

the distribution or resale of such products are informed, in writing, of (1) the terms and conditions of the promotional program or plan under which such payments are made, including the services or facilities to be furnished therefor; (2) the availability of such payments on proportionally equal terms to all such customers; and (3) if it would not be economically feasible for all such competing customers to furnish such services or facilities, alternative services or facilities such customers can furnish and be paid for on proportionally equal terms.

It is further ordered, That respondent House of Lord's, Inc., 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.

Commissioners Reilly and Jones concurred and have filed a separate concurring statement. Commissioner Elman dissented and has filed a dissenting opinion.

IN THE MATTER OF

B & M SPORTSWEAR, INC., ET AL.

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

Docket C-1033. Complaint, Jan. 18, 1966—Decision, Jan. 18, 1966

Consent order requiring a Massachusetts manufacturer of men's wool athletic jackets to cease misbranding its jackets and interlinings by failing to disclose on labels their true fiber composition.

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 B & M Sportswear, Inc., a corporation, and Norman Berris and Morris Berris, 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 the Wool Products Labeling Act of 1939, 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 B & M Sportswear, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the Commonwealth of Massachusetts.

Respondents Norman Berris and Morris Berris are officers of the corporate respondent and formulate, direct and control the acts, practices and policies of the said corporate respondent including those hereinafter set forth.

Respondents are manufacturers of men's wool athletic jackets with their office and principal place of business located at 80 Border Street, East Boston, Commonwealth of Massachusetts.

PAR. 2. Subsequent to the effective date of the Wool Products Labeling Act of 1939, respondents have manufactured for introduction into commerce, introduced into commerce, sold, transported, distributed, delivered for shipment, shipped, and offered for sale in commerce, as "commerce" is defined in said Act, wool products as "wool product" is defined therein.

PAR. 3. Certain of said wool products were misbranded by the respondents within the intent and meaning of Section 4(a) (1) of the Wool Products Labeling Act of 1939 and Rules and Regulations promulgated thereunder, in that they were falsely and deceptively stamped, tagged, labeled or otherwise identified with respect to the character and amount of the constituent fibers contained therein.

Among such misbranded wool products, but not limited thereto, were men's athletic jackets stamped, tagged, labeled, or otherwise identified by respondents as "100% reprocessed wool" whereas in truth and in fact, said products contained substantially different fibers and amounts of fibers than represented.

PAR. 4. Certain of said wool products were further misbranded by respondents in that they were not stamped, tagged, labeled, or otherwise identified as required under the provisions of Section 4(a) (2) of the Wool Products Labeling Act of 1939 and in the manner and form as prescribed by the Rules and Regulations promulgated under said Act.

Among such misbranded wool products, but not limited thereto, were wool products with labels on or affixed thereto which failed to disclose:

(a) The percentage of the total fiber weight of the said wool product, exclusive of ornamentation not exceeding 5% of the total fiber weight, of (1) wool; (2) reprocessed wool; (3) reused wool; (4) each fiber other than wool, present in the wool product when said percentage by weight of such fiber was 5% or more; and (5) the aggregate of all other fibers.

Also among such misbranded wool products, but not limited thereto, were wool products without labels setting forth the information required by the Wool Products Labeling Act of 1939 and the Rules and Regulations promulgated thereunder.

PAR. 5. Certain of said wool products were misbranded in violation of the Wool Products Labeling Act of 1939 in that they were not labeled in accordance with the Rules and Regulations promulgated thereunder in the following respects:

(a) Certain wool products composed of two or more sections which were recognizably distinct and of different fiber composition, were not labeled in such a manner as to disclose the fiber composition of each section, thereof, in violation of Rule 23(b) of the aforesaid Rules and Regulations.

(b) The fiber content of the interlining contained in garments was not set forth separately and distinctly as a part of the required information on the stamps, tags, labels or other marks of identification, in violation of Rule 24(b) of the aforesaid Rules and Regulations.

PAR. 6. The acts and practices of the respondents as set forth 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.

DECISION AND ORDER

The Commission having heretofore determined to issue its complaint charging the respondents named in the caption hereof with violation of the Wool Products Labeling Act of 1939 and the Federal Trade Commission Act, and the respondents having been served with notice of said determination and with a copy of the complaint the Commission intended to issue, together with a proposed form of order, and

The respondents and counsel for the Commission having thereafter executed an agreement containing a consent order, an ad-

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mission by respondents of all the jurisdictional facts set forth in the complaint to issue herein, a statement that the signing of said agreement is for settlement purposes only and does not constitute an admission by respondents that the law has been violated as set forth in such complaint, and waivers and provisions as required by the Commission's rules; and

The Commission, having considered the agreement, hereby accepts same, issues its complaint in the form contemplated by said agreement, makes the following jurisdictional findings, and enters the following order:

1. Respondent B. & M Sportswear, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the Commonwealth of Massachusetts, with its office and principal place of business located at 80 Border Street, East Boston, Commonwealth of Massachusetts.

Respondents Norman Berris and Morris Berris are officers of the said corporation and their address is the same as that of the said corporation.

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 respondents B & M Sportswear, Inc., a corporation, and its officers, and Norman Berris and Morris Berris, 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 or manufacture for introduction into commerce, or the offering for sale, sale, transportation, delivery for shipment or distribution in commerce, of woolen athletic jackets or other wool products, as "commerce" and "wool products" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

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

2. Failing to securely affix to, or place on, each such wool product a stamp, tag, label or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by Section 4(a)(2) of the Wool Products Labeling Act of 1939.

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3. Failing to disclose by sections and to separately set forth on the required stamps, tags, labels or other marks of identification affixed to wool products composed of two or more sections of different fiber content, the character and amount of the constituent fibers contained in each section of such wool products.

4. Failing to set forth the fiber content of interlinings contained in garments separately and distinctly as part of the required information on the stamps, tags, labels or other marks of identification of such garments.

It is further 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 this order.

IN THE MATTER OF

NATHANIEL FEIT DOING BUSINESS AS DURABLE HAT
COMPANY ET AL.

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

Docket C-1034. Complaint, Jan. 20, 1966—Decision, Jan. 20, 1966

Consent order requiring a New York City manufacturer engaged in the manufacture of men's hats from previously used or worn hat bodies to disclose affirmatively on the hats the true nature of their origin and composition and to cease falsely representing that the hat bodies were originally made by any particular manufacturer.

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, and by virtue of the authority vested in it by said Act, the Federal Trade Commission, having reason to believe that Nathaniel Feit, an individual trading as Durable Hat Company, and Natco Hat Company, a partnership, and Nathaniel Feit and N. Courtman, individually and as partners therein, hereinafter referred to as respondents, have violated the provisions of said 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 Nathaniel Feit is an individual trading as Durable Hat Company. Respondent Natco Hat Company is a partnership composed of respondent Nathaniel Feit and respondent N. Courtman who are individuals and partners therein and formulate, direct and control the acts, practices and policies of said partnership including those hereinafter set forth. The office and principal place of business of each respondent is located at 23 Waverly Place, New York City, New York.

PAR. 2. Respondent Nathaniel Feit, trading and doing business as Durable Hat Company, is engaged in the manufacture of men's hats from hat bodies which have been previously used or worn. Said hats when manufactured are sold to respondent Natco Hat Company which is engaged in the offering for sale, sale and distribution of said hats to wholesalers, jobbers and retailers for resale to the public. The respondents cooperate and act together in carrying out the acts and practices herein alleged.

PAR. 3. In the course and conduct of their business, respondents cause, and for some time last past have caused, their products, when sold, to be shipped from their places of business in the State of New York to purchasers thereof located in various other States of the United States, and maintain, and at all times mentioned herein have maintained, a substantial course of trade in said products in commerce, as "commerce" is defined in the Federal Trade Commission Act.

