

IN THE MATTER OF
JOHN G. WEBSTER & SONS, INC., ET AL.

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

Docket 6679. Complaint, Nov. 26, 1956—Decision, Mar. 19, 1957

Consent order requiring an appliance seller in Washington, D.C., to cease representing falsely that \$399.95 was the regular price of the Chrysler Airtemp Air Conditioner which it advertised at "Sale Price \$249.95".

Mr. Michael J. Vitale for the Commission.

Mehler and Goldsborough, of Washington, D.C., for respondents.

INITIAL DECISION BY JOHN B. POINDEXTER, HEARING EXAMINER

The complaint in this proceeding charges that the respondents have violated the provisions of the Federal Trade Commission Act by the use of deceptive and misleading newspaper advertisements representing, directly and by implication, that the regular and usual retail price of their Chrysler Airtemp Air Conditioners is \$399.95, whereas in truth and in fact, the said price of \$399.95, is not the usual and regular price for said product, but said figure is grossly exaggerated and fictitious.

An agreement has been entered into by respondents, approved by their counsel, and counsel supporting the complaint which provides, among other things, that: Respondents admit all jurisdictional facts; the complaint may be used in construing the terms of the order; the order shall have the same force and effect as if entered after a full hearing and the said agreement shall not become a part of the official record of the proceeding unless and until it becomes a part of the decision of the Commission; respondents waive the requirement that the decision must contain a statement of findings of fact and conclusions of law; respondents waive further procedural steps before the Hearing Examiner and the Commission, and the order may be altered, modified, or set aside in the manner provided by statute for other orders; respondents waive any right to challenge or contest the validity of the order entered in accordance with the agreement; and the signing of said 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.

The Hearing Examiner having considered the agreement and proposed order and being of the opinion that the acceptance of the

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agreement will be in the public interest, hereby accepts such agreement, makes the following jurisdictional findings, and issues the following order:

1. Respondent, John G. Webster & Sons, Inc., is a corporation, organized 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 627 F Street, N.W., Washington, D.C. Respondent George C. Webster is an individual and an officer of said corporation.

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

ORDER

It is ordered, That respondents John G. Webster & Sons, Inc., a corporation, and its officers, and George C. Webster, individually and as an officer of said corporation, and their agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of Chrysler Airtemp Air Conditioners or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Representing, directly or by implication, that respondents' usual or customary price of any merchandise is in excess of the price at which said merchandise is regularly and customarily sold in the normal course of respondents' business.

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 19th day of March, 1957, become the decision of the Commission; and, accordingly:

It is ordered, That the respondents herein 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

FRANK L. GOULD TRADING AS FRANK GOULD FUR
COMPANY, GOULD'S FURS, AND GOULD'S ALASKAN

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

Docket 6660. Complaint, Oct. 25, 1956—Decision, Mar. 20, 1957

Consent order requiring a furrier in Houston, Texas, to cease violating the Fur Products Labeling Act through misbranding, false invoicing, and false advertising of fur products.

Mr. S. F. House for the Commission.

Mr. Leonard Stolaroff, of Houston, Tex., for respondent.

INITIAL DECISION AND ORDER BY LOREN H. LAUGHLIN,
HEARING EXAMINER

The Federal Trade Commission (hereinafter referred to as the Commission) on October 25, 1956, issued its complaint herein under the Federal Trade Commission Act, and the Fur Products Labeling Act against the above-named respondent Frank L. Gould, an individual trading as Frank Gould Fur Company, Gould's Furs, and Gould's Alaskan. The complaint charges respondent with having violated in certain particulars the provisions of said Acts and the Rules and Regulations promulgated under the Fur Products Labeling Act. The respondent was duly served with process. Respondent being in default of answer or other pleading, however, the hearing examiner on December 19, 1956, set a hearing to be held in Washington, D.C., on January 17, 1957, in order to determine the form of order to be issued. But upon the filing of an answer by respondent on December 26, 1956, and upon being later advised that Commission's counsel and the respondent were negotiating an agreement for a consent cease and desist order pursuant to § 3.25 of the Commission's Rules of Practice for Adjudicative Proceedings, which was in due course submitted to the examiner for his approval, said hearing so set for January 17, 1957, was cancelled.

On February 4, 1957, there was filed with the hearing examiner of the Commission an "Agreement Containing Consent Order to Cease and Desist," which had been entered into by and between the said respondent by his attorney, Leonard Stolaroff, and S. F. House, counsel supporting the complaint, under date of January 11, 1957, and subject to the approval of the Bureau of Litigation of the Com-