

sale by, or had been purchased from any corporation, firm or individual unless respondent establishes that such is the fact;

(b) That said merchandise is the same as that stocked or offered for sale by any other corporation, firm or individual unless respondent establishes that such is the fact.

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

G & M HOME FREEZER SERVICE, INC., ET AL.

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

Docket C-760. Complaint, June 16, 1964—Decision, June 16, 1964

Consent order requiring operators of a freezer-food plan in Yonkers, N.Y., to cease making a variety of misrepresentations in advertising and by statements of sales representatives concerning the benefits accruing to purchasers of their freezers and food, including economy, quality, prices, and savings, guarantees, free goods, and respondents' time in business, as in the order below set out; and to cease procuring the signature of a purchaser on a negotiable promissory note without revealing that the note would be sold to a finance company or other commercial institution to whom finance charges would be payable, and without revealing the full amount, carrying charges, interest, and all terms and conditions.

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 G & M Home Freezer Service, Inc., a corporation, and G & M Freezer Provisionists, a corporation, and Leo Green, individually and as officer of said corporations, hereinafter referred to as respondents, have violated the provisions of said Act, and it appearing to the Commission that a proceeding by

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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 G & M Home Freezer Service, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of New York, with its principal office and place of business located at 200 New Main Street in the city of Yonkers, State of New York.

Respondent G & M Freezer Provisionists 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 200 New Main Street in the city of Yonkers, State of New York.

Respondent Leo Green is an individual and an officer of both corporate respondents. He formulates, directs and controls the acts and practices of the said corporate respondents, including the acts and practices herein set forth. His office and principal place of business is located at the above stated address.

PAR. 2. Respondents are now, and for some time last past have been, engaged in the advertising, offering for sale, sale and distribution of freezers, food and freezer-food plans to members of the purchasing public.

PAR. 3. In the course and conduct of their business, respondents now cause, and for some time last past have caused, the aforesaid freezers and food to be shipped from their aforesaid place of business in the State of New York, and from various places of business of their suppliers located in other States of the United States to members of the purchasing public 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 freezers and food in commerce, as "commerce" is defined in the Federal Trade Commission Act.

PAR. 4. In the course and conduct of their business, respondents have disseminated, and caused the dissemination of certain advertisements by the United States mails and by various means in commerce, as "commerce" is defined in the Federal Trade Commission Act, for the purpose of inducing, and which were likely to induce, directly or indirectly, the purchase of food, as the term "food" is defined in the Federal Trade Commission Act; and have disseminated, and caused the dissemination of advertisements by various means including those aforesaid, for the purpose of inducing, and which were likely to induce, directly or indirectly, the purchase of food, freezers and freezer-food plans in commerce, as "commerce" is defined in the Federal Trade Commission Act.

PAR. 5. In the course and conduct of their business, and at all times mentioned herein, respondents have been in substantial competition in commerce, with corporations, firms and individuals engaged in the sale of freezers, food and freezer-food plans.

PAR. 6. The majority of the shares of stock of each of the said corporate respondents is owned by respondent Leo Green who, as aforesaid, formulates, directs and controls the affairs of each of the corporate respondents. The remainder of such stock is owned in its virtual entirety by members of his family and is under the control of respondent Leo Green. Through the devices of these corporate respondents, respondent Leo Green carries on the acts and practices hereinafter charged. The two corporate respondents are, therefore, but the devices employed by respondent Leo Green to effectuate his false and misleading plans to mislead and deceive members of the purchasing public.

PAR. 7. By means of advertisements disseminated as aforesaid and by the oral statements of sales representatives, respondents have represented, directly or by implication:

1. That purchasers will receive food and a freezer for the same or less money than they previously paid for the food alone;
2. That all the food products sold by respondents are nationally advertised brands;
3. That all the beef products sold by respondents are "first cuts";
4. That respondents' food products sell at one-half their retail price;
5. That the food and freezers sold by respondents are fully and unconditionally guaranteed;
6. That purchasers can order any amount of food they desire from respondents;
7. That respondents have been in the freezer-food business for twenty years;
8. That purchasers will receive a freezer free.