PAR. 4. In the course and conduct of their business, respondents recondition or make over men's hats, using in the process, hat bodies which have been previously used or worn. Respondents place various labels on the exposed surface of the sweat bands of their finished hats.

Typical and illustrative, but not all inclusive of such is the following:

This is a Renovated
JOHN B. STETSON
HAT

PAR. 5. By and through the use of labels such as those illustrated in Paragraph Four hereof, respondents represent, directly or by implication, that:

(1) Each of the hats so labeled was originally manufactured by the John B. Stetson Co., a long-established and well-known manufacturer of men's hats, whose products are widely accepted by the purchasing public; and

(2) Each of the hats so labeled was made entirely from new

and unused materials which have not previously been sold to and worn by consumers.

PAR. 6. In truth and in fact:

(1) Each of the hats so labeled was not originally manufactured by the John B. Stetson Co. Among the hats so labeled may be some that were originally manufactured by the John B. Stetson Co. However, respondents also make over previously used or worn hats originally produced by other manufacturers and respondents do not in their manufacturing process preserve the identity of the original manufacturer of their made over hats.

(2) Each of the hats so labeled was not made entirely from new and unused materials which had not been previously sold to and worn by consumers. All of the hats so labeled are made over from hats which have been previously used or worn by consumers.

Therefore, the statements and representations as set forth in Paragraphs Four and Five hereof were and are false, misleading and deceptive.

PAR. 7. By the use of the word "renovated" in the labels as illustrated in Paragraph Four hereof and through the absence of words or wording clearly disclosing that their hats are made over from previously used and worn hat bodies, respondents fail to disclose adequately that their hats are made from previously used and worn hat bodies as distinguished from hats made entirely from new and unused materials which have not previously been sold to consumers.

When made over, the hats sold by respondents have the appearance of hats made entirely of new and unused materials which have not previously been sold to consumers and, in the absence of an adequate disclosure that such hats are made from previously used and worn hat bodies, such hats are understood to be and are readily accepted by the purchasing public as being made entirely from new and unused materials which have not previously been sold to and worn by consumers, facts of which the Commission takes official notice. This understanding and acceptance by the public is further enhanced by respondents' use of the John B. Stetson name in their labeling coupled with the absence of any disclosure that such hats are respondents' products.

PAR. 8. There is a preference on the part of the purchasing public for products, including men's hats, produced or manufactured by long-established and well-known business firms, a fact of which the Commission takes official notice.

PAR. 9. By and through the acts and practices herein alleged, respondents place in the hands of others the means and instrumentalities whereby they may mislead and deceive the public in the manner and as to the things herein alleged.

PAR. 10. In the conduct of their business and at all times mentioned herein, respondents have been in substantial competition, in commerce, with corporations, firms and individuals in the sale of men's hats.

PAR. 11. The use by respondents of the aforesaid false, misleading and deceptive statements, representations and practices and their failure to disclose adequately that their hats are made over from previously used and worn hat bodies have had and now have the tendency and capacity to mislead members of the purchasing public into the erroneous and mistaken belief that said statements and representations were and are true; into the erroneous and mistaken belief that respondents' hats are made entirely from new and unused materials which have not previously been sold to and worn by consumers and into the purchase of substantial quantities of respondents' products by reason of said erroneous and mistaken beliefs.

PAR. 12. The aforesaid acts and practices of respondents, as herein alleged, were and are all to the prejudice and injury of the public and of respondents' competitors and constituted, and now constitute, unfair methods of competition in commerce and unfair and deceptive acts and practices in commerce, in violation of Section 5 of the Federal Trade Commission Act.

