

It is further ordered, That the 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 this order.

IN THE MATTER OF

MANKO FABRICS CO., INC., ET AL.

CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE
FEDERAL TRADE COMMISSION AND THE FLAMMABLE FABRICS ACTS

Docket C-25. Complaint, Nov. 14, 1961—Decision, Nov. 14, 1961

Consent order requiring New York City distributors to cease importing into the United States silk scarves and fabrics so highly flammable as to be dangerous when worn, and to cease manufacturing and selling scarves made from such fabrics.

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act and the Flammable Fabrics Act, and by virtue of the authority vested in it by said Acts, the Federal Trade Commission, having reason to believe that the Manko Fabrics Co., Inc., a corporation, and Sidney Manko and Muriel Manko, individually and as officers of said corporation, and Norman Manko, individually and as an officer of said corporation, and doing business as Normandy Scarf Co., hereinafter referred to as respondents, have violated the provisions of said Acts and the Rules and Regulations promulgated under the Flammable Fabrics 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 charge in that respect as follows:

PARAGRAPH 1. Respondent, Manko Fabrics Co., Inc., is a corporation duly organized, existing and doing business under and by virtue of the laws of the State of New York. Respondents Sidney Manko, Muriel Manko and Norman Manko are President-Treasurer, Vice President, and Secretary, respectively, of Manko Fabrics Co., Inc. Respondents Sidney Manko and Muriel Manko formulate the policies of the said corporate respondent, and respondents Sidney Manko, Muriel Manko and Norman Manko direct and control the acts and practices of respondent corporation. The business address of all respondents is 49 West 38th Street, New York, New York.

In addition thereto, individual respondent Norman Manko, as an individual, does business as Normandy Scarf Co., the address of which is 110 West 42nd Street, New York, New York.

PAR. 2. Respondents, subsequent to July 1, 1954, the effective date of the Flammable Fabrics Act, have imported into the United States articles of wearing apparel as the term "article of wearing apparel" is defined in the Flammable Fabrics Act; respondents have sold, offered for sale, introduced, delivered for introduction and transported and caused to be transported in commerce, as "commerce" is defined in the Flammable Fabrics Act, articles of wearing apparel, and respondents have transported and caused to be transported articles of wearing apparel for the purpose of sale and delivery after sale in commerce; which articles of wearing apparel under the provisions of Section 4 of said Act, as amended, were so highly flammable as to be dangerous when worn by individuals.

Among the articles of wearing apparel mentioned herein above were silk scarves manufactured in Japan.

PAR. 3. Respondents, subsequent to July 1, 1954, the effective date of the Flammable Fabrics Act, have imported into the United States, offered for sale in commerce, and have introduced, delivered for introduction, transported or caused to be transported in commerce, and have transported or caused to be transported after sale in commerce, as "commerce" is defined in the Flammable Fabrics Act, as amended, fabric as the term "fabric" is defined therein which was, under the provisions of Section 4 of the aforesaid Act, as amended, so highly flammable as to be dangerous when worn by individuals.

PAR. 4. Respondents, subsequent to July 1, 1954, the effective date of the Flammable Fabrics Act, have manufactured for sale, sold and offered for sale, articles of wearing apparel made of fabric which was, under Section 4 of the Act, as amended, so highly flammable as to be dangerous when worn by individuals, and which fabric has been shipped and received in commerce.

Among the articles of wearing apparel mentioned above were scarves.

PAR. 5. The acts and practices of respondents herein alleged were and are in violation of the Flammable Fabrics Act and of the Rules and Regulations promulgated thereunder and as such 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.

DECISION AND ORDER

The Commission having heretofore determined to issue its complaint charging the respondents named in the caption hereof with violation of the Federal Trade Commission Act and the Flammable Fabrics Act, and the respondents having been served with notice of said determination and with a copy of the complaint the Commis-

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sion intended to issue, together with a proposed form of order; and

The respondents and counsel for the Commission having thereafter executed an agreement containing a consent order, an admission by the respondents of all the jurisdictional facts set forth in the complaint, a statement that the signing of said agreement is for settlement purposes only and does not constitute an admission by respondents that the law has been violated as set forth in the complaint, and waivers and provisions as required by the Commission's rules; and

The Commission, having considered the agreement, hereby accepts same, issues its complaint in the form contemplated by said agreement, makes the following jurisdictional finding, and enters the following order:

1. Respondent, Manko Fabrics Co., Inc., is a corporation duly organized, existing and doing business under and by virtue of the laws of the State of New York. Respondents Sidney Manko, Muriel Manko and Norman Manko are officers of the corporate respondent. The business address of all respondents is 49 West 38th Street, New York, New York.

Respondent Norman Manko, as an individual, also does business as Normandy Scarf Co., the address of which is 110 West 42nd Street, New York, New York.

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 the respondent Manko Fabrics Co., Inc., a corporation, and its officers, and respondents Sidney Manko and Muriel Manko, individually and as officers of said corporation, and Norman Manko as an officer of corporate respondent, and individually, doing business under the name of Normandy Scarf Co., or under any other name or names, and respondents' representatives, agents and employees, directly or through any corporate or other device do forthwith cease and desist from:

1.

(a) Importing into the United States; or

(b) Selling, offering for sale, introducing, delivering for introduction, transporting or causing to be transported, in commerce, as "commerce" is defined in the Flammable Fabrics Act; or

(c) Transporting or causing to be transported, for the purpose of sale or delivery after sale in commerce, any article of wearing apparel which, under the provisions of Section 4

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of the Flammable Fabrics Act, as amended, is so highly flammable as to be dangerous when worn by individuals:

2.

(a) Importing into the United States; or

(b) Offering for sale, introducing, delivering for introduction, transporting or causing to be transported in commerce, as the term "commerce" is defined in the Flammable Fabrics Act; or

(c) Selling or delivering after sale in commerce,

fabrics which under the provisions of Section 4 of said Flammable Fabrics Act, as amended, are so highly flammable as to be dangerous when worn by individuals;

3. Manufacturing for sale, selling, or offering for sale any article of wearing apparel made of fabric which fabric has been shipped or received in commerce and which under Section 4 of the Act, as amended, was so highly flammable as to be dangerous when worn by individuals.

It is further ordered, That the 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 this order.
