

rule specifically on the exceptions of counsel supporting the complaint to certain evidentiary rulings of the hearing examiner. The appeal of counsel supporting the complaint is granted. The initial decision is hereby vacated and set aside. We are entering our own findings as to the facts, conclusions and order to cease and desist in conformity with this opinion.

IN THE MATTER OF

RAYNOR WHITMAN ET AL. TRADING AS
AMERICAN GARMENT COMPANY

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

Docket 7620. Complaint, Oct. 22, 1959—Decision, Jan. 9, 1960

Consent order requiring Baltimore manufacturers to cease violating the Wool Products Labeling Act by tagging as "85% wool, 15% nylon," ladies' skirts which contained substantially less than 85% wool, and by failing to comply in other respects with labeling provisions of the Act.

Mr. Frederick McManus for the Commission.
Respondents for themselves.

INITIAL DECISION BY HARRY R. HINKES, HEARING EXAMINER

The complaint in this matter charges the respondents with violation of the Wool Products Labeling Act and the Rules and Regulations promulgated thereunder, and the Federal Trade Commission Act, in connection with the sale of ladies' skirts and other wool products. An agreement has now been entered into by respondents and counsel supporting the complaint which provides, among other things, that respondents admit all of the jurisdictional allegations 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 agreement; that the inclusion 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 disposition of the proceeding, such order to have the same force and effect as if entered after a full hearing, respondents specifically waiving any and all rights to challenge or contest the validity of such order; that the order may be altered, modified, or set aside in the manner provided for other orders of the Commission;

that the complaint may be used in construing the terms of the order; and 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.

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 Raynor Whitman and Florence Whitman are individuals trading as co-partners under the firm name of American Garment Company, with their main office and principal place of business located at 318 West Baltimore Street, Baltimore, Maryland.

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, Raynor Whitman and Florence Whitman, individually and as co-partners trading as American Garment Company or under any other name or names, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or in the offering for sale, sale, transportation or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act, of ladies' skirts or other "wool products," as such products are defined in and subject to said Wool Products Labeling Act, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging or labeling or otherwise identifying such products as to the character or amount of the constituent fibers contained therein;

2. Failing to affix labels to such products showing each element of information required to be disclosed by Section 4(a)(2) of the Wool Products Labeling Act.

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 9th day of January, 1960, become the decision of the Commission; and, accordingly:

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

