

IN THE MATTER OF
HAROLD BLUMBERG ET AL. TRADING AS
PRINCESS ROYAL KNITTING MILLS

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

Docket 7814. Complaint, Mar. 10, 1960—Decision, June 22, 1960

Consent order requiring hosiery manufacturers in Reading, Pa., to cease preticketing their products with tags bearing fictitiously high prices, represented thereby as the usual retail prices.

Mr. DeWitt T. Puckett for the Commission.
Yaffe and Blumberg, of Reading, Pa., by *Mr. Harold Blumberg*,
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 use of fictitious prices in connection with hosiery sold by them. An agree-

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ment 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 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 Harold Blumberg, Trustee of the Estate of A. Blumberg, David Blumberg, Evelyn Blumberg and Murray Lappen are individuals and co-partners trading as Princess Royal Knitting Mills, with their principal office and place of business located at 512 North 12th Street, Reading, Pennsylvania.

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, Harold Blumberg, as Trustee of the Estate of A. Blumberg, David Blumberg, Evelyn Blumberg and Murray Lappen, individually and as co-partners, trading as Princess Royal Knitting Mills, or under any other name or names, and their representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of hosiery or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing by preticketing, or in any other manner, that

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a certain amount is the customary or usual retail price of merchandise when said amount is in excess of the price at which said merchandise is customarily and usually sold at retail in the trade area or areas where the representation is made.

2. Furnishing any means or instrumentality to others by and through which they may mislead the public as to the customary or usual retail price of respondents' merchandise.

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 22nd day of June, 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.