

RITTER BROTHERS, INC., ET AL.

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

Docket 7627. Complaint, Oct. 23, 1959—Decision, May 25, 1960

Order dismissing complaint charging a manufacturing furrier with violations of the Fur Products Labeling Act revealed by subsequent investigation to be attributable to a large department store customer in Dallas, Tex., which was cited in a separate complaint.

Mr. Garland S. Ferguson for the Commission.

Leon, Weill & Mahony, 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 Fur Products Labeling Act, the Federal Trade Commission issued and subsequently served its complaint in this proceeding against the above-named respondents, charging them with violation of said acts and the Rules and Regulations promulgated under the Fur Products Labeling Act in connection with the labeling, invoicing and advertising of certain fur products. In their answer respondents categorically denied the charged violations.

Thereafter, on March 31, 1960, counsel supporting the complaint filed a motion to dismiss the complaint without prejudice stating:

The complaint in this matter grew out of the investigation of the fur department of a large department store in Dallas, Texas. Two of the department store's fur suppliers became involved in the investigation. Following said investigation separate complaints were issued against said department store and against each of said suppliers for violations of the Fur Products Labeling Act. One of the said suppliers was Ritter Brothers, Inc., respondent in Docket 7627.

Following the issuance of complaint in Docket 7627, several conferences were held between counsel supporting the complaint and the attorney for the respondents. Two of the said conferences were attended by the Project Attorney in this matter. At the conferences, mentioned herein, respondents' attorney displayed documents and gave oral information which tended to support respondents' answer filed herein.

As a result of the said conferences a further investigation has been conducted, and it has now been determined that the respondents have not violated the Fur Products Labeling Act as alleged in the complaint, and that acts and practices charged to the respondents in Docket 7627 were in fact attributable to the department store mentioned herein. The said department store and the other fur supplier as previously mentioned herein are subject to separate complaints . . .

Under the circumstances set forth in this motion to dismiss, I agree with counsel supporting the complaint that further continuation of this matter will not be in the public interest. Accordingly,

It is ordered, That the complaint herein be, and the same hereby is, dismissed without prejudice to the right of the Commission to take such further action against respondents as future facts and circumstances may warrant.

