

importing, selling, or transporting the textile fabric bridal illusion.

467-207-73-60

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act and the Flammable Fabrics Act, as amended, and by virtue of the authority vested in it by said Acts, the Federal Trade Commission, having reason to believe that Gateway Fabrics, a partnership, and Genevieve Holman and Verdis L. Johnson, individually and as copartners trading as Gateway Fabrics, hereinafter referred to as respondents, have violated the provisions of said Acts, and the Rules and Regulations promulgated under the Flammable Fabrics Act, as amended, 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 Gateway Fabrics is a partnership, organized, existing and doing business in the State of California.

Individual respondents Genevieve Holman and Verdis L. Johnson are copartners in said partnership, and they formulate, direct and control the acts, practices and policies of said partnership.

Respondents are engaged in selling and distributing various textile fabrics and products, including bridal illusion, with a principal office and place of business located at 211 Forrest Street, Pacific Grove, California.

PAR. 2. Respondents for some time last past have been engaged in the manufacture for sale, the sale or offering for sale, in commerce, and have introduced, delivered for introduction, transported and caused to be transported, in commerce, and have sold or delivered after or shipment in commerce, fabrics, as "commerce" and "fabric" are defined in the Flammable Fabrics Act, as amended, which fabrics failed to conform to an applicable standard or regulation continued in effect, issued or amended under the provisions of the Flammable Fabrics Act, as amended.

Among such fabrics mentioned hereinabove was bridal illusion.

PAR. 3. The aforesaid acts and practices of respondents were in violation of the Flammable Fabrics Act and the Rules and Regulations promulgated thereunder, and as such constitute unfair methods of competition and unfair and deceptive acts and practices in commerce, within the intent and meaning of the Federal Trade Commission Act.

DECISION AND ORDER

The Federal Trade Commission having initiated an investigation of certain acts and practices of the respondents named in the caption hereof, and the respondents having been furnished thereafter with a

copy of a draft of complaint which the Bureau of Textiles and Furs proposed to present to the Commission for its consideration and which, if issued by the Commission, would charge respondents with violation of the Federal Trade Commission Act and the Flammable Fabrics Act, as amended; and

The respondents and counsel for the Commission having thereafter executed an agreement containing a consent order, an admission by the respondents of all the jurisdictional facts set forth in the aforesaid draft of complaint, 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 alleged in such complaint, and waivers and other provisions as required by the Commission's Rules; and

The Commission having thereafter considered the matter and having determined that it had reason to believe that the respondents have violated the said Acts, and that complaint should issue stating its charges in that respect, and having thereupon accepted the executed consent agreement and placed such agreement on the public record for a period of thirty (30) days, now in further conformity with the procedure prescribed in § 2.34(b) of its Rules, the Commission hereby issues its complaint, makes the following jurisdictional findings, and enters the following order:

1. Respondent Gateway Fabrics is a partnership organized, existing and doing business in the State of California.

Individual respondents Genevieve Holman and Verdis L. Johnson are copartners in said partnership, and they formulate, direct and control the acts, practices and policies of said partnership.

Respondents are engaged in selling and distributing various textile fabrics and products, including bridal illusion, with a principal office and place of business located at 211 Forrest Street, Pacific Grove, California.

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 Gateway Fabrics, a partnership, and Genevieve Holman and Verdis L. Johnson, individually and as copartners trading as Gateway Fabrics, or under any other name or names, and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from manufacturing for sale, selling, offering for sale, in commerce, or introducing, delivering for introduction, transporting

Order

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or causing to be transported in commerce, or selling or delivering after sale or shipment in commerce, any product, fabric, or related material as "commerce," "product," "fabric" or "related material" are defined in the Flammable Fabrics Act, as amended, which fails to conform to any applicable standard or regulation continued in effect, issued or amended under the provisions of the aforesaid Act.

It is further ordered, That the respondents herein shall, within ten (10) days after service upon them of this order, file with the Commission an interim special report in writing setting forth the respondents' intentions as to compliance with this order. This interim special report shall also advise the Commission fully and specifically concerning the identity of the product which gave rise to the complaint, (1) the amount of such product in inventory, (2) any action taken to notify customers of the flammability of such product and the results thereof and (3) any disposition of such product since May 13, 1969. Such report shall further inform the Commission whether respondents have in inventory any fabric, product or related material having a plain surface and made of silk, rayon, cotton, or combinations thereof, or acetate and nylon, in a weight of two ounces or less per square yard or fabric with a raised fiber surface made of cotton or rayon or combinations thereof. Respondents will submit samples of any such fabric, product or related material with this report. Samples of the fabric, product or related material shall be of not less than one square yard of material.

It is further ordered, That the respondents process the textile fabric (bridal illusion) which gave rise to this complaint so as to bring it within the applicable provisions of the Flammable Fabrics Act, as amended, or destroy said textile fabric.

It is further ordered, That 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

HERMAN BADER TRADING AS M. BADER & SON

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

Docket C-1764. Complaint, July 13, 1970—Decision, July 13, 1970

Consent order requiring a Philadelphia, Pa., manufacturer, wholesaler and retailer of furs to cease misbranding and falsely invoicing its fur products.