

IN THE MATTER OF

JOSEPH SHUSTER ET AL. DOING BUSINESS AS
NATIONAL LEATHER & NOVELTY COMPANYCONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF
THE FEDERAL TRADE COMMISSION ACT*Docket 7563. Complaint, Aug. 6, 1959—Decision, Nov. 17, 1959*

Consent order requiring Chicago distributors to cease representing falsely by the words "Leather," "Content Leather," and "Genuine Leather" stamped thereon, that wallets made of a plastic containing only 40% pulverized leather and with lining and dividers of simulated leather, were made of leather; and to cease attaching, or having attached, to said wallets, tickets imprinted with excessive prices represented thereby as the usual retail prices.

Mr. William A. Somers for the Commission.

Mr. Nathan Wolman, of Chicago, Ill., for respondents.

INITIAL DECISION BY HARRY R. HINKES, HEARING EXAMINER

The complaint in this matter charges the respondents with violation of the Federal Trade Commission Act in connection with the marking and ticketing of wallets sold. An agreement has now been entered into by respondents and counsel supporting the complaint which provides, among other things, that respondents admit all the jurisdictional facts alleged in the complaint; that the record on which the initial decision and the decision of the Commission shall be based shall consist solely of the complaint and the agreement; that the making of findings of fact and conclusions of law in the decision disposing of this matter is waived, together with any further procedural steps before the hearing examiner and the Commission; that the order hereinafter set forth may be entered in this proceeding without further notice to the respondents and when entered shall have the same force and effect as if entered after a full hearing, respondents specifically waiving all the rights they may have to challenge or contest the validity of the order; that the order may be altered, modified, or set aside in the manner provided for other orders; that the complaint may be used in construing the terms of the order; that the 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; and 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.

The hearing examiner having considered the agreement and proposed order and being of the opinion that they provide an adequate basis for appropriate disposition of the proceeding, the agreement is hereby accepted, the following jurisdictional findings made, and the following order issued:

1. Respondents Joseph Shuster (erroneously named in the complaint as J. Joseph Shuster) and Nathan Wolman are individuals and partners trading and doing business as National Leather & Novelty Company, with office and principal place of business located at 1036 West Van Buren Street, Chicago, Illinois.

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 Joseph Shuster and Nathan Wolman, individually and as partners, trading and doing business as National Leather & Novelty Company, or trading and doing business under any other name or names, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the sale, offering for sale or distribution of wallets or any other product in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication:

(a) That their product is made or composed of a specific material, or grade or quality of material, when such product contains or is composed, partly or wholly, of materials other than the specific material, or grade or quality of material represented.

(b) That any price is the usual and regular retail price of their product when it is in excess of the price at which their product is usually and regularly sold at retail in the normal course of business.

2. Placing in the hands of others, means or instrumentalities which may be used to misrepresent the quality and regular and usual retail price of their product.

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 17th day of November, 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