DECISION AND ORDER

The Federal Trade Commission having initiated an investigation of certain acts and practices of the respondents named in the caption hereof, and the respondents having been furnished thereafter with a copy of a draft of complaint which the Bureau of Deceptive Practices proposed to present to the Commission for its consideration and which, if issued by the Commission, would charge respondents with violation of the Federal Trade Commission Act; and

The respondents and counsel for the Commission having thereafter executed an agreement containing a consent order, an admission by the respondents of all the jurisdictional facts set forth in the aforesaid draft of complaint, a statement that the signing of said agreement is for settlement purposes only and does not constitute an admission by the respondents that the law has been

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violated as alleged in such complaint, and waivers and provisions as required by the Commission's rules; and

The Commission, having reason to believe that the respondents have violated the Federal Trade Commission Act, and having determined that complaint should issue stating its charges in that respect, hereby issues its complaint, accepts said agreement, makes the following jurisdictional findings and enters the following order:

1. Respondent Nathaniel Feit is an individual trading and doing business as Durable Hat Company. Respondent Natco Hat Company is a partnership composed of respondent Nathaniel Feit and respondent N. Courtman, who are individuals and partners in said partnership. The office and principal place of business of each of the respondents is located at 23 Waverly Place, New York 3, New York.

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 respondents Nathaniel Feit, an individual trading and doing business as Durable Hat Company or under any other name or names, and Natco Hat Company, a partnership, and Nathaniel Feit and N. Courtman, individually and as partners therein, trading and doing business as Natco Hat Company or under any other name or names, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of hats in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Offering for sale, selling or distributing discarded, secondhand or previously used hats that have been rebuilt, reconstructed, reconditioned or otherwise made over, or hats that are composed in whole or in part of materials which have previously been worn or used, unless a statement that said hats are composed of secondhand, or used materials (*e.g.*, "secondhand," "worn," "used," or "made-over") is stamped in some conspicuous place on the exposed surface of the inside of the hat in clearly legible terms which cannot be obliterated without mutilating the hat itself: *Provided*, That, if sweat bands or bands similar thereto are attached to said

hats, such statement may be stamped upon the exposed surface of such bands: *Providing*, That said stampings be of such a nature that they cannot be removed or obliterated without mutilating the band and the band itself cannot be removed without rendering the hat unserviceable.

(2) Representing, directly or by implication, in labeling or in any other manner, that the hats sold by respondents were or are made from hats originally manufactured by any particular hat manufacturer.

(3) Placing in the hands of others the means and instrumentalities by and through which they may mislead and deceive the public as to the matters and things set forth in Paragraphs (1) and (2) of this order.

It is further 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 this order.

IN THE MATTER OF

WOODBURY CHEMICAL COMPANY ET AL.

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

Docket C-1035. Complaint, Jan. 20, 1966—Decision, Jan. 20, 1966

Consent order requiring a St. Joseph, Mo., manufacturer of insecticides to cease using language in its advertising which contradicts and negates the labeling on its packaging which warns the public as to the poisonous nature and hazardous use of its products.

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, and by virtue of the authority vested in it by said Act, the Federal Trade Commission, having reason to believe that Woodbury Chemical Company, a corporation, and Herbert A. Woodbury, Vera L. Woodbury, Richard W. Douglas and Leonard Everett, individually and as officers of said corporation, hereinafter referred to as respondents, have violated the provisions of said 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 Woodbury Chemical Company is a corporation organized, existing and doing business under and by virtue of the laws of the State of Missouri with its office and principal place of business located at 426 Monterey, St. Joseph, Missouri.

Respondents Herbert A. Woodbury, Vera L. Woodbury, Richard W. Douglas and Leonard Everett are officers of the corporate respondent. They formulate, direct and control the acts and practices of the corporate respondent including the acts and practices hereinafter set forth. Their address is the same as that of the corporate respondent.

PAR. 2. Respondents are now, and for some time last past have been, engaged in the advertising, offering for sale, sale and distribution of "Sta-Thion," an economic poison intended for rootworm control, which has been registered in accordance with the provisions of the Federal Insecticide, Fungicide and Rodenticide Act by the United States Department of Agriculture as "10% Granules Stabilized Parathion." Respondents sell the said "Sta-Thion" directly to the public and to retailers for resale to the public.

