

dent, setting forth in detail the manner and form of its compliance with the order to cease and desist.

IN THE MATTER OF

LEO KASAN

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

Docket C-2554. Complaint, Oct. 3, 1974—Decision, Oct. 3, 1974

Consent order requiring a New York City importer and distributor of furs, among other things to cease falsely and deceptively invoicing his furs and fur products. Further, respondent must cease importing furs into this country without first filing a bond with the Secretary of the Treasury in a sum double the value of said furs and any duty thereon.

Appearances

For the Commission: *Jerry A. McDonald.*

For the respondent: *Pro se.*

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 Leo Kasan, an individual trading as Leo Kasan, hereinafter referred to as respondent, has 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 Leo Kasan is an individual trading as Leo Kasan, with his office and principal place of business located at 119 Payson Avenue, New York, N.Y.

Respondent is engaged in the importation and sale of furs.

PAR. 2. Respondent is now and for some time last past has been engaged in the sale and offering for sale in commerce, and in the importation into the United States, and in the transportation and distribution in commerce, of furs; and has imported for sale, sold, offered for sale, transported and distributed furs which have been shipped and received in commerce, as the terms "commerce" and "fur" are defined in the Fur Products Labeling Act.

PAR. 3. Certain of said furs were falsely and deceptively invoiced with respect to the names or designations of the animals that produced the said furs in violation of Section 5(b)(1) of the Fur Products Labeling Act.

Among such falsely and deceptively invoiced furs, but not limited thereto, were furs which were invoiced as "Mink" or "South Korean Mink" when in truth and in fact such furs were not produced by the designated animals. In accordance with Section 7 of the Fur Products Labeling Act and pursuant to the designations established thereunder by the Fur Products Name Guide, such furs were, in fact, produced by animals named in said guide as "Kolinskys" or "Chinese Weasels," and were required to be designated "Kolinsky" or "Chinese Weasel."

PAR. 4. Certain of said furs were falsely and deceptively invoiced in that respondent set forth on invoices pertaining to said furs the names of animals other than the name or names of the animals that produced the said furs in violation of Section 5(b)(2) of the Fur Products Labeling Act.

PAR. 5. Respondent's furs described in Paragraphs Three and Four above were imported by the respondent into the United States and, as particularized in said paragraphs, were not identified in accordance with Section 5(b) of the Fur Products Labeling Act. The invoices of said imported furs required by the Tariff Act of 1930 failed to set forth the information required by Section 5(b) of the Fur Products Labeling Act in that said invoices contained the names of animals other than the animals that produced the furs as such names are set forth in the Fur Products Name Guide. The respondent did falsify the consignee's declaration provided for in said Tariff Act of 1930 insofar as it related to the item of information set forth above in violation of Section 6 of the Fur Products Labeling Act and Section 5 of the Federal Trade Commission Act.

PAR. 6. The aforesaid acts and practices of respondent, as herein alleged, are in violation of the Fur Products Labeling Act and the rules and regulations promulgated thereunder and constituted, and now con-

stitute, unfair methods of competition and unfair and deceptive acts and practices in commerce under the Federal Trade Commission Act.

DECISION AND ORDER

The Federal Trade Commission having initiated an investigation of certain acts and practices of the respondent named in the caption hereof, and the respondent having been furnished thereafter with a copy of a draft of complaint which the New York Regional Office proposed to present to the Commission for its consideration and which, if issued by the Commission, would charge respondent with violation of the Federal Trade Commission Act and the Fur Products Labeling Act; and

The respondent and counsel for the Commission having thereafter executed an agreement containing a consent order, an admission by the respondent 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 respondent 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 respondent has 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 sixty (60) days, now in further conformity with the procedure described in Section 2.34(b) of its rules, the Commission hereby issues its complaint, makes the following jurisdictional findings, and enters the following order:

1. Respondent Leo Kasan is an individual trading as Leo Kasan with his office and principal place of business located at 119 Payson Avenue, New York, N.Y.

Respondent is engaged in the importation and sale of furs.

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

ORDER

It is ordered, That respondent Leo Kasan, individually and trading as Leo Kasan or trading under any other name, his successors and assigns, and respondent's representatives, agents and employees, directly or

through any corporate or other device, in connection with the introduction, or importing for introduction, into commerce, or the offering for sale, sale, transportation, distribution, delivery for shipment or shipment in commerce, of furs or fur products, as "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

Falsely or deceptively invoicing any fur or fur product by:

1. Failing to furnish an invoice, 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 by each of the subsections of Section 5(b)(1) of the Fur Products Labeling Act.

2. Setting forth on an invoice pertaining to such fur or fur product any false or deceptive information with respect to the name or names of the animal or animals that produced the fur.

3. Setting forth on an invoice pertaining to such fur or fur product the name or names of any animal or animals other than the name of the animal that produced the fur as specified in the Fur Products Name Guide.

It is further ordered, That the respondent forthwith cease and desist from importing furs or fur products into the United States except upon filing bond with the Secretary of the Treasury in a sum double the value of said furs or fur products and any duty thereon, conditioned upon compliance with the provisions of Section 6 of the Fur Products Labeling Act.

It is further ordered, That respondent promptly notify the Commission of the discontinuance of his present business or employment and his affiliation with a new business or employment. Such notice shall include respondent's current business address and a statement as to the nature of the business or employment in which he is engaged, as well as a description of his duties and responsibilities.

It is further ordered, That respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with the order to cease and desist contained herein.

Complaint

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IN THE MATTER OF

MIAMI MENSTOGS, INC., ET AL.

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF THE
FEDERAL TRADE COMMISSION AND TEXTILE FIBER PRODUCTS
IDENTIFICATION ACTS*Docket C-2555. Complaint, Oct. 3, 1974—Decision, Oct. 3, 1974*

Consent order requiring a Hialeah, Fla., manufacturer of men's sport shirts, among other things to cease misbranding its textile fiber products and failing to maintain required records.

*Appearances*For the Commission: *Truett M. Honeycutt.*For the respondents: *Pro se.*

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, and the Textile Fiber Products Identification Act, and by virtue of the authority vested in it by said Acts, the Federal Trade Commission, having reason to believe that Miami Menstogs, Inc., a corporation, and Henry Young, individually and as an officer of Miami Menstogs, Inc., hereinafter referred to as respondents, have violated the provisions of said Acts and the rules and regulations promulgated under the Textile Fiber Products Identification Act, and it now appearing to the Commission that a proceeding by it in respect thereto would be in the public interest, hereby issues its complaint stating its charges in that respect as follows:

PARAGRAPH 1. Respondent Miami Menstogs, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of Florida. The respondent corporation maintains its general offices and principal place of business at 890 West 84th St. Hialeah, Fla.

Respondent Henry Young is an officer of the corporate respondent. He formulates, directs and controls the acts and practices of the corporate respondent including those hereinafter referred to. His address is the same as that of the corporate respondent.

Respondents are engaged in the business of manufacturing men's sport shirts.

PAR. 2. Respondents are now and for some time last past have been, engaged in the introduction, delivery for introduction, sale, advertising,