

writing, setting forth in detail the manner and form in which they have complied with this order.

IN THE MATTER OF

DiLIDO SHOPS, INC., ET AL.

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

Docket C-2771. Complaint, Dec. 22, 1975—Decision, Dec. 22, 1975

Consent order requiring two related Miami, Fla., manufacturers of men's sport shirts, among other things to cease misbranding and mislabeling their textile fiber products, furnishing false guaranties and failing to maintain proper records of the products manufactured by them.

Appearances

For the Commission: *Truett Honeycutt.*

For the respondents: *Monroe Gelb, Gelb & Spatz, Miami, Fla.*

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, as amended, 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 DiLido Shops, Inc., a corporation, and Go-Young, Inc., a corporation, doing business under their own names and as DiLido Fashions and Go-Young Fashions, and Solomon Jove and Bertha Jove, individually and as officers 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 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 DiLido Shops, Inc. is a corporation organized, existing and doing business under and by virtue of the laws of the State of Florida, with its general offices and principal place of business located at 3050 N.W. 40th St., Miami, Fla. DiLido Shops, Inc., does business under its own name and as DiLido Fashions and Go-Young Fashions.

Respondent Go-Young, Inc. is a corporation organized, existing and doing business under and by virtue of the laws of the State of Florida, with its general offices and principal place of business located at 3050 N.W. 40th St., Miami, Fla. Go-Young, Inc., does business under its own name and as DiLido Fashions and Go-Young Fashions.

Respondents Solomon Jove and Bertha Jove are officers of the corporate respondents. They formulate, direct and control the acts and practices of the corporate respondents, including those hereinafter referred to. Their address is the same as that of the corporate respondents.

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, offering for sale in commerce, and in the transportation or causing to be transported 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. 3. Certain of said textile fiber products were misbranded by respondents within the intent and meaning of Section 4(a) of the Textile Fiber Products Identification Act and the rules and regulations promulgated thereunder, in that they were falsely and deceptively stamped, tagged, labeled, invoiced, advertised or otherwise identified as to the name and amount of constituent fibers contained therein.

Among such misbranded textile fiber products, but not limited thereto, were men's sport shirts which contained substantially different amounts and types of fibers than as represented.

PAR. 4. Certain of said textile fiber products were misbranded by

respondents in that they were not stamped, tagged, labeled or otherwise identified as required under the provisions of Section 4(b) of the Textile Fiber Products Identification Act, and in the manner and form as prescribed by the rules and regulations promulgated under said Act.

Among such misbranded textile fiber products, but not limited thereto, were textile fiber products, namely men's shirts, with labels which failed:

1. To disclose the true generic names of the fibers present; and
2. To disclose the percentage of such fibers by weight.

PAR. 5. Certain of said textile fiber products were misbranded by respondents in that fiber trademarks were placed on labels without the generic names of fibers appearing on such labels in immediate conjunction therewith, in violation of Rule 17(a) of the rules and regulations promulgated under the Textile Fiber Products Identification Act.

PAR. 6. Respondents have furnished false guaranties that certain of their textile fiber products were not misbranded or falsely or deceptively invoiced or advertised, in violation of Section 10(b) of the Textile Fiber Products Identification Act and Rule 38(d) of the rules and regulations promulgated thereunder, by representing in writing that they have a continuing guaranty on file with the Federal Trade Commission, when such is not a fact.

PAR. 7. Respondents have failed to maintain and preserve proper records showing the fiber content of textile fiber products manufactured by them, in violation of Section 6(a) of the Textile Fiber Products Identification Act and Rule 39 of the rules and regulations promulgated thereunder.

PAR. 8. 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 and deceptive acts and practices and unfair methods of competition in or affecting commerce, within the intent and meaning of the Federal Trade Commission Act, as amended.

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 Atlanta Regional Office proposed to submit 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 respondents, their attorney and counsel for the Commission having thereafter executed an agreement containing the consent order, with 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 Act, 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 of its rules, the Commission hereby issues its complaint making the following jurisdictional findings, and enters the following order:

1. Respondent DiLido Shops, Inc. is a corporation organized, existing and doing business under and by virtue of the laws of the State of Florida, with its general offices and principal place of business located at 3050 N.W. 40th St., Miami, Fla. DiLido Shops, Inc., does business under its own name and as DiLido Fashions and Go-Young Fashions.

Respondent Go-Young, Inc. is a corporation organized, existing and doing business under and by virtue of the laws of the State of Florida, with its general offices and principal place of business located at 3050 N.W. 40th St., Miami, Fla. Go-Young, Inc., does business under its own name and as DiLido Fashions and Go-Young Fashions.

Respondents Solomon Jove and Bertha Jove are officers of the corporate respondents. They formulate, direct and control the acts and practices of the corporate respondents. Their address is the same as that of the corporate respondents.

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

ORDER

It is ordered, That respondents DiLido Shops, Inc., a corporation, and Go-Young, Inc., a corporation, doing business under their own names and as DiLido Fashions and Go-Young Fashions, their successors and assigns, and Solomon Jove and Bertha Jove, individually and as officers of said corporations, and respondents' representatives, agents and employees, directly or through any corporation, subsidiary, division or

other device, in connection with the introduction, delivery for introduction, manufacture for introduction, sale, advertising, or offering for sale, in commerce, or in the importation into the United States, of any textile fiber product; 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 any other textile fiber product, 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:
 - a. falsely or deceptively stamping, tagging, labeling, invoicing or otherwise identifying such products as to the name or amount of the constituent fibers contained therein;
 - b. failing to affix a stamp, tag, label or other means of identification to each such product showing in a clear, legible and conspicuous manner each element of information required to be disclosed by Section 4(b) of the Textile Fiber Products Identification Act;
 - c. using a fiber trademark on labels affixed to textile fiber products without the generic name of the fiber appearing in immediate conjunction therewith in type or lettering of equal size and conspicuousness.
2. Furnishing a false guaranty that any textile fiber product is not misbranded or falsely or deceptively invoiced or advertised under the provisions of the Textile Fiber Products Identification Act.
3. Failing to maintain and preserve proper records of fiber content of textile fiber products manufactured by respondents, as required by Section 6(a) of the Textile Fiber Products Identification Act and Rule 39 of the rules and regulations promulgated thereunder.

It is further ordered, That respondents notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondents, DiLido Shops, Inc., and Go-Young, Inc., 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 respondents named herein promptly notify the Commission of the discontinuance of their present business or employment and of their affiliation with a new business or employment. Such notice shall include respondents' current business address and a statement as to the nature of the business or employment in which they are engaged, as well as a description of their duties and responsibilities.

It is further ordered, That the respondent corporations shall

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forthwith distribute a copy of this order to each of their 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.

IN THE MATTER OF

MAIN STREET FURNITURE, INC., ET AL.

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

Docket C-2772. Complaint, Dec. 23, 1975—Decision, Dec. 23, 1975

Consent order requiring a South Bend, Ind., furniture retailer, among other things to cease using bait and switch tactics; making price and/or savings misrepresentations; misrepresenting guarantees, furniture and service nature and quality, time limitations on offers to sell, and foreign origin; making false pictorial representations; failing to disclose additional charges and material facts and failing to make credit cost disclosures required by Regulation Z of the Truth in Lending Act.

Appearances

For the Commission: *Richard A. Palewicz.*

For the respondents: *Pro se.*

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Acts, and of the Truth in Lending Act and the implementing regulation promulgated thereunder, and by virtue of the authority vested in it by said Act, the Federal Trade Commission, having reason to believe that Main Street Furniture, Inc., a corporation and Samuel Goldstein, Raymond Goldstein and Chester E. Brost, individually and as officers of said corporation, hereinafter sometimes referred to as respondents, have violated the provisions of said Acts, and the implementing regulation promulgated under the Truth in Lending 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 Main Street Furniture, Inc. is a corporation organized, existing and doing business under and by virtue