

Order

55 F.T.C.

IN THE MATTER OF
FEDERAL LIFE AND CASUALTY COMPANY

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

Docket 6312. Complaint, Mar. 11, 1955—Order, Feb. 4, 1959

Order dismissing for lack of jurisdiction, following the per curiam decision of the Supreme Court in the combined cases of *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 a Battle Creek, Mich., insurance company with falsely advertising its accident and health insurance policies.

Before Mr. Frank Hier, hearing examiner.

Mr. Donald K. King and Mr. J. W. Brookfield, Jr. for the Commission.

Beaumont, Smith & Harris, of Detroit, Mich., for respondent.

FINAL ORDER

This matter having come before the Commission upon the appeal of respondent from the hearing examiner's initial decision and upon briefs and oral argument in support of and in opposition thereto; and

The Commission having considered the record and the ruling of the Supreme Court of the United States in its *per curiam* opinion of June 30, 1958, in the combined cases of *Federal Trade Commission v. National Casualty Company* and *The American Hospital and Life Insurance Company*, 357 U.S. 560 (1958), entered subsequent to the filing of the instant appeal, and having concluded that the complaint herein should be dismissed:

It is ordered, That the initial decision herein, filed December 31, 1956, be, and it hereby is, vacated and set aside.

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

Decision

IN THE MATTER OF
PROJANSKY, INC., ET AL.

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

Docket 7276. Complaint, Oct. 10, 1958—Decision, Feb. 7, 1959

Consent order requiring a furrier in Rochester, N.Y., to cease violating the Fur Products Labeling Act by labeling fur products with excessive fictitious prices represented as regular selling prices; by identifying them falsely in labeling and advertising with respect to the names of animals which produced the fur; by failing to comply with other labeling requirements of the Act; and by advertising in newspapers which failed to disclose the names of animals producing certain furs or that some products contained cheap or waste fur, or to set forth the term "Dyed Mouton processed Lamb" in the manner required, and represented prices as reduced from purported regular prices which were in fact fictitious.

Mr. S. F. House for the Commission.

Baker & Carver, by *Mr. Barton Baker*, of Rochester, N.Y., for respondents.

INITIAL DECISION BY ABNER E. LIPSCOMB, HEARING EXAMINER

The complaint herein was issued on October 10, 1958, charging respondents with misbranding and falsely and deceptively advertising certain of their fur products, in violation of the Federal Trade Commission Act and of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder:

Thereafter, on November 20, 1958, respondents, their counsel, and counsel supporting the complaint herein entered into an Agreement Containing Consent Order to Cease and Desist, which was approved by the director and an assistant director of the Commission's Bureau of Litigation, and thereafter submitted to the hearing examiner for consideration.

The agreement identifies respondent Projansky, Inc. as a New York corporation, with its office and principal place of business located at 39 East Avenue, Rochester, N.Y., and respondent Henri P. Projansky as president of said corporate respondent, in which capacity he formulates, directs, and controls the acts, policies and practices thereof, his address being the same as that of the said corporate respondent.

Respondents admit all the jurisdictional facts alleged in the complaint, and agree that the record may be taken as if findings