tagged with respect to the character and amount of the constituent fibers contained therein.

Among such misbranded wool products were men's jackets labeled or tagged by respondents as having interlinings consisting of "100% Reprocessed Wool", whereas, in truth and in fact, said interlinings contained a substantial quantity of non-woolen fibers.

PAR. 4. Certain of said wool products were further misbranded by respondents in that they were not stamped, tagged or labeled as required under the provisions of Section 4(a)(2) of the Wool Products Labeling Act and in the manner and form prescribed by the Rules and Regulations promulgated thereunder.

PAR. 5. The respondents in the course and conduct of their business, as aforesaid, were and are in competition, in commerce, with corporations, firms and individuals likewise engaged in the manufacture and sale of wool products similar to those sold by respondents.

PAR. 6. The acts and practices of the respondents as set forth in Paragraphs 3 and 4 above were, and are, in violation of the Wool Products Labeling Act of 1939 and the Rules and Regulations promulgated thereunder, and constituted, and now constitute, unfair and deceptive acts and practices and unfair methods of competition,

in commerce, within the intent and meaning of the Federal Trade Commission Act.

*Harry E. Middleton, Jr., Esq.*, supporting the complaint.

*Gilbert Nurick, Esquire, McNees, Wallace & Nurick* of Harrisburg, Pa. for respondents.

INITIAL DECISION BY LEON R. GROSS, HEARING EXAMINER

On August 30, 1960, the Federal Trade Commission issued a complaint against the above-named respondents, in which they were charged with violating the Federal Trade Commission Act and the Wool Products Labeling Act and the Rules and Regulations promulgated thereunder, by misbranding, and falsely and deceptively labeling and tagging wool products sold by the respondents in interstate commerce. The complaint alleges that respondents falsely and deceptively stamped, tagged, labeled, or identified such wool products as to the character or amount of the constituent fibers contained therein; and failed to affix labels to such products showing each element of information required to be disclosed by Section 4(a)(2) of the Wool Products Labeling Act of 1939. A true and correct copy of the complaint was served upon the respondents and each and all of them as required by law.

Thereafter respondents appeared by counsel and agreed to dispose of this proceeding without a formal hearing pursuant to the terms of an agreement dated October 25, 1960, containing consent order to cease and desist. The agreement was submitted to the undersigned hearing examiner on November 9, 1960, in accordance with §3.25 of the Commission's Rules of Practice for Adjudicative Proceedings. The agreement purports to dispose of this proceeding as to the respondents and each and all of them and contains the form of a consent cease and desist order which the parties have represented is dispositive of the issues involved in this proceeding. The agreement has been signed by the corporate respondent by its president, by the individual respondents individually and as officers of said corporation, by the attorneys for the respondents, by counsel supporting the complaint, and has been approved by the Assistant Director, Associate Director and Acting Director of the Bureau of Litigation of the Federal Trade Commission. In said agreement of October 25, 1960, 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 made in accordance with such allegations. In the agreement the 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 rights respondents may have to challenge or contest the validity of the order to cease and desist entered in accordance with the agreement.

The parties further agree, in said agreement, 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 agreement shall not become a part of the official record unless and until it becomes a part of the decision of the Federal Trade Commission; that the order to cease and desist entered in this proceeding by the Commission may be entered without further notice to the respondents, and when so entered such order will have the same force and effect as if entered after a full hearing. Said order 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.

The parties have covenanted that the said 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.

This proceeding having now come on for final consideration on the complaint and the aforesaid agreement of October 25, 1960, containing consent order, and it appearing that the order which is approved in and by said agreement disposes of all the issues presented by the complaint as to all of the parties involved, said agreement of October 25, 1960, is hereby accepted and approved as complying with §3.21 and §3.25 of the Commission's Rules of Practice for Adjudicative Proceedings. 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, makes the following findings and issues the following order:

#### FINDINGS

1. The Federal Trade Commission has jurisdiction over the parties and the subject matter of this proceeding;
2. The respondent Rough Wear Clothing Company, Inc., is a corporation existing and doing business under and by virtue of the laws of the State of New York, with its principal place of business located at Wilson Street, Middletown, Pennsylvania.
3. The individual respondents Meyer S. Jacobs and Edward Guiterman are officers of the corporate respondent and have their



office and principal place of business at the same address as the corporate respondent.

4. Respondents are engaged in commerce as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939.

5. The complaint filed herein states a cause of action against the respondents under the Federal Trade Commission Act and under the Wool Products Labeling Act and the Rules and Regulations issued pursuant thereto; and this proceeding is in the public interest. Now, therefore,

*It is ordered*, That respondent, Rough Wear Clothing Company, Inc., a corporation, and its officers, and Meyer S. Jacobs and Edward Guiterman, 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 clothing containing interlinings or other wool products, as "wool products" are defined in and subject to the Wool Products Labeling Act, do forthwith cease and desist from misbranding such products by:

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

2. Failing to affix labels to such products showing each element of information required to be disclosed by Section 4(a)(2) of 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 6th day of January, 1961, become the decision of the Commission; and, accordingly:

*It is ordered*, That respondents Rough Wear Clothing Company, Inc., a corporation, and Meyer S. Jacobs and Edward Guiterman, 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.

IN THE MATTER OF  
AMERICAN NEWS COMPANY, ET AL.

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

*Docket 7396. Complaint, Feb. 5, 1959—Decision, Jan. 10, 1961*

Order requiring the nation's largest retail newsstand operator to cease violating Sec. 5 of the Federal Trade Commission Act by knowingly inducing or receiving discriminatory promotional allowances from publishers of magazines it sold, which approximated \$890,000 in 1958, and which were not paid at any proportionally equal rate to a single retail competitor.

*Mr. J. Wallace Adair and Mr. Jerome Garfinkel* for the Commission.

*Mr. Lester Lewis Jay and Roth and Riseman, by Mr. Eugene Frederick Roth, of New York, N. Y.,* for the respondents.

INITIAL DECISION BY ABNER E. LIPSCOMB, HEARING EXAMINER

1. The Complaint

The complaint herein was issued February 5, 1959, charging the Respondents with having violated §5 of the Federal Trade Commission Act by inducing and coercing various of their suppliers, including publishers of magazines, pocket books and comic books, to make payments or grant allowances to Respondents in connection with the display and sale of such publications on Respondents' newsstands, when Respondents knew, or should have known, that such payments were not being offered or made available on proportionally equal terms to all customers of such suppliers who were in competition with Respondents. The complaint further alleges that Respondents knew, or should have known, that their suppliers' failure to make such payments equally available to all their competing customers was a violation by such suppliers of §2(d) of the Clayton Act.

The relevant provisions of those two Acts are as follows:

*The Federal Trade Commission Act:*

SEC. 5(a) (1) Unfair methods of competition in commerce, \* \* \* \* are hereby declared unlawful.

*The Clayton Act:*

SEC. 2(d) That it shall be unlawful for any person engaged in commerce to pay or contract for the payment of anything of value to or for the benefit of a customer of such person in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such

person, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

The complaint further charges that Respondents also attempted to induce and coerce certain manufacturers of cigars, which were sold by the Respondents, into paying similar unlawful allowances to the Respondents, in violation of §5 of the Federal Trade Commission Act.

The complaint concludes that the effect of Respondents' acts and practices has been to increase their power and ability to induce and coerce their publishers and suppliers to make unlawful allowances, and also to lessen substantially the ability of news-stand operators throughout the country to compete with Respondents.

## 2. The Answer

Respondents entered a general denial of the charges alleged in the Commission's complaint, and in their amended answer listed several affirmative defenses. Particularly, Respondents asserted that the several publishers referred to in the complaint herein, and distributors and others unknown to the Respondents, have been and still are engaged in unlawful contracts and conspiracies to fix and maintain uniform, non-competitive prices for the publications of each publisher. Respondents further asserted that the payments received by them from publishers were not in violation of §5 of the Federal Trade Commission Act, but were obtained in an effort to defend against and defeat the unlawful conspiracy of the publishers and their distributors. Respondents also contended that such payments did not constitute discriminatory preferences to Respondents, as against other retail news-stand dealers in magazines, pocket books, comic books and similar articles, but, to the contrary, created lawful rights in Respondents' competitors to obtain equivalent or greater relief from the oppression of the several conspirators.

## 3. Ruling on Proposed Findings

Consideration has been given to the entire record herein, including particularly the proposed findings as to the facts and proposed conclusions submitted by counsel. Each proposed finding as to the facts and each proposed conclusion which has been accepted has been, in substance, incorporated into this initial decision. All proposed findings and conclusions not so incorporated herein are hereby rejected.

