

days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

IN THE MATTER OF
THE WURZBURG COMPANY, ET AL.

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

Docket 7303. Complaint, Nov. 14, 1958—Decision, Jan. 12, 1960

Consent order requiring furriers in Grand Rapids, Mich., to cease violating the Fur Products Labeling Act by failing to comply with labeling and invoicing requirements: by advertising in newspapers which represented prices of fur products as reduced from regular prices which were in fact fictitious, and represented falsely, by such statements as "Save 50%," that regular prices were reduced by the stated percentages: and by failing to maintain adequate records as a basis for such pricing claims.

Mr. Thomas A. Ziebarth supporting the complaint.
Amberg, Law and Fallon by *Mr. Francis X. Fallon*, of Grand Rapids, Mich., for respondents.

INITIAL DECISION BY JOHN B. POINDENTER, HEARING EXAMINER

On November 14, 1958, the Federal Trade Commission issued its complaint charging the respondents named in the caption hereof with having violated the provisions of the Federal Trade Commission Act, the Fur Products Labeling Act and the rules and regulations promulgated thereunder.

After issuance and service of the complaint, respondents, their counsel and counsel supporting the complaint, entered into an agreement for a consent order.

The agreement has been approved by the Director and the Assistant Director of the Bureau of Litigation and disposes of the matters complained about. The pertinent provisions of said agreement are as follows:

Respondents admit sufficient facts as alleged in the complaint so as to give the Commission jurisdiction; the complaint may be used in construing the terms of the order; the order shall have the same force and effect as if entered after a full hearing and the said agreement shall not become a part of the official record of the proceeding unless and until it becomes a part of the decision of the

Commission; the record herein shall consist solely of the complaint and the agreement; respondents waive the requirement that the decision must contain a statement of findings of fact and conclusions of law; respondents waive further procedural steps before the hearing examiner and the Commission, and the order may be altered, modified, or set aside in the manner provided by statute for other orders; respondents waive any right to challenge or contest the validity of the order entered in accordance with the agreement and the signing of said 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 undersigned hearing examiner having considered the agreement and proposed order and being of the opinion that the acceptance thereof will be in the public interest, hereby accepts such agreement, makes the following jurisdictional findings, and issues the following order:

JURISDICTIONAL FINDINGS

1. The respondent The Wurzburg Company is a corporation organized and doing business under the laws of the state of Michigan with its office and principal place of business located at 101 Monroe Avenue, Grand Rapids, Michigan. The respondent Edward Bloom is an individual with the same address as the corporate respondent.

2. The Wurzburg Company, a corporation, and the individual respondent, Edward Bloom, are co-partners doing business under the name of Michigan Fur Company, except that in advertising, offering for sale, and selling fur products at retail, the said partnership acts as the fur department of The Wurzburg Company, a corporation.

3. 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 respondents, The Wurzburg Company, a corporation, and its officers, and Edward Bloom, individually, and The Wurzburg Company and Edward Bloom, copartners doing business as Michigan Fur Company, or under any other trade name, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, or offering for sale, transportation or distribution, in commerce, of fur products; or in connection with the sale, advertising, 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 product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1. Misbranding fur products by:

A. 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;

B. Setting forth on labels affixed to fur products:

(1) Non-required information mingled with required information:

(2) Required information in handwriting.

2. Falsely or deceptively invoicing fur products by failing to furnish to purchasers of fur products an invoice showing all of the information required to be disclosed by each of the subsections of Section 5(b)(1) of the Fur Products Labeling Act.

3. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement, or notice which is intended to aid, promote or assist, directly or indirectly, in the sale or offering for sale of fur products, and which:

A. Represents, directly or by implication, that the regular or usual price of any fur product is any amount which is in excess of the price at which respondents have usually and customarily sold such products in the recent regular course of business.

B. Represents, directly or by implication, through percentage savings claims, that the regular or usual retail prices charged by respondents for fur products in the recent regular course of business were reduced in direct proportion to the amount of savings stated, when contrary to fact.

4. Making price claims and representations of the types referred to in paragraph 3 above unless respondents maintain full and adequate records disclosing the facts upon which such claims or representations are based.

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

It is ordered, That respondents The Wurzburg Company, a corporation, and its officers, and Edward Bloom, individually, and

ALLIED LUGGAGE CORP. ET AL.

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