

Decision

IN THE MATTER OF
S. FREEDMAN & SON, INC., ET AL.

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

Docket 7228. Complaint, Aug. 7, 1958—Decision Sept. 11, 1958

Consent order requiring manufacturers in Worcester, Mass., to disclose the fiber content and manufacturer's identification number on labels attached to woolen waste products, and to cease misrepresenting the fiber content on invoices or shipping memoranda.

Mr. Charles W. O'Connell for the Commission.

No appearances for the respondents.

INITIAL DECISION BY WILLIAM L. PACK,
HEARING EXAMINER

The complaint in this matter charges the respondents with misbranding certain wool products in violation of the Wool Products Labeling Act and the Rules and Regulations promulgated thereunder, and the Federal Trade Commission Act. An agreement has now been entered into by respondents and counsel supporting the complaint which provides, among other things, that respondents admit all of the jurisdictional allegations 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 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 in disposition of the proceeding, such order to have the same force and effect as if entered after a full hearing, respondents 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; that the complaint may be used in construing the terms of the order; and 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.

The hearing examiner having considered the agreement and proposed order and being of the opinion that they provide an

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adequate basis for appropriate disposition of the proceeding, the agreement is hereby accepted, the following jurisdictional findings made, and the following order issued:

1. Respondent S. Freedman & Son, Inc., is a corporation organized and existing under the laws of the Commonwealth of Massachusetts. Respondents Milton Freedman, Samuel Freedman and Saul Freedman are president, treasurer and vice president, respectively, of said corporate respondent. The office and principal place of business of said respondents is located at 100 Beacon Street, Worcester, Mass.

Individual respondents Milton Freedman, Samuel Freedman and Saul Freedman are co-partners doing business under the firm name of Worcester Yarn Company, with their principal place of business located at 100 Beacon Street, Worcester, Mass.

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 the respondents S. Freedman & Son, Inc., a corporation, its officers, and Milton Freedman, Samuel Freedman and Saul Freedman, as officers of said corporation, individually and as co-partners doing business under the firm name and style of Worcester Yarn Company, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, of woolen wastes or other "wool products," as such products are defined in and subject to the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling or otherwise identifying such products as to the character or amount of the constituent fibers contained or included therein;

2. Failing to securely affix to or place on each such product a stamp, tag, label or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product exclusive of ornamentation not exceeding five per centum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3)

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reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five per centum or more and (5) the aggregate of all other fibers;

(b) The maximum percentages of the total weight of such wool product of any nonfibrous loading, filling or adulterating matter;

(c) The name or the registered identification number of the manufacturer of such wool product or of one or more persons engaged in introducing such wool product into commerce, or in the offering for sale, sale, transportation, distribution or delivery for shipment thereof in commerce, as "commerce" is defined in the Wool Products Labeling Act of 1939.

It is further ordered, That respondents S. Freedman & Son, Inc., a corporation, and its officers, Milton Freedman, Samuel Freedman and Saul Freedman, as officers of said corporation, individually and as co-partners doing business under the firm name and style of Worcester Yarn Company, and respondents' representatives, agents or employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of woolen wastes, or any other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from misrepresenting the constituent fibers contained in such products, on invoices or other shipping memoranda applicable thereto, or in any other manner.

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 did, on the 11th day of September 1958, become the decision of the Commission; and, accordingly:

It is ordered, That respondents S. Freedman & Son, Inc., a corporation, Milton Freedman, Samuel Freedman, and Saul Freedman, as officers of said corporation, individually and as co-partners, doing business under the firm name of Worcester Yarn Company, 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
KRINTZMAN DUSTING MILLS CO., INC., ET AL.

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

Docket 7229. Complaint, Aug. 7, 1958—Decision, Sept. 11, 1958

Consent order requiring manufacturers in North Oxford, Mass., to disclose the fiber content and manufacturer's identification number on labels attached to woolen waste products, and to cease misrepresenting the fiber content on invoices or shipping memoranda.

Mr. Charles W. O'Connell for the Commission.

No appearance for the respondents.

INITIAL DECISION BY WILLIAM L. PACK, HEARING EXAMINER

The complaint in this matter charges the respondents with misbranding certain wool products in violation of the Wool Products Labeling Act and the Rules and Regulations promulgated thereunder, and the Federal Trade Commission Act. An agreement has now been entered into by respondents and counsel supporting the complaint which provides, among other things, that respondents admit all of the jurisdictional allegations 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 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 in disposition of the proceeding, such order to have the same force and effect as if entered after a full hearing, respondents 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; that the complaint may be used in construing the terms of the order; and 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.

The hearing examiner having considered the agreement and proposed order and being of the opinion that they provide an adequate basis for appropriate disposition of the proceeding, the