

IN THE MATTER OF
ARTHUR JACOBSON

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

Docket 4466. Complaint, Feb. 19, 1941—Decision, Jan. 7, 1942

Where an individual engaged in interstate sale and distribution of certain devices and courses of instruction explaining their uses, which were all represented as a treatment for defects of eyesight without resort to glasses, drugs, or surgery, said devices consisting of a so-called "eye tester" and an "eye adjuster," together with various charts, and the course of instruction being made up of printed pamphlets designated "Better Eyesight System" and "Training the Eyes to See Correctly"; by means of advertisements in periodicals, circulars, leaflets, pamphlets, letters, and other advertising literature including quotations or purported quotations from testimonials; directly or by implication—

- (a) Represented that his said system was new and revolutionary, that by means of the "eye tester" a person could quickly and easily test his eyes, and by means of the "eye adjuster" could adjust his eyes and make each eye better able to see alone as well as in harmony with the other eye;

The facts being that his system was neither new nor revolutionary but was taken with modifications and adaptations from other systems of eye treatment by so-called natural methods; his "eye tester" simply measured the user's visual perception but did not enable the user to diagnose any visual defect or determine its cause; and his "eye adjuster" was no more than a convenient means of shutting off the vision of one eye so as to permit the unaided use of the other; and

- (b) Represented that use of his said system would improve the eyesight, eliminate headaches and nervousness, overcome tired feeling and cause the eyes to become clear and strong, would correct nearsightedness, astigmatism and strabismus and result in perfect eyesight without glasses, and eliminate the need of drugs, glasses, and surgery in the treatment of poor eyesight; and that 90 percent of the physical defects of the eye could be remedied by the use of his devices and courses;

The facts being that, while there are many causes for defective vision, including errors of refraction, various diseases of the eyes, toxemias, and inherited imperfections in the visual organs, his devices, courses and treatment were the same, regardless of the causes or nature of the visual defect; headaches and nervousness may be due to numerous causes other than eye strain; such physical defects as nearsightedness and astigmatism are not subject to correction by said devices or courses; proper treatment when exercise is prescribed in cases of strabismus requires adaptation to the particular case and use of his devices and courses, while possibly in some instances tending to correct muscular imbalance, will not result in perfect eyesight, eliminate need of drugs, glasses and surgery in the treatment of poor eyesight or correct 90 percent of the physical defects of the eyes or any material percentage thereof; and

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(c) Represented that properly fitted glasses do not solve the problem of falling eyesight or correct said condition; that stronger lenses must be used from time to time; and that use of glasses causes the eye muscles to become lazy with the result that they do not perform their natural functions;

The facts being, one's vision may be affected by physical condition or by illness not directly related to the eyes and may improve with the state of health and a "lazy" condition of the muscles of the eyes may be due to fatigue; properly fitted glasses do correct many faults of vision; it is not necessary in all cases to obtain stronger lenses from time to time; some individuals in the course of time being enabled to discard the use of glasses entirely; and use of properly fitted glasses does not cause the eye muscles to become lazy nor prohibit them from performing their natural functions;

With the effect of misleading and deceiving a substantial portion of the purchasing public into the mistaken belief that such advertisements were true and of thereby inducing the purchase by it of substantial quantities of the said devices and courses:

Held, That such acts and practices, under the circumstances set forth, were all to the prejudice and injury of the public, and constituted unfair and deceptive acts and practices in commerce.

Before *Mr. W. W. Sheppard*, trial examiner.

Mr. Jesse D. Kash for the Commission.

Mr. H. M. Braggans and *Mr. Austin L. Grimes*, of Little Falls, Minn., for respondent.

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 Arthur Jacobson, an individual, hereinafter referred to as respondent, has 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. The respondent Arthur Jacobson is an individual with his office and principal place of business located at Upsala, Minn.

PAR. 2. Said respondent is now and for more than one year last past has been engaged in the offering for sale, sale and distribution of certain devices together with a course of instruction explaining and describing the uses thereof, all of which are represented as a treatment for defects of human eyesight without resort to glasses, drugs or surgery. Such devices consist of a so-called "Eye Tester" and an "Eye Adjuster," together with charts and other paraphernalia. The course of instruction consists of printed pamphlets designated as "Better Eyesight System" and "Training The Eyes To See Correctly." The various devices and course of instruction are sold together and are designed to complement each other.

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Respondent causes said devices, together with the course of instruction, when sold, to be transported from his place of business in the State of Minnesota to the purchasers thereof located in other States of the United States.

Respondent maintains and at all times mentioned herein has maintained a course of trade in said devices and said course of instruction sold and distributed by him, in commerce, between and among the various States of the United States.

PAR. 3. In the course and conduct of his aforesaid business the respondent has disseminated and is now disseminating and has caused and is now causing the dissemination of, false advertisements concerning his said device and course of instruction by United States mails and by various other means in commerce as commerce is defined in the Federal Trade Commission Act; and respondent has also disseminated and is now disseminating and has caused and is now causing the dissemination of false advertisements concerning the said devices and course of instruction, by various means, for the purpose of inducing and which are likely to induce, directly or indirectly, the purchase of his said devices and course of instruction in commerce, as commerce is defined in the Federal Trade Commission Act.

Among, and typical of, the false, misleading, and deceptive statements and representations contained in said false advertisements, disseminated and caused to be disseminated, as hereinabove set forth by the United States mails, by advertisements in newspapers and periodicals and by pamphlets, circulars and other advertising literature having a general circulation are the following:

NEW SYSTEM IS REVOLUTIONARY * * *.

This new system does not require glasses, medicines, or drugs of any kind. You do not have to submit to any trick diets or expensive treatments. You do not need to refrain from going to shows. In fact, attending a reasonable number of shows will actually improve the eyesight.

You too should begin using this system. It will improve your eyesight.

I have followed the instructions on "Training The Eyes To See" to the best of my ability and already my headaches and nervousness have disappeared.

* * * I followed the simple instructions faithfully and at the end of 10 days I noticed a great change in my eyes. I lost that tired feeling. My eyes became clear and strong and I found that I could discard my glasses.

Learn how to see again!

Naturally * * *.

Safely * * *.

And without drugs.

THE EYE TESTER: A new invention (patent applied for) which enables you to quickly and easily test your eyes right in your own home.

THE EYE ADJUSTER: Another invention which actually "adjusts" your eyes and makes each eye better able to see alone as well as in harmony with the other eye.

SEE better. Correct nearsightedness, astigmatism, and strabismus without glasses, drugs or surgery.

PERFECT Eyesight without glasses.

Properly fitted glasses correct the distortion of the image making your vision clear and distinct but glasses do not remove the basic cause of faulty vision any more than a crutch will cure a broken leg. You know of course that lenses in your glasses must be changed from time to time—and the pitiful part of these changes is that stronger and stronger lenses must be used * * *. But in most cases glasses tend to hide the beauty and charm of naturally magnetic eyes, because they seldom fit the contour of the face. They do not—can not—solve your problem of failing eyesight.

Lazy muscles I found forget how to work and must be trained in a natural way without "eye crutches" to again do their natural job.

* * * If anyone would spend five minutes a day doing what you did 90 percent of the physical defects of the eyes would be removed.

PAR. 4. Through the use of the aforesaid statements and representations and others of similar import not specifically set out herein, the respondent represents and has represented, directly or by implication:

That his system is new and revolutionary; that the use of said system, consisting of the various devices and course of instruction, will eliminate the need of drugs, glasses and surgery in the treatment of poor eyesight; that the use of said system will improve the eyesight, will eliminate headaches and nervousness, will overcome tired feeling and cause the eyes to become clear and strong, thus enabling the user to discard glasses; that by its use a person is enabled to see naturally and safely without the use of drugs; that by means of the "Eye Tester" a person can quickly and easily test his eyes; that by means of the "Eye Adjuster" a person can adjust his eyes and make each eye better able to see alone as well as in harmony with the other eye; that said devices are new inventions discovered by respondent. Respondent further represents that the use of said devices and course of instruction will correct nearsightedness, astigmatism and strabismus without resort to glasses, drugs or surgery; that the use of said system will result in perfect eyesight, without glasses; that properly fitted glasses do not solve the problem of failing eyesight, do not correct failing eyesight and that stronger lenses must be used from time to time; that the use of glasses causes the eye muscles to become lazy and consequently they do not perform their natural functions; that 90 percent of the physical defects of the eyes can be remedied by the use of respondent's devices and course of instruction.

