

IN THE MATTER OF
GRAND GASLIGHT, INC., TRADING AS
GRAND HANDKERCHIEF COMPANY ET AL.

CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE
FEDERAL TRADE COMMISSION AND THE TEXTILE FIBER PRODUCTS
IDENTIFICATION ACTS

Docket 8336. Complaint, Mar. 16, 1961—Decision, Aug. 4, 1961

Consent order requiring New York City distributors of textile fiber products to cease violating the Textile Fiber Products Identification Act by selling handkerchiefs which were not labeled with required information, and by furnishing false guaranties that their textile fiber products were not misbranded.

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act and the Textile Fiber Products Identification Act, and by virtue of the authority vested in it by said Acts, the Federal Trade Commission, having reason to believe that Grand Gaslight, Inc., a corporation, trading as Grand Handkerchief Company, and Samuel Ruderfer, individually and as an officer of said corporation, hereinafter referred to as respondents, have violated the provisions of said Acts and the Rules and Regulations under the Textile Fiber Products Identification 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:

PAR. 1. Grand Gaslight, Inc., 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 123 Fifth Avenue, New York, New York. Said corporation employs the trade name Grand Handkerchief Company in its business operations.

Samuel Ruderfer is an officer of the said corporate respondent and formulates, controls and directs the acts, practices and policies of said respondent. His office and principal place of business is the same as that of the corporate respondent.

PAR. 2. Subsequent to the effective date of the Textile Fiber Products Identification Act on March 3, 1960, respondents have been and are now engaged in the introduction, sale, advertising, and offering for sale, in commerce, and in the transportation or causing to be transported in commerce, and in the importation into the United States, of textile fiber products; and have sold, offered for sale, advertised, delivered, transported and caused to be transported, textile fiber products, which had been advertised or offered for sale in commerce; and have sold, offered for sale, advertised, delivered, transported and caused to be transported, after shipment in commerce, textile fiber products, either in their original state or which were made of other textile products so shipped in commerce, as the terms "commerce" and "textile fiber products" are defined in the Textile Fiber Products Identification Act.

PAR. 3. Certain of said textile fiber products to wit: handkerchiefs were misbranded by respondents in that they were not stamped, tagged, or labeled with the information required under Section 4(b) of the Textile Fiber Products Identification Act, and in the manner and form as prescribed by the Rules and Regulations promulgated under such Act.

PAR. 4. The respondents have furnished false guarantees that their textile fiber products were not misbranded in violation of Section 10 of the Textile Fiber Products Identification Act.

PAR. 5. The respondents, in the course and conduct of their business, as aforesaid, were and are in substantial competition with other corporations, firms, and individuals likewise engaged in the manufacture and sale of textile fiber products including handkerchiefs in commerce.

PAR. 6. The acts and practices of respondents, as set forth herein, were in violation of the Textile Fiber Products Identification Act and the Rules and Regulations thereunder; and constituted, and

now constitute, unfair and deceptive acts and practices and unfair methods of competition, in commerce, within the intent and meaning of the Federal Trade Commission Act.

Mr. DeWitt T. Puckett for the Commission.

No appearance for respondents.

INITIAL DECISION BY WILLIAM L. PACK, HEARING EXAMINER

The complaint in this matter charges the respondents with certain violations of the Textile Fiber Products Identification Act and the Rules and Regulations promulgated thereunder, and the Federal Trade Commission Act. 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 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. Respondent Grand Gaslight, Inc., is a New York corporation with its office and principal place of business located at 123 Fifth Avenue, New York, New York. Said corporation employs the trade name Grand Handkerchief Company in its business operations.

Respondent Samuel Ruderfer is an officer of said corporation. He formulates, controls and directs the acts, practices and policies of

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said corporate respondent. His address is the same as that of the corporate respondent.

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 Grand Gaslight, Inc., a corporation, and its officers, and Samuel Ruderfer, 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, delivery for introduction, manufacture for introduction, sale, advertising or offering for sale, in commerce, or the transportation or causing to be transported, in commerce, or the importation into the United States of textile fiber products; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of textile fiber products which have been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of textile fiber products, whether in their original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber products" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by failing to affix labels to such products showing each element of information required to be disclosed by Section 4(b) of the Textile Fiber Products Identification Act.

B. Furnishing false guarantees that textile fiber products are not misbranded under the provisions of the Textile Fiber Products Identification Act.

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 4th day of August 1961, 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.

Complaint

IN THE MATTER OF

MILTON OSTROWER ET AL. TRADING AS
YANKEE LEATHER GOODS CO., INC.

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

Docket 8298. Complaint, Mar. 2, 1961—Decision, Aug. 5, 1961

Consent order requiring a New York City manufacturer of ladies' and men's belts to cease stamping with the words "Genuine Alligator Grain", belts which were not made from alligator hide or genuine leather but from a material composed of leather fibers bonded together with an adhesive material, and to cease selling such simulated leather belts without any markings to show that they were not genuine leather.

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 Milton Ostrower, Harry Ostrower and Fred Ostrower, individually and trading as Yankee Leather Goods Co., hereinafter referred to as respondents, have 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. Respondents Milton Ostrower, Harry Ostrower and Fred Ostrower are partners trading as Yankee Leather Goods Co. with their principal office and place of business located at 737 Broadway, in the City of New York, State of New York.

PAR. 2. Respondents are now, and for several years last past have been, engaged in the manufacture, offering for sale, sale and distribution of ladies' and men's belts to wholesalers and retailers who resell said belts to the public.

PAR. 3. In the course and conduct of their business, respondents now cause, and for some time last past have caused, ladies' and men's belts when sold to be shipped from their place of business in the State of New York to purchasers thereof located in other States of the United States and maintain, and at all times mentioned herein have maintained, a substantial course of trade in said belts in commerce, as "commerce" is defined in the Federal Trade Commission Act. The volume of business done by respondents in said belts in commerce is now, and has been, substantial.