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Decision

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

IN THE MATTER OF
VELOX SERVICE, INC., ET AL.

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

Docket 7649. Complaint, Nov. 3, 1959—Decision, Apr. 27, 1960

Consent order requiring two affiliated New York City mail order distributors of general merchandise to cease such false advertising as misrepresenting the country of origin of Japanese knives and their availability and price, guarantees of watches, performance, quality, and value of razor blades, etc.

Mr. Terral A. Jordan for the Commission.

Mr. George Landesman, of New York, N.Y., for respondents.

INITIAL DECISION BY WILLIAM L. PACK, HEARING EXAMINER

The complaint in this matter charges the respondents with violation of the Federal Trade Commission Act through the making of certain misrepresentations in connection with hunting knives, watches and razor blades sold by them. 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

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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 Velox Service, Inc., and Thoresen, Inc., are corporations organized, existing and doing business under and by virtue of the laws of the State of New York. Respondents Nelson Torelli and Caesar Torelli are individuals and are officers of each of said corporate respondents. The office and principal place of business of the respondents is located at Room 5308, 350 Fifth Avenue, New York, New York.

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 Velox Service, Inc., a corporation, and its officers, and Thoresen, Inc., a corporation, and its officers, and Nelson Torelli and Caesar Torelli, individually and as officers of each of said corporations, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of hunting knives, watches, razor blades and other articles of merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the expression "Black Forest Hunting Knife" as descriptive of knives without conspicuously revealing in immediate connection therewith the name of the country other than Germany in which said knives are manufactured; or using any other words or pictures which represent, directly or indirectly, that any of the aforesaid articles of merchandise were manufactured in a country other than the true country of origin without conspicuously revealing in immediate connection therewith, the true country of origin of said articles of merchandise;

2. Representing, directly or indirectly, that the number or quantity of said articles of merchandise available to the purchaser is limited or restricted unless such is the fact;

3. Representing, directly or indirectly, that any price not the total price of an article or combination of articles of merchandise is the total price;

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4. Representing, directly or indirectly, that said articles of merchandise are guaranteed unless the nature and extent of the guarantee and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed;

5. Representing, directly or indirectly, that razor blades give a specified number of shaves or perform or have a quality or value equal to higher priced razor blades unless such is the fact.

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 27th day of April, 1960, become the decision of the Commission; and, accordingly:

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