PAR. 8. In truth and in fact:

1. Purchasers of respondents' freezer-food plan do not receive food and a freezer for the same or less money than they previously paid for the food alone.
2. In many cases, the food products sold by respondents are not nationally advertised brands.
3. In many cases the beef products sold by respondents are not "first cuts".
4. The price of respondents' food products is not as low as one-half the retail price of said products and often is the same or higher than the generally prevailing retail price of said products.
5. Neither the food nor the freezers sold by respondents are fully or unconditionally guaranteed.

6. Respondents refuse to accept orders for small quantities of food.
7. Respondents have not been in the freezer-food business for twenty years.
8. Purchasers do not receive the freezer free but are required to pay the full purchase price of the freezer.

Therefore, the advertisements referred to in Paragraph Four were, and are, misleading in material respects and constituted, and now constitute, "false advertisements" as that term is defined in the Federal Trade Commission Act, and the statements and representations referred to in Paragraph Seven were, and now are false, misleading and deceptive.

PAR. 9. Respondents induce purchasers to pay between \$800 and \$900 for a home food freezer by representing, as aforesaid, that purchasers will receive brand name food products and first cuts of beef at one-half the retail price, that respondents will supply the food and the freezer for the same or less money than they previously paid for food alone, that all the food and freezers are unconditionally guaranteed, and that purchasers can purchase any amount of food they desire. These representations were made solely for the purpose of inducing the sale of the home food freezers.

PAR. 10. In the manner aforesaid, respondents' salesmen have induced purchasers to sign negotiable promissory notes or conditional sales contracts when the said purchasers were not informed of and did not know or understand the nature of the instrument executed. Respondents have sold these notes or contracts to finance companies and other commercial institutions who take and hold the notes or contracts as bona fide holders for value without notice, and they demand payment thereof free from any agreements or obligations existing between respondents and the freezer and food plan purchasers.

In the absence of information to the contrary, purchasers believe that their contractual obligation will run between themselves and respondents, and do not know that finance charges will be incurred thereby; nor do they understand that the promissory notes or conditional sales contracts will be sold as negotiable instruments to holders in due course to whom such finance charges will be payable. Furthermore, they are completely unaware that they have no personal defense available against collection by such holders.

Purchasers would prefer to purchase the freezer and freezer food plan free of finance charges, without dealing with finance companies or other third parties in paying for the freezer or plan, and would prefer not to sign negotiable instruments. Therefore, the failure of respondents to disclose all of these factors is deceptive and prejudicial to said purchasers.

PAR. 11. The use by respondents of the false, misleading and deceptive practices hereinabove set forth and the failure to disclose that purchasers are required to pay finance charges, are required to deal with finance companies or other commercial institutions and are required to sign negotiable instruments, has had and now has the capacity and tendency to mislead and deceive members of the purchasing public in the manner aforesaid and thereby to induce them to purchase respondents' freezer food plan. As a consequence thereof, trade in commerce has been unfairly diverted to respondents from their competitors and injury has thereby been done to competitors in commerce.

PAR. 12. The aforesaid acts and practices of the respondents as herein alleged, were and are all to the prejudice and injury of the public and of respondents' competitors and constituted, and now constitute, unfair methods of competition in commerce, and unfair and deceptive acts and practices in commerce, within the intent and meaning of the Federal Trade Commission Act, and in violation of Sections 5 and 12 of said 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 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 G & M Home Freezer Service, 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 200 New Main Street, in the city of Yonkers, State of New York.

Respondent G & M Freezer Provisionists is a corporation organized, existing and doing business under and by virtue of the laws of the

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State of New York, with its office and principal place of business located at 200 New Main Street in the city of Yonkers, State of New York.

Respondent Leo Green is an officer of said corporations and his address is the same as that of said corporations.

