

Decision

IN THE MATTER OF

LOUIS SEAMON ET AL. D/B/A A & L SEAMON

CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF
THE FEDERAL TRADE COMMISSION ACT*Docket 7051. Complaint, Jan. 27, 1958—Decision, Aug. 23, 1958*

Consent order requiring manufacturers in Brooklyn, N.Y., to cease stamping wallets and billfolds as "genuine leather" or "top grain cowhide" which were not entirely made of either, and attaching to them price tickets with purported retail prices which were fictitiously high.

Mr. Harry E. Middleton, Jr., supporting the complaint.

Mr. Irving Leavitt, of New York, N.Y., for respondents.

INITIAL DECISION BY JOHN LEWIS, HEARING EXAMINER

The Federal Trade Commission issued its complaint against the above-named respondents on January 27, 1958, charging them with the use of unfair and deceptive acts and practices and unfair methods of competition, in commerce, in violation of the Federal Trade Commission Act, by making false, misleading and deceptive representations with respect to wallets and billfolds manufactured and sold by them. After being served with said complaint respondents appeared by counsel and filed their answer thereto. Thereafter they entered into an agreement, dated May 22, 1958, containing a consent order to cease and desist purporting to dispose of all of this proceeding as to all parties. Said agreement, which has been signed by all respondents, by counsel for said respondents, and by counsel supporting the complaint, and approved by the director and assistant director of the Commission's Bureau of Litigation, has been submitted to the above-named hearing examiner for his consideration, in accordance with Section 3.25 of the Commission's Rules of Practice for Adjudicative Proceedings.

Respondents, pursuant to the aforesaid agreement, have admitted all the jurisdictional facts alleged in the complaint and agreed that the record may be taken as if findings of jurisdictional facts had been duly made in accordance with such allegations. Said agreement further provides that 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

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of the order to cease and desist entered in accordance with such agreement. It has been agreed that the order to cease and desist issued in accordance with said agreement shall have the same force and effect as if entered after a full hearing and that the complaint may be used in construing the terms of said order. It has also been agreed that the record herein shall consist solely of the complaint and said agreement, and that 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.

This proceeding having now come on for final consideration on the complaint and the aforesaid agreement containing consent order, and it appearing that the order provided for in said agreement covers all the allegations of the complaint and provides for an appropriate disposition of this proceeding as to all parties, said agreement is hereby accepted and is ordered filed upon this decision's becoming the decision of the Commission pursuant to Sections 3.21 and 3.25 of the Commission's Rules of Practice for Adjudicative Proceedings, and the hearing examiner, accordingly, makes the following jurisdictional findings and order:

1. Respondents Louis Seamon, Irene Seamon, Al Seamon, and Bessie Seamon are individuals and co-partners doing business as A & L Seamon with their office and principal place of business located at 2635 Pitkin Avenue, Brooklyn 6, N.Y.

2. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of the respondents hereinabove named. The complaint states a cause of action against said respondents under the Federal Trade Commission Act, and this proceeding is in the interest of the public.

ORDER

It is ordered, That the respondents Louis Seamon, Irene Seamon, Al Seamon and Bessie Seamon, individually and as copartners doing business as A & L Seamon or under any other name and respondents' representatives, agents and employees directly or through any corporate or other device in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of wallets and billfolds or other articles of merchandise, do forthwith cease and desist from:

1. Representing directly or by implication that billfolds and

wallets or other articles made in whole or in part of substance other than leather are made of leather.

2. Representing directly or by implication that billfolds and wallets or other articles made in whole or in part of substance other than top grain cowhide are made of top grain cowhide.

3. Supplying purchasers of billfolds, wallets or other merchandise with price tags having prices or amounts which are in excess of the usual or regular retail selling prices of said billfolds, wallets or other merchandise or otherwise representing that the usual or regular retail price of merchandise is any amount greater than the price at which such merchandise is usually and regularly sold.

4. Putting into operation any plan whereby retailers or others may misrepresent the regular and usual retail price of their products.

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 23d day of August 1958, 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.

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IN THE MATTER OF
CARL V. TORREY
DOING BUSINESS AS ECONOMY PUBLISHERS

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

Docket 7022. Complaint, Jan. 8, 1958—Decision, Aug. 27, 1958

Consent order requiring a publisher in Clearwater, Fla., to cease using deceptive employment offers—such as “cutting wanted items from your newspapers,” “copying names for advertisers,” “addressing envelopes,” etc.—in newspapers and periodicals as a means of selling his pamphlets, booklets, and other printed materials.

Mr. Thomas A. Ziebarth for the Commission.

Frank J. Delany, Esq., of Washington, D.C., for respondent.

INITIAL DECISION BY LOREN H. LAUGHLIN, HEARING EXAMINER

The Federal Trade Commission (sometimes also hereinafter referred to as the Commission) issued its complaint herein, charging the respondent with having violated the provisions of the Federal Trade Commission Act in certain particulars.

On June 19, 1958, there was submitted to the undersigned hearing examiner of the Commission for his consideration and approval an “Agreement Containing Consent Order to Cease and Desist,” which had been entered into by and between respondent and the attorneys for both parties, under date of June 16, 1958, subject to the approval of the Bureau of Litigation of the Commission, which had subsequently duly approved the same.

On due consideration of such agreement, the hearing examiner finds that said agreement, both in form and in content, is in accord with §3.25 of the Commission’s Rules of Practice for Adjudicative Proceedings, and that by said agreement the parties have specifically agreed to the following matters:

1. Respondent Carl V. Torrey, is an individual doing business as Economy Publishers, with his office and principal place of business located at 205 Live Oak Lane, Clearwater, Fla.
2. Pursuant to the provisions of the Federal Trade Commission Act, the Commission, on January 8, 1958, issued its complaint in this proceeding against respondent and a true copy was thereafter duly served on respondent.
3. Respondent admits all the jurisdictional facts alleged in