

IN THE MATTER OF
CIVIL SERVICE TRAINING BUREAU, INC.

COMPLAINT (SYNOPSIS), FINDINGS, AND ORDER IN REGARD TO THE ALLEGED
VIOLATION OF SEC. 5 OF AN ACT OF CONGRESS APPROVED SEPT. 26, 1914

Docket 2117. Complaint, Sept. 16, 1933—Decision, July 23, 1934

Where a corporation engaged in the sale and distribution to members of the public of correspondence courses of study and instruction for civil service examinations for positions with the Government—

- (a) Employed a corporate name which included the words "Civil Service" and "Bureau" in its advertisements and otherwise, and made use of such terms in advertising as "advisors", "district advisors", "civil service district advisors", "field advisors", "registrars" and "Central States office", notwithstanding fact it was a private institution, with no connection whatever with the Civil Service Commission or the Government; with effect of creating false impressions as to some Government connection or sponsorship due to said terms, connotation, and causing persons to interview its representatives, pay money thereto and sign contracts for additional payments in ignorance of the true facts, which were inadequately disclosed through explanatory statement on receipts and contract forms, due to failure of those concerned to see, read or appreciate such statements, misleading impressions otherwise created, and the silence and in some cases actual misrepresentations of its representatives;
- (b) Referred to examinations for such positions as Internal Revenue-General Clerical, or Internal Revenue Clerk, or to a General Clerical examination, and in its advertisements referring to positions with the Government made such statements as "We can help you get one of these well-paying life-time positions", notwithstanding fact there were no such examinations as before referred to, and it had no way of assisting students in getting Government positions other than by its training for examinations;
- (c) Represented through documents prepared and distributed to salesmen that forty to fifty thousand new appointments in Government work were made each year and that there were nearly 700,000 Civil Service employees, and the Civil Service Commission was holding many different kinds of examinations annually, facts being no such number of appointments were then being made, number of employees referred to was less than 500,000 at the time, very few examinations as aforesaid were then being held and few appointments made, and such as were, were largely by transfer, reinstatement, or from register of eligibles, so that there was little if any chance for students to take an examination and secure an appointment in the lines in question;
- (d) Represented or implied that Government jobs were offered or to be had or that persons were wanted therefor, or that its advertisements were those of the Government or of a representative or agent thereof, through such statements in the classified and "help wanted" columns of the papers as "Railway postal clerks—men age 18-35, \$1,000 year to start; for free information covering qualifications * * * to try next examination write Field Advisor Box CS-26" and other similar advertisements beginning with

such captions as "men wanted", "steady work", "wanted men", "clerks", and "men" describing various Government positions or asserted positions and referring to interviews and box numbers and giving names of its representatives, without setting forth its own name or true status; and,

- (e) Employed a form of contract which it described as a "guarantee" contract, and headed with the word "guarantee" in large and conspicuous letters, facts being student was offered merely a refund agreement, available only in case of an examination and failure, and which meant nothing in view of the few examinations held, if any, in the lines in which it gave instructions; with the effect of misleading prospective students into believing they were thereby guaranteed a job;

With tendency and capacity to confuse, mislead and deceive members of the public into believing it to be a representative of or connected with the Government, and that positions were available, assured, and offered to those who complied or qualified, examinations were being held at frequent intervals, numerous appointments were being made in the civil service, positions were of life-time duration, and those who signed contracts were guaranteed jobs, it could assist in getting Government jobs for its students, and there were positions in the Government of the the kind and description for which it offered training, and to induce members of the public to answer its advertisements, sign its contracts and pay money down, contract for additional payments and pursue its courses because of erroneous beliefs engendered as above set forth, and divert trade to it from competitors engaged in sale of correspondence courses in similar and other lines of study, among whom there are those who in nowise misrepresent their identity, or relationship with the Government, or the certainty or availability of jobs, or examinations therefor, or their courses, possibilities of employment or other matters connected therewith:

Held, That such practices, under the circumstances set forth, were to the injury and prejudice of the public and competitors, and constituted unfair methods of competition.

Mr. Harry D. Michael for the Commission.

Spear & Spear, of Cleveland, Ohio, and *Mr. William E. Richardson*, of Washington, D. C., for respondent.

SYNOPSIS OF COMPLAINT

Reciting its action in the public interest, pursuant to the provisions of the Federal Trade Commission Act, the Commission charged respondent, an Ohio corporation, engaged in the sale and distribution of correspondence courses for civil service examinations, and with office and principal place of business in Cleveland, with using misleading corporate name, misrepresenting business status, advantages or connections, and advertising falsely or misleadingly in said respects, and as to opportunities in product or service offered, and misrepresenting offering in aforesaid respects, and pretended guarantee, in violation of the provisions of Section 5 of such Act, prohibiting the use of unfair methods of competition in interstate commerce.

Complaint

19 F. T. C.

Respondent, as charged, engaged as aforesaid, creates the false and misleading impression that (a) it is connected with or acting for the Government or some agency thereof, through (1) use of its corporate name, which includes words "Civil Service" and "Bureau" and from which it omits suffix "Inc." in cards and other literature sent to those who answer its advertisements and used in other ways, and through (2) use of such words as "advisors", "district advisors", "civil service district advisors", "field advisors", "registrars" and "central States office" in its advertisements in referring to its representatives and to its Cleveland office, and (b) that the Government is seeking directly or through its representatives, employees for various positions, through aforesaid advertisements¹ containing said designations, and beginning with such words as "railway postal clerks", "men wanted", etc., and describing Government positions or purported positions, without giving its own name, in the classified sections and "help wanted" columns of the papers; with result of inducing those desiring to work for the Government to answer the advertisements in the aforesaid erroneous impressions, have interviews with its representatives, pay money thereto and obligate themselves and sign contracts for payment of additional sums before being informed and discovering, due to aforesaid facts and its failure adequately to advise prospects of the true situation,² that it merely conducts a private correspondence school, with no connection with the Civil Service Commission, or the Government, in any other capacity.

Respondent further, as charged, printed, and circulated by mail and through its representatives, to prospective students, an advertising booklet which contained many false and misleading statements relative to civil-service positions, examinations therefor, and its ability to help its students get positions, and which exaggerated greatly or misstated number of yearly appointments, total civil-service personnel at the time, and number of examinations being held and appointments made (which, during time concerned, insofar as its type of positions were involved, were by transfer, reinstate-

¹ The various advertisements above referred to as set forth in the complaint, are reproduced *infra* in the findings at p. 172.

² As alleged in the complaint, respondent, in order to obviate liability for such misconception, placed upon the back of the receipt for the initial payment, which receipt was not given until after the contract had been signed and money paid thereon, the words "The Civil Service Training Bureau is not in any way connected with the Government", and, after a time also included in the contract signed by the student but in fine print, likely not to be noticed or read by the applicant before signing the same, or at least to reach his attention until he had been convinced of the desirability of signing, by reason of the erroneous impressions created as aforesaid, the words—"I understand the Civil Service Training Bureau, Inc., is in no way connected with the United States Government and that it or its registrar do not claim to have advance knowledge of examination dates."

ment, or from registers of eligibles sufficient to fill vacancies for a long time), and misleadingly informed prospect that it could help him get "one of these well-paying life-time positions", though it had no way of doing so other than by preparing the prospect for the examinations given, if any.³

Respondent further, as charged, offers training for examinations for specific positions, under the aforesaid general representations, for which positions there is little, if any, prospect of either examination or appointment, and also offers examinations for positions which, as described by it, are nonexistent, the positions in the former category being such as Railway Postal Clerk, Railway Mail Clerk, City Mail Carrier, Post Office Clerk, Rural Carrier and Motor Rural Carrier, Immigration Inspector and Inspector of Customs, and in the latter category, Internal Revenue Clerk and a "general clerical" examination.⁴

Respondent further, as charged, misleadingly heads a form of contract used by it with the word "guarantee" and incorporates in said contract the following provision, namely, "It is understood that I am to complete the entire training, sending in all work for correction; try the first examination covered by this training; then, if I fail to pass the examination, or pass and am not offered an appointment within one year from date that my name is placed on the Government eligible list, I am, upon written application, to receive a refund of the entire amount paid for this training," which caption, considered with other misleading representations is calculated to lead the prospective student into believing that he is guaranteed a

³ False and misleading statements in the document in question as set forth in the complaint, are also reproduced *infra* in the findings, at p. 174.

⁴ As alleged in the complaint, "the instructions given by respondent in preparation for civil service examinations are described in respondent's literature as Postal Service Training which includes the positions of Railway Postal Clerk, Railway Mail Clerk, City Mail Carrier, Post Office Clerk, Rural Carrier, and Motor Rural Carrier; Immigration and Customs Inspector which embraces Immigration Inspector and Inspector of Customs; and Internal Revenue which includes Internal Revenue Clerk and General Clerical. That respondent's general representation, as heretofore shown, include all of such positions for which it offers training. That in regard to Railway Postal or Mail Clerks there are and have been during the time respondent has conducted its said business ample eligibles for such appointments in every state and a total of about 10,000 of such eligibles. There is little, if any, chance for examination in this branch of the Civil Service in any reasonable time and very few such appointments are being made. With regard to the positions of City Mail Carrier, Post Office Clerk, Rural Carrier and Motor Rural carrier, examinations are held only occasionally and then only in the particular localities where vacancies may occur so that there could be no reasonable expectation of a person having an opportunity to take such examinations within any reasonable time. In regard to Immigrant Inspector and Inspector of Customs, few, if any, appointments are being made or have been made within the last two or three years. The United States is divided into districts for such appointments and there are from 300 to 600 eligibles in each district. There is no such position in the Civil Service as Internal Revenue Clerk and at the present time there is no general clerical examination and has not been for eight or nine years."

position in the Civil Service, and which is further misleading, since contract contains no guarantee of any kind that can reasonably be expected to call for fulfillment, the possibility of any refund under the provision quoted being remote for the reason there is very little likelihood of an examination being held in which a particular student could or would compete.

Such representations, as alleged, "have had and do have the tendency and capacity to confuse, mislead and deceive members of the public into the false belief that respondent is a representative of or connected with the Government and has positions to offer to applicants or to those who qualify; that Civil Service examinations are being held at frequent intervals and that positions are available and assured to those who qualify", and "to induce members of the public to answer respondent's advertisements, to sign its said contracts, to pay money down and to promise to pay additional sums, and to pursue said courses of instruction as herein described because of the erroneous beliefs engendered, as above set forth, and to divert trade to respondent from competitors engaged in the sale of correspondence courses in interstate commerce in similar lines as well as those in other lines of study"; all to the injury and prejudice of the public and competitors.

Upon the foregoing complaint, the Commission made the following

REPORT, FINDINGS AS TO THE FACTS, AND ORDER

Pursuant to the provisions of an Act of Congress approved September 26, 1914, entitled "An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes", the Federal Trade Commission issued and served its complaint upon the respondent, Civil Service Training Bureau, Inc., a corporation, charging said respondent with the use of unfair methods of competition in interstate commerce in violation of the provisions of Section 5 of said Act.

Respondent having entered its appearance and filed its answer to said complaint, hearings were had and evidence was introduced in support of the allegations of said complaint and in opposition thereto before a trial examiner of the Federal Trade Commission theretofore duly appointed.

Thereupon this proceeding came on for final hearing, and counsel for the Federal Trade Commission and counsel for respondent having submitted briefs and having been heard in oral argument before the Commission, and the Commission, having duly considered the record and being fully advised in the premises, makes this its findings as to the facts and its conclusion drawn therefrom:

FINDINGS AS TO THE FACTS

PARAGRAPH 1. The respondent, Civil Service Training Bureau, Inc., is a corporation organized, existing, and doing business under and by virtue of the laws of the State of Ohio, and has its office and principal place of business in the city of Cleveland in said State.

PAR. 2. Respondent is now and has been engaged since December 1931 in the sale and distribution in interstate commerce in and among the various States of the United States to members of the public of courses of study and instruction designed and intended to prepare students thereof for examinations for various Civil Service positions under the United States Government, which said courses of study and instruction are pursued by correspondence. Respondent in the course and conduct of its said business causes its said courses of study and instruction, consisting of pamphlets, study and question sheets, and other printed matter and literature, to be transported in interstate commerce from its said place of business in Ohio, to, into, and through States of the United States other than Ohio to various and numerous persons to whom said courses of study and instruction are or have been sold.

PAR. 3. During the time above mentioned other individuals, firms, and corporations in various States of the United States are and have been engaged in the sale and distribution in interstate commerce of courses of study and instruction designed and intended for the purpose of preparing students thereof for examinations for various Civil Service positions under the United States Government, and also engaged in the sale as aforesaid of other courses of study and instruction in other lines, all of which are pursued by correspondence, and such other individuals, firms, and corporations have caused and do now cause their said courses of study and instruction, when sold by them, to be transported from various States of the United States, to, into, and through States other than the State of origin of the shipment thereof. Respondent has been, during the aforesaid time, in competition in interstate commerce, in the sale of its said courses of study and instruction with such other individuals, firms and corporations.