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

Part I

It is ordered, That respondent G & M Home Freezer Service, Inc., a corporation, and its officers, and G & M Freezer Provisionists, a corporation, and its officers and Leo Green, individually and as officer of said corporations, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of freezers, food or freezer food plans in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing directly or by implication that:
 - a. Purchasers of respondents' freezer food plan will receive food and a freezer for the same or less money than they previously paid for food alone.
 - b. Respondents sell only nationally advertised brands of food.
 - c. Respondents sell nationally advertised brands of food unless such representation is clearly limited in direct connection therewith to those brands of food sold by respondents which they are prepared to establish are in fact nationally advertised.
 - d. Respondents supply only "first cuts" of beef.
 - e. Respondents sell food products below the generally prevailing retail prices of such products.
 - f. Respondents' food or freezers are unconditionally guaranteed.
 - g. The freezers or any part thereof, or the food are guaranteed in any manner unless the nature and extent of the guarantee and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed in immediate conjunction with any such representation.
 - h. Respondents impose no minimum requirements as to the size of a food order.

- i. Respondents have been in the freezer food business for twenty years or otherwise misrepresenting the length of time respondents have been in the freezer food business.
- j. Purchasers will receive a freezer or any other merchandise free.
2. Misrepresenting in any manner the quality of food products sold by respondents.
3. Misrepresenting in any manner the savings realized by the purchasers of respondents' freezer food plan, freezers or food.
4. Procuring the signature of a purchaser on a negotiable promissory note or conditional sales contract without revealing to such purchaser, so long as it is the practice of respondents, that the note or contract will be sold to a third party to whom the purchaser must make full payment, including finance charges, without regard to any personal defenses the purchasers might assert against respondents.
5. Procuring the signature of any purchaser to any promissory note or any other instrument without revealing the amount, interest, carrying charges, terms and conditions of said note or other instrument.

Part II

It is further ordered, That respondents G & M Home Freezer Service, Inc., a corporation, and its officers, and G & M Freezer Provisionists, a corporation, and its officers and Leo Green, individually and as an officer of said corporations, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of food or any purchasing plan involving food do forthwith cease and desist from:

1. Disseminating, or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any representation or misrepresentation prohibited by Paragraphs 1 through 3 of PART I of this order, or which fails to make the disclosures required by Paragraphs 4 and 5 of PART I of this order.
2. Disseminating, or causing the dissemination of any advertisement by any means, for the purpose of inducing, or which were likely to induce, directly or indirectly, the purchase of any food, or any purchasing plan involving food, in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any of the representations or misrepresentations

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sentations prohibited by Paragraphs 1 through 3 of PART I of this order, or which fails to make the disclosures required by Paragraphs 4 and 5 of PART I of this order.

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

PLATON FABRICS CORP. ET AL.

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

Docket 8590. Complaint Aug. 12, 1963—Decision, June 17, 1964

Order requiring a New York importer of Italian fabrics to cease labeling and invoicing wool fabrics falsely as to their fiber content, and failing to show on wool products labels the true generic name of the fibers present and the percentage thereof.

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 Platon Fabrics Corp., a corporation, and Benjamin Platovsky, Nathan Platovsky, and Leo Platovsky, individually and as officers of said corporation, hereinafter referred to as respondents, have violated the provisions of said Acts and the Rules and Regulations promulgated under the Wool Products Labeling Act of 1939, 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 Platon Fabrics Corp. 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 236 West 36th Street, in the city of New York, State of New York.

Respondents Benjamin Platovsky, Nathan Platovsky, and Leo Platovsky are officers of said corporation. They formulate, direct and control the policies, acts and practices of said corporation, and their address is the same as that of said corporation.

The respondent corporation is an importer of Italian fabrics and a jobber of domestic fabrics. The corporation buys woolen fabrics in Italy, imports the same into the United States and sells the fabrics to manufacturers in New York City who in turn sell to customers throughout the country.

