

IN THE MATTER OF
SENTRONIC CONTROLS CORPORATION, ET AL.

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

Docket C-3150. Complaint, Feb. 21, 1985—Decision, Feb. 21, 1985

This Consent Order, among other things, requires three Chicago, Ill. corporations and three individuals engaged in the advertising, sale and distribution of an ultrasonic pest control product called the "Pest Sentry," to cease representing that the Pest Sentry or any other ultrasonic pest control device will eliminate cockroaches, rats, mice, and other such pests from a home or place of business; eliminate them within a specified period of time; prevent them from entering or remaining in an area where the product is being used; and serve as an effective alternative to the use of conventional pest control products. The Order further bars respondents from making any performance or effectiveness claims for ultrasonic pest control devices unless they possess and rely on competent and reliable substantiating evidence when making those claims.

Appearances

For the Commission: *Edwin Dosek.*

For the respondents: *Alvin Becker, Beerman, Swerdlow, Woloshin, Berezky & Berkson, Chicago, Ill.*

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 Sentronic Controls Corporation, a corporation, International Marketing & Manufacturing, Inc., a corporation, Unigraf, Inc. a corporation, Stanley Stewart and Anne K. Stewart, individually and as officers of said Sentronic Controls Corporation and of International Marketing & Manufacturing, Inc., and Richard Muller, individually and as an officer of said Sentronic Controls Corporation and of Unigraf, Inc., 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 Sentronic Controls Corporation (SCC) and International Marketing & Manufacturing, Inc. (IMM) are I

Illinois corporations with their offices and principal places of business located at 730 North LaSalle Street, Chicago, Illinois.

Respondent Unigraf, Inc. (Unigraf) is an Illinois corporation with its offices and principal place of business located at 60 West Erie Street, Chicago, Illinois.

Respondent Stanley Stewart is an officer of SCC and an officer of IMM. Respondent Anne K. Stewart is an officer of IMM. Respondent Richard Muller is an officer of SCC, and an officer and director of Unigraf. As such, they formulate, direct and control the policies, acts and practices of said corporations, including the acts and practices hereinafter set forth. Their addresses are the same as those of said corporations.

The aforesaid respondents cooperate and act together in carrying out the acts and practices hereinafter set forth.

PAR. 2. Respondents manufacture, advertise and offer for sale, sell and distribute ultrasonic pest control products under the brand name of Pest Sentry.

PAR. 3. Respondents, at all times mentioned herein, have maintained a substantial course of business, including the acts and practices as hereinafter set forth, which are in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act.

PAR. 4. In the course and conduct of their business, and for the purpose of inducing the purchase of the Pest Sentry ultrasonic pest control product, respondents have disseminated, directly and through their marketers and distributors, various promotional materials, including "suggested advertisements", sales brochures and promotional pamphlets, which contain statements respecting the performance of the Pest Sentry ultrasonic pest control product. Examples of such promotional materials are attached hereto as Exhibits A through C.

PAR. 5. Typical statements in said promotional materials, but not necessarily inclusive thereof, are

A. NOW—ELIMINATE—FLYING and CRAWLING PESTS - RATS - MICE - ROACHES - MOSQUITOES - FLIES - WATERBUGS ULTRASONICALLY.

B. PEST SENTRY eliminates flying and crawling pests . . . safely, economically . . . in 2-6 weeks. WITHOUT . . . calling in expensive pest control services or spending your valuable time using poisonous powders, messy sprays, dangerous chemicals or unsightly traps.

C. You will notice results in a few days and within 4 to 6 weeks you will be free of the entire list of crawling and flying, pests as long as PEST SENTRY "stands guard".

D. THE PEST SENTRY protects indoor facilities from:

- | | |
|-----------|--------------|
| ● Rats | ● Mosquitoes |
| ● Mice | ● Waterbugs |
| ● Flies | ● Chipmunks |
| ● Roaches | ● Squirrels |

and other kinds of crawling and flying pests. Research data available upon request from manufacturer.

E. SAY GOOD-BYE TO ANNOYING PESTS! Let Pest Sentry eliminate roaches, rats, mice, mosquitoes, flies, water bugs, and other crawling and flying pests from your home.

F. NOW . . . YOU CAN PROTECT YOUR HOME AND FAMILY FROM FLYING AND CRAWLING PESTS with an all-new Sound Solution to Pest Control!

G. One Pest Sentry covers a very large area, 1500 - 2000 sq. ft. (16,000 cubic ft. for 8 ft. ceilings). The Pest Sentry sound will penetrate doors, drywall and plastered rooms.

H. PEST SENTRY eliminates setting unreliable traps, using messy and often dangerous chemicals and hard-to-control poisonous sprays.

I. [T]he PEST SENTRY is a professional answer for homes, restaurants, warehouses, schools, farm buildings . . . garages, retail stores, hospitals, nursing homes—any indoor location where flying and crawling pests are a problem.

J. Ultra - Effective Pest Eliminator.

COUNT I

Pest Elimination Claims

Alleging violations of Section 5 of the Federal Trade Commission Act, the allegations of Paragraphs One, Two, Three, Four and Five are incorporated by reference herein.

PAR. 6. Through the use of the statements referred to in Paragraph Five and others not specifically set forth therein, respondents have represented, and are now representing, directly or by implication, that use of the Pest Sentry:

1. Eliminates rats, mice, cockroaches, and other pests from a purchaser's home or place of business.
2. Eliminates rodent and insect problems from a purchaser's home or place of business within two to six weeks.
3. Prevents rodents and insects from entering or remaining in an area in a purchaser's home or place of business where the Pest Sentry device is in use.

PAR. 7. The representations set forth in Paragraph Six are false because use of the Pest Sentry does not:

1. Eliminate unwanted rats, mice, cockroaches, or other pests from a purchaser's home or place of business.
2. Eliminate rodent and insect problems from a purchaser's home or place of business within two to six weeks.
3. Prevent rodents and insects from entering or remaining in an area in a purchaser's home or place of business in which such product is in use.

Therefore, the representations set forth above constitute deceptive and unfair acts or practices.

COUNT II

Ability To Control Pest Claims

Alleging further violation of Section 5 of the Federal Trade Commission Act, the allegations of Paragraphs One, Two, Three, Four and Five are incorporated by reference herein.

PAR. 8. Through the use of the statements referred to in Paragraph Five, and others not expressly set out therein, respondents have represented, and are now representing, directly or by implication, that the Pest Sentry:

1. Controls effectively rats and mice in the home or place of business.
2. Controls effectively insects, such as cockroaches, in the home or place of business.
3. Eliminates the need to use, in the home or place of business, alternative rodent or insect control products such as traps, powders, sprays or other chemicals.

PAR. 9. In truth and in fact, contrary to the representations made by respondents set forth in Paragraph Eight, the Pest Sentry:

1. Is ineffective for controlling rodents in the home or place of business. Any reaction by rodents to the Pest Sentry would, at best, only be of short duration. Rodents habituate to ultrasound and will return to their chosen nesting or feeding habitats even in the presence of such ultrasonic products.
2. Is ineffective for controlling insects in the home or place of business.
3. Does not eliminate the need to use alternative pest control products such as chemicals, sprays, powders, or traps in the home or place of business.

Therefore, the representations set forth herein constitute deceptive and unfair acts or practices.

COUNT III

Area Coverage Claims

Alleging further violation of Section 5 of the Federal Trade Commission Act, the allegations of Paragraphs One, Two, Three, Four and Five are incorporated by reference herein.

PAR. 10. Through the use of the statements referred to in Paragraph Five, and others not expressly set out therein, respondents have represented, and are now representing, directly or by implication, that the Pest Sentry will effectively cover an area of 1500 to 2000 square feet in the home or place of business.

PAR. 11. In truth and in fact, contrary to the representations made by respondents alleged in Paragraph Ten, the Pest Sentry will not effectively cover areas of 1500 to 2000 square feet in the home or place of business because among other reasons, ultrasound:

1. Loses intensity as it travels;
2. Is absorbed by soft objects such as carpeting, curtains and drapes;
3. Is reflected by hard surfaces such as partitions, appliances, furniture, cabinets and shelving creating sound "shadows"; or
4. Is unable to penetrate to places of nesting and feeding that are behind and within recesses of walls, under floors or within cracks or crevices.

Therefore, the representations set forth herein constitute deceptive and unfair acts or practices.

COUNT IV

Reasonable Basis - Substantiation

Alleging further violation of Section 5 of the Federal Trade Commission Act, the allegations of Paragraphs One, Two, Three, Four and Five are incorporated by reference herein.

PAR. 12. Through the use of the statements referred to in Paragraph Five, and others not expressly set out therein, respondents have represented and are now representing, directly or by implication, that at the time of making the representations respondents possessed and relied upon a reasonable basis for those representations. In truth and in fact, at such times, respondents did not possess and rely upon a reasonable basis for making such representations because, among other reasons, respondents had not conducted appropriate tests or had improperly applied results of tests done by others. Therefore, said representations constituted and now constitute deceptive and unfair acts or practices.

PAR. 13. The use by respondents of the aforesaid representations, as set forth in Count I-IV, and the placement in the hands of distributors and retailers of promotional materials through which others may have conveyed those representations, have had the capacity and tendency to mislead consumers and to induce the purchase of respondents' ultrasonic pest control products.

PAR. 14. The acts and practices of respondents, as herein alleged, constituted, and now constitute unfair and deceptive acts or practices in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act. The acts and practices of respondents, as herein alleged, are continuing and will continue in the absence of the relief herein requested.

Chairman Miller dissented.

Complaint

105 F.T.C.

EXHIBIT A-1



NOW

ELIMINATE... FLYING AND CRAWLING
PESTS • RATS • MICE • ROACHES
MOSQUITOES • FLIES • WATERBUGS

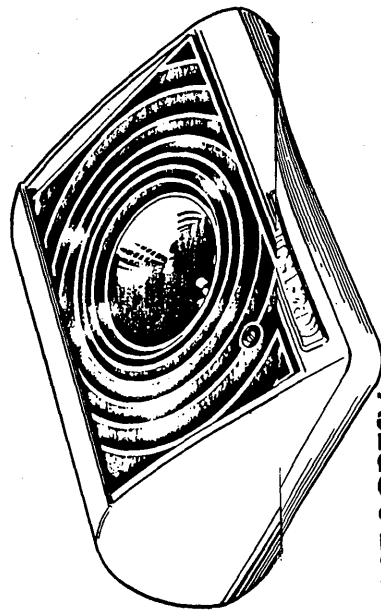
ULTRASONICALLY

The all-new, high technology PEST SENTRY is a compact (7½" W x 7¾" D x 3½" H) electronic, solid-state system that broadcasts high intensity ultrasonic waves on a continually changing frequency. The ultrasonic waves seriously affect the auditory and nervous system of rats, mice, roaches, flies, mosquitoes, and other crawling and flying pests. PEST SENTRY will eliminate "resident" pests in 2-6 weeks and

no new crawling or flying pests will enter a PEST SENTRY protected area (1500-2000 sq. feet).

Developed for indoor use, the PEST SENTRY is a professional answer for homes, restaurants, warehouses, schools, farm buildings (chicken coops, barns, out-buildings, storage silos), garages, retail stores, hospitals, nursing homes — any indoor location where flying and crawling pests are a problem.

EXHIBIT A-1 (CONT'D)



PEST SENTRY simply plugs into any 110 volt AC outlet. It uses only 4 watts of power—making it an economical as well as professional way to eliminate crawling and flying pests.

PEST SENTRY

will not harm people
household pets,
farm animals,
birds,
flowers,
plants.

PEST SENTRY

will not interfere with electronic
burglar and fire
alarms, TV reception or other
sophisticated
electronic devices.

PEST SENTRY

eliminates setting unreliable
traps, using messy
and often
chemicals and
hard-to-control
poisonous
sprays.

STORE NAME

DEM, INC.
Sentry Controls Corp.
AU # PS-100
4 Col. x 16" B&W Ad

Complaint

105 F.T.C.

EXHIBIT A-2

PEST SENTRY

PEST SENTRY

The professional
ultrