

Order

IN THE MATTER OF
STERLING INSURANCE COMPANYORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF
THE FEDERAL TRADE COMMISSION ACT*Docket 6277. Complaint, Dec. 28, 1954—Order, Mar. 16, 1959*

Order vacating, following the ruling of the Supreme Court in its *per curiam* opinion 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 (1958), initial decision filed Jan. 18, 1957, and dismissing complaint charging a Chicago insurance company with false advertising of health and accident policies.

Before *Mr. Loren H. Laughlin*, hearing examiner.

Mr. William A. Somers and *Mr. Raymond L. Hays* for the Commission.

Brundage & Short, of Chicago, Ill., for respondent.

FINAL ORDER

This matter having come before the Commission upon the cross-appeals of respondent and counsel supporting the complaint from the hearing examiner's initial decision, and upon briefs filed by counsel, oral argument not having been requested; and

The Commission having considered the record and the ruling of the Supreme Court of the United States in its *per curiam* opinion 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 (1958), entered subsequent to the filing of the instant appeals, and having concluded that the complaint herein should be dismissed:

It is ordered, That the initial decision herein, filed January 18, 1957, be, and it hereby is, vacated and set aside.

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

IN THE MATTER OF
ASSOCIATED DRY GOODS CORPORATION

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

Docket 7260. Complaint, Sept. 17, 1958¹—Decision, Mar. 20, 1959

Consent order requiring furriers in New York City to cease violating the Fur Products Labeling Act by failing to comply with labeling and invoicing requirements, and by advertising in newspapers which failed to disclose that certain fur products contained artificially colored fur and which used comparative prices and purportedly reduced prices without maintaining adequate records as a basis for such pricing claims.

Garland S. Ferguson, Esq., for the Commission.

Wilcox & Vanallen, by Archibald M. Laidlaw, Esq., of Buffalo, N.Y., for respondent.

INITIAL DECISION BY ROBERT L. PIPER, HEARING EXAMINER

The Federal Trade Commission issued its complaint on September 17, 1958, as amended February 2, 1959, against the above-named respondent charging it with having violated the Fur Products Labeling Act, the rules and regulations issued thereunder, and the Federal Trade Commission Act, by misbranding and falsely advertising and invoicing its fur products. Respondent appeared by counsel and entered into an agreement, dated January 21, 1959, containing a consent order to cease and desist, disposing of all the issues in this proceeding without further hearings, which agreement has been duly approved by 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 §3.25 of the Rules of Practice of the Commission.

Respondent, pursuant to the aforesaid agreement, has 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 respondent waives all further procedural steps before the hearing examiner or the Commission, including the making of findings of fact or conclusions

¹ Amended Feb. 2, 1959, by substituting "Associated Dry Goods Corporation" as respondent instead of "J. N. Adam & Company".