

IN THE MATTER OF

I & S FUR COMPANY, 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-1029. Complaint, Jan. 10, 1966—Decision, Jan. 10, 1966*

Consent order requiring a New York City manufacturer of fur products to  
cease misbranding, deceptively invoicing, and falsely guaranteeing their  
furs in violation of the Fur Products Labeling Act.

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 I & S Fur Company, Inc., a corporation, and Abraham Salzman, Ruben Salzman and Abraham Topkin, individually and as officers of the 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 I & S Fur Company, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of New York.

## Complaint

69 F.T.C.

Respondents are manufacturers of fur products with their office and principal place of business located at 115 West 29th Street, New York, New York.

Respondents Abraham Salzman, Ruben Salzman and Abraham Topkin, as officers of the corporate respondent, formulate, direct and control the acts, practices and policies of the said corporate respondent including those hereinafter set forth.

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 that they were falsely and deceptively labeled to show that fur contained therein was natural, when in fact, such fur was pointed, bleached, dyed, tip-dyed, or otherwise artificially colored, in violation of Section 4(1) of the Fur Products Labeling Act.

PAR. 4. Certain of said fur products were misbranded in that they were falsely and deceptively labeled or otherwise falsely or deceptively identified with respect to the name of the country of origin of furs contained in such fur products, in violation of Section 4(1) of the Fur Products Labeling Act.

PAR. 5. Certain of said fur products were falsely and deceptively invoiced by the respondents in that they were not invoiced as required by Section 5(b) (1) of the Fur Products Labeling Act and the Rules and Regulations promulgated under such Act.

Among such falsely and deceptively invoiced fur products, but not limited thereto, were fur products covered by invoices which failed to show the true animal name of the fur used in the fur product.

PAR. 6. Respondents furnished false guaranties that certain of their said fur products were not misbranded, falsely invoiced or falsely advertised when respondents in furnishing such guaranties had reason to believe that fur products so falsely guaranteed would be introduced, sold, transported or distributed in

commerce, in violation of Section 10(b) 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 I & S Fur Company, 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 115 West 29th Street, New York, New York.

Respondents Abraham Salzman, Ruben Salzman and Abraham Topkin, are officers of the corporate respondent and their address is the same as that of said 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

69 F.T.C.

## ORDER

*It is ordered,* That respondents I & S Fur Company, Inc., a corporation, and its officers, and Abraham Salzman, Ruben Salzman and Abraham Topkin, 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 products by:

1. Representing directly or by implication on labels that the fur contained in any fur product is natural when the fur contained therein is bleached, dyed, tipped or otherwise artificially colored.
2. Falsely or deceptively labeling or otherwise identifying any such fur product as to the country of origin of furs contained in such fur product.

## B. Falsely or deceptively invoicing fur products by failing to furnish invoices, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed in each of the subsections of Section 5(b)(1) of the Fur Products Labeling Act.

*It is further ordered,* That I & S Fur Company, Inc., a corporation, and its officers, and Abraham Salzman, Ruben Salzman and Abraham Topkin, individually and as officers of the 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 fur product is not misbranded, falsely invoiced, or falsely advertised when the respondents had reason to believe that such product may be introduced, sold, transported, or distributed in commerce.

*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.

Order

IN THE MATTER OF

MARTIN MARIETTA CORPORATION

MODIFIED ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE  
FEDERAL TRADE COMMISSION ACT AND SEC. 7 OF THE CLAYTON ACT

*Docket 8280. Complaint, Jan. 27, 1961—Decision, Jan. 12, 1966*

Order modifying a Commission consent order of divestiture dated March 12, 1963, 62 F.T.C. 834, by deleting from the list of properties to be divested the Greystone, North Carolina, quarry.

ORDER GRANTING IN PART, AND DENYING IN PART, APPLICATION  
FOR MODIFICATION OF ORDER TO CEASE AND DESIST

Respondent, by an application filed September 23, 1964, supplemented by material filed March 1, 1965, and December 23, 1965, having requested the Commission to modify the consent order to cease and desist, issued March 12, 1963 [62 F.T.C. 834], by deleting eight quarries and quarry sites from the list of properties ordered to be divested by respondent; and the Commission, having fully considered said application and having concluded that there has been no showing made that changed conditions of fact or law or the public interest warrant modification of the order to cease and desist, except as hereinafter provided:

*It is ordered,* That respondent's application be, and it hereby is, granted in part, by deleting the Greystone, North Carolina, quarry from the properties required to be divested by respondent, listed in the order to cease and desist, issued March 12, 1963.

*It is further ordered,* That in all other respects respondent's application be, and it hereby is, denied.