

IN THE MATTER OF
FIREMAN'S FUND INDEMNITY COMPANY

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

Docket 6310. Complaint, Mar. 11, 1955—Decision, Oct. 23, 1958

Order dismissing, for lack of jurisdiction, following the ruling of the Supreme Court of the United States in *Federal Trade Commission v. National Casualty Company* and *Federal Trade Commission v. The American Hospital and Life Insurance Company*, 357 U.S. 560, complaint charging an insurance company in San Francisco, Calif., with false advertising of its health and accident policies.

Mr. John W. Brookfield, Jr., for the Commission.

Orrick, Dahlquist, Herrington & Sutcliffe, by *Mr. Christopher M. Jenks*, of San Francisco, Calif., for respondent.

INITIAL DECISION BY J. EARL COX, HEARING EXAMINER

Counsel for respondent herein has submitted a Motion To Dismiss, based on the Supreme Court's decision of June 30, 1958, in the combined cases of *Federal Trade Commission v. National Casualty Company* and *Federal Trade Commission v. The American Hospital and Life Insurance Company*, and on the Commission's order of July 29, 1958, in the matter of *North American Accident Insurance Company*, Docket No. 6456, requesting that the complaint herein be dismissed, on the ground of lack of jurisdiction.

Counsel supporting the complaint, answering said motion, states that since the practices here involved are governed by the above-cited decisions of the Supreme Court, he offers no opposition to said Motion to Dismiss.

The hearing examiner is of the opinion that, in view of the circumstances stated, respondent's motion should be granted. Accordingly,

It is ordered, That the complaint herein be, and the same hereby is, dismissed.

DECISION OF THE COMMISSION

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 October 1958, become the decision of the Commission.

Decision

IN THE MATTER OF
LAURY RICH SPORTSWEAR, INC., ET AL.

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

Docket 7028. Complaint, Jan. 14, 1958—Decision, Oct. 23, 1958

Consent order requiring affiliated manufacturers of ladies' sportswear, with places of business in New York City and Paterson, N.J., to cease violating the Wool Products Labeling Act by labeling as "100% reprocessed wool," interlinings of car coats which contained substantial quantities of fibers other than reprocessed wool, and by failing to comply in other respects with the labeling requirements of the Act.

Mr. John T. Walker for the Commission.

Mr. Howard L. Klein, of *Ellenbogen & Klein*, of New York, N.Y., for respondents.

INITIAL DECISION BY EVERETT F. HAYCRAFT, HEARING EXAMINER

On January 14, 1958, the Federal Trade Commission issued its complaint against the above-named respondents charging them with the use of unfair and deceptive acts and practices and unfair methods of competition in commerce in violation of the provisions of the Federal Trade Commission Act, the Wool Products Labeling Act of 1939 and the Rules and Regulations promulgated under said Wool Products Labeling Act. In lieu of submitting answer to said complaint, respondents Laury Rich Sportswear, Inc., a corporation; Vee Manufacturing Corporation, a corporation; and Seymour Rubinfeld, individually and as officer of said corporations; Shirley Rubinfeld, as officer of Laury Rich Sportswear, Inc.; and Samuel Rosenthal, as officer of Vee Manufacturing Corporation, entered into an agreement for consent order with counsel supporting the complaint disposing of all the issues in this proceeding in accordance with Section 3.25 of the Rules of Practice and Procedure of the Commission, which agreement has been duly approved by the Bureau of Litigation. It was recommended in the agreement that the complaint be dismissed as to Laury Rich Frocks, Inc., and Shirley Rubinfeld and Samuel Rosenthal, individually, but not as officers of Laury Rich Sportswear, Inc., and Vee Manufacturing Corporation, respectively. In support of said recommendation, four affidavits were attached to the agreement and by reference made a part thereof.