

I. N. AGRONS TRADING AS I. N. AGRONS FURS

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

Docket 7430. Complaint, Feb. 27, 1959—Decision, Aug. 29, 1959

Consent order requiring a furrier in Atlantic City, N.J., to cease violating the Fur Products Labeling Act by failing to comply with labeling and invoicing requirements.

Mr. Thomas A. Ziebarth for the Commission.

Mr. Melvin Richter, of Washington, D.C., for respondent.

INITIAL DECISION BY EVERETT F. HAYCRAFT, HEARING EXAMINER

On February 27, 1959, the Federal Trade Commission issued its complaint against the above-named respondent charging him with violating the provisions of the Federal Trade Commission Act, the Fur Products Labeling Act and the Rules and Regulations promulgated under the Fur Products Labeling Act. On June 4, 1959, the respondent and his attorney and counsel supporting the complaint entered into an agreement containing a consent order to cease and desist in accordance with Section 3.25(a) of the Rules of Practice and Procedure of the Commission.

Under the foregoing agreement, the respondent admits the jurisdictional facts alleged in the complaint and agrees, among other things, that the cease and desist order there set forth may be entered without further notice and shall have the same force and effect as if entered after a full hearing. The agreement includes a waiver by the respondent of all rights to challenge or contest the validity of the order issuing in accordance therewith; and recites that the said agreement shall not become a part of the official record unless and until it becomes a part of the decision of the Commission, and that it is for settlement purposes only and does not constitute an admission by the respondent that he has violated the law as alleged in the complaint. The hearing examiner finds that the content of the said agreement meets all the requirements of Section 3.25(b) of the Rules of Practice.

This proceeding having now come on for final consideration by the hearing examiner on the complaint and the aforesaid agreement for consent order, and it appearing that said agreement provides for an appropriate disposition of this proceeding, the aforesaid agreement is hereby accepted and is ordered filed upon becoming part of the Commission's decision in accordance with Section 3.21 of the Rules of Practice; and in consonance with the terms of said agreement, the hearing examiner makes the following jurisdictional findings and order:

1. Respondent is an individual trading as I. N. Agrons Furs and has his office and principal place of business located at 1307-11 Pacific Avenue, Atlantic City, New Jersey.

2. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of the respondent hereinabove named. The complaint states a cause of action against said respondent under the Federal Trade Commission Act and the Fur Products Labeling Act, and this proceeding is in the interest of the public.

Order

56 F.T.C.

ORDER

It is ordered. That respondent I. N. Agrons, individually and trading as I. N. Agrons Furs, or under any other name, and respondent's 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 sale, offering for sale, transportation, or distribution in commerce, of fur products, or in connection with the sale, manufacture for sale, 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 products" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Falsely or deceptively labeling or otherwise identifying any such product as "natural," or in terms or words of similar import, when, in truth and in fact, the product is bleached, dyed, or otherwise artificially colored.

B. Misbranding fur products by:

1. Failing to affix labels to fur products showing in words and figures plainly legible all of the information required to be disclosed by each of the sub-sections of Section 4(2) of the Fur Products Labeling Act;

2. Setting forth on labels affixed to fur products information required under Section 4(2) of the Fur Products Labeling Act and the Rules and Regulations thereunder:

- (a) In abbreviated form;
- (b) Mingled with non-required information;
- (c) In handwriting.

C. Falsely or deceptively invoicing fur products by:

1. Failing to furnish to purchasers of fur products an invoice showing all of the information required to be disclosed by each of the sub-sections of Section 5(b)(1) of the Fur Products Labeling Act;

2. 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.

3. Failing to set forth the term "Broadtail-processed Lamb," in the manner required.

4. Failing to set forth an item number or mark assigned to a fur product.

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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 29th day of August, 1959, become the decision of the Commission; and, accordingly:

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