

IN THE MATTER OF

FRED MEYER, INC., ET AL.

MODIFIED ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF SEC. 2(f)
OF THE CLAYTON ACT AND THE FEDERAL TRADE COMMISSION ACT

Docket 7492. Complaint, May 21, 1959—Decision, June 13, 1968

Order modifying an order dated July 9, 1963, 63 F.T.C. 1, pursuant to an opinion of the Supreme Court, 390 U.S. 341 (1968), and an order of the U.S. Court of Appeals, Ninth Circuit, of May 16, 1968, which prohibited a Portland, Oreg., supermarket chain from knowingly inducing discriminatory prices by including in the prohibition those retailers who buy through wholesalers as well as direct-buying retailers.

whether in its original state or contained in other textile fiber products, as the terms "commerce," and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from misbranding textile fiber products by:

1. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising, or otherwise identifying such products as to the name or amount of constituent fibers contained therein.
2. Failing to affix labels to such products showing each element of information required to be disclosed by Section 4(b) of the Textile Fiber Products Identification Act.

It is further ordered, That respondents Fox River Mills, Inc., a corporation, and its officers, and Joseph R. Lessard, individually and as an officer 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 textile products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication, that any of respondents' products are guaranteed unless the nature and extent of the guarantee, the identity of the guarantor, and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this Order to each of its operating divisions.

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.