

Decision

IN THE MATTER OF

TEACHERS COOPERATIVE ASSOCIATION ET AL.

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

Docket 7552. Complaint, July 24, 1959—Decision, Feb. 13, 1960

Consent order requiring a Philadelphia, Pa. furrier to cease violating the Fur Products Labeling Act by advertising in catalogs and cards which represented falsely that prices set forth were "wholesale."

Mr. Charles W. O'Connell for the Commission.

Mr. Maurice Pollon, of Philadelphia, Pa., for respondents.

INITIAL DECISION BY WALTER R. JOHNSON, HEARING EXAMINER

In the complaint dated July 24, 1959, the respondents are charged with violating the provisions of the Federal Trade Commission Act and the Fur Products Labeling Act and the Rules and Regulations made pursuant thereto.

On November 24, 1959, the respondents and their attorney entered into an agreement with counsel in support of the complaint for 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 being of the opinion that the agreement and the proposed order provide an appropriate basis for disposition of this proceeding as to all of the parties, the agreement is hereby accepted and it is ordered that the 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 following jurisdictional findings are made and the following order issued.

1. Respondent TCA, Inc., (erroneously named in the complaint as

Teachers Cooperative Association) is a corporation organized, existing and doing business under and by virtue of the laws of the State of Pennsylvania with its office and principal place of business located at 1418 Walnut Street, in the City of Philadelphia, State of Pennsylvania.

Respondents Royal Bright and Mary Letcher are officers of the corporate respondent. They formulate, direct and control the acts and practices of the corporate respondent. Their address is the same as that of the said corporate respondent.

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 respondents TCA, Inc., a corporation, and its officers and Royal Bright and Mary Letcher, individually and as officers thereof, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, offering for sale, the 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 are 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. 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 prices of fur products are wholesale prices, when such is not the fact.

b. Misrepresents in any manner the savings available to purchasers of respondents' fur 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 13th day of February, 1960, become the decision of the Commission; and, accordingly:

It is ordered, That respondents TCA, Inc., a corporation, and Royal Bright and Mary Lechter, individually and as officers thereof, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail