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PAR. 5. The foregoing representations are grossly exaggerated, false and misleading. In truth and in fact respondent's system is not new nor is it revolutionary. The use of such system, consisting of the various devices and course of instruction, will not eliminate the need of drugs, glasses, and surgery in the treatment of poor eyesight. The use of such system will not improve the eyesight, nor will it eliminate headaches or nervousness or overcome tired feeling and cause the eyes to become clear and strong, thereby enabling the user to discard glasses. A person suffering from poor eyesight is not enabled, by the use of such system, to see naturally and safely, without the use of drugs or glasses. There is nothing new about the principles of the "Eye Tester" and "Eye Adjuster," and their use will not enable one to adjust or test one's eyes and make each eye better able to see alone as well as in harmony with the other eye. The use of respondent's devices and course of instruction will not correct nearsightedness, astigmatism and strabismus without resort to glasses, drugs or surgery, nor will their use result in perfect eyesight without glasses. Properly fitted glasses do remove the basic cause of faulty vision, and it is not necessary in all cases to obtain stronger lenses from time to time. The use of properly fitted glasses does not cause the eye muscles to become lazy or prohibit eye muscles from performing their natural functions. The use of respondent's system will not remove or remedy 90 percent or any appreciable percent of the physical defects of the eyes.

PAR. 6. The use by the respondent of the foregoing false and misleading advertisements disseminated as aforesaid has a tendency and capacity to and does mislead and deceive a substantial portion of the purchasing public into the erroneous and mistaken belief that such false and misleading advertisements are true, and induces, and has induced, the purchasing public by reason of such belief, so induced, to purchase substantial quantities of respondent's said devices and course of instruction.

PAR. 7. The aforesaid acts and practices of the respondent as herein alleged are all to the prejudice and injury of the public and constitute unfair and deceptive acts and practices in commerce within the intent and meaning of the Federal Trade Commission Act.

REPORT, FINDINGS AS TO THE FACTS, AND ORDER

Pursuant to the provisions of the Federal Trade Commission Act, the Federal Trade Commission on February 19, 1941, issued and subsequently served its complaint in this proceeding upon respondent Arthur Jacobson, an individual, charging him with the use of unfair

and deceptive acts and practices in commerce in violation of the provisions of said act. After the issuance of said complaint and the filing of respondent's answer thereto, testimony and other evidence in support of the allegations of said complaint were introduced by an attorney for the Commission and in opposition to the allegations of the complaint by attorneys for the respondent before an examiner of the Commission theretofore duly designated by it, 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 said complaint, the answer thereto, testimony and other evidence, report of the trial examiner, and briefs in support of the complaint and in opposition thereto (oral argument not having been requested); and the Commission, having duly considered the matter 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 Arthur Jacobson is an individual with his office and principal place of business in Upsala, Minn. For more than one year last past he has been engaged in the offering for sale, sale, and distribution of certain devices and courses of instruction explaining and describing the uses thereof, all of which are represented as a treatment for defects of human eyesight without resort to glasses, drugs, or surgery. Such devices consist of a so-called "eye tester" and a so-called "eye adjuster," together with various charts, and the course of instruction consists of printed pamphlets designated as "Better Eyesight System" and "Training the Eyes to See Correctly."

PAR. 2. In the course and conduct of his aforesaid business respondent causes said devices and the accompanying courses of instruction, when sold, to be transported from his place of business in the State of Minnesota to purchasers thereof located in other States of the United States, and maintains, and has maintained, a course of trade in said devices and courses of instruction in commerce between and among the various States of the United States.

