

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
PICCINA, LTD., ET AL.

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

Docket C-872. Complaint, Dec. 24, 1964—Decision, Dec. 24, 1964

Consent order requiring a New York City importer and seller of children's knitwear to cease violating the Wool Products Labeling Act by misbranding certain knitted sweaters as "Hand Knitted" when they were made by machines, and to cease furnishing false guaranties.

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 Piccina, Ltd., a corporation and Carl Villa and John J. Villacci, 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 Piccina, Ltd., is a corporation organized, existing and doing business under and by virtue of the laws of the

State of New York with its principal place of business located at 130 West 34th Street, New York, New York. Individual respondents Carl Villa and John J. Villacci are officers of said corporate respondent. The said individual respondents, cooperate in formulating, directing, and controlling the acts, policies and practices of the corporate respondent, including the acts and practices hereinafter referred to. The address of said individual respondents is the same as that of the corporate respondent. Respondents are engaged in the importing and distribution of children's knitwear from Italy.

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, shipped, 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 the Wool Products Labeling Act of 1939 and the Rules and Regulations promulgated thereunder, in that they were falsely and deceptively labeled or tagged, in violation of Section 4(a) (1) of the said Wool Products Labeling Act of 1939.

Among such misbranded wool products, but not limited thereto, were certain knitted sweaters labeled or tagged by respondents as "Hand Knitted," which labels or tags, implied that the wool product was knitted by hand, whereas in truth and in fact said wool products were not knitted by hand but were knitted through the use of machines.

PAR. 4. The respondents furnished false guaranties that certain of their said wool products were not misbranded, when respondents in furnishing such guaranties had reason to believe that the wool products so falsely guaranteed might be introduced, sold, transported, or distributed in commerce, in violation of Section 9(b) of the Wool Products Labeling Act of 1939.

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 the Rules and Regulations promulgated thereunder, and constituted, and now constitute unfair or 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 Wool Products

Labeling Act of 1939, 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 Piccina, Ltd., is a corporation organized, existing and doing business under and by virtue of the laws of the State of New York with its principal place of business located at 130 West 34th Street, New York, New York.

Respondents Carl Villa and John J. Villacci are officers of said corporation and their 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 Piccina, Ltd., a corporation and its officers, and Carl Villa and John J. Villacci, 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 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 falsely and deceptively stamping, tagging, labeling or otherwise identifying such products as hand-knitted when in fact such products are not knitted by hand or are knitted with the use in any manner of machines or other mechanical devices.

It is further ordered, That respondents Piccina, Ltd., a corporation and its officers, and Carl Villa and John J. Villacci, individually and as officers of said corporation, and respondents' representatives, agents

and employees, directly or through any corporate or other device do forthwith cease and desist from furnishing a false guaranty that any wool product is not misbranded under the Wool Products Labeling Act of 1939 and the Rules and Regulations promulgated thereunder when there is reason to believe that any wool product so guaranteed may be introduced, sold, transported or distributed in commerce as the term "commerce" is defined in the aforesaid Act.

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.