

Decision

IN THE MATTER OF
THE GREN CORPORATION ET AL.ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE
FEDERAL TRADE COMMISSION ACT*Docket 6491. Complaint, Jan. 11, 1956—Decision, July 12, 1956*

Consent order requiring a Newark, N.J., corporate purchaser of fur scraps and used fur garments and its corporate distributor of the processed fiber in Stamford, Conn., to cease representing the fibers in sales invoices as "Natural Mink," "Natural Beaver," etc., when the products contained substantial amounts of fur fibers other than mink and beaver.

Mr. Philip R. Melangton, Jr., for the Commission.

Mr. Benjamin R. Weisberg, of Stamford, Conn., for Gren Corp. and Charles E. Grenamyre.

Rubinton & Coleman, of Brooklyn, N.Y., for Sterling Fur Cutting Corp. and Hyman Meskin.

INITIAL DECISION BY J. EARL COX, HEARING EXAMINER

The complaint charges that respondents, having a community of interest in their business of selling and distributing fur fibers to manufacturers of fabrics for use therein, have, in the sale and distribution of such fur fibers in commerce, as "commerce" is defined in the Federal Trade Commission Act, misrepresented their product on the invoices thereof when sold to the purchasers of such product, in violation of the provisions of said Act.

Subsequent to the issuance of the complaint, respondents, their counsel, and counsel supporting the complaint, on May 8, 1956, entered into an Agreement Containing Consent Order To Cease And Desist, which was approved by the Director and Assistant Director, Bureau of Litigation of the Commission, and thereafter transmitted to the Hearing Examiner for consideration.

The agreement identifies respondent The Gren Corporation as a corporation existing and doing business under and by virtue of the laws of the State of Connecticut, and respondent Charles E. Grenamyre as an individual and president thereof, with their office and principal place of business located in the Ridgeway Professional Building, Stamford, Connecticut; respondent Sterling Fur Cutting Corporation as a corporation existing and doing business under and by virtue of the laws of the State of New Jersey, with its office and principal place of business located at 63 Hoyt Street, Newark, New Jersey; and respondent Hyman Meskin as an individual and Sec-

retary-Treasurer of the corporate respondent Sterling Fur Cutting Corporation, his address being 91 Stratford Road, Rockville Centre, New York.

The agreement provides, among other things, that respondents admit all the jurisdictional facts alleged in the complaint and agree that the record may be taken as if findings of jurisdictional facts had been duly made in accordance with such allegations; that the record on which the initial decision and the decision of the Commission shall be based shall consist solely of the complaint and this agreement; that the agreement shall not become a part of the official record unless and until it becomes a part of the decision of the Commission; that the complaint may be used in construing the terms of the order agreed upon, which may be altered, modified or set aside in the manner provided for other orders; that the agreement is for settlement purposes only and does not constitute an admission by respondents that they have violated the law as alleged in the complaint; and that the order set forth in the agreement and hereinafter included in this decision shall have the same force and effect as if entered after a full hearing.

Respondents waive any further procedural steps before the Hearing Examiner and the Commission, the making of findings of fact or conclusions of law, and all of the rights they may have to challenge or contest the validity of the order to cease and desist entered in accordance with this agreement.

The order agreed upon fully disposes of all the issues raised in the complaint, and adequately prohibits the acts and practices charged therein as being in violation of the Federal Trade Commission Act. Accordingly, the Hearing Examiner finds this proceeding to be in the public interest and accepts the Agreement Containing Consent Order To Cease And Desist as part of the record upon which this decision is based. Therefore,

It is ordered, That respondent, The Gren Corporation and its officers; and Charles E. Grenamyre, individually and as an officer of said corporation; and Sterling Fur Cutting Corporation, and its officers; and Hyman Meskin, individually and as an officer of said corporation, and respondents' respective representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, transportation or distribution of fur fibers in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Misrepresenting the constituent fibers of which their fur fibers are composed, or the percentages or amounts thereof, in sales invoices or in any other manner.

19

Decision

DECISION OF THE COMMISSION AND ORDER TO FILE REPORT OF COMPLIANCE

Pursuant to Section 3.21 of the Commission's rules of Practice the initial decision of the hearing examiner shall, on the 12th day of July, 1956, become the decision of the Commission; and, accordingly:

It is ordered, That respondents The Gren Corporation, a corporation, and Charles E. Grenamyre, individually and as an officer of said corporation; and Sterling Fur Cutting Corporation, a corporation; and Hyman Meskin, individually and as an officer of said corporation, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

IN THE MATTER OF
GOULD'S, INC., ET AL.

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

Docket 6481. Complaint, Jan. 10, 1956—Decision, July 14, 1956

Consent order requiring a Minneapolis furrier to cease violating the Fur Products Labeling Act by failing to disclose in advertisements in newspapers the true names of animals producing the fur and that certain fur products contained or were composed of artificially colored fur; by failing to maintain adequate records disclosing the facts on which comparative and percentage price claims were made; and by failing to comply with labeling and invoicing requirements.

Mr. William A. Somers for the Commission.

Mr. Robert A. Levitt, of Minneapolis, Minn., for respondents.

INITIAL DECISION BY J. EARL COX, HEARING EXAMINER

The complaint charges that respondents, subsequent to the effective date of the Fur Products Labeling Act on August 9, 1952, have advertised, offered for sale, sold, transported and distributed fur products in commerce, and have advertised, offered for sale, sold, transported and distributed fur products which have been made in whole or in part of fur which had been shipped and received in commerce, as "commerce," "fur" and "fur products" are defined in the Fur Products Labeling Act, certain of which fur products were misrepresented and misbranded in violation of the Federal Trade Commission Act, and of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder. Respondents filed an answer thereto which, in general, denied the allegations of the complaint, but thereafter, on May 12, 1956, they and their counsel entered into an agreement with counsel supporting the complaint, in which they consented to the issuance of an order to cease and desist. This agreement was approved by the Director and Assistant Director, Bureau of Litigation of the Commission, and thereafter transmitted to the Hearing Examiner for consideration.

The agreement identifies respondent Gould's, Inc., as a corporation existing and doing business under and by virtue of the laws of the State of South Dakota, and respondents William L. Gould, Freda M. Gould and Clyde M. Gould, respectively, as President, Treasurer, and Secretary thereof, with their office and principal