PAR. 3. Respondent, a public school teacher who is still engaged in that work, began having difficulty with his eyes about 1922 and was told that he had astigmatism and strabismus. Over a period of years he purchased and used various eyeglasses but found it necessary to have them changed from time to time. About 1932 he read a book called "Instantaneous Personal Magnetism" in which certain eye exer-

cises were recommended. After using the recommended exercises regularly for about two months he found that he was able to discard his eyeglasses, and has not since used such glasses. Respondent suggested the use of such exercises to some of his pupils, who were apparently benefited thereby. He became familiar with various courses for the self-treatment of faults of vision by exercise, massage, and other so-called natural methods such as the Macfadden system for strengthening the eyes, the Doctor Bates system, the Barrett Institute of Natural Eyesight system, and the Doctor Richardson system.

About 1933 respondent conceived the idea of preparing a course of instruction for sale to others, and did prepare such a system of exercises based upon his reading and his personal experience. Respondent's devices and accompanying courses of instruction have been sold to numerous purchasers. The price charged by respondent originally was \$1, which was subsequently increased to \$2, and subsequently to \$3. The instructions and devices have been changed or modified from time to time by respondent, the most recent changes having been made in 1942. Respondent is not a graduate of, nor has he attended, any medical school. His knowledge of medicine and of the anatomy of the human eye and the treatment of defects or diseases thereof is limited to such information as he has acquired by reading.

PAR. 4. In the course and conduct of his aforesaid business respondent, by means of the United States mails and by various means in commerce, as "commerce" is defined in the Federal Trade Commission Act, has disseminated and is now disseminating, and has caused and is now causing the dissemination of, false advertisements concerning his said devices and courses of instruction; and respondent by various means has also disseminated and is now disseminating, and has caused and is now causing the dissemination of, false advertisements for the purpose of inducing, and which are likely to induce, directly or indirectly, the purchase of said devices and courses of instruction in commerce, as "commerce" is defined in the Federal Trade Commission Act.

Among and typical of the false, misleading, and deceptive statements and representations contained in said false advertisements disseminated and caused to be disseminated, as aforesaid, by advertisements in periodicals and by circulars, leaflets, pamphlets, letters, and other advertising literature, are the following:

NEW SYSTEM IS REVOLUTIONARY.

This new system does not require glasses, medicines, or drugs of any kind. You do not have to submit to any "trick" diets or expensive treatments. You

do not need to refrain from going to shows. In fact, attending a reasonable number of shows will *actually improve* the eyesight.

You, too, should begin using this system. It will improve your eyesight!!

I have followed the instructions on "Training the Eyes to See" to the best of my ability and already my headaches and nervousness have disappeared.

I followed the simple instructions faithfully and at the end of ten days, I noticed a great change in my eyes. I lost that tired feeling, my eyes became clear and strong, and I found that I could discard my glasses.

Learn how to SEE again!

Naturally * * *

Safely * * *

And without drugs!

THE EYE TESTER: A new invention (patent applied for) which enables you to quickly and easily test your eyes right in your own home.

THE EYE ADJUSTER: Another invention which actually "adjusts" your eyes and makes each eye better able to see alone as well as in harmony with the other eye.

SEE Better. Correct nearsightedness, astigmatism, and strabismus without glasses, drugs or surgery.

PERFECT Eyesight without glasses.

Properly fitted glasses correct the distortion of the image making your vision clear and distinct. But glasses *do not remove* the *basic cause* of faulty vision any more than a crutch will cure a broken leg. You know of course that lenses in your glasses must be changed from time to time—and the pitiful part of these changes is that stronger and stronger lenses must be used.

But in most cases glasses tend to hide the beauty and charm of naturally magnetic eyes, because they seldom fit the contour of the face.

They do not—*cannot*—solve your problem of falling eyesight.

Lazy muscles, I found, forget how to work and must be trained in a *natural* way, without "eye crutches," to again do their *natural* job.

If everyone would spend five minutes a day doing what you did, ninety percent of the physical defects of the eyes would be removed.

