
IN THE MATTER OF
NATION-WIDE FUR STORAGE AND CLEANERS ET AL.

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

Docket 8251. Complaint, Dec. 29, 1960—Decision, July 14, 1961

Order requiring furriers in Cleveland, Ohio, to cease violating the Fur Products Labeling Act by failing to comply with labeling requirements.

Mr. Ernest D. Oakland and *Mr. Charles W. O'Connell* supporting the complaint.

No appearance for the respondents.

INITIAL DECISION BY WALTER K. BENNETT, HEARING EXAMINER

The complaint in this proceeding was issued December 29, 1960. It charges respondents with violation of the Federal Trade Commission Act and the Fur Products Labeling Act for failure to label certain fur products and for improper labeling of others.

Each respondent was duly served with a copy of the complaint and neither filed an answer thereto. Each respondent was also duly served with an order setting March 31, 1961 as the date for a hearing in this matter to be held at 10:00 A.M. in Room 251, Federal Trade Commission Building, Washington, D.C. The proceeding was called to order at 10:00 A.M. on that date, and place, and there being no appearance on behalf of either respondent was again called to order at 10:15 A.M. with the same result. On motion of counsel supporting the complaint the hearing examiner duly noted the default and pursuant to Rule 3.7(b) of the Rules of Practice for Adjudicative Proceedings found the facts to be as alleged in the complaint and conducted a hearing to determine an appropriate form of order. A proposed form of order was submitted by counsel supporting the complaint and has been marked CX-1. By reason of respondents failure to answer or appear in this proceeding; the hearing examiner was authorized without further notice to them to enter an initial decision based on the facts as alleged in the complaint. He was also authorized to make findings of such facts and appropriate conclusions and order.

Accordingly, the following findings are made, conclusions reached and order issued:

1. Respondent Nation-Wide Fur Storage and Cleaners is a corporation, organized, existing and doing business under and by virtue of the laws of the State of New York with its office and principal place of business located at 618 West St. Clair Avenue, Cleveland, Ohio.

2. Respondent Bernard Golden is president of the said corporate respondent and controls, formulates and directs the acts, practices and policies of the said corporate respondent, including the acts and practices hereinafter set forth. His office and principal place of business is the same as that of the said corporate respondent.

3. Subsequent to the effective date of the Fur Products Labeling Act on August 9, 1952, respondents have been and are now engaged in the introduction into commerce and in the sale, advertising, and offering for sale, and in the transportation and distribution in commerce, of fur products and have sold, advertised, offered for sale, transported and distributed fur products which have been made in whole or in part of fur which had been shipped and received in commerce, as the terms "commerce", "fur" and "fur products" are defined in the Fur Products Labeling Act.

4. Certain of said fur products were misbranded in that they were not labeled as required under the provisions of Section 4(2)

of the Fur Products Labeling Act and in the manner and form prescribed by the Rules and Regulations promulgated thereunder.

5. Certain of said fur products were misbranded in violation of the Fur Products Labeling Act in that they were not labeled in accordance with the Rules and Regulations promulgated thereunder in the following respects:

(a) Information required under Section 4(2) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder was set forth in abbreviated form in violation of Rule 4 of said Rules and Regulations.

(b) Information required under Section 4(2) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder was mingled with non-required information in violation of Rule 29(a) of said Rules and Regulations.

(c) Information required under Section 4(2) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder was set forth in handwriting on labels in violation of Rule 29(b) of said Rules and Regulations.

(d) Information required under Section 4(2) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder was not set forth separately on labels with respect to each section of fur products composed of two or more sections containing different animal furs, in violation of Rule 36 of said Rules and Regulations.

(e) Required item numbers were not set forth on labels, in violation of Rule 40 of said Rules and Regulations.

6. The aforesaid acts and practices of respondents, are in violation of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder and constitute unfair and deceptive acts and practices in commerce under the Federal Trade Commission Act.

7. This proceeding is in the public interest. Therefore,

It is ordered, That Nation-Wide Fur Storage and Cleaners, a corporation, and its officers, and Bernard Golden, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, or offering for sale in commerce, or the transportation or distribution in commerce of fur products, or in connection with the sale, advertising, offering for sale, transportation, or distribution of fur products which are made in whole or in part of

fur which has been shipped and received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from misbranding fur products by:

A. Failing to affix labels showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of Section 4(2) of the Fur Products Labeling Act.

B. Setting forth on labels affixed to fur products:

(1) Information required under Section 4(2) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder in abbreviated form.

(2) Information required under Section 4(2) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder mingled with non-required information.

(3) Information required under Section 4(2) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder in handwriting.

C. Failing to set forth separately on labels attached to fur products composed of two or more sections containing different animal furs the information required under Section 4(2) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder with respect to the fur comprising each section.

D. Failing to set forth on labels the item number or mark assigned to a fur product.

DECISION OF THE COMMISSION AND ORDER TO FILE REPORT OF COMPLIANCE

This matter having come on to be heard by the Commission upon its review of the initial decision filed by the hearing examiner on April 18, 1961, and the Commission having determined that said initial decision is adequate and appropriate in all respects to dispose of this proceeding:

It is ordered, That the aforesaid initial decision be, and it hereby is, adopted as the decision of the Commission.

It is further ordered, That the respondents, Nation-Wide Fur Storage and Cleaners, a corporation, and Bernard Golden, individually and as an officer 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 cease and desist.

Complaint

IN THE MATTER OF

ALEX SANDRI WHITE TRADING AS
AUREA PUBLICATIONSCONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE
FEDERAL TRADE COMMISSION ACT*Docket 8056. Complaint, July 26, 1960—Decision, July 18, 1961*

Consent order requiring a representative of correspondence schools in Great Britain and Italy, with headquarters in Central Valley, N.Y., to cease representing falsely in advertising in national magazines, brochures, and circulars, that such foreign correspondence schools were accredited in the United States and their degrees and diplomas recognized by accredited educational institutions in this country; and to cease using the words "University" or "College" as part of their trade names.

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, and by virtue of the authority vested in it by said Act, the Federal Trade Commission, having reason to believe that Alex Sandri White, trading as Aurea Publications, hereinafter referred to as respondent, has violated the provisions of said Act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues its complaint stating its charges in that respect as follows:

PARAGRAPH 1. Respondent Alex Sandri White is an individual trading and doing business as Aurea Publications, with his office and principal place of business located in Central Valley, New York.

PAR. 2. Respondent, in the course of trading as Aurea Publications, has acted and presently acts as representative or agent for certain correspondence schools located primarily in Europe. As agent or representative for the aforesaid foreign correspondence schools, respondent's duties include the solicitation of individuals located in this country as students in various courses given by said foreign correspondence schools. Individuals in this country enrolling with the above-mentioned foreign correspondence schools are required to submit their applications to and pay their entrance fees to respondent, who, in turn, transmits said applications and fees to the various foreign correspondence schools, less commissions. Said foreign correspondence schools, for which respondent has acted and now acts as representative or agent, confer college degrees or diplomas to students who either successfully complete special courses offered by said schools through the mails, or who have suffi-