

IN THE MATTER OF

COMMERCIAL SERVICES COMPANY, INC., ET AL.

MODIFYING ORDER IN REGARD TO ALLEGED VIOLATION OF THE
FEDERAL TRADE COMMISSION ACT

Docket C-2717. Order, Aug. 20, 1975—Modifying Order, Nov. 26, 1980

This order reopens the proceeding and modifies the cease and desist order issued by the Commission on August 20, 1975, 40 FR 44312, 86 F.T.C. 467, by deleting the third *It is further ordered* paragraph of the original order which requires that when the firm institutes suits in any superior court in Washington State, they attach to any summons served upon consumers a notice giving defendants an adequate explanation of what the summons means and directions for avoiding default. This portion of the order appears to be unnecessary since the revised Washington Superior Court summons form now affords consumers an adequate explanation.

ORDER REOPENING THE PROCEEDING AND MODIFYING DECISION
AND ORDER

On August 20, 1975, the Federal Trade Commission issued a Decision and Order against Commercial Services Company, Inc. and other related parties. The order requires respondents to refrain from certain debt collection practices; among other things, the order requires Commercial Services, whenever they cause consumers to be served with Washington Superior Court summons and complaints, to attach a clear explanation of what the summons means and how to avoid a default judgment.

The revised Washington Superior Court Rules summons form now appears to afford an adequate explanation to consumers, and obviates the need for the summons explanation forms required by the Commission. Due to this changed condition of fact, it appears to the Commission that it is in the public interest to reopen this proceeding and alter its order, to delete the portion of the order requiring a summons explanation form.

On September 24, 1980 the Commission issued an order to show cause why the Commission should not reopen the proceedings and delete the third *It is further ordered* paragraph of the original order. Respondents did not reply to the Show Cause Order and no comments were filed.

It is ordered, That the proceeding be reopened.

It is further ordered, That the decision and order issued on August 20, 1975 is modified by deleting the third *It is further ordered* paragraph of the order.

Complaint

96 F.T.C.

IN THE MATTER OF
FARNAM COMPANIES, INC., ET AL.

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF
SECTION 5 OF THE FEDERAL TRADE COMMISSION ACT

Docket C-3052. Complaint, Dec. 11, 1980—Decision, Dec. 11, 1980

This consent order requires, among other things, a Phoenix, Ariz. firm and its corporate officer, engaged in the manufacture, advertising, sale and distribution of pesticide products, to cease representing, through print and broadcast advertising or otherwise, that their pesticide products are absolutely or unqualifiedly safe, non-toxic or free of hazard to humans, pets, wildlife or the environment; or making any representation that is inconsistent or which detracts from the effectiveness of required warnings or directions for use set forth on pesticide product labels. The firm is further prohibited, for a period of three years, from disseminating advertising or promotional material which fails to include a warning statement as designated in the order.

Appearances

For the Commission: *Allen R. Franck.*

For the respondent: *Steven Feola, Smith & Feola, Phoenix, Ariz.*

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, as amended, and by virtue of the authority vested in it by said Act, the Federal Trade Commission having reason to believe that Farnam Companies, Inc., a corporation, and Russell W. McCalley, individually and as an officer of said corporation, [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 hereof would be in the public interest, hereby issues its complaint stating its charges in that respect as follows:

PARAGRAPH 1. Respondent Farnam Companies, 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 2230 East Magnolia St., Phoenix, Arizona.

Respondent Russell W. McCalley is an officer of the corporation. He directs and controls the acts and practices of said corporate respondent, including the acts and practices hereinafter set forth. His address is the same as that of said corporate respondent.

PAR. 2. Respondents have been, and are now, engaged in the selling for sale, sale and distribution of various pesticide products,