

IN THE MATTER OF
HANS & GREIFF, INC., ET AL.

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

Docket 7361. Complaint, Jan. 15, 1959—Decision, Apr. 16, 1959

Consent order requiring manufacturing furriers in New York City to cease violating the Fur Products Labeling Act by failing to comply with invoicing requirements and by advertising in letters to customers in which they represented certain designated amounts to be wholesale market values and prices without maintaining adequate records disclosing the facts upon which such representations were based.

S. F. House, Esq. for the Commission.

Respondents, *pro se*.

INITIAL DECISION BY ROBERT L. PIPER, HEARING EXAMINER

The Federal Trade Commission issued its complaint against the above-named respondents on January 15, 1959, charging them with having violated the Fur Products Labeling Act, the rules and regulations issued thereunder, and the Federal Trade Commission Act, by falsely invoicing and misrepresenting their fur products. Respondents appeared and entered into an agreement, dated February 20, 1958, 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.

Respondents, pursuant to the aforesaid agreement, have 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 respondents waive all further procedural steps before the hearing examiner or the Commission, including the making of findings of fact or conclusions of law and the right to challenge or contest the validity of the order to cease and desist entered in accordance with such agreement. It has also been agreed that the record herein shall

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consist solely of the complaint and said agreement, that the agreement shall not become a part of the official record unless and until it becomes a part of the decision of the Commission, that said 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, that said order to cease and desist shall have the same force and effect as if entered after a full hearing and may be altered, modified, or set aside in the manner provided for other orders, and that the complaint may be used in construing the terms of the order.

This proceeding having now come on for final consideration on the complaint and the aforesaid agreement containing the consent order, and it appearing that the order and agreement cover all of the allegations of the complaint and provide for appropriate disposition of this proceeding, the agreement is hereby accepted and ordered filed upon this decision and said agreement becoming part of the Commission's decision pursuant to §§3.21 and 3.25 of the Rules of Practice, and the hearing examiner accordingly makes the following findings, for jurisdictional purposes, and order:

1. Respondent Hans & Greiff, Inc., is a corporation existing and doing business under and by virtue of the laws of the State of New York, with its office and principal place of business located at 130 West 30th Street, New York, N.Y.

Individual respondents Irving Hans and Harry Greiff are president and secretary-treasurer, respectively, of said corporate respondent and formulate, control and direct the acts, practices and policies of the corporate respondent. Their address 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 hereinabove named. The complaint states a cause of action against said respondents under the Fur Products Labeling Act and the Federal Trade Commission Act, and this proceeding is in the interest of the public.

ORDER

It is ordered, That Hans & Greiff, Inc., a corporation, and its officers, and Irving Hans and Harry Greiff, individually and as officers of said corporation, and respondents' representatives,

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agents and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction into commerce, or the sale, advertising or offering for sale in commerce or the transportation or distribution in commerce, of fur products, or in connection with the sale, manufacture for sale, advertising, offering for sale, transportation or distribution of fur products which have been made in whole or in part of fur which has been shipped and received in commerce, as "commerce," "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1. Falsely or deceptively invoicing fur products by:

A. Failing to furnish invoices to purchasers of fur products showing:

(1) The name or names of the animal or animals producing the fur or furs contained in the fur product as set forth in the Fur Products Name Guide and as prescribed under the Rules and Regulations;

(2) That the fur product contains or is composed of used fur, when such is the fact;

(3) That the fur product contains or is composed of bleached, dyed or otherwise artificially colored fur, when such is the fact;

(4) That the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(5) The name and address of the person issuing such invoice;

(6) The name of the country of origin of any imported furs contained in a fur product.

B. Setting forth information required under Section 5(b) (1) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder in abbreviated form.

2. Making claims and representations in advertisements and letters or by other means respecting prices and values of fur products unless there are maintained by respondents full and adequate records showing the facts upon which such claims and representations are based.

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 16th day of April 1959, become the decision of the Commission; and, accordingly:

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It is ordered, That the above-named respondents 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
DRUG RESEARCH CORPORATION ET AL.

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

Docket 7179. Complaint, June 30, 1958—Decision, Apr. 17, 1959

Consent order requiring New York City distributors of a reducing preparation designated "Reg'men-Tablets" and their advertising agency, to cease representing falsely in newspaper, magazine, and other advertising and by radio and television broadcasts that the preparation was safe for use by all obese persons, that through use of the tablets they could lose weight without dieting and lose a specific number of pounds in a given period, and that significant weight loss caused by the removal of body fluids would be more than temporary.

Mr. Berryman Davis supporting the complaint.

Mr. James T. Welch of *Davies, Richberg, Tydings, Landa & Duff*, of Washington, D.C., for respondents.

INITIAL DECISION BY JOSEPH CALLAWAY, HEARING EXAMINER

The Federal Trade Commission issued its complaint on June 30, 1958, charging the above-named respondents with violation of the Federal Trade Commission Act as alleged in said complaint. After service of the complaint and answer thereto all of the respondents except the respondent Harriet Andreadis entered into an agreement with counsel supporting the complaint containing an order to cease and desist from certain practices complained of, which agreement purports to dispose of all issues in this proceeding as to all parties. This agreement has been duly approved by the assistant director and director of the Bureau of Litigation and is now before the undersigned hearing examiner for consideration.

The agreement provides in part that in order to correct errors in the caption and the body of the complaint in regard to the names of respondents that the complaint be amended by substituting as respondents John T. Andreadis, also known as John T. Andre, Timoleon T. Andreadis, also known as Timoleon T. Andre, and Kastor Hilton Chesley Clifford & Atherton, Inc., in place of John Andre also known as John Andreadis, Timoleon T. Andre, also known as Timoleon T. Andreadis and Kastor, Farrell, Chesley & Clifford, Inc., respectively; and by substituting