

F. H. LEATHER PRODUCTS

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

Docket 7654. Complaint, Nov. 9, 1959—Decision, Apr. 1, 1960

Consent order requiring a New York City manufacturer to cease stamping the words "top grain cowhide" on wallets and billfolds which were made of

1174

Order

split leather and consisted substantially of non-leather materials simulating leather.

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

No appearance for respondent.

INITIAL DECISION BY WILLIAM L. PACK, HEARING EXAMINER

The complaint in this matter charges the respondent with violation of the Federal Trade Commission Act in connection with the manufacture and sale of wallets and billfolds. An agreement has now been entered into by respondent and counsel supporting the complaint which provides, among other things, that respondent admits 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, respondent 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 respondent that he has violated the law was 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. The respondent, Robert Ottemberg, is an individual trading as F. H. Leather Products, with his principal office and place of business located at 139 West 19th Street, New York, New York.
2. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of the respondent, and the proceeding is in the public interest.

ORDER

It is ordered, That respondent Robert Ottemberg, an individual trading as F. H. Leather Products, or under any other name or names, and his representatives, agents and employees, directly or

through any corporate or other device, in connection with the offering for sale, sale or distribution of wallets or billfolds, or any other products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "top grain cowhide" or any other words of similar import in connection with leather goods made of split leather or misrepresenting in any manner the kind or quality of the materials of which his leather goods are composed.

2. Offering for sale or selling leather goods made in whole or in part of split leather without affirmatively disclosing such fact on or in immediate connection with such product in a clear and conspicuous manner.

3. Offering for sale or selling leather goods which, to any substantial extent, consist of parts made of materials other than leather and which simulate or imitate leather unless such parts and the materials of which they are composed are clearly and conspicuously set forth on or in immediate connection with such goods.

DECISION OF THE COMMISSION AND ORDER TO FILE REPORT OF COMPLIANCE

Pursuant to Section 2.31 of the Commission's Rules of Practice, the initial decision of the hearing examiner shall, on the 1st day of April, 1960, become the decision of the Commission; and, accordingly:

It is ordered, That respondent herein shall, with sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with the order to cease and desist.

IN THE MATTER OF

TOYCRAFT ASSOCIATES, INC., ET AL.

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