PAR. 4. Respondent in advertising for prospective students to pursue its said courses of study and instruction, has made use of advertisements inserted in the classified columns, usually in the "help wanted" parts thereof, of newspapers circulated in and among the various States of the United States to members of the public. Such advertisements did not give the name of respondent company or indicate that they were the advertisements of a school. They usually

Findings

19 F. T. C.

gave a box number for the reply in care of the newspapers in which the advertisement appeared or gave in addition merely the name of respondent's salesman. Said advertisements had the tendency and capacity to and actually did create the belief among readers thereof that they were the advertisements of the Government of the United States or of a representative thereof, or of some governmental agency or of some agency of official governmental connections, and also that Government positions were open and available and that men and women were wanted to fill them when such were not the facts. Examples of such advertisements inserted in newspapers as aforesaid are the following:

Railway Postal Clerks.—Men Age 18 to 35, \$1,900 year to start. For free information covering qualifications necessary to try the next examination write Field Advisor Box CS-26.

Men wanted.—Age 21 to 45 wishing to qualify for U. S. Customs and Immigration Inspectors. Personal interview by writing Mr. Myer, Box CS-28 care paper. Give age, address.

Steady Work.—Railway Postal Clerks. \$1,900 a year to start. Open only to men 18 to 35. Must be U. S. Citizens. Write for free information concerning training for next examination. Box CS-29, care paper.

Wanted Men.—Physically fit wishing to enter Government Work. This district—Washington, D. C. Age 18 to 45. Personal interview by writing Mr. Ford, Box CS-27, Journal-Review.

Clerks.—Government Work.—Men, women, age 18 to 50. Salary \$1,260 to \$3,400. Common education sufficient. Full particulars next examination for positions this district and Washington, D. C. Give age, address, Box CS-23.

Wanted Men.—Age 18 to 45 to prepare for Government Work. This district Washington, D. C. Qualification interview granted by writing Advisor Mr. Wright, Box CS-30, this paper. Give address.

Men.—18 to 45 wishing to enter Government work as Railway Mail Clerks, Custom-Immigration Inspectors. Personal interview by writing Mr. Ford, Box CS-31 this paper.

Men.—Physically fit, wishing to enter Government work. Not over 45 years of age. Common education sufficient. For full particulars write advisor Box CS-24, giving age, address.

Men.—Physically fit, not over 45 years of age wishing to enter Government work write Mr. W. L. Carlisle, Box 401, care of The Spirit, giving age, and address. You will be given qualification interview covering the next Civil Service examination for this district.

PAR. 5. The corporate name of respondent, "Civil Service Training Bureau, Inc.," has the tendency and capacity to create the belief that it represents or has official connection with the United States Civil Service Commission or that it is a bureau or agency of the United States Government, and said corporate name has actually occasioned such belief among prospective students of respondent company and others who have had occasion to come in contact with respondent or its representatives. In many instances the abbrevi-

ation "Inc." has been omitted from the corporate name by respondent from its letterheads, circulars and other literature. Even when said abbreviation "Inc." is included in the name, the effect of the whole is still misleading through failure of those who see the name to notice said abbreviated word or to appreciate the fact that it may denote a private institution. The term "Civil Service" is the name applied to groups of employees in Government employment, in large part those under the Government of the United States. The Civil Service Commission is an agency of the United States Government having supervision over the qualifying and appointment of persons for and to the Civil Service.

The word "Bureau" is a term frequently officially applied to governmental agencies and usually applied by members of the public in referring to governmental bodies. The use of the term "Civil Service" in the corporate name of respondent is misleading in the respect as hereinbefore stated as is also the word "Bureau." The misleading effect of respondent's said advertisements and its corporate name is heightened by the use by respondent of the terms "Advisors" "District Advisors", "Civil Service District Advisors", "Field Advisors" and "Registrars" to designate its salesmen and representatives and also by the use of the term "Central States Office" in referring to its place of business in Cleveland, Ohio. Said terms are and have been used in respondent's literature or in its advertisements or both. The false impressions created as previously set forth have caused persons to answer respondent's advertisements, to arrange for and have interviews with respondent's representatives in regard thereto, to pay money to such representatives and to sign contracts to pay additional sums because of such mistaken beliefs and before they were informed or discovered that respondent company is a private institution and is engaged in conducting a private correspondence school without any connection whatever with the Civil Service Commission or the United States Government.

Printed statements used by respondent formerly on the back of its receipts and more recently in the body of its contract forms to the effect that it is not connected with the United States Government are often not seen or read by those who pay money to respondent's representatives and sign its contracts, or the meaning thereof is not appreciated at the time or is made confusing by the misleading impressions created as hereinbefore set out. Such misleading impressions have been taken advantage of by respondent's representatives in many instances by silence in respect thereto and failure to inform prospective students that their beliefs are unfounded and also by actual misrepresentations coinciding with such mistaken beliefs inspired and arrived at as aforesaid.

PAR. 6. Respondent at one time had printed for the purpose of distribution to its salesmen and through them to its prospective students, a large number of booklets which contained many false and misleading statements in regard to Civil Service positions, their availability, number and duration, examinations for the same and respondent's ability to help its students get positions. Among such statements are the following:

Forty to Fifty Thousand new appointments made in Government Work each year.

We can help you get one of these well-paying lifetime positions.

In the United States the Civil Service Commission holds many different kinds of examinations annually.

At present there are nearly 700,000 Civil Service employees. For several years past, the number of new men appointed have averaged from 40,000 to 50,000 each year. Uncle Sam is constantly finding new positions for men and needs men to fill them.

About one hundred copies of said booklet were distributed to respondent's salesmen. Further distribution was discontinued when it was found that some of the statements therein contained were incorrect. However, in a number of instances salesmen of respondent company have made the same or similar representations as those quoted above as well as other misrepresentations as to Government appointments being available, the time and certainty of examinations, number of appointments to be made, and the like.

At the time said booklets were distributed there were not 40,000 to 50,000 Civil Service appointments made per year and at said time there were less than 500,000 Civil Service employees. Furthermore, at said time very few Civil Service examinations were being held, few appointments were being made and such as were made were largely by transfer, reinstatement or from registers of eligibles on file. There was little if any chance during such time for respondent's students to take a Civil Service examination, or, if taken and passed, to secure an appointment in the lines for which respondent offered training. Moreover, Civil Service jobs are not always or necessarily of lifetime duration. There is no such examination in the Civil Service as Internal Revenue-General Clerical or for Internal Revenue Clerk, or such a thing as a General Clerical examination, for which respondent offered instruction. No student of respondent company had received any Civil Service appointment at the time of the hearings conducted in this case, and no student who testified had had opportunity to take an examination for which he had studied. Respondent has no way of assisting its students in getting government positions other than by its training for examinations.

PAR. 7. Respondent used at one time a form of contract described as a "guarantee" contract and headed with the word "guarantee" in large and conspicuous letters. Said contract, used in connection with the misleading practices as herein set out, was calculated to and did actually mislead prospective students to believe that thereby they were guaranteed a job when in fact it was merely a refund agreement and then such refund was only available in case an examination was held and the student failed to pass. Since few, if any, examinations were being held in the lines in which respondent gave instruction, the guarantee in effect meant nothing at all.

PAR. 8. The representations of respondent as aforesaid had the tendency and capacity to confuse, mislead, and deceive members of the public into the belief that respondent was a representative of or connected with the United States Government; that positions were available and assured, and were offered to those who applied or who qualified; that examinations were being held at frequent intervals; that numerous appointments were being made in the Civil Service and that such positions were of lifetime duration; that those who signed respondent's contracts were guaranteed jobs; that respondent could assist in getting Government jobs for its students; and that there were positions in the Government of the kind and description for which respondent offered training; when in truth and in fact such were not the facts.

Said representations of respondent have had, and as to such as are yet continued, do now have the tendency and capacity to induce members of the public to answer respondent's advertisements, to sign its contracts, to pay money down and to contract to pay additional sums, and to pursue respondent's courses of instruction because of the erroneous beliefs engendered, as above set forth, and to divert trade to respondent from competitors engaged in the sale in interstate commerce of correspondence courses in similar lines as well as in other lines of study.

PAR. 9. There are among the competitors of respondent in the sale of its said courses of study and instruction, those who in no wise misrepresent their identity or their relationship or lack of relationship with the Government, or who make misrepresentations as to the certainty or availability of jobs or examinations for same or who otherwise misrepresent their courses, the possibilities of employment, or other matters connected therewith, and respondent's acts and practices as hereinbefore set forth tend to and do divert business to respondent from its competitors, to the substantial injury and prejudice of such competitors.

Order

19 F. T. C.

CONCLUSION

The practices of said respondent, under the conditions and circumstances described in the foregoing findings, are all to the injury and prejudice of the public and of respondent's competitors, and constitute unfair methods of competition in commerce and are in violation of an Act of Congress approved September 26, 1914, entitled "An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes."

ORDER TO CEASE AND DESIST

This proceeding having been duly heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, the testimony in support of the charges of said complaint and in opposition thereto, briefs filed herein and oral argument by counsel for the Commission and for respondent, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of an Act of Congress approved September 26, 1914, entitled "An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes"—

It is ordered, That respondent, Civil Service Training Bureau, Inc., a corporation, its officers, directors, agents, representatives, servants, and employees in connection with the sale, offering for sale or distribution in interstate commerce and the District of Columbia of said respondent's courses of study and instruction intended for preparing students for Civil Service examinations held by the Government of the United States, cease and desist from the following practices, to wit:

1. The use of the term "Civil Service" and the word "Bureau", or either of them, in the name under which said business is conducted, as aforesaid, or of any other word or expression therein which implies or suggests any connection with the Civil Service Commission or the United States Government, or the use of any such representation made in any other manner.

2. Designating any course offered by any term other than by such a term as may correspond to some classification used by the United States Civil Service Commission at the time such course is offered and for which examinations are held by said Commission.

3. Representing that respondent can assist its students in getting Government positions other than by assisting them in preparing for examinations.

4. Representing the number of Civil Service employees, the number of appointments made or to be made, the time, number or certainty of Civil Service examinations, or the period of duration of Civil Service jobs other than as such representations may represent the actual facts as they exist at the time such representations are made.

168

Order

5. The use of any advertisement which by its wording or by the heading under which it is placed, or otherwise, represents or implies that Government jobs are offered or are to be had or that persons are wanted to fill such jobs or that the advertisement is that of the United States Government or of a representative or agent thereof.

6. The use of any contract form which represents or implies that a government job is guaranteed.

It is further ordered, That respondent within 60 days from and after the date of the service upon it of this order shall file with the Commission a report in writing, setting forth in detail the manner and form in which it is complying with the order to cease and desist hereinabove set forth.

Complaint

19 F. T. C.

IN THE MATTER OF

NORWOOD PHARMACEUTICAL COMPANY, INC.

COMPLAINT AND ORDER IN REGARD TO THE ALLEGED VIOLATION OF SEC. 5
OF AN ACT OF CONGRESS APPROVED SEPT. 26, 1914

Docket 2154. Complaint, Jan. 16, 1934—Order, July 24, 1934.

Consent order requiring respondent, its agents, etc., to cease and desist from representing in advertisements or otherwise, in offering and selling its "Dr. Tripp's Tonic Prescription" in interstate commerce and the District of Columbia, that said preparation is—

- (a) A general health restorative, or cure, remedy or competent and adequate treatment for chronic diseases and ailments, or impure blood, skin troubles, constipation, neuralgia, rheumatism, and various other ailments as specified in said order;
- (b) The prescription of Dr. Tripp and Dr. John Tripp; and from making other claims or representations of substantially the same or similar import.

Mr. Robt. N. McMillen for the Commission.

Mr. George P. Latchford, Jr., of Chicago, Ill., for respondent.

COMPLAINT

Pursuant to the provisions of an Act of Congress approved September 26, 1914, entitled "An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes", the Federal Trade Commission, having reason to believe that Norwood Pharmaceutical Company, Inc., has been or is using unfair methods of competition in commerce, as "commerce" is defined in said act, and it appearing to said 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. That said respondent, Norwood Pharmaceutical Company, Inc., is a corporation organized and existing under and by virtue of the laws of the State of New Jersey and has its office and principal place of business in the city of Chicago, State of Illinois.

PAR. 2. That said respondent is now and has been engaged for more than three years last past in the business of compounding a medicinal preparation known and described as "Dr. Tripp's Tonic Prescription" and in the sale and distribution thereof in interstate commerce. That respondent in the course and conduct of its said business causes its said product to be transported in interstate commerce from its said place of business in Illinois to, into, and through States of the United States other than Illinois to persons, firms, and