

unless there are maintained by respondents full and adequate records disclosing the facts upon which such claims and representations are based.

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
HERITAGE FURS VANCOUVER FUR FACTORY ET AL.

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

Docket C-536. Complaint, Aug. 2, 1963—Decision, Aug. 2, 1963

Consent order requiring Portland, Oreg., retail furriers to cease violating the **Fur Products Labeling Act** by affixing to fur products labels containing fictitious prices, thereby misrepresenting the usual retail selling prices; **affixing labels containing the name "Vancouver Fur Factory"** and so describing their business in advertising when they were not manufacturers of fur products; and advertising falsely by radio broadcasts, **"TREMENDOUS ONE-HALF PRICE SALE"**, **"SAVE 50%"**, etc., when prices of fur products were not reduced by such percentage.

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COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act and the Fur Products Labeling Act and by virtue of the authority vested in it by said Acts, the Federal Trade Commission having reason to believe that Heritage Furs Vancouver Fur Factory, a corporation, and William H. Overton, 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 promulgated under the Fur 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 Heritage Furs Vancouver Fur Factory is a corporation organized, existing and doing business under and by virtue of the laws of the State of Oregon with its office and principal place of business located at 1122 South West Morrison Street, Portland, Oregon.

Individual respondent William H. Overton is an officer of the said corporation and controls, directs and formulates the acts, practices and policies of the said corporation. His office and principal place of business is the same as that of the said corporation.

Respondents retail fur products.

PAR. 2. 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, in commerce, 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 furs which have been shipped and received in commerce, as the terms "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act.

PAR. 3. Certain of said fur products were misbranded in that labels affixed thereto contained fictitious prices and misrepresented the regular retail selling prices of such fur products in that the prices of the fur products were in excess of the retail prices at which respondents usually and regularly sold such products in the recent regular course of business, in violation of Section 4(1) of the Fur Products Labeling Act.

PAR. 4. Certain of said fur products were misbranded in violation of Section 4(1) of the Fur Products Labeling Act in that labels affixed to such fur products contained the name "Vancouver Fur Factory" thereby implying that purchasers of such fur products

were dealing directly with the manufacturer thereof and by such direct dealing could obtain price savings that were not obtainable by purchasers of fur products in the usual retail channels of trade, when in truth and in fact, respondents are not manufacturers of fur products and purchasers of their fur products are not obtaining price savings by direct dealing with the manufacturer.

PAR. 5. Certain of said fur products were falsely and deceptively advertised in that said fur products were not advertised as required under the provisions of Section 5(a) of the Fur Products Labeling Act and in the manner and form prescribed by the Rules and Regulations promulgated thereunder.

Said advertisements were intended to aid, promote and assist, directly or indirectly, in the sale and offering for sale of said fur products.

Among and included in the advertisements as aforesaid, but not limited thereto, were advertisements of respondents which were broadcasted over Radio Station KGW, Portland, Oregon.

PAR. 6. In advertising fur products for sale as aforesaid, respondents represented through such statements as "TREMENDOUS ONE-HALF PRICE SALE", "ALL ONE-HALF PRICE" and "SAVE 50%" that prices of fur products were reduced in direct proportion to the percentage of savings stated and that the amount of such reductions afforded savings to purchasers of respondents' fur products when in fact such prices were not reduced in direct proportion to the percentage stated and the represented savings were not thereby afforded to said purchasers, in violation of Section 5(a)(5) of the Fur Products Labeling Act.

PAR. 7. In advertising fur products for sale as aforesaid, respondents falsely and deceptively advertised such fur products in violation of Section 5(a)(5) of the Fur Products Labeling Act in that the advertisements of respondents described their business as "Heritage Furs Vancouver Fur Factory", thereby implying that purchasers of such fur products were dealing directly with the manufacturer thereof and by such direct dealing could obtain price savings that were not obtainable by purchasers of fur products in the usual retail channels of trade, when in truth and in fact, respondents are not manufacturers of fur products and purchasers of their fur products are not obtaining price savings by direct dealing with the manufacturer.

PAR. 8. The aforesaid acts and practices of respondents, as herein alleged, are in violation of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder and constitute unfair

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and deceptive acts and practices and unfair methods of competition in commerce under 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 Fur Products Labeling Act, and the respondents having been served with notice of said determination and with a copy of the complaint the Commission 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 respondents of all the jurisdictional facts set forth in the complaint to issue herein, 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 such 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 findings, and enters the following order:

1. Respondent Heritage Furs Vancouver Fur Factory is a corporation organized, existing and doing business under and by virtue of the laws of the State of Oregon with its office and principal place of business located at 1122 South West Morrison Street, Portland, Oregon.

Respondent William H. Overton is an officer of the said corporation, and his address is the same as that of said corporation.

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, Heritage Furs Vancouver Fur Factory, a corporation, and William H. Overton, 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 any fur product, or in connection with the sale, advertising, offering for sale, transportation, or distri-

bution of any fur product which is 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:

1. Misbranding fur products by:

A. Falsely or deceptively labeling or otherwise identifying such products by any representation that any price, when accompanied or unaccompanied by any descriptive language, was the price at which the merchandise so represented was usually and customarily sold at retail by respondents in the recent past.

B. Representing directly or by implication through the use of the term "Fur Factory" or any other words or terms of similar import and meaning that respondents are manufacturers of any fur product unless the respondents are manufacturers of such fur product.

C. Representing in any manner that savings are available to purchasers of respondents' fur products when in fact such savings are not available to purchasers of respondents' fur products.

2. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement, or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale, of fur products and which:

A. Represents directly or by implication through percentage savings claims that prices of fur products are reduced to afford purchasers of respondents' fur products the percentage of savings stated when the prices of such fur products are not reduced to afford the percentage of savings stated.

B. Represents directly or by implication through the use of the term "Fur Factory" or any other words or terms of similar import and meaning that respondents are manufacturers of any fur product unless the respondents are manufacturers of such fur product.

C. Misrepresents in any manner the savings available to purchasers of respondents' fur products.

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.

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IN THE MATTER OF

SIEGFRIED SONNEBERG ET AL. DOING BUSINESS AS
THE SONNEBERG COMPANYCONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE
FEDERAL TRADE COMMISSION ACT*Docket C-537. Complaint, Aug. 2, 1963—Decision, Aug. 2, 1963*

Consent order requiring New York City importers and distributors of automotive parts which they sold primarily to manufacturers and wholesalers, to cease selling synchronizer blocking rings manufactured in Italy with no markings indicating their foreign origin, and selling synchronizer assemblies comprised of said Italian parts along with other parts of domestic manufacture without disclosing the foreign origin of substantial parts thereof and with the words "Made in U.S.A." imprinted on the containers.

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 Siegfried Sonneberg, Manfred Sonneberg and Henni Sonneberg, individually and as copartners doing business as The Sonneberg Company, 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, Siegfried Sonneberg, Manfred Sonneberg and Henni Sonneberg, are individuals and copartners doing business as The Sonneberg Company, with their office and principal place of business located at 418 West 25th Street in the city of New York, State of New York.

PAR. 2. Respondents are now, and for some time last past have been, engaged in the importation, offering for sale, sale and distribution of automotive parts, including synchronizer blocking rings and synchronizer assemblies, primarily to manufacturers and to wholesalers who, in turn, resell to retailers, for resale to the public.

PAR. 3. In the course and conduct of their business, respondents now cause, and for some time last past have caused, their said products, when sold, to be shipped from their place of business in the State of New York to purchasers thereof located in various other States of the United States, and maintain, and at all times mentioned herein have maintained, a substantial course of trade in said products in com-