

Modifying Order

87 F.T.C.

IN THE MATTER OF

STEREO EQUIPMENT SALES, INC. T/A BALTIMORE
STEREO WHOLESALERS, ETC., ET AL.MODIFYING ORDER, ETC., IN REGARD TO ALLEGED VIOLATION
OF THE FEDERAL TRADE COMMISSION ACT*Docket C-2740. Decision, Oct. 21, 1975—Modifying Order, Feb. 17, 1976*

Order modifying an earlier order dated Nov. 19, 1975, 86 F.T.C. 930 40 F.R. 53552, by permitting respondents to omit the shipping weights of advertised items as long as respondents charge a flat percentage of the order price for shipping and handling.

Appearances

For the Commission: *Alan L. Cohen* and *Thomas J. Keary*.

For the respondents: *H. George Schweitzer, Heffelfinger, Schweitzer & Rabil*, Washington, D.C.

ORDER REOPENING PROCEEDING AND MODIFYING ORDER TO
CEASE AND DESIST

By petition dated December 18, 1975, respondents have requested the Commission to modify its order of October 21, 1975 [86 F.T.C. 930] to permit respondents to omit the shipping weights of advertised items as long as respondents charge a flat percentage of the order price for shipping and handling. The Bureau of Consumer Protection has filed an answer wherein it advises that it does not oppose respondents' request.

The Commission has duly considered respondents' request and has determined that it should be granted.

It is ordered, That the proceeding be, and it hereby is, reopened.

It is further ordered, That the order to cease and desist be, and it hereby is, modified by striking Paragraph Four and substituting therefor the following:

4. Failing to disclose, in any brochures, flyers, catalogs, letters, oral representations or other solicitations of orders which provide the purchaser with the means to order merchandise from respondents, the shipping weight of any of the items of merchandise offered; *provided, however*, That the shipping weight need not be set forth on any items of merchandise for which the respondents charge a flat percentage of the order price for shipping and handling if that fact is clearly disclosed in accordance with Paragraph 5 of this order.

IN THE MATTER OF

MAN PRODUCTS, INC., ET AL.

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF
THE FEDERAL TRADE COMMISSION ACT*Docket C-2789. Complaint, Feb. 17, 1976—Decision, Feb. 17, 1976*

Consent order requiring a Glen Cove, N.Y., manufacturer and installer of all-steel utility buildings and cellar doors, and two of its affiliates, among other things to cease misrepresenting their products as burglar proof and weatherproof and making other false claims; failing to honor estimates made by their representatives; and failing to disclose to consumers their right-to-cancel any contract they have signed within three business days. Further, respondents are required to complete installation of their products within 90 days of the date of sale or to make full refund of monies paid.

Appearances

For the Commission: *Martin D. Gorman.*

For the respondents: *Zola A. Aronson, Conroy, Guirgio, DePoto & Merritt, Syosset, N.Y.*

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 Man Products, Inc., M.J.M. Corporation, and Man Contracting Corp., corporations and Attilio Mancusi, individually and as an officer 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. Respondents Man Products, Inc., M.J.M. Corporation, and Man Contracting Corp. are corporations organized, existing and doing business under and by virtue of the laws of the State of New York. All of the above-named corporate respondents have their principal offices and places of business at 100 Carney St., Glen Cove, New York.

Respondent Attilio Mancusi is an officer of each of the corporate respondents herein named, and he formulates, directs and controls the policies, acts and practices of said corporate respondents including the acts and practices hereinafter set forth. His address is the same as that of said corporate respondents.