PAR. 5. By the use of statements such as those set out in the preceding paragraph respondent has represented, directly or by implication, that his system of eye treatment, consisting of the said devices and courses of instruction, is new and revolutionary; that by means of the "eye tester" a person can quickly and easily test his eyes; that by means of the "eye adjuster" a person can adjust his eyes and make each eye better able to see alone as well as in harmony with the other eye; that the use of said system will improve the eyesight, will eliminate head-

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aches and nervousness, will overcome tired feeling and cause the eyes to become clear and strong; that said system will correct nearsightedness, astigmatism, and strabismus without resort to glasses, drugs, or surgery; that the use of said system will result in perfect eyesight without glasses and will eliminate the need of drugs, glasses, and surgery in the treatment of poor eyesight; that properly fitted glasses do not solve the problem of failing eyesight, do not correct failing eyesight, and that stronger lenses must be used from time to time; that the use of glasses causes the eye muscles to become lazy, and consequently they do not perform their natural functions; that 90 percent of the physical defects of the eyes can be remedied by the use of respondent's devices and courses of instruction.

PAR. 6. There are many causes for defective vision, including errors of refraction, various diseases of the eyes, toxemias, and inherited faults or imperfections in the visual organs. Respondent's devices and courses of instruction are the same regardless of the cause of the defective vision of any purchaser; that is, the same treatment is recommended by respondent without regard to the nature of the visual defect. Respondent's system is not new or revolutionary but was taken with modifications and adaptations from various other systems of eye treatment by so-called natural methods.

Respondent's "eye tester" simply functions as a means of measuring the degree of the user's visual perception, but does not enable the user to determine the cause of any visual defect or in any way to diagnose any visual defect which he may have. Respondent's "eye adjuster" is, in effect, a convenient means of shutting off the vision of one eye so as to permit the unaided use of the other. This device does not enable an individual to adjust his eyes and make either eye see better alone or in harmony with the other eye.

The vision of an individual may be affected by his general physical condition or by illness or disease not directly related to the eyes and may improve with any improvement in his state of health. A "lazy" condition of the muscles of the eyes may be due to fatigue. Headaches and nervousness may be due to eye strain and also may be due to numerous other causes. Nearsightedness is a physical defect of the eye and is due to the fact that light entering the eyeball focuses in a plane in front of the retina. Astigmatism is a defect of the curvature of the refractive surfaces of the eye in which rays of light are not focused to a single point but form a diffuse area on the retina. These defects are not subject to correction by respondent's devices or courses of instruction. Strabismus is a physical defect of the eyes in which there is a deviation of one of the eyes from its proper direction so that visual axes cannot be directed simultaneously at the same objective point.

When exercise is prescribed in such cases of muscular imbalance proper treatment requires knowledge of the cause and nature of the particular conditions existing in each case and adaptation to the needs of each such case. The use of respondent's devices and course of instruction may in some instances be of some benefit in tending to correct conditions of muscular imbalance. The use of respondent's devices and course of instruction will not result in perfect eyesight; they will not eliminate the need of drugs, glasses, and surgery in the treatment of poor eyesight; and they will not correct 90 percent of the physical defects of the eyes, or any material percentage of such defects.

Properly fitted eyeglasses correct many faults of vision and it is not necessary in all cases to from time to time obtain stronger lenses. In fact, in some instances individuals may in the course of time be enabled to discard the use of glasses entirely. The use of properly fitted glasses does not cause the eye muscles to become lazy or prohibit them from performing their natural functions.

PAR. 7. The use by respondent of the foregoing false and misleading advertisements disseminated as aforesaid has a tendency and capacity to, and does, mislead and deceive a substantial portion of the purchasing public into the erroneous and mistaken belief that such false and misleading advertisements are true, and induces, and has induced, the purchasing public by reason of such belief, so induced, to purchase substantial quantities of respondent's said devices and courses of instruction.

CONCLUSION

The aforesaid acts and practices of respondent as herein found are all to the prejudice and injury of the public and constitute unfair and deceptive acts and practices in commerce within the intent and meaning of the Federal Trade Commission Act.

