

Modified Order to Cease and Desist

65 F.T.C.

the sale or offering for sale of products sold to respondent by any of its suppliers, when respondent knows, or should know, that such benefit is not affirmatively offered or otherwise made available by such suppliers on proportionally equal terms to all their other customers competing with respondent in the sale and distribution of the suppliers' products.

IN THE MATTER OF
BANKERS SECURITIES CORPORATION

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

Docket 7039. Complaint, Jan. 15, 1958—Decision, Apr. 13, 1964

Order modifying, in accordance with the direction of the Third Circuit of Dec. 18, 1961, 297 F. 2d 403 (7 S. & D. 300), desist order of Dec. 1, 1960 (57 F.T.C. 1219) prohibiting fictitious pricing, to provide that it apply only to the Snellenburgs department stores.

MODIFIED ORDER TO CEASE AND DESIST

Respondent having filed with the United States Court of Appeals for the Third Circuit a petition to review and set aside the order to cease and desist issued herein on December 1, 1960; and the court on December 18, 1961, having rendered its decision and on January 18, 1962, having entered its judgment modifying and, as modified, affirming and enforcing said order to cease and desist; and the time allowed for filing a petition for certiorari having expired and no such petition having been filed;

Now, therefore, it is hereby ordered, That the aforesaid order to cease and desist be, and it hereby is, modified, in accordance with the said final decree of the court of appeals, to read as follows:

It is ordered, That respondent, Bankers Securities Corporation, a corporation, and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of carpets, rugs, or other merchandise by the department stores known as Snellenburgs, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Representing in any manner that certain amounts are the regular and usual retail prices of merchandise sold by Snellenburgs when such amounts are in excess of the prices at which such merchandise has been usually and regularly sold by Snellenburgs at retail, in the recent regular course of its business.

Modified Order to Cease and Desist

IN THE MATTER OF

UNITED STATES ASSOCIATION OF CREDIT BUREAUS,
INC., ET AL.

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

Docket 7043. Complaint, Jan. 15, 1958—Decision, Apr. 13, 1964

Order modifying an order dated June 8, 1961, 58 F.T.C. 1044, pursuant to a decision of the Court of Appeals, Seventh Circuit, dated February 14, 1962, 299 F. 2d 220, 7 S.&D. 358, which prohibited a collection agency from making various false representations, by permitting a representation that no charges would be made for uncollected accounts where such statement is true and deleting the requirement of affirmative disclosure that its forms are for debt collection.

MODIFIED ORDER TO CEASE AND DESIST

Respondents having filed in the United States Court of Appeals for the Seventh Circuit a petition to review and set aside the order to cease and desist issued herein on June 8, 1961; and the court on February 14, 1962, having rendered its decision and on March 7, 1962, having entered its final decree modifying and, as modified affirming and enforcing said order to cease and desist; and the time allowed for filing a petition for certiorari having expired and no petition for certiorari having been filed;

Now, therefore, it is hereby ordered, That the aforesaid order to cease and desist be, and it hereby is, modified, in accordance with the said final decree of the court of appeals, to read as follows:

It is ordered, That respondent, United States Association of Credit Bureaus, Inc., a corporation, and its officers and respondents, John W. Burns and Harold E. Holder, individually and as officers of said corporate respondent, and said respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the solicitation of accounts for collection, or the collection of, or attempts to collect accounts, or to obtain information concerning delinquent debtors, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "association" or "credit bureaus," or any other term of similar import or meaning in the corporate name or in any other manner to designate, describe or refer to respondents' business, or otherwise representing, directly or by implication, that respondents' business is an association or a credit bureau.

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2. Using the name "United States" in the corporate name or in any other manner, or an insignia so designed as to suggest government connection, to designate, describe, or refer to respondents' business; or otherwise representing, directly or by implication, that they are an agency or branch of the United States government, or that their business is in any way connected with the United States government.

3. Representing, through the use of a corporate or other trade name, or in any other manner, that their business is other than that of a collection agency engaged in collecting past due accounts.

4. Representing, directly or by implication:

(a) That their business is organized into separate functional divisions for the collection of accounts;

(b) That they employ local representatives, regional investigators, correspondents or lawyers on their personnel staff in various states or throughout the world, or that they employ any one on their personnel staff except solicitors anywhere outside of the Chicago or Oak Forest, Illinois area;

(c) That they make personal calls on debtors to collect accounts;

(d) That no charges will be made for accounts unless they are collected, unless such statement is true;

(e) That the collection fee or commission is less than any amount actually to be charged by respondents;

(f) That they furnish credit reports to parties who have assigned accounts to them.

5. Using, or causing to be used, any forms, cards or other material, printed or written, for use in obtaining information concerning delinquent debtors, which represent, directly or by implication, that money or property is being held for, or is due, persons concerning whom the information is sought, or is collectible by such persons, unless money or property is in fact due and collectible by such persons and the amount of money or property is actually stated.