

IN THE MATTER OF  
LOUIS MACKTEZ, INC., ET AL.

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

*Docket 7293. Complaint, Nov. 5, 1958—Decision, Mar. 27, 1959*

Consent order requiring a manufacturer in Millville, Mass., to cease violating the Wool Products Labeling Act by labeling woolen stocks falsely as "100% wool" and by failing in other respects to comply with the labeling requirements of the Act.

*Mr. Garland S. Ferguson* for the Commission.

*Higgins & Silverstein*, by *Mr. Sidney Silverstein*, of Woonsocket, R.I., for respondents.

INITIAL DECISION BY WALTER R. JOHNSON, HEARING EXAMINER

In the complaint dated November 5, 1958, the respondents are charged with violating the provisions of the Federal Trade Commission Act and the Wool Products Labeling Act and the Rules and Regulations made pursuant thereto.

On January 27, 1959, the respondents and their attorney entered into an agreement with counsel in support of the complaint for a consent order.

The hearing examiner finds that the content of the agreement meets all of the requirements of Section 3.25(b) of the Rules of the Commission.

The hearing examiner being of the opinion that the agreement and the proposed order provide an appropriate basis for disposition of this proceeding as to all of the parties, the agreement is hereby accepted and it is ordered that the agreement shall not become a part of the official record of the proceeding unless and until it becomes a part of the decision of the Commission. The following jurisdictional findings are made and the following order issued.

1. Corporate respondent Louis Macktez, Inc., is a corporation existing and doing business under and by virtue of the laws of the State of Rhode Island, with its office and principal place of business located at Millville, Mass. Individual respondents Louis Macktez, Philip J. Macktez, and Lester A. Macktez are officers of said corporation. They formulate, direct and control the prac-

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tices of the corporate respondent. The address of all individual respondents is the same as that of the corporate respondent.

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 respondents Louis Macktez, Inc., a corporation, and its officers, and Louis Macktez, Philip J. Macktez and Lester A. Macktez, individually and as officers of said corporation, and respondents' representatives, agents 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 stocks, or other "wool products" as such products are defined in and subject to said Wool Products Labeling Act, do forthwith cease and desist from:

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

(2) Failing to securely affix to or place on each such product a stamp, tag, or 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 percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers;

(b) The maximum percentage 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 delivering for shipment thereof in commerce, as "commerce" is defined in the Wool Products Labeling Act of 1939.

*It is further ordered,* That respondents Louis Macktez, Inc., a corporation, and its officers, and Louis Macktez, Philip J. Macktez and Lester A. Macktez, individually and as officers of said cor-

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poration, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the sale or distribution of woolen stocks or any other products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from directly or indirectly:

Misrepresenting the constituent fibers of which their products are composed or the percentages or amounts thereof, in sales invoices, shipping memoranda, 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 shall, on the 27th day of March, 1959, 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.

## Decision

IN THE MATTER OF  
MERIT ENTERPRISES, INC., ET AL.CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF  
THE FEDERAL TRADE COMMISSION ACT*Docket 7328. Complaint, Dec. 9, 1958—Decision, Mar. 27, 1959*

Consent order requiring Brooklyn, N.Y., distributors of electrical appliances—including percolators, skillets, and cooker-fryers—to cease representing falsely in advertising material disseminated to purchasers for use in resale, in newspaper advertising and on attached tags and labels, that exaggerated and fictitious prices were the usual retail prices of their products; by use of the Good Housekeeping seal of approval, that certain of their products had been approved or guaranteed by the Good Housekeeping Magazine and advertised therein; and through conspicuous use of the name "Westinghouse," that certain of their products were manufactured by Westinghouse Electric Corporation.

*Mr. Terral A. Jordan* for the Commission.

*Mr. Irving L. Stein*, of New York, N.Y., for respondents.

## INITIAL DECISION BY WALTER R. JOHNSON, HEARING EXAMINER

The Federal Trade Commission issued its complaint against the above-named respondents on December 9, 1958, charging them with having violated the Federal Trade Commission Act.

On January 22, 1959, the respondents and their attorney entered into an agreement with counsel in support of the complaint for a consent order.

The hearing examiner finds that the content of the agreement meets all of the requirements of Section 3.25(b) of the Rules of the Commission.

The hearing examiner being of the opinion that the agreement and the proposed order provide an appropriate basis for disposition of this proceeding as to all of the parties, the agreement is hereby accepted and it is ordered that the agreement shall not become a part of the official record of the proceeding unless and until it becomes a part of the decision of the Commission. The following jurisdictional findings are made and the following order issued.

1. Respondent Merit Enterprises, Inc., is a corporation existing and doing business under and by virtue of the laws of the State of New York. Respondents David Brill, Frank S. Brill and Martin Brill are individuals and are president, vice presi-