

PARKER-LEVY JUNIORS, INC., ET AL.

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

Docket 7621. Complaint, Oct. 22, 1959—Decision, May 11, 1960

Consent order requiring New York City manufacturers to cease violating the
Wool Products Labeling Act by failing to label women's wool dresses as
required.

Mr. Terral A. Jordan for the Commission.

Mr. Joseph Radest, of New York, N.Y., for respondents.

INITIAL DECISION BY HARRY R. HINKES, HEARING EXAMINER

Pursuant to the provisions of the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, the Federal Trade Commission issued and subsequently served its complaint in this proceeding against the above-named respondents, charging them with violation of the Federal Trade Commission Act, the Wool Products Labeling Act and the Rules and Regulations promulgated thereunder in connection with their sale, offering for sale, delivery and introduction into commerce of certain wool products.

On March 16, 1960 there was submitted to the undersigned hearing examiner an agreement between the respondents, their counsel and counsel supporting the complaint, providing for the entry of a consent order.

Under the foregoing agreement the corporate respondent and Jack Parker and Kalman C. Levy, incorrectly designated as Cal Levy, individually and as officers of said corporation, admit all of the jurisdictional allegations in the complaint. The agreement provides 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, the signatory respondents specifically waiving any and all rights to challenge or contest the validity of such order; that the order may be altered 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 such 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 an appropriate disposition of the proceeding as to the signatory respondents, the agreement is hereby accepted, the following jurisdictional findings made and the following order issued:

1. Respondent Parker-Levy Juniors, Inc., is a corporation existing and doing business under and by virtue of the laws of the State

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of New York. Individual respondent Jack Parker is president of said corporate respondent. Individual respondent Kalman C. Levy is incorrectly named in the complaint as Cal Levy so that Kalman C. Levy and Cal Levy are one and the same persons. Said Kalman C. Levy is secretary and treasurer of the corporate respondent. All respondents have their office and principal place of business located at 1375 Broadway, in the City of New York, State of 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 the respondents Parker-Levy Juniors, Inc., a corporation, and its officers, and Jack Parker and Kalman C. Levy, individually and as officers of said corporation, and their representatives, agents and employees, directly or through any corporate or other device in connection with the introduction or manufacture for introduction into commerce, or 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 1939, of women's dresses or other "wool products" as such products are defined in and subject to the Wool Products Labeling Act of 1939, which products contain, purport to contain or in any way be represented to contain "wool," "reprocessed wool" or "reused wool" as those terms are defined in said Act, do forthwith cease and desist from:

1. Misbranding such products by failing to securely affix to or place on each such product a stamp, tag, label or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, (5) the aggregate of all other fibers;

(b) The maximum percentage of the total weight of the wool product, of any non-fibrous loading, filling, or adulterating matter;

(c) The name or registered identification number of the manufacturer of such wool product, or of one or more persons engaged in introducing such wool product into commerce, or in the offering for sale, sale, transportation, distribution, or delivery for shipment thereof in commerce, as "commerce" is defined in the Wool Products Labeling Act of 1939.

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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 11th day of May, 1960, become the decision of the Commission; and, accordingly:

It is ordered, That respondents Parker-Levy Juniors, Inc., a corporation, Jack Parker and Kalman C. Levy, incorrectly designated as Cal Levy, individually and as officers of said corporation, 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