PAR. 3. In the course and conduct of their business, respondents now cause, and for some time last past, have caused, their said product, when sold, to be shipped from their place of business in the State of Missouri to purchasers thereof located in various other States of the United States, and maintain, and at all times mentioned herein have maintained, a substantial course of trade in said product in commerce as "commerce" is defined in the Federal Trade Commission Act.

PAR. 4. In the course and conduct of their business, at all times mentioned herein, respondents have been in substantial competition, in commerce, with corporations, firms and individuals in the sale of products of the same general kind and nature as that sold by respondents.

PAR. 5. In the course and conduct of their business and for the purpose of inducing the purchase of their said product respondents have disseminated advertisements in one of which they represented that "Sta-Thion" is "far less toxic than some other competitive products" and that it is not a "significant skin irritant."

In the same advertisement respondents stated:

HOW SAFE IS STA-THION?

"Sta-Thion does not appear to be a significant dermal irritant" reports A.M.E. Associates, well-known Princeton, N.J. research organization. The test work done on rabbits showed the acute dermal (skin) toxicity LD₅₀ of STA-THION to be in excess of 4640 mg./kg. body weight. "For comparison, the usual formulations containing this concentration of the pesticide are from 50 to 150 times more hazardous than STA-THION. The data indicated that the average 150 pound human could tolerate approximately one pound of STA-THION directly on the skin for 24 hours, producing only minor intoxication; whereas this much of other formulations of equal strength, under the same conditions, would probably be fatal."

Such advertisement made no further reference to the safety or toxicity of "Sta-Thion" nor did it contain any cautionary or warning statements. In another advertisement the statement "Application of STA-THION is safe • simple" appeared.

PAR. 6. The labels on the container is which respondents sell their product "Sta-Thion" are as reproduced herein:

Front Panel

BEFORE USING, STUDY SAFETY DIRECTIONS—
DESTROY EMPTY CONTAINERS—BURY OR BURN—
STAY OUT OF SMOKE AND FUMES

WOODBURY CHEMICAL COMPANY

STA-THION

STABILIZED 10% PARATHION GRANULES—Patent Pending

ACTIVE INGREDIENTS

Parathion (0,0-diethyl, 0-p-nitrophenyl phosphorothioate)	10.0%
Aromatic Petroleum Derivative solvent	10.0%
INERT INGREDIENTS	80.0%
TOTAL	100.0%

TO BE USED FOR THE CONTROL OF CORN ROOTWORM
ONLY. For use at planting time only.

DIRECTIONS FOR CORN ROOTWORM CONTROL: Apply
with granular ground equipment at the rate of 8 to 10
pounds per acre in row treatment at seeding time.

DANGER
POISON

KEEP OUT OF REACH OF CHILDREN

Harmful if swallowed, inhaled or absorbed through the skin. Rapidly absorbed through the skin! Do not contaminate feed and foodstuffs. Avoid contact with skin, eyes or clothing. See antidote statement and additional precautionary labeling on the back panel.

U.S.D.A. Registration
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Back Panel

WARNING

This stabilized Parathion may be considerably more toxic than the usual Parathion dust. Wear a mask or respirator of a type passed by the United States Department of Agriculture for Parathion protection. A half mask equipped with cartridges that will absorb organic vapors, supplemented with aerosol filters should be worn at all times while the operator is exposed to mists containing Parathion. When used constantly during the day, the filters must be changed several times. Keep all persons out of the operating area or vicinity where there may be danger of drift. Vacated areas should not be re-entered until the drifting insecticides and volatile residues have dissipated. Only persons experienced in handling hazardous insecticides should make application.

