

## Syllabus

## IN THE MATTER OF

H. E. MARTINDALE, TRADING AS FEDERAL INSTITUTE  
OF MEATS & MARKETING

COMPLAINT, FINDINGS, AND ORDER IN REGARD TO THE ALLEGED VIOLATION  
OF SEC. 5 OF AN ACT OF CONGRESS APPROVED SEPT. 28, 1914

*Docket 2734. Complaint, Feb. 29, 1936—Decision, Dec. 14, 1936*

Where an individual engaged in distributing and selling, from his place of business in a Michigan city, correspondence courses in butchering and meat packing, and in selling books, booklets, and pamphlets to those subscribing to and purchasing his said courses, in substantial competition with those similarly engaged and with those engaged in the business of teaching butchering and meat packing, etc., in ways other than through correspondence courses, in commerce among and between the various States and in the District of Columbia, and including among such competitors many who distribute and sell their courses without in any way misrepresenting the character, quality, size, scope, or connection with the United States Government, of their respective businesses, demand for pupils who have successfully completed their courses, or degree of proficiency that will be acquired by their pupils upon successful completion of the course—

- (a) Featured in his various advertising literature, including advertisements printed and circulated throughout the various States to pupils and prospective pupils, and extensively used questionnaires, circular letters, enrollment blanks, etc., his trade name, including words "Federal Institute," and made use of such words as "Chief of Examiners," "Board of Examiners," "Examiners," "Assistant Examiners," and "Divisional Director," notwithstanding fact neither said individual nor the business conducted by him under aforesaid name was in any way connected with, licensed, or approved by any branch or bureau of the United States Government;
- (b) Included along with his aforesaid trade name, words "Washington, D. C.," and followed his own name with term "Divisional Director," and made use of words "Central States Office," and made such statements therein as "This survey \* \* \* now being conducted in Wisconsin, is part of a nation-wide project, Wisconsin being the first state in the middle-west section (Central States Division) to be contacted," and "Due to the limited time allotted for the completion of this survey, we are resorting to the mails," etc., and depicted in certain portions of his advertising a large building, together with his aforesaid trade name, facts being the business thus conducted by him was not operated on a nation-wide or wide-spread basis covering many States, or conducted on a large and substantial basis, pupils and prospective pupils had been contacted only in a very few States, so-called "Central States Office" in said Michigan city was in reality the home and sole office of the business, which rented only a comparatively small office space in building depicted as aforesaid, and said individual or business did not, as represented, have Washington office; and
- (c) Represented, in his aforesaid advertising literature, that "The field of operation in this industry is nation-wide," and that "among many opportunities indicated are those of: buyer-shipper-inspection," etc., and that,

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as a result of the survey hereinbefore referred to, and use of the mails "to reach quickly a list of men from whom we will select a limited number for personal interviews," "We will be able to select this limited number of men who through the facilities of our various departments will quickly qualify for the branches of service outlined herein," notwithstanding fact course in question was not a complete one in butchering and meat packing, and successful completion thereof did not, of itself, qualify the pupil taking same to fill various positions in the meat slaughtering and packing industry, in which there were not many openings, and in which need and demand for trained men was not greater than actual supply thereof, and in which there were skilled men with long experience in the industry waiting the return of normal conditions for reemployment therein;

With capacity and tendency to mislead and deceive a substantial portion of the purchasing public into the beliefs that aforesaid business, thus conducted, was a branch or bureau of the Government, or connected or affiliated in some way therewith, or licensed and approved by some branch or bureau thereof, and was operated and conducted on a nation-wide and large and substantial basis covering many States, and that there were many openings for various positions in said industry, with need for trained men in excess of the actual supply, as above set forth, and that its course constituted a competent one, upon the completion of which the student would be qualified adequately to fill various positions therein, and with the result that a substantial number of the consuming public, as a direct result of such mistaken and erroneous beliefs, purchased his said courses, and trade was unfairly diverted to him from those similarly engaged in the distribution and sale of such or other correspondence courses and who truthfully advertised the same; to the injury of competition in commerce among and between the various States and in the District of Columbia:

*Held*, That such acts and practices were to the prejudice of the public and competitors and constituted unfair methods of competition.

Before *Mr. John J. Keenan*, trial examiner.

*Mr. J. T. Welch* for the Commission.

*Mr. Wentworth T. Durant*, of Milwaukee, Wis., 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 H. E. Martindale, an individual, trading as Federal Institute of Meats & Marketing, hereinafter referred to as respondent, has been and now is using unfair methods of competition in commerce as "commerce" is defined in 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, H. E. Martindale, is an individual trading as Federal Institute of Meats & Marketing with its principal office

and place of business located at 805½ Sheridan Road, Menominee, in the State of Michigan. Respondent is now, and has been for some time past, engaged in the business of distributing and selling correspondence courses of instruction in the art of butchery and meat packing to persons hereinafter referred to as pupils and in selling to such pupils severally, as incidental and accessory to the instructions in and to the learning, use, and practice of such science and art, certain merchandise consisting of books, booklets, pamphlets, and other articles in commerce as herein set out.

PAR. 2. Said respondent, being engaged in business as aforesaid, when a prospective pupil enters into a contract with him, enrolls said pupil, in consideration of the agreed charge or tuition paid or agreed to be paid by such pupil, undertakes to sell and deliver to such pupil, through the United States mails or otherwise, a complete course of written, mimeographed or printed information and instruction in the particular course or courses of said instruction chosen by such pupil and causes said correspondence courses of instruction, when sold, to be transported from his office and principal place of business in the State of Michigan to purchasers thereof located at various points in other States of the United States and in the District of Columbia, and there is now, and has been at all times mentioned herein, a constant current of trade in commerce in said correspondence courses of instruction in the art of butchery and meat packing so distributed and sold by the respondent between and among the various States of the United States and in the District of Columbia.

PAR. 3. In the course and conduct of his said business, respondent is now, and has been, in substantial competition with other individuals and with firms and corporations likewise engaged in the business of distributing and selling correspondence courses of instruction in various arts, including the art of butchery and meat packing, and also with persons, firms, and corporations engaged in the business of teaching or giving instruction in the art of butchery and meat packing and other arts in ways other than through correspondence courses, in commerce among and between the various States of the United States and in the District of Columbia.

PAR. 4. In the course of the operation of said business, and for the purpose of inducing individuals to purchase and pay for said correspondence course of instruction, respondent has caused advertisements to be inserted in newspapers of general circulation throughout the United States, and has printed and circulated throughout the various States to pupils and prospective pupils, through the United States mails and otherwise, circular letters, questionnaires, enrollment blanks, and other advertising literature. In all of said ques-

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tionnaires, circular letters, enrollment blanks, and advertising literature, the respondent has caused his trade name to be prominently and conspicuously displayed with the following addresses and designations:

Central States Division  
Federal Institute—Meats—Marketing  
Washington, D. C.  
H. E. Martindale, Divisional Director  
Central States Office  
Menominee, Michigan

In other advertising literature, the respondent has made use of the following statements:

This survey sponsored by the F. I. M. M. now being conducted in Wisconsin is part of a nation-wide project, Wisconsin being the first state in the middle-west section (Central States Division) to be contacted.

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Due to the limited time allotted for the completion of this survey, we are resorting to the mails in order to reach quickly a list of men from whom we will select a limited number for personal interviews.

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The field of operation in this industry is nation-wide—among the many opportunities indicated are those of: buyer—shipper—inspection—managing—supervising; also grading—slaughter—dressing of cattle—likewise sausage making, etc. As a result of this survey, we will be able to select this limited number of men who through the facilities of our various departments will quickly qualify for the branches of service outlined herein.

In all of said literature and enrollment blanks, hereinabove referred to, the respondent also makes use of such terms as "Chief of Examiners," "Board of Examiners," "Examiners," "Assistant Examiners," and "Divisional Director" to designate certain of his employees or associates, those terms being generally used by various branches, divisions, and bureaus of the United States Government to designate certain classes of their respective employees. In certain portions of the advertising literature, hereinabove referred to, respondent displays a picturization of a large building under which there appears the designation:

FEDERAL INSTITUTE OF MEATS & MARKETING  
Menominee, Michigan

All of said statements, together with many similar statements appearing in respondent's advertising literature, purport to be descriptive of the business conducted by him under the trade name Federal Institute of Meats & Marketing. In all of his advertising literature and through representations and statements made by the respondent

acting through agents and representatives, the respondent has represented, and now represents, that (1) the business conducted by him under the trade name Federal Institute of Meats & Marketing is a branch or bureau of the United States Government, has some connection or affiliation with some branch or bureau of the United States Government or is licensed and approved by some branch or bureau of the United States Government; (2) that the business operated under the trade name Federal Institute of Meats & Marketing is operated on a nation-wide basis, or is operated on a widespread basis covering many states and is conducted on a large and substantial basis; and (3) that there are many openings for various positions in the meat slaughtering and packing industry and that the need and demand for men trained in the art of butchery and meat packing is much greater than the actual demand therefor and that the course of instruction sold by the respondent is a competent course upon the completion of which the pupil will be adequately qualified to fill various positions in the meat slaughtering and meat packing industry.

PAR. 5. The representations made by the respondent as to any connection between the business conducted by him under the trade name Federal Institute of Meats & Marketing and any branch or bureau of the United States Government are, in fact, untrue. Neither the respondent nor the business conducted, as aforesaid, is in any way connected with a bureau or branch of the United States Government and neither the respondent nor the business conducted under the name of Federal Institute of Meats & Marketing maintains an office of any kind in Washington, D. C.

The business operated by the respondent is not operated on a nation-wide basis or on a widespread basis covering many states and is not conducted on a large and substantial basis. In truth and in fact, pupils and prospective pupils have been contacted in only a very few states and the so-called "Central States Office" located at Menominee, Mich., is in reality the home and sole office of the business. The Federal Institute of Meats & Marketing does not operate or completely occupy the building depicted, as hereinabove indicated, but actually rents only a comparatively small office space in said building. In truth and in fact, there are not many openings for various positions in the meat slaughtering and packing industry and the need and demand for men trained in the art of butchery and meat packing is not greater than the actual demand therefor. In truth and in fact, the course of instruction offered by the respondent is not a complete course in butchery and meat packing and a successful completion of said course does not, of itself, qualify the pupil

taking said course to fill various positions in the meat slaughtering and packing industry.

PAR. 6. There are among the competitors of the respondent many who distribute and sell either correspondence courses or other courses in butchery and meat packing, or other correspondence courses of instruction, who do not, in any way, misrepresent the character, quality, size, scope, or connection with the United States Government, of their respective businesses and do not, in any way, misrepresent the demand for pupils who have successfully completed their respective courses of instruction or the degree of proficiency that will be acquired by the pupil upon a successful completion of the course.

PAR. 7. Each and all of the false and misleading statements and representations made by the respondent, as hereinabove set out, in his advertising, in newspapers, questionnaires, circular letters, enrollment blanks, and other advertising literature, in offering for sale and selling his courses of instruction was, and is, calculated to, and had, and now has, a tendency and capacity to mislead and deceive a substantial portion of the purchasing public into the erroneous belief that all of said representations are true. Further, as a direct consequence of the mistaken and erroneous beliefs, induced by the acts, advertisements, and misrepresentations of respondent, as hereinabove detailed, a substantial number of the consuming public has purchased a substantial volume of respondent's courses of instruction with the result that trade has been unfairly diverted to the respondent from individuals, firms and corporations likewise engaged in the business of distributing and selling correspondence courses or other courses in the art of butchery and meat packing, or other correspondence courses, and who truthfully advertise their courses of instruction. As a result thereof, substantial injury has been, and is now being done, by respondent to substantial competition in commerce among and between the various States of the United States and in the District of Columbia.

PAR. 8. The above and foregoing acts, practices and representations of the respondent have been, and are, all to the prejudice of the public and respondent's competitors as aforesaid, and have been, and are, unfair methods of competition within the meaning and intent of Section 5 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."

#### 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 Com-

mission, to define its powers and duties, and for other purposes," the Federal Trade Commission on February 29, 1936, issued and served its complaint in this proceeding upon the respondent, H. E. Martindale, trading as Federal Institute of Meats & Marketing, charging him with the use of unfair methods of competition in violation of the provisions of said act. After the issuance of said complaint, testimony and other evidence in support of the allegations of said complaint were introduced by J. T. Welch, attorney for the Commission, before John J. Keenan, an examiner of the Commission theretofore duly designated by it, and in opposition to the allegations of the complaint by Wentworth T. Durant, attorney for the respondent, and said testimony and other evidence were duly recorded and filed in the office of the Commission. Thereafter, the proceeding regularly came on for final hearing before the Commission on the said complaint and testimony and other evidence; and the Commission having duly considered the same, and being now fully advised in the premises, finds that this proceeding is in the interest of the public and makes this its findings as to the facts and its conclusion drawn therefrom:

#### FINDINGS AS TO THE FACTS

PARAGRAPH 1. Respondent, H. E. Martindale, is an individual, trading as Federal Institute of Meats & Marketing. His place of business was formerly located at 805½ Sheridan Road, Menominee, Mich. He is now located at 647 State Street, Marinette, in the State of Wisconsin. Respondent is engaged in the business of distributing and selling correspondence courses of instruction in the art of butchery and meat packing. As incidental and accessory to the instruction in the art of butchery and meat packing, he also sells certain merchandise consisting of books, booklets, and pamphlets to those persons subscribing to and purchasing his correspondence courses of instruction.

When a prospective pupil enters into a contract with the respondent, he is enrolled in consideration of the agreed tuition charge which is paid or agreed to be paid by said pupil. The respondent delivers to such pupil, through the United States mail or otherwise, a course of written, mimeographed, or printed instructions in the particular course or courses chosen by such pupil. Respondent causes such courses of instruction, when sold, to be transported from his principal place of business in the State of Michigan to purchasers thereof located at various points in other States of the United States. The respondent has maintained, at all times for a period of more than one year last past, a constant current of trade and commerce in said correspondence courses of instruction in the art of butchery and meat packing, between

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and among the various States of the United States and in the District of Columbia.

PAR. 2. In the course and conduct of his said business, respondent is now, and has been, in substantial competition with other individuals and with firms and corporations likewise engaged in the business of distributing and selling correspondence courses of instruction in various arts, including the art of butchery and meat packing, and also with persons, firms, and corporations engaged in the business of teaching or giving instruction in the art of butchery and meat packing and other arts in ways other than through correspondence courses, in commerce among and between the various States of the United States and in the District of Columbia.

PAR. 3. For the purpose of inducing individuals to purchase and pay for said correspondence courses of instruction, the respondent has made use of advertisements which had been printed and circulated throughout the various States of the United States to pupils and prospective pupils through the United States mail and otherwise. The respondent has also made extensive use of questionnaires, circular letters, enrollment blanks, and advertising literature which has been circulated in the same way to prospective pupils. In all of his advertising literature, the respondent causes his trade name to be prominently and conspicuously displayed with the following addresses and designations:

Central States Division

Federal Institute—Meats—Marketing  
Washington, D. C.

H. E. Martindale, Divisional Director

Central States Office  
Menominee, Michigan

In other advertising literature, the respondent has made use of statements such as the following:

This survey sponsored by the F. I. M. M. now being conducted in Wisconsin is part of a nation-wide project, Wisconsin being the first state in the middle-west section (Central States Division) to be contacted.

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Due to the limited time allotted for the completion of this survey, we are resorting to the mails in order to reach quickly a list of men from whom we will select a limited number for personal interviews.

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The field of operation in this industry is nation-wide—among the many opportunities indicated are those of: buyer—shipper—inspection—managing—super-vising; also grading—slaughter—dressing of cattle—likewise sausage making,

etc. As a result of this survey, we will be able to select this limited number of men who through the facilities of our various departments will quickly qualify for the branches of service outlined herein.

In all of said advertising literature, including questionnaires, circulars and enrollment blanks, the respondent makes extensive use of such terms as "Chief of Examiners," "Board of Examiners," "Examiners," "Assistant Examiners," and "Divisional Director" to designate certain of his employees or associates. In certain portions of his advertising literature, the respondent displays a picturization of a large building under which there appears the designation:

FEDERAL INSTITUTE OF MEATS & MARKETING

Menominee, Michigan

In all of his advertising literature and through representations and statements made by the respondent acting through agents and representatives, the respondent has represented and now represents that (1) the business conducted by him under the trade name Federal Institute of Meats and Marketing is a branch or bureau of the United States Government, has some connection or affiliation with some branch or bureau of the United States Government or is licensed and approved by some branch or bureau of the United States Government; (2) the business operated under the trade name Federal Institute of Meats & Marketing is operated on a nation-wide basis, or is operated on a widespread basis covering many states and is conducted on a large and substantial basis; (3) there are many openings for various positions in the meat slaughtering and packing industry and that the need and demand for men trained in the art of butchery and meat packing is much greater than the actual demand therefor; and (4) the course of instruction sold by the respondent is a competent course upon the completion of which the pupil will be adequately qualified to fill various positions in the meat slaughtering and meat packing industry.

PAR. 4. The terms "Chief of Examiners," "Board of Examiners," "Examiners," "Assistant Examiners," and "Divisional Director" are terms generally used by various branches, divisions, and bureaus of the United States Government to designate certain classes of their respective employees. The representations made by the respondent as to any connection between him or the business conducted by him under the trade name Federal Institute of Meats & Marketing and any branch or bureau of the United States Government are, in fact, untrue. Neither the respondent nor the business conducted by him under said trade name is in any way connected with, affiliated with, licensed or approved by, any branch or bureau of the United States Government. The respondent, neither individually nor under the

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trade name Federal Institute of Meats & Marketing, conducts or maintains an office of any kind in the city of Washington, District of Columbia. The business operated by the respondent is not operated on a nation-wide basis or on a widespread basis covering many States and is not conducted on a large and substantial basis. As a matter of fact, pupils and prospective pupils have been contacted only in a very few States. The so-called "Central States Office" located at Menominee, Mich., is in reality the home and sole office of the business. The Federal Institute of Meats & Marketing does not completely occupy the building depicted in respondent's advertising matter but actually rents only a comparatively small office space in said building. The course of instruction sold by the respondent is not a complete course of butchery and meat packing and a successful completion of said course does not, of itself, qualify the pupil taking such course to fill various positions in the meat slaughtering and packing industry. There are not many openings of various positions in the meat slaughtering and packing industry and the need and demand for men trained in the art of butchery and meat packing is not greater than the actual supply therefor. There are skilled men with long experience in the industry who are waiting a return of normal conditions for reemployment in the meat packing industry.

PAR. 5. There are among the competitors of the respondent many who distribute and sell either correspondence courses or other courses in butchery and meat packing, or other correspondence courses of instruction, who do not, in any way, misrepresent the character, quality, size, scope, or connection with the United States Government, of their respective businesses and do not, in any way, misrepresent the demand for pupils who have successfully completed their respective courses of instruction or the degree of proficiency that will be acquired by the pupil upon a successful completion of the course.

PAR. 6. Each and all of the false and misleading statements and representations made by the respondent in his advertising literature in offering for sale and selling his correspondence courses of instruction were, and are, calculated to, and had, and now have, a capacity and tendency to mislead and deceive a substantial portion of the purchasing public into the beliefs that the business conducted under the trade name of Federal Institute of Meats & Marketing is a branch or bureau of the United States Government or has some connection or affiliation with some branch or bureau of the United States Government or is licensed and approved by some branch or bureau of the United States Government; that the business is operated on a nation-wide basis covering many States and is conducted

on a large and substantial basis; that there are many openings for various positions in the meat slaughtering and packing industry and that the need for men trained in the art of butchery and meat packing is much greater than the actual supply therefor; and that the respondent's course of instruction constitutes a competent course upon the completion of which a student will be adequately qualified to fill various positions in the meat slaughtering and meat packing industry. As a direct consequence of these mistaken and erroneous beliefs, a substantial number of the consuming public has purchased respondent's courses of instruction with the result that trade has been unfairly diverted to the respondent from individuals, firms, and corporations likewise engaged in the business of distributing and selling correspondence courses or other courses in the art of butchery and meat packing, or other correspondence courses and who truthfully advertise their respective courses of instruction. As a consequence thereof, injury has been done by respondent to competition in commerce among and between the various States of the United States and in the District of Columbia.

#### CONCLUSION

The aforesaid acts and practices of the respondent, H. E. Martindale, trading as Federal Institute of Meats & Marketing, are to the prejudice of the public and of respondent's competitors, and constitute unfair methods of competition in commerce, within the intent and meaning of Section 5 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 heard by the Federal Trade Commission upon the complaint of the Commission, testimony and other evidence taken before John J. Keenan, an examiner of the Commission theretofore duly designated by it, in support of the allegations of said complaint, and the Commission having made its findings as to the facts and 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 the respondent, H. E. Martindale, individually and trading and doing business as Federal Institute of Meats and Marketing, or trading under any other trade name, his representatives, agents, and employees, in connection with the offering for sale,

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sale, and distribution of correspondence courses of instruction in interstate commerce or in the District of Columbia, do forthwith cease and desist from:

1. Representing, through the use of the words "Chief of Examiners," "Board of Examiners," "Examiners," "Assistant Examiner," "Divisional Director," and "Federal Institute," alone or in conjunction with any other word or words, or through any other means, or in any other manner, that the respondent or the business conducted by him is a branch or bureau of the United States Government, or is in any way connected or affiliated with, or is licensed and approved by, any branch or bureau of the United States Government;

2. Representing that the business operated by the respondent is operated on a nation-wide basis or is operated on a widespread basis covering many states, or is conducted on a large and substantial basis, when such is not the fact;

3. Representing that there are many openings for various positions in the meat slaughtering and packing industry, or that the need and demand for men trained in the art of butchery and meat packing is much greater than the actual demand therefor;

4. Representing that the respondent's course of instruction is a competent course, upon the completion of which the pupil will be adequately qualified to fill various positions in the meat slaughtering and packing industry;

5. Representing that the respondent or the business conducted by him maintains offices in the city of Washington, District of Columbia;

6. Using the term "Federal Institute" in the name under which respondent's business is conducted, or using any other word or expression which implies or suggests any connection with any branch or bureau of the United States Government.

*It is further ordered,* That the respondent shall, within 30 days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

## Complaint

## IN THE MATTER OF

## A. KIMBALL COMPANY, ET AL.

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

*Docket 2329. Complaint, Mar. 15, 1935—Decision, Dec. 15, 1936*

Where the corporate manufacturers of practically the entire supply of pin tickets in the United States, which they theretofore offered at prices determined by competition among them and, in many instances, at varying prices—

Met, discussed and compared, and came to an agreement and understanding to fix, and did fix, and thereafter charge and maintain uniform prices for their said products;

With result that they were thereby caused to offer and sell such competitive products at uniform prices, and of substantially restricting price competition among them and maintaining artificial price level:

*Held*, That such acts and practices were to the prejudice of the public and competitors and constituted unfair methods of competition.

Before *Mr. John L. Hornor* and *Mr. William C. Reeves*, trial examiners.

*Mr. Robt. M. McMillen* for the Commission.

*Mr. Abraham A. Silberberg*, of New York City, for respondents.

## COMPLAINT

Pursuant to the provisions of an Act of Congress 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 A. Kimball Company, a corporation, The Reyburn Manufacturing Company, a corporation, Waterbury Buckle Company, a corporation, American Tag Company, a corporation, Dancyger Safety Pin Ticket Company, a corporation, Adam Sutcliffe Company, a corporation, and Noesting Pin Ticket Company, a corporation, hereinafter referred to as respondents, have been and are using unfair methods of competition in commerce, as "commerce" is defined in 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. A. Kimball Company is a corporation organized and existing under and by virtue of the laws of the State of New York, with its principal place of business at 307 West Broadway, New York City.