## 4. Identity and Organization of Respondent American News

The Respondent first named in the caption hereof, The American News Company, erroneously designated in the complaint as Ameri-

can News Company, and hereinafter referred to as Respondent American News, is a corporation organized and doing business under the laws of the State of Delaware, with its principal office and place of business located at 131 Varick Street, New York 13, New York. Prior to August 1, 1957, it operated a wholesale periodical division, through which it distributed magazines, paperback and comic books to various retail outlets located throughout the United States and Canada. During that time it also served as the exclusive distributor of such publications to the news-stands operated by Respondent The Union News Company. In 1957, however, Respondent American News discontinued the phase of its business just described, and since then it has limited itself to the operation of 27 wholesale distribution branches, through which it sells hardcover books and stationery to schools, libraries, institutions and booksellers located throughout the United States. It also distributes hardcover books to various news-stands operated by Respondent The Union News Company.

#### 5. Identity and Organization of Respondent The Union News Company

The second Respondent, The Union News Company, hereinafter referred to as Respondent Union News, is a corporation organized and doing business under the laws of the State of New York, with its principal office and place of business at the same location as that of Respondent American News, of which it is a wholly-owned subsidiary.

Respondent Union News is the largest general retail news-stand operator in the United States. In 1958 it operated approximately 300 eating places, such as restaurants and snack bars, in 32 states and the District of Columbia. It also operates more than 1,200 news-stands, gift shops, book and tobacco shops located throughout the country. In April of 1958 it operated approximately 930 news-stand outlets, at which it sold newspapers, tobacco products, magazines, candy and other items, its total sales for that year amounting to approximately \$23,940,000. Its sales of magazines in that year amounted to approximately \$5,280,000. Respondent Union News operates concessions in important railroad, airport, bus and subway terminals throughout our nation. For example, the Union News Company operates the news-stand concessions in substantially all of the New York Central Railroad Company's stations, including those located at Utica, Syracuse, Rochester and Buffalo, New York; Detroit, Michigan; and Toledo, Ohio. It operates the news-stands in three of the largest railroad stations in the country, namely, the Grand Central Station and Pennsylvania Station in New York City,

and the LaSalle Street Station in Chicago, Illinois. It also operates subway concessions in three of our nation's largest cities, namely, New York, Boston and Philadelphia.

#### 6. Respondents' Relationship to Each Other

As stated above, Respondent Union News is the wholly-owned subsidiary of Respondent American News, and the two corporations have the same address. The evidence shows that Respondent American News, through its officers, has been and still is able to, and does, direct the policies and control the practices of Respondent Union News. Publishers whose magazines are sold by Respondent Union News often take up, for settlement, with the officials of Respondent American News, disputes involving the distribution of publications by the news-stands operated by Respondent Union News. Both oral testimony and exhibits show that the parent corporation, through its officers, forms the policies and directs the business affairs of the subsidiary.

It is clear that Respondent Union News is a mere agency and instrumentality of the parent organization, Respondent American News, and that Respondent American News is fully responsible for the acts and practices of its wholly-owned and controlled subsidiary, Respondent Union News.

#### 7. Respondents' Chief Competitors

The Respondents' principal competitors in the operation of news-stands located in transportation centers throughout the country include ABC Vending Corporation; Commuter News Co., Inc.; Faber, Inc.; and Schermerhorn Cigar Stores, Inc. As of January 1, 1959, ABC Vending Corporation had 57 news-stands; in its fiscal year ending February 1, 1958, Faber, Inc., had 35 news-stands, with sales of approximately three million dollars; in the calendar year 1958, Schermerhorn operated 16 news-stands, with sales of approximately \$950,000; and in 1958, Commuter News Co., Inc. operated 16 news-stands, with sales of approximately \$420,000. In addition, there are many smaller competitors located in drug stores, hotels and similar places.

#### 8. Interstate Commerce

The news-stands operated by Respondent Union News are located throughout the United States and in the District of Columbia. The individual news-stands are not separately incorporated in the various states or operated as individual organizations. In fact, all of the news-stands of the Respondent are grouped according to location into eight divisions. Each division is directed by a supervising manager,

