

IN THE MATTER OF
STATEWIDE INTERIORS, INC., ET AL.

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF THE
FEDERAL TRADE COMMISSION AND TEXTILE FIBER PRODUCTS
IDENTIFICATION ACTS

Docket C-2607. Complaint, Dec. 4, 1974 - Decision, Dec. 4, 1974

Consent order requiring two Nevada and Idaho distributors and retailers of upholstery fabrics, draperies and floor coverings, among other things to cease misbranding its textile fiber products.

Appearances

For the Commission: *Jerome M. Steiner, Jr.*

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 Statewide Interiors, Inc., a Nevada corporation and Statewide Interiors, Inc., an Idaho corporation, and Alfred F. Allen, individually and as an officer of said corporations, 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 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 Statewide Interiors, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of Nevada, with its principal office and place of business located at 95 Grove Street, Reno, Nev.

Respondent Statewide Interiors, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of Idaho, with its principal office and place of business located at 2160 South Yellowstone, Idaho Falls, Idaho.

Respondent Alfred F. Allen is an individual and is an officer of both corporate respondents. He formulates, directs and controls the acts and practices of said corporate respondents, including the acts and practices hereinafter set forth. The business address of respondent Alfred F. Allen is 95 Grove Street, Reno, Nev.

PAR. 2. Respondents are now, and for some time last past have been, engaged in the advertising, offering for sale, sale and distribution of upholstery fabrics, draperies and floor coverings to the public at retail.

PAR. 3. Respondents are now, and for sometime last past have been, engaged in the introduction, delivery for introduction, sale, advertising and offering for sale, in commerce, of textile fiber products; and have sold, offered for sale, advertised, delivered, transported and caused to be transported, after shipment in commerce, textile fiber products, either in their 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.

PAR. 4. Certain of the textile fiber products described in Paragraph Three above, more particularly described as, but not limited to, upholstery fabrics and floor coverings, were affixed with labels, tags or stamps which failed to name any generic name of fibers contained in the textile product to which said tag, label or stamp was affixed.

PAR. 5. The acts and practices of respondents as alleged in Paragraph Four above are in violation of Section 4(b) of the Textile Fiber Products Identification Act and Rule 6 of the rules and regulations promulgated under said act.

PAR. 6. Certain of the textile fiber products described in Paragraph three above, namely upholstery fabrics and floor coverings, were affixed with labels, tags or stamps which failed to disclose any percentages of fibers by weight of said textile fiber products.

PAR. 7. The acts and practices of respondents as alleged in Paragraph Six are in violation of Section 4(b) of the Textile Fiber Products Identification Act and Rule 16 of the rules promulgated thereunder.

PAR. 8. Certain of the textile fiber products described in Paragraph Three above, namely, upholstery fabrics and floor coverings, were affixed with tags, labels or stamps which failed to disclose any business name, or, in the alternative, any registered identification number.

PAR. 9. The acts and practices of respondents as alleged in Paragraph Eight above are in violation of Section 4(b) of the Textile Fiber Product Identification Act and Rule 19 of the rules and regulations promulgated under said act.

PAR. 10. Certain of the textile fiber products described in Paragraph Three above, more specifically described as drapes and floor coverings, sold from properly labeled samples, were affixed with neither a label, tag or stamp, nor were accompanied by invoice or other paper disclosing, among other requirements, the generic names of fibers in said product and the percentage by weight of the fibers in said product.

PAR. 11. The acts and practices of respondents as alleged in Paragraph Ten above are in violation of Section 4(b) of the Textile Fiber Products Identification Act.

PAR. 12. Certain textile samples, swatches or specimens used to effect the sale of textile products described in Paragraph Three above, were not labeled as to show their respective fiber contents and other requisite information.

PAR. 13. The acts and practices of respondents set forth in Paragraph Twelve above are in violation of Rule 21(a) of the rules and regulations of the Textile Fiber Products Identification Act.

PAR. 14. The acts and practices of respondents as set forth above, were, and are, in violation of the Textile Fiber Products Identification Act 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, under 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 San Francisco Regional Office 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 Textile Fiber Products Identification Act, and the rules and regulations promulgated thereunder; and

The respondents and counsel for the Commission having thereafter executed an agreement containing a consent order, an admission by the respondents of all 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 other provisions as required by the Commission's rules; and

The Commission having thereafter considered the matter and having determined that it has 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 sixty (60) days, now in further conformity with the procedure prescribed 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 Statewide Interiors, Inc., is a corporation organized, existing, and doing business under and by virtue of the laws of the State of Nevada, with its principal office and place of business located at 95 Grove Street, Reno, Nev.

