

Decision

IN THE MATTER OF
FEDERAL FIRE PROTECTION SERVICE, INC., ET AL.

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

Docket 6811. Complaint, June 3, 1957—Decision, Oct. 3, 1957

Order dismissing without prejudice, for failure to effect service, complaint charging a concern in Washington, D.C., with using scare tactics and false claims to sell home fire alarm systems.

Edward F. Downs and *Garland S. Ferguson, Esqs.*, for the Commission.

INITIAL DECISION BY JAMES A. PURCELL, HEARING EXAMINER

On June 3, 1957, the Federal Trade Commission issued its complaint stating its belief to be that respondents, Federal Fire Protection Service, Inc., a corporation organized and doing business under and by virtue of the laws of the District of Columbia, with its principal place of business located at No. 6230 Third Street, Northwest, Washington, D.C., and Richard O. Waterman, individually and as an officer of the corporate respondent and, in his latter capacity, formulating, directing and controlling the policies, acts and practices of such corporate respondent, have violated the provisions of the Federal Trade Commission Act by use of false and deceptive acts and practices, and the use of so-called "scare tactics" in the sale of fire alarm systems for use by the members of the public in their homes.

On August 7, 1957, the attorneys in support of the complaint filed in this proceeding a motion to dismiss the complaint without prejudice, stating, *inter alia*, that every effort, (including attempted personal service), had been made to effect service of said complaint, as required by law, upon the said respondents but without success, it appearing that the corporate respondent has ceased its business operations and that the individual respondent has left for parts unknown, wherefore service has been rendered unobtainable.

The Hearing Examiner has considered the said motion and, being of opinion that, under the circumstances delineated, such motion should be granted:

It is ordered, That the complaint in this matter be, and it is hereby, dismissed without prejudice, however, to the right of the

Federal Trade Commission to institute another proceeding or to take such other action at any time in the future as it may elect or as may be appropriate in the then existing circumstances.

DECISION OF THE COMMISSION

Pursuant to Section 3.21 of the Commission's Rules of Practice, the initial decision of the hearing examiner did, on the 3rd day of October, 1957, become the decision of the Commission.

Decision

IN THE MATTER OF
DEXTER'S FURRIERS, INC., ET AL.

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

Docket 6821. Complaint, June 17, 1957—Decision, Oct. 3, 1957

Consent order requiring a furrier in Salem, Mass., to cease violating the Fur Products Labeling Act by failing to comply with the labeling and invoicing requirements; and by advertising in newspapers which failed to disclose the names of animals producing the fur in certain products and that certain furs were artificially colored, which contained the names of animals other than those producing certain furs, and which misrepresented prices and values and the source of their stock; and by failing in other respects to comply with requirements of the Act.

John T. Walker, Esq., for the Commission.

Respondents, pro se.

INITIAL DECISION BY JOSEPH CALLAWAY, HEARING EXAMINER

The Federal Trade Commission issued its complaint against the above-named respondents on June 17, 1957, charging them with having violated the Fur Products Labeling Act, the rules and regulations issued thereunder, and the Federal Trade Commission Act by misbranding, falsely advertising and falsely invoicing their fur products. Respondents entered into an agreement, dated July 29, 1957, containing a consent order to cease and desist, disposing of all the issues in this proceeding without hearing, which agreement has been duly approved by the Assistant Director and the Director of the Bureau of Litigation. Said agreement has been submitted to the undersigned, heretofore duly designated to act as hearing examiner herein, for his consideration in accordance with Section 3.25 of the Rules of Practice of the Commission.

Respondents, pursuant to the aforesaid agreement, have admitted all of the jurisdictional allegations of the complaint and agreed that the record may be taken as if findings of jurisdictional facts had been made duly in accordance with such allegations. Said agreement further provides that respondents waive all further procedural steps before the hearing examiner or the Commission, including the making of findings of fact or conclusions of law and the right to challenge or contest the validity of the order to cease and desist entered in accordance with such agreement. It has also been agreed that the