ORDER TO CEASE AND DESIST

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, testimony and other evidence in support of the allegations of said complaint and in opposition thereto taken before an examiner of the Commission theretofore duly designated by it, report of the trial examiner, and briefs filed herein by counsel for the Commission and counsel for the respondent, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act.

It is ordered, That respondent Arthur Jacobson, an individual, his agents, representatives, and employees, directly or through any cor-

porate or other device, in connection with the offering for sale, sale, or distribution of his system for the treatment of defects of the human eye or conditions resulting therefrom, which system consists of devices designated as an "eye tester" and as an "eye adjuster" and charts and courses of instruction designated as "Better Eyesight System" and as "Training the Eyes to See Correctly," or of any other system, devices, or courses of instruction which are substantially similar in character to the present system, devices, or courses of instruction, whether sold under the same or any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating, or causing to be disseminated, by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or through inference:

(a) That respondent's devices or courses of instruction are a new or revolutionary system for the treatment of defects of human vision.

(b) That the use of respondent's devices or courses of instruction, either separately or in conjunction with one another, will eliminate headache or nervousness, overcome tired feeling, cause the eyes to become clear and strong, enable the user to discard glasses, or result in perfect eyesight.

(c) That the use of respondent's devices or courses of instruction, either separately or in conjunction with one another, will correct nearsightedness or astigmatism, or eliminate the need of drugs, glasses, or surgery in the treatment of poor eyesight.

(d) That respondent's devices or courses of instruction, either separately or in conjunction with one another, constitute a competent or effective treatment of, or remedy for, defects of vision or conditions resulting therefrom, or have any therapeutic value in the treatment of defects of vision or conditions resulting therefrom in excess of possibly assisting toward the correction of strabismus in cases where the particular exercise recommended is adapted to the needs of the particular case.

2. Disseminating, or causing to be disseminated, by any means, any advertisement for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said devices and courses of instruction, which advertisement contains any of the representations prohibited in paragraph 1 hereof.

It is further ordered, That respondent shall, within 60 days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

Complaint

IN THE MATTER OF
NATURE'S HERB COMPANYCOMPLAINT, FINDINGS, AND ORDER IN REGARD TO THE ALLEGED VIOLATION
OF SEC. 5 OF AN ACT OF CONGRESS APPROVED SEPT. 26, 1914*Docket 4601. Complaint, Sept. 29, 1941—Decision, Jan. 9, 1942*

Where a corporation engaged in interstate sale and distribution of a preparation known as Sterling Capsules; in advertisements in newspapers and periodicals, circulars, leaflets, and other advertising literature—

- (a) Represented that said product constituted a competent, effective, and remarkable cure or remedy for arthritis, rheumatism, sciatica, lumbago, neuralgia, and neuritis; would permanently relieve pains, aches, stiffness, and soreness in stubborn cases of such conditions; and would produce amazing and remarkable results;

The facts being its value in the treatment of said conditions was limited to that of a laxative or cathartic and a mild analgesic which would afford temporary relief from pain; and

- (b) Failed to give adequate directions for using said capsules and to reveal that the preparation contained gelsemium root, use of which drug, under usual conditions or those described in said advertisements, might have injurious consequences unless the dosage was limited to two or three days; and
- (c) Failed further in said advertisements to give adequate warning that said preparation was a laxative or cathartic, depending on dosage; that it was potentially dangerous, and not to be taken by one suffering from abdominal pains, stomach ache, cramps, colic, nausea, vomiting, or other symptoms of appendicitis;

With effect of misleading and deceiving a substantial portion of the purchasing public into the mistaken belief that such representations were true, and thereby inducing it to purchase said product:

Held, That such acts and practices, under the circumstances as set forth, were all to the prejudice and injury of the public, and constituted unfair and deceptive acts and practices in commerce.

Mr. James L. Baker for the Commission.

Mr. Clinton Robb, of Washington, D. C., for respondent.

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 Nature's Herb Co., a corporation, hereinafter referred to as respondent, has violated the provisions of the 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, Nature's Herb Co., is a corporation, created, organized and existing under and by virtue of the laws of the