Respondent Statewide interiors, Inc., is a corporation organized, existing, and doing business under and by virtue of the laws of the State of Idaho, with its principal office and place of business located at 2160 South Yellowstone, Idaho Falls, Idaho.

Respondent Alfred F. Allen is an officer of said corporations. He formulates, directs and controls the policies, acts and practices of said corporations, and his principal office and place of business is located at 95 Grove Street, Reno, Nev.

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 Statewide Interiors, Inc., a Nevada corporation, and Statewide Interiors, Inc., an Idaho corporation, their successors and assigns, and their officers, and Alfred F. Allen, individually and as an officer of said corporations, and respondents' agents, representatives, and employees, directly or through any corporate, subsidiary, division or other device, (hereinafter in this and other paragraphs of this order, referred to as "respondents"), in connection with the introduction, delivery for introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported in commerce of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation or causing to be transported, of any textile fiber product which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, 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:

1. Misbranding textile fiber products by failing to affix a stamp, tag, label or other means of identification to each such textile fiber product showing in a clear, legible conspicuous manner each element of information required to be disclosed by Section 4(b) of the

Textile Fiber Products Identification Act; or as an alternative to the foregoing, where properly labeled samples, swatches, or specimens are used to effect the sale of articles of wearing apparel or other household textile articles which are manufactured specifically for a particular customer after the sale is consummated, and the articles of wearing apparel or other household textile articles are of the same fiber content as the samples, swatches or specimens from which the sale was effected, failing to provide an invoice or other paper to accompany them showing the information otherwise required to appear on the label, as allowed by Rule 21(b) of the rules and regulations under the Textile Fiber Products Identification Act, effective March 3, 1960, as amended.

2. Misbranding textile fiber products by failing to affix a stamp, tag, label or other means of identification to samples, swatches or specimens used to effect the sale of a textile product as required by Rule 21(a) of the rules and regulations under the Textile Fiber Products Identification Act, effective March 3, 1960, as amended.

It is further ordered, That the respondent corporations shall forthwith distribute a copy of this order to each of their operating divisions.

It is further ordered, That the respondents shall forthwith distribute a copy of this order to all present and future personnel of respondents engaged in the offering for sale, or sale, of any floor covering or any other merchandise offered for sale by respondents, and that respondents secure a signed statement acknowledging receipt of said order from each such person.

It is further ordered, That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondents such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporations which may affect compliance obligations arising out of the order.

It is further ordered, That the individual respondent named herein promptly notify the Commission of the discontinuance of his present business or employment and of 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 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.

Complaint

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IN THE MATTER OF

AMERICAN CREDIT BUREAU, INC., ET AL.

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF
THE FEDERAL TRADE COMMISSION ACT*Docket C-2608. Complaint, Dec. 4, 1974 - Decision, Dec. 4, 1974*

Consent order requiring thirteen debt collection agencies, among other things to cease misrepresenting the nature of their business; misrepresenting that legal actions have been instituted against debtors; misrepresenting the remedies available to respondents or defenses available to debtors; harassing debtors; and misrepresenting the position or function of respondents' agents or employees.

Appearances

For the Commission: *Jackson R. Smith* and *Kendall H. MacVey*.

For the respondents: *Phillip T. Goldstein*, Phoenix, Ariz.

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, and by virtue of the authority vested in it by said Act, the Federal Trade Commission, having reason to believe that the corporations named in the caption hereof and Jerry Middleman, Jack J. Schwartz and Jerry Raker, individually and as officers of said corporations, hereinafter sometimes referred to as respondents, have violated the provisions of said 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 American Credit Bureau, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of Arizona with its principal office and place of business located at 714 East Van Buren, Phoenix, Ariz.

Respondent American Credit Bureau of Nevada, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of Nevada with its principal office and place of business located at 953 East Sahara Boulevard, Las Vegas, Nev.

Respondent American Credit Bureau of Tucson, Inc. is a corporation organized, existing and doing business under and by virtue of the laws of the State of Arizona with its principal office and place of business located at 721 North Fourth Avenue, Tucson, Ariz.

Respondent American Creditors Bureau of Dallas, Inc., is a corporation organized, existing and doing business under and by virtue of the