Wear clean natural rubber gloves, protective clothing and goggles while using this product. Do not get on skin, in eyes or on clothing. Do not breathe spray or mist. Do not take into mouth. If spilled on skin, wash immediately with soap and warm water. Wash hands, arms and face after handling and before eating or smoking. Clothing that has become contaminated should be removed immediately and thoroughly washed with soap and water.

ANTIDOTE AND FIRST AID TREATMENT: Persons who show any contraction of eye pupils, or have headaches, nausea or other signs of illness while or soon after handling Parathion must be taken to a doctor at once. The physician should be informed that repeated treatment with atropine, to the limit of the patient's tolerance, is the most effective antidote. **CALL A PHYSICIAN AT ONCE!**

SKIN: Wash immediately with plenty of soap and water. Remove all contaminated clothing and wash before re-use.

EYES: Flush immediately with large amounts of water.

INTERNAL: If swallowed, immediately induce vomiting (finger down throat) or administer a tablespoonful of salt in a glass of warm water and repeat until vomit fluid is clear. Have victim lie down and keep quiet.

NOTICE OF WARRANTY: Woodbury Chemical Company warrants (its liability being limited to the purchase price of the product named on this label) that this product consists of the ingredients specified, but makes no other warranty or representation regarding the effect or result of this product's use, whether or not the product is used in accordance with directions and shall have no responsibility whatsoever for injury to persons, or loss or damage to property resulting from the handling, storage or use of this product. The user or buyer shall be deemed to have accepted these conditions, which may be varied only by agreement in writing signed by a duly authorized representative of the above-named company.

Manufactured by
WOODBURY CHEMICAL COMPANY
 St. Joseph, Missouri Orlando, Florida
 Denver, Colorado Princeton, Florida

WARNING

KEEP AWAY from FEED or FOOD PRODUCTS

POISON

CAUTION — DO NOT DROP

IF LEAKING

DON'T

BREATHE FUMES—TOUCH CONTENTS—SWALLOW

This is to certify that the contents of this package are properly described by name and are packed and marked and are in proper condition for transportation according to the Regulations prescribed by the Interstate Commerce Commission.

WOODBURY CHEMICAL COMPANY

ICC-44D

ICC Special Permit No. 4378

PAR. 7. The advertisements set forth and referred to in Paragraph Five hereof and others similar thereto not specifically set forth herein are inconsistent with, negate and contradict the labeling on respondents' product as set forth in Paragraph Six hereof, which inconsistency, negation and contradiction have the tendency and capacity to mislead and confuse purchasers of said product as to, among other things, the hazardous nature of said product and the degree of care to be taken by users of said product.

Therefore, the acts and practices of respondents as set forth in Paragraph Five hereof were and are unfair and deceptive.

PAR. 8. The aforesaid unfair and deceptive acts and practices of respondents have had, and now have, the capacity and tendency to induce, and have induced, members of the purchasing public to purchase substantial quantities of respondents' product.

PAR. 9. The aforesaid acts and practices of respondents, as herein alleged, were and are all to the prejudice and injury of the public and of respondents' competitors and constituted, and now constitute, unfair methods of competition in commerce, and unfair and deceptive acts and practices in commerce, in violation of Section 5 of the Federal Trade Commission Act.

DECISION AND ORDER

The Commission having heretofore determined to issue its complaint charging the respondents named in the caption hereof with violation of the Federal Trade Commission Act, and the respondents having been served with notice of said determination and with a copy of the complaint the Commission intended to issue, together with a proposed form of order; and

The respondents and counsel for the Commission having thereafter executed an agreement containing a consent order, an admission by respondents of all the jurisdictional facts set forth in the complaint to issue herein, a statement that the signing of said agreement is for settlement purposes only and does not constitute an admission by respondents that the law has been violated as set forth in such complaint, and waivers and provisions as required by the Commission's rules; and

The Commission, having considered the agreement, hereby accepts same, issues its complaint in the form contemplated by said agreement, makes the following jurisdictional findings and enters the following order:

