

IN THE MATTER OF
CORO, INC., ET AL.

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

Docket 8346 Complaint, Apr. 5, 1961 — Decision, Apr. 23, 1965

Order modifying, in accordance with a final decree of the Court of Appeals, First Circuit, of Nov. 10, 1964, 338 F.2d 149, 7 S.&D. 1022, by deleting reference to Gerald E. Rosenberger individually, from the Commission's cease and desist order of Nov. 6, 1963, 63 F.T.C. 1164, in the absence of evidence of personal involvement in the corporation's participation in unlawful conduct.

MODIFIED ORDER TO CEASE AND DESIST

Respondents having filed in the United States Court of Appeals for the First Circuit a petition to review and set aside the order to cease and desist issued herein on November 6, 1963 [63 F.T.C. 1164]; and the court on November 10, 1964 [7 S.&D. 1022], having rendered its decision, and entered its final decree modifying and, as modified, affirming and enforcing said order to cease and desist; and the United States Supreme Court having denied a petition filed

by respondent, Coro, Inc., for writ of certiorari to the court of appeals for review of said decision and final decree;

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 Coro, Inc., a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of costume jewelry, watches or any other merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing directly or by implication, on catalog insert sheets, on color positives for the printing of such catalog sheets, or on price lists, or in any other manner, that any amount is the usual and regular retail price of merchandise when such amount is in excess of the price at which such merchandise is usually and customarily sold at retail in the trade area or areas where the representations are made.

2. Supplying to, or placing in the hands of, any distributor, dealer or other purchaser, catalog sheets or other materials which are displayed to the purchasing public and which contain an indicated retail price for respondents' merchandise when the indicated retail price is in excess of the generally prevailing retail price for such merchandise in the trade area or when there is no generally prevailing retail price for such merchandise in the trade area.

3. Furnishing to others any means or instrumentality by or through which the public may be misled as to the generally prevailing retail prices of respondents' merchandise.

4. Putting into operation any plan whereby retailers or others may misrepresent the usual and regular prices of such merchandise.

5. Representing directly or by implication that any product is guaranteed unless the terms and conditions of such guarantee and the manner and form in which the guarantor will perform are clearly and conspicuously set forth.

6. Representing that any product is guaranteed when a service or other charge is imposed, unless the amount thereof is clearly and conspicuously set forth.

It is further ordered, That respondent Coro, Inc., a corporation, and its officers, shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting

