

IN THE MATTER OF  
LESTER PIANOS, INC.

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

*Docket 6551. Complaint, May 10, 1956—Decision, Aug. 11, 1956*

Consent order requiring a Philadelphia piano dealer to cease representing, by statements of salesmen and otherwise, that pianos returned to it upon termination of rental agreements and refurbished and reconditioned at its shop, were new and unused.

*Mr. Harold A. Kennedy* for the Commission.

*Stradley, Ronon, Stevens & Young*, of Philadelphia, Pa., for respondent.

INITIAL DECISION BY WILLIAM L. PACK, HEARING EXAMINER

The complaint in this matter, issued May 10, 1956, charges respondent with representing used or reconditioned pianos as new, in violation of the Federal Trade Commission Act. No answer to the complaint has been filed by respondent. An agreement has now been entered into by respondent and counsel supporting the complaint, which provides, among other things, that respondent admits all the jurisdictional facts alleged in the complaint; 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 inclusion of findings of fact and conclusions of law in the decision disposing of this matter is waived, together with any further procedural steps before the hearing examiner and the Commission; that the order hereinafter set forth may be entered without further notice to respondent, and when so entered it shall have the same force and effect as if entered after a full hearing, respondent specifically waiving any and all rights to challenge or contest the validity of such order; that the order may be altered, modified or set aside in the manner provided for other orders of the Commission; and that the agreement is for settlement purposes only and does not constitute an admission by respondent that it has violated the law as alleged in the complaint.

The hearing examiner having considered the agreement and proposed order and being of the opinion that they provide an adequate basis for an appropriate disposition of the proceeding, the agreement is hereby accepted, the following jurisdictional findings made, and the following order issued:

1. Respondent is a corporation existing and doing business under and by virtue of the laws of the State of Delaware, with its office and principal place of business located at 1533 Chestnut Street, Philadelphia, Pennsylvania.

2. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of the respondent, and the proceeding is in the public interest.

#### ORDER

*It is ordered*, That the respondent Lester Pianos, Inc., its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of used pianos, or any other used product, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that such product is new or unused.

2. Offering for sale or selling such product without clearly disclosing that it is used or not new.

#### 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 11th day of August, 1956, become the decision of the Commission; and, accordingly:

*It is ordered*, That the respondent herein shall within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order to cease and desist.

Commissioner Anderson not participating.

IN THE MATTER OF  
CITY SPECIALTY STORES, INC., DOING BUSINESS AS  
OPPENHEIM-COLLINS AND FRANKLIN SIMON

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

*Docket 6502. Complaint, Feb. 10, 1956—Decision, Aug. 17, 1956*

Consent order requiring a corporate operator in New York City of two chains of retail stores in the eastern United States to cease violating the Fur Products Labeling Act through failing to disclose in advertisements in newspapers and otherwise the names of animals producing certain fur products, the fact that certain products were artificially colored, and the country of origin of certain furs; setting forth the names of other animals than those producing the fur; misrepresenting prices as reduced from purported regular prices which were in fact fictitious; misrepresenting savings by means of comparative price claims not based on current market values; and misrepresenting the value of products.

*Mr. John T. Walker* for the Commission.

*Mr. Henry Edward Schultz*, of New York City, for respondent.

INITIAL DECISION BY J. EARL COX, HEARING EXAMINER

On February 10, 1956, the Federal Trade Commission issued its complaint in this proceeding, charging the respondent with violation of the Federal Trade Commission Act, the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder, by the use of false and deceptive advertising and unfair methods of competition in commerce, in connection with its fur products, some of which were offered for sale, sold, transported and distributed in commerce by respondent, and some of which were composed, in whole or in part, of fur which had been shipped and received in commerce.

Respondent filed with the Commission an answer to the complaint herein, but thereafter, on June 26, 1956, respondent, its counsel, and counsel supporting the complaint 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 transmitted to the Hearing Examiner for consideration.

The agreement identifies respondent City Specialty Stores, Inc. as a corporation existing and doing business under and by virtue of the laws of the State of New York, with its office and principal place of business located at 35 West 34th Street, New York, New York.