PAR. 2. Subsequent to the effective date of the Wool Products Labeling Act of 1939 respondents have introduced into commerce, sold, transported, distributed, delivered for shipment, and offered for sale in commerce, wool products, as the terms "commerce" and "wool product" are defined in the said Act.

PAR. 3. Certain of said wool products were misbranded by the respondents within the intent and meaning of Section 4(a) (1) of the Wool Products Labeling Act of 1939 and the Rules and Regulations promulgated thereunder, in that they were falsely and deceptively stamped, tagged, labeled or otherwise identified with respect to the character and amount of the constituent fibers contained therein.

Among such misbranded wool products, but not limited thereto, were fabrics, labeled or tagged by the respondents as "75% rayon, 15% reprocessed wool and 10% nylon, as 15% reprocessed wool and 85% rayon", and as "95% reprocessed wool and 5% nylon", respectively, whereas, in truth and in fact, said products contained substantially different quantities of such fibers and other fibers which were not disclosed.

PAR. 4. Certain of said wool products were further misbranded by the respondents in that they were not stamped, tagged, labeled or otherwise identified as required under the provisions of Section 4(a) (2) of the Wool Products Labeling Act of 1939 and in the manner and form as prescribed by the Rules and Regulations promulgated under the said Act.

Among such misbranded wool products, but not limited thereto, were fabrics with labels which failed: (1) to show the true generic names of the fibers present; (2) to show the percentage of such fibers.

PAR. 5. The acts and practices of respondents as set forth above were, and are, in violation of the Wool Products Labeling Act of 1939 and of the Rules and Regulations promulgated 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.

PAR. 6. Respondents are now, and have been engaged in the offering for sale, sale and distribution of products, namely fabrics, to manufacturers and jobbers. The respondents said business, in part, is that of

importing fabrics from sources in Italy and selling these fabrics to manufacturers and jobbers who in turn distribute the fabrics to customers throughout the United States. The respondents maintain, and at all times mentioned herein have maintained, a substantial course of trade of said products in commerce, as "commerce" is defined in the Federal Trade Commission Act.

PAR. 7. Respondents in the course and conduct of their business as aforesaid, have made statements on invoices to their customers misrepresenting the character and fiber content of certain of their said products. Among such misrepresentations, but not limited thereto, were statements representing certain fabrics to be "15% reprocessed wool, 75% rayon, 10% nylon" and "15% reprocessed wool, 85% rayon" whereas in truth and in fact the said fabrics contained substantially different quantities of the fibers than were represented and other fibers which were not disclosed.

PAR. 8. The acts and practices set out in Paragraphs Six and Seven have had, and now have, the tendency and capacity to mislead and deceive purchasers of said fabrics as to the true content thereof and to cause them to misbrand products manufactured by them in which said materials are used.

PAR. 9. The acts and practices of the respondents set out in Paragraphs Six and Seven were, and are, all to the prejudice and injury of the public and of the respondents' competitors and constituted, and now constitute, unfair and deceptive acts and practices, in commerce, within the intent and meaning of the Federal Trade Commission Act.

Mr. William M. Donnelly supporting the complaint.

Mr. John D. Rode of New York, N.Y., *Mr. Elsworth F. Qualey* for respondents.

INITIAL DECISION BY LEON R. GROSS, HEARING EXAMINER

APRIL 27, 1964

The complaint which was issued herein on August 12, 1963, charges respondents with violating the Wool Products Labeling Act of 1939 and the Rules and Regulations promulgated thereunder. An answer was filed on behalf of respondents on September 17, 1963, and a pre-hearing conference was convened on September 19, 1963. At the pre-hearing conference, certain procedural and evidentiary matters were settled and a memorandum setting forth the understandings reached at said conference was issued under date of September 23, 1963.

The hearing in this matter was set for December 17, 1963, in New York, New York. Prior to the date of the hearing, counsel supporting the complaint requested and obtained a postponement to January 13, 1964. Thereafter another postponement to February 25, 1964, was granted at the request of counsel supporting the complaint. On February 11, 1964, a stipulation signed by counsel was filed and made a part of the hearing record. By letter of February 20, 1964, respondents' counsel requested a postponement of the hearing to April 15, 1964, in order that certain out of country witnesses might be available. On April 9, 1964, respondents' counsel wrote the undersigned that his clients did not desire to proceed with the hearing set for April 15, 1964, nor to contest the allegations of the complaint.

