

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

LA ROSE HANDKERCHIEF CO., ET AL.

CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF
THE FEDERAL TRADE COMMISSION AND THE FLAMMABLE FABRICS ACTS

Docket C-1964. Complaint, June 30, 1971—Decision, June 30, 1971

Consent order requiring a New York City importer and distributor of textile fiber products, including certain sheer lightweight scarves, to cease violating the Flammable Fabrics Act by importing and selling any fabric which fails to conform to the standards of said Act.

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 La Rose Handkerchief Co., a partnership, and George Abousleman and Madeline Abousleman, individually and as copartners, trading as La Rose Handkerchief Co., hereinafter referred to as respondents, have violated the provisions of said Acts and 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 La Rose Handkerchief Co., is a partnership organized, existing and doing business under and by virtue of the laws of the State of New York. Its office address and principal place of business was at 303 5th Avenue, New York, New York until January 31, 1971, when it discontinued operations at said address.

Respondents George Abousleman and Madeline Abousleman are partners of the partnership respondent. They formulate, direct and control the acts, practices and policies of the said partnership respondent including those hereinafter set forth.

Respondents are engaged in the sale, importation and distribution of textile fiber products, including, but not limited to, certain sheer lightweight scarves.

PAR. 2. Respondents are now and for some time last past have been engaged in the sale and 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 sale or shipment in commerce, products, as the terms "commerce" and "product" are defined in the Flammable Fabrics Act, as amended, which fail to conform to an applicable standard or regulation in effect, issued or amended under the provisions of the Flammable Fabrics Act, as amended.

Among such products mentioned hereinabove were certain sheer lightweight scarves, made of "All Rayon," imported from Japan, designated as Styles 1400/53, 1400/60 and 1400/R.

PAR. 3. The aforesaid acts and practices of respondents were and are in violation of the Flammable Fabrics Act, as amended, and the Rules and Regulations promulgated thereunder, and constituted, and now 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 Consumer Protection 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 exe-

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cuted 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 La Rose Handkerchief Co. is a partnership organized, existing and doing business under and by virtue of the laws of the State of New York. Its office and principal place of business was located at 303 Fifth Avenue, New York, New York until January 31, 1971, when it discontinued operations at said address.

Respondents George Abousleman and Madeline Abousleman are partners of said partnership. They formulate, direct and control the acts, practices and policies of said partnership.

Respondents are engaged in the sale of fabrics and products made therefrom, including, but not limited to, certain sheer lightweight ladies' scarves, made of "All Rayon," imported from Japan, designated as Styles 1400/53, 1400/60 and 1400/R.

2. The Federal Trade Commission has jurisdiction of the subject matter of the proceeding and of the respondents and the proceeding is in the public interest.

ORDER

It is ordered, That the respondents, La Rose Handkerchief Co., a partnership, and George Abousleman and Madeline Abousleman, individually and as copartners trading as La Rose Handkerchief Co., 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 importing into the United States, or introducing, delivering for introduction, transporting or causing to be transported in commerce, or selling or delivering after sale or shipment in commerce, any product, fabric or related material; or manufacturing for sale, selling or offering for sale, any product made of fabric or related material which has been shipped in commerce, as "commerce," "product," "fabric" or "related material" are defined in the Flammable Fabrics Act, as amended, which product, fabric or related material, fails to conform to an applicable standard or regulation continued in effect, issued or amended under the provisions of the aforesaid Act.

It is further ordered, That respondents notify all of their customers who have purchased or to whom have been delivered the scarves which gave rise to this complaint of the flammable nature of such scarves and effect the recall of said scarves from said customers.

It is further ordered, That the respondents herein either process the scarves which gave rise to the complaint so as to bring them within the applicable flammability standards of the Flammable Fabrics Act, as amended, or destroy said scarves.

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 report shall also advise the Commission fully and specifically concerning (1) the identity of the scarves which gave rise to the complaint, (2) the number of such scarves in inventory, (3) any action taken and any further actions proposed to be taken to notify customers of the flammability of said scarves and effect the recall of said scarves from customers, and of the results of such actions, (4) any disposition of such scarves since November 13, 1970, and (5) any action taken or proposed to be taken to flameproof or destroy said scarves and the results of such action. 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 paper, silk, rayon and acetate, nylon and acetate, rayon, cotton or combinations thereof in a weight of two ounces or less per square yard, or having a raised fiber surface made of cotton or rayon or combinations thereof. Respondents shall submit samples of any such fabric, product or related material with this report. Samples of the fabric, product, or related material shall be of no less than one square yard of material.

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

ROSEN BROS. TEXTILE CORP., ET AL.

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

Docket C-1965. Complaint, June 30, 1971—Decision, June 30, 1971

Consent order requiring a New York City importer and wholesaler of woolen fabrics to cease misbranding such wool products.