

the initial decision of the hearing examiner shall, on the 11th day of August, 1959, become the decision of the Commission; and accordingly:

It is ordered, That the respondent herein shall, within sixty (60) days after a service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order to cease and desist.

IN THE MATTER OF

SAMUEL SARESKY ET AL. DOING BUSINESS AS
ROBINSON KNIFE COMPANY

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

Docket 7428. Complaint, Feb. 27, 1959—Decision, Aug. 12, 1959

Consent order requiring manufacturers in Springville, N.Y., to cease representing falsely that greatly exaggerated prices were the regular retail prices by attaching to their cutlery, and furnishing to their purchasers for attachment, tags bearing fictitious prices, and by causing such prices to be stamped on the packaging cartons of the merchandise.

Mr. Ames W. Williams for the Commission.

Respondents not represented by counsel.

INITIAL DECISION BY EVERETT F. HAYCRAFT, HEARING EXAMINER

Pursuant to the provisions of the Federal Trade Commission Act, the Federal Trade Commission on February 27, 1959, issued and subsequently served its complaint in this proceeding against the above-named respondents.

On June 5, 1959, there was submitted to the undersigned hearing examiner an agreement between respondents and counsel supporting the complaint providing for the entry of a consent order.

Under the foregoing agreement, the respondents admit the jurisdictional facts alleged in the complaint. The parties agree, among other things, that the cease and desist order there set forth may be entered without further notice and have the same force and effect as if entered after a full hearing and the document includes a waiver by the respondents of all rights to challenge or contest the validity

of the order issuing in accordance therewith. The agreement further recites that it is for settlement purposes only and does not constitute an admission by the respondents that they have violated the law as alleged in the complaint.

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 having considered the agreement and proposed order, and being of the opinion that they provide an appropriate basis for settlement and disposition of this proceeding, the agreement is hereby accepted, and it is ordered that said agreement shall not become a part of the official record 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. Respondents Samuel Saresky, Elliot Wagner, Roye Goodrich, David Skerker and Bernard Skerker are co-partners trading and doing business as Robinson Knife Company. The address of respondents Samuel Saresky and Elliot Wagner is 230 Fifth Avenue, New York, New York and that of respondents Roye Goodrich, David Skerker and Bernard Skerker is Springville, New York.

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 the respondents Samuel Saresky, Elliot Wagner, Roye Goodrich, David Skerker and Bernard Skerker, individually and as co-partners trading and doing business as Robinson Knife Company, or under any other name, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of cutlery, 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:

1. Representing, by preticketing or in any other manner, that a certain amount is the retail price of merchandise when said amount is in excess of the price at which said merchandise is customarily and usually sold at retail.

2. Furnishing any means or instrumentality to others by and through which they may mislead the public as to the usual and customary prices of respondents' products.

HOWARD STORES CORP.

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Decision

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 12th day of August, 1959, become the decision of the Commission; and, accordingly:

It is ordered. That the respondents herein shall, within sixty (60)