

IN THE MATTER OF  
MAX LESSER TRADING AS CAMP NOVELTY CO.

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

*Docket 7410. Complaint, Feb. 16, 1959—Decision, June 17, 1959*

Order dismissing, following death of respondent and liquidation of business, complaint charging a New York City manufacturer with stamping as "genuine leather," wallets made of split leather and other material, and with selling the wallets to jobbers and retailers preticketed with fictitious prices.

*Mr. Michael J. Vitale* for the Commission.  
No appearance on behalf of respondent.

INITIAL DECISION BY EVERETT F. HAYCRAFT, HEARING EXAMINER

On February 16, 1959, the Federal Trade Commission issued its complaint against the above-named respondent. On April 14, 1959, counsel supporting the complaint filed a motion to dismiss the complaint because of the death of the respondent and the liquidation of his business in 1958. Accordingly,

*It is ordered*, That the complaint herein be, and the same hereby is, dismissed.

DECISION OF THE COMMISSION

Pursuant to Section 3.21 of the Commission's Rules of Practice, the initial decision of the hearing examiner shall, on the 17th day of June 1959, become the decision of the Commission.

## Complaint

IN THE MATTER OF  
ALTON CANNING COMPANY, INC., ET AL.

CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF  
SEC. 2(a) OF THE CLAYTON ACT

*Docket 7265. Complaint, Sept. 30, 1958—Decision, June 20, 1959*

Consent order requiring an Alton, N.Y., canner of fruits and vegetables to cease discriminating in price in violation of Sec. 2(a) of the Clayton Act by such practices as selling its products to some purchasers at prices from 2% to 14% higher than those at which it sold to favored buyers, including a purchaser for resale to large grocery chains.

## COMPLAINT

The Federal Trade Commission, having reason to believe that the named respondents have violated and are now violating the provisions of subsection (a) of Section 2 of the Clayton Act, as amended by the Robinson-Patman Act approved June 19, 1936 (U.S.C., Title 15, Sec. 13), hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH 1. Respondent Alton Canning Company, Inc. (hereinafter sometimes referred to as Alton Canning Company), is a corporation organized, existing and doing business under and by virtue of the laws of the State of New York, with its principal place of business located at 315 Alexander Street, Rochester, N.Y. Individual respondents Edward E. Burns and Morton Adams are now, and were during all times hereinafter stated, officers and directors of said corporate respondent. These individual respondents are and have been controlling and directing the operations of corporate respondent during the period from 1955 to the present.

PAR. 2. Respondent Alton Canning Company, Inc., is now, and for many years past has been, engaged in the business of packing, selling and distributing canned fruits and vegetables, particularly applesauce, cherries, green beans, wax beans, beets, frozen cherries and some tomato juice. It maintains one canning plant at Alton, N.Y., with an auxiliary plant at Sodus, N.Y., for freezing fruits. Respondent distributes and sells its canned fruits and vegetables primarily under the private labels or brands of its purchasers, although it also distributes and sells such canned fruits and vegetables under its own labels or brands.