

and order, and 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.

IN THE MATTER OF
TEXTRON, INC.

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

Docket 8433. Complaint, June 16, 1961—Decision, Oct. 25, 1961

Consent order requiring manufacturers in Providence, R.I., to cease violating the Wool Products Labeling Act by labeling fabrics "25% Wool, 70% Reprocessed Wool, 5% Nylon", "60% Reprocessed Wool, 30% Wool, 10% Nylon", and "100% Wool" and invoicing them similarly, when in fact the fabrics contained substantially less woolen fibers than thus indicated; failing to show on labels the percentage of the total fiber weight of the constituent fibers; and failing in other respects to comply with labeling requirements.

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, and by virtue of the authority vested in it by said Acts, the Federal Trade Commission having reason to believe that Amerotron Company, a corporation,

hereinafter referred to as respondent, has violated the provisions of said Acts and the Rules and Regulations promulgated under the Wool Products Labeling 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 Amerotron Company, is a corporation organized, existing and doing business under and by virtue of the laws of the State of Rhode Island. Said respondent is a division of Textron, Inc., with its office and principal place of business at 1407 Broadway in New York, New York.

PAR. 2. Subsequent to the effective date of the Wool Products Labeling Act of 1939 and more especially since 1959 respondent has manufactured for introduction into commerce, introduced into commerce, sold, transported, distributed, delivered for shipment, and offered for sale in commerce, as "commerce" is defined in said Act, wool products as "wool products" are defined therein.

PAR. 3. Certain of said wool products were misbranded by the respondent within the intent of the meaning of Section 4(a)(1) of the Wool Products Labeling Act and the Rules and Regulations promulgated thereunder, in that they were falsely and deceptively labeled or tagged with respect to the character and amount of the constituent fibers contained therein.

Among such misbranded wool products were woolen fabrics labeled or tagged as:

25% Wool, 70% Reprocessed Wool, 5% Nylon,
60% Reprocessed Wool, 30% Wool, 10% Nylon and,
100 Wool%,

whereas in truth and in fact each of said fabrics contained substantially less woolen fibers than represented.

PAR. 4. Certain of said wool products were further misbranded by respondent in that they were not stamped, tagged or labeled as required under the provisions of Section 4(a)(2) of the Wool Products Labeling Act and in the manner and form as prescribed by the Rules and Regulations promulgated thereunder.

Among such misbranded wool products, but not limited thereto, were woolen fabrics which failed to show on the tags or labels attached thereto the percentage of the total fiber weight of the woolen fibers contained therein.

PAR. 5. Certain of said wool products were misbranded in violation of the Wool Products Labeling Act in that they were not labeled in accordance with the Rules and Regulations promulgated thereunder in that the labels attached to said wool products set out required information descriptive of fiber content in abbreviated form, in violation of Rule 9 of the aforesaid Rules and Regulations.

PAR. 6. Respondent, in the course and conduct of its business, as aforesaid, was and is in substantial competition in commerce with corporations, firms and individuals likewise engaged in the manufacture and sale of woolen fabrics.

PAR. 7. The aforesaid acts and practices of the respondent were and are in violation of the Wool Products Labeling Act of 1939 and the Rules and Regulations promulgated thereunder and constituted, and now constitute, unfair methods of competition and unfair and deceptive acts and practices in commerce within the intent and meaning of the Federal Trade Commission Act.

PAR. 8. In the course and conduct of its business respondent has described on invoices certain of its woolen fabrics as:

70% Rep. Wool, 25% Wool, 5% Nylon;

70% Rep. Wool, 25% Wool, 5% Nylon.

In truth and in fact, both said woolen fabrics contained substantially less woolen fibers than represented.

PAR. 9. The practice of respondent as set out in Paragraph Eight of falsely identifying the constituent fibers of its wool fabrics has had, and now has, the tendency and capacity to mislead and deceive purchasers of said products as to the true fiber content thereof and to misbrand products manufactured by them in which said fabrics were used.