On April 21, 1964, respondents moved for leave to withdraw their original answer to the complaint and to substitute an "Admission." On April 23, 1964, the request was granted and the hearing record was closed.

Counsel have waived the filing of proposed findings, conclusions and briefs.

This initial decision is based upon the complaint originally filed herein and the "Admissions" ordered filed on April 23, 1964.

Based upon the record as stated, the hearing examiner makes the following:

FINDINGS OF FACT

1. Respondent Platon Fabrics Corp. 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 236 West 36th Street, in the city of New York, State of New York.

2. Respondents Benjamin Platovsky, Nathan Platovsky, and Leo Platovsky are officers of said corporation. They formulate, direct and control the policies, acts and practices of said corporation, and their address is the same as that of said corporation.

3. The respondent corporation is an importer of Italian fabrics and a jobber of domestic fabrics. The corporation buys woolen fabrics in Italy, imports the same into the United States and sells the fabrics to manufacturers in New York City who in turn sell to customers throughout the country.

4. Subsequent to the effective date of the Wool Products Labeling Act of 1939 respondents have introduced into commerce, sold, transported, distributed, delivered for shipment, and offered for sale in commerce, wool products, as the terms "commerce" and "wool product" are defined in the said Act.

5. Certain of said wool products were misbranded by the respondents within the intent and meaning of Section 4(a)(1) of the Wool Products Labeling Act of 1939 and the Rules and Regulations promulgated thereunder, in that they were falsely and deceptively stamped, tagged, labeled or otherwise identified with respect to the character and amount of the constituent fibers contained therein. Among such misbranded wool products, but not limited thereto, were fabrics, labeled or tagged by the respondents as "75% rayon, 15% reprocessed wool and 10% nylon", as "15% reprocessed wool and 85% rayon", and as "95% reprocessed wool and 5% nylon", respectively, whereas, in truth and in fact, said products contained substantially different quantities of such fibers and other fibers which were not disclosed.

6. Certain of said wool products were further misbranded by the respondents in that they were not stamped, tagged, labeled or otherwise identified as required under the provisions of Section 4(a)(2) of the Wool Products Labeling Act of 1939 and in the manner and form as prescribed by the Rules and Regulations promulgated under the said Act. Among such misbranded wool products, but not limited thereto, were fabrics with labels which failed: (1) to show the true generic names of the fibers present; (2) to show the percentage of such fibers.

7. The acts and practices of respondents as set forth above were, and are, in violation of the Wool Products Labeling Act of 1939 and of the Rules and Regulations promulgated 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.

8. Respondents are now, and have been engaged in the offering for sale, sale and distribution of products, namely fabrics, to manufacturers and jobbers. Respondents' business, in part, is that of importing fabrics from sources in Italy and selling these fabrics to manufacturers and jobbers who in turn distribute the fabrics to customers throughout the United States. Respondents maintain, and at all times mentioned herein have maintained, a substantial course of trade in their products in commerce, as "commerce" is defined in the Federal Trade Commission Act.

9. Respondents in the course and conduct of their business as aforesaid, have made statements on invoices to their customers misrepresenting the character and fiber content of certain of their said products. Among such misrepresentations, but not limited thereto, were statements representing certain fabrics to be "15% reprocessed wool, 75% rayon, 10% nylon" and "15% reprocessed wool, 85% rayon" whereas in

truth and in fact the said fabrics contained substantially different quantities of the fibers than were represented and other fibers which were not disclosed.

10. The acts and practices of respondents found above have had, and now have, the tendency and capacity to mislead and deceive purchasers of said fabrics as to the true content thereof and to cause them to misbrand products manufactured by them in which said materials are used.

11. The acts and practices of respondents heretofore found are, and were, all to the prejudice and injury of the public and of respondents' competitors, and constituted, and now constitute, unfair and deceptive acts and practices, in commerce, within the intent and meaning of the Federal Trade Commission Act.

Based upon the above findings of fact, the hearing examiner makes the following:

CONCLUSIONS

(a) The Federal Trade Commission has jurisdiction over the parties to and the subject matter of this proceeding; and this proceeding is in the public interest.

(b) Respondents maintain, and at all times pertinent to this proceeding, have maintained a substantial course of trade in their products, in commerce, as "commerce" is defined in the Federal Trade Commission Act.

(c) The acts and practices of respondents heretofore found have had, and now have, the tendency and capacity to mislead and deceive purchasers of respondents' fabrics as to the true content thereof and to cause them to misbrand products manufactured by them in which said materials are used.

(d) The acts and practices of respondents heretofore found were and are to the prejudice and injury of the public and of respondents' competitors and constituted, and now constitute, unfair and deceptive acts and practices in commerce and unfair methods of competition within the meaning of the Federal Trade Commission Act.

Now, therefore,

ORDER

It is ordered, That respondents Platon Fabrics Corp., a corporation, and its officers, Benjamin Platovsky, Nathan Platovsky, and Leo Platovsky, individually and as officers 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 offering for sale, sale, transportation, delivery for shipment, or distribution, in commerce, of fabrics or other wool products, as "commerce" and "wool product", are defined in the Wool Products Labeling Act of 1939 do forthwith cease and desist from misbranding wool products by:

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

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

It is further ordered, That respondents Platon Fabrics Corp., a corporation, and its officers, and Benjamin Platovsky, Nathan Platovsky, and Leo Platovsky, individually and as officers of said corporation, and respondents' 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 constituent fibers contained in such products on invoices applicable thereto, or in any other manner.

DECISION OF THE COMMISSION AND ORDER TO FILE REPORT OF
COMPLIANCE

Pursuant to Section 3.21 of the Commission's Rules of Practice effective August 1, 1963, the initial decision of the hearing examiner shall, on the 17th day of June, 1964, become the decision of the Commission; and, accordingly:

It is ordered, That Platon Fabrics Corp., a corporation and Benjamin Platovsky, Nathan Platovsky, and Leo Platovsky, individually and as officers of said corporation, 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.

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IN THE MATTER OF

COTTON CITY WASH FROCKS, INC., ET AL.

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

Docket C-761. Complaint, June 17, 1964—Decision, June 17, 1964

Consent order requiring manufacturers in New York City and Hartsville, S.C., to cease violating the Textile Fiber Products Identification Act by such practices as labeling as "All Cotton", textile fiber products which were composed of rayon and linen, and labeling as "100% Cotton", products containing substantial quantities of triacetate as well as cotton; failing to label textile fiber products with the true generic name of the fiber and the percentage thereof present; failing to maintain proper records showing the fiber content of their products; furnishing false guaranties that their products were not misbranded; and failing to label samples or swatches with required information.

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 Cotton City Wash Frocks, Inc., a corporation, and Patti Greene, Inc., a corporation and Alfred Greene, individually and as an officer of said corporations, and Hartsville Manufacturing Company, Inc., a corporation, and Alfred Greene and Wayne H. Duval, individually and as officers of said corporation, hereinafter referred to as respondents, have violated the provisions of such 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:

PARAGRAPH 1. Respondent Cotton City Wash Frocks, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the Commonwealth of Massachusetts.

Respondent Patti Greene, Inc., is a corporation, organized, existing and doing business under and by virtue of the laws of the Commonwealth of Massachusetts.

Individual respondent Alfred Greene is an officer of the aforementioned corporate respondents and controls, directs and formulates the acts, practices and policies of the corporate respondents. Respondents are engaged in manufacturing and selling to retailers articles of wearing apparel. The office and principal place of business of these respondents is located at 1350 Broadway, New York, New York.