

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

COOPCHIK-FORREST, INC., ET AL.

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

Docket C-812. Complaint, Aug. 17, 1964—Decision, Aug. 17, 1964

Consent order requiring manufacturing furriers in New York City to cease violating the Fur Products Labeling Act by using the words "Designed by Andre Fath Paris" on labels and in advertising, thereby representing falsely that their fur products manufactured in the United States were created by a French designer.

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 Coopchik-Forrest, Inc., a corporation, and Robert Coopchik and Milton R. Forrest, 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 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 Coopchik-Forrest, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of New York.

Respondents Robert Coopchik and Milton R. Forrest are officers of the corporate respondent and formulate, direct and control the acts, practices and policies of said corporate respondent including those hereinafter set forth.

Respondents are manufacturers and wholesalers of fur products with their office and principal place of business located at 333 Seventh Avenue, New York, New York.

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 manufacture for 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 manufactured for sale, 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 violation of Section 4(1) of the Fur Products Labeling Act in that they were falsely and deceptively labeled or otherwise falsely and deceptively identified in that labels affixed to fur products contain the representation "Designed by Andre Fath Paris," thereby implying directly or by implication that the fur products were designed by a French designer or couturier. In truth and in fact the name Andre Fath is fictitious and such products were not designed by a French designer or couturier.

PAR. 4. Certain of said fur products were misbranded in violation of Section 4(1) of the Fur Products Labeling Act in that they were falsely and deceptively labeled or otherwise falsely and deceptively identified in that labels affixed to fur products contain the representation "Designed by Andre Fath Paris," thereby implying directly or by implication that such products were manufactured, designed, styled or created in France when in truth and in fact such products were manufactured and designed, styled and created in the United States.

PAR. 5. Certain of said fur products were falsely and deceptively advertised in violation of the Fur Products Labeling Act in that certain advertisements intended to aid, promote and assist, directly or indirectly, in the sale and offering for sale of such fur products were not in accordance with the provisions of Section 5(a) of the Act.

Among and included in the aforesaid advertisements but not limited thereto were labels affixed to fur products containing the representation, "Designed by Andre Fath Paris," thereby implying directly or by implication that such products were designed by a famous French designer or couturier. In truth and in fact the name Andre Fath is fictitious and the products were not designed by a famous French designer or couturier.

PAR. 6. By means of the aforesaid advertisements and others of similar import and meaning not specifically referred to herein respondents falsely and deceptively advertised fur products by affixing labels to fur products containing the representation "Designed by Andre Fath Paris" thereby implying directly or by implication that such fur products were manufactured, styled, designed or created in France when such fur products were manufactured, styled, designed and created in the United States, in violation of Section 5(a)(5) of the Fur Products Labeling Act.

PAR. 7. 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 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 Coopchik-Forrest, 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 333 Seventh Avenue, New York, New York.

Respondents Robert Coopchik and Milton R. Forrest are officers of the corporate respondent and their address is the same as that of the corporate respondent.

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 Coopchik-Forrest, Inc., a corporation, and its officers, and Robert Coopchik and Milton R. Forrest, 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, or manufacture for 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 manufacture for sale, sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce; as the terms "commerce," "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding fur product by:

1. Misrepresenting, directly or by implication, that any of their products were manufactured, designed, styled or created by any French designer or couturier.
2. Using the word "Paris" on labels or otherwise, whether singularly or in connection with any word or words, to describe or refer to products made in the United States, or representing by any other means that any products made in the United States were made in France or in any other foreign country.
3. Misrepresenting in any manner the country of origin of any of their products.

B. Falsely or deceptively advertising fur products by:

1. Misrepresenting directly or indirectly that any of their products were manufactured, designed, styled or created by any French designer or couturier.
2. Using the word "Paris" on labels or otherwise, whether singularly or in connection with any other word or words to describe or refer to products made in the United States, or representing by any other means that any products made in the United States were made in France or in any other foreign country.
3. Misrepresenting in any manner the country of origin of any of their products.

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FEDERAL TRADE COMMISSION DECISIONS

Complaint

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