PAR. 10. The acts and practices of the respondent set out in Paragraph Eight were all to the prejudice and injury of the public and of respondent's competitors and constituted, and now constitute, unfair methods of competition, and unfair and deceptive acts and practices, in commerce, within the intent and meaning of the Federal Trade Commission Act.

DECISION AND ORDER

This matter having come on to be heard by the Commission upon a record consisting of the Commission's complaint charging the respondent, Textron, Inc. (erroneously named in the complaint as Amerotron Company, a corporation) with violation of the Wool Products Labeling Act of 1939 and the Federal Trade Commission Act, and an agreement by and between respondent and counsel supporting the complaint, which agreement contains an order to cease and desist, an admission by the respondent of all the jurisdictional facts alleged in the complaint, except the allegation that Amerotron Company is a corporation, a statement that the signing of said agreement is for settlement purposes only and does not constitute an admission by respondent that it has violated the law as alleged in the complaint, and waivers and provisions as required by the Commission's rules; and

The Commission having considered said agreement and the order

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Order

there in 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 finding are made, and the following order is entered :

1. Textron, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of Rhode Island, with its office and principal place of business located at 10 Dorrance Street, Providence, Rhode Island. Amerotron Company is a division of Textron, Inc.

2. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of the respondent, and the proceeding is in the public interest.

ORDER

It is ordered, That respondent, Textron, Inc., a corporation, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, of woolen fabrics, or other "wool products", as such products are defined in and subject to the Wool Products Labeling Act, do forthwith cease and desist from :

A. Misbranding such products by :

1. Falsely or deceptively tagging, labeling or otherwise identifying such products as to the character or amount of the constituent fibers contained therein ;

2. Failing to securely affix to, or place on, each such product a stamp, tag or label or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by 4(a) (2) of the Wool Products Labeling Act of 1939.

It is further ordered, That respondent, Textron, Inc., a corporation, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of fabrics, or other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from :

Misrepresenting the character or amount of the constituent fibers contained in such products on invoices or shipping memoranda applicable thereto, or on any other manner.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing getting forth in detail the manner and form in which it has complied with this order.

Complaint

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IN THE MATTER OF

RALPH L. AUTRY TRADING AS NATURAL MINERALS
PLUSCONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE
FEDERAL TRADE COMMISSION ACT*Docket C-11. Complaint, Oct. 31, 1961—Decision, Oct. 31, 1961*

Consent order requiring a Burbank, Calif., distributor of a drug preparation designated "Natural Minerals Plus" to cease misrepresenting the therapeutic properties of the product in advertisements in newspapers and magazines and other advertising media.

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 Ralph L. Autry, an individual trading as Natural Minerals Plus, 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 Ralph L. Autry is an individual trading as Natural Minerals Plus, with his principal office and place of business located at 1100 North Fairview Street in the City of Burbank, State of California.

PAR. 2. Respondent is now, and has been for more than one year last past, engaged in the sale and distribution of a preparation containing ingredients which come within the classification of drugs as the term "drug" is defined in the Federal Trade Commission Act.

The designation used by respondent for said preparation, the formula thereof and directions for use are as follows:

Designation: Natural Minerals Plus.

Description: A natural sedimentary mineral deposit to which Calcium, Phosphorus, Iron and Iodine have been added.

Formula: Ingredients and sources: Calcium and Phosphorus from Dicalcium Phosphate; Iodine from dehydrated Kelp; Iron from Sodium Ferric Pyrophosphate. The many trace minerals in this formula, for which no nutritional claims are made, come from a natural mineral deposit.

5 tablets (the suggested daily ration) supply the following amounts:

Calcium, 750 mg.

Phosphorus, 565 mg.

Iron, 37.5 mg.

Iodine, 0.65 mg.

Directions: Suggested Use: 5 tablets daily, with meals.