

Decision

IN THE MATTER OF
CUTTER CRAVAT, INC., ET AL.CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF
THE FEDERAL TRADE COMMISSION ACT*Docket 7252. Complaint, Sept. 11, 1958—Decision, June 16, 1959*

Consent order requiring a Chicago manufacturer to cease preticketing its men's neckties with fictitious and excessive prices, thereby enabling retailers to mislead the public as to the quality and regular retail price.

Mr. William A. Somers for the Commission.

Fischel, Kahn, Heart & Weinberg, of Chicago, Ill., for respondents.

INITIAL DECISION BY WALTER R. JOHNSON, HEARING EXAMINER

In the complaint dated September 11, 1958, respondents are charged with violating the provisions of the Federal Trade Commission Act.

On April 8, 1959, 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, and contains a statement that the signing of 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.

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. The respondent Cutter Cravat, Inc., is a corporation existing and doing business under and by virtue of the laws of the State of Illinois. Respondent J. Arthur Hirsch is an individual and officer of said corporate respondent. Said corporate and individual respondent have their office and principal place of business located at 319 West Van Buren Street, Chicago, Ill.

Decision

55 F.T.C.

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 Cutter Cravat, Inc., a corporation, and its officers, and J. Arthur Hirsch, individually and as officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of men's neckties or other articles of merchandise, do forthwith cease and desist from:

1. Representing, by preticketing or in any other manner, that certain amounts are the usual and regular retail price of their products when such amounts are in excess of the prices at which such neckties, or other articles of merchandise, are usually and regularly sold at retail.

2. Supplying to or putting in the hands of retailers or others the means whereby they may misrepresent the regular and usual retail price of respondents' merchandise.

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 June 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
TOBIAS HABER TRADING AS
INTERNATIONAL FURRIERS

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

Docket 7397. Complaint, Feb. 6, 1959—Decision, June 16, 1959

Consent order requiring manufacturing furriers in Niagara Falls, N.Y., 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 the names of animals producing certain furs, the country of origin of imported furs, or the fact that some products were artificially colored; which contained the name of a fictitious animal, and used the word "blended" improperly; which deceptively represented "written guarantee with each fur"; and which represented prices as reduced or below cost without maintaining adequate records as a basis therefor.

Mr. Frederick McManus, for the Commission.

McNulty, Gellman & Kellick, by *Mr. Jack A. Gellman*, of Niagara Falls, N.Y., for respondent.

INITIAL DECISION BY J. EARL COX, HEARING EXAMINER

The complaint charges respondent with misbranding and falsely and deceptively invoicing and advertising certain of his fur products, falsely and deceptively representing a "written guarantee with each fur," and failing to maintain full and adequate records disclosing the facts upon which comparative price claims were based, in violation of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder, and of the Federal Trade Commission Act.

After the issuance of the complaint, respondent and counsel supporting the complaint 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 transmitted to the hearing examiner for consideration.

The agreement states that respondent Tobias Haber is an individual trading as International Furriers, with his office and principal place of business located at 815 Cleveland Avenue, Niagara Falls, N.Y.

The agreement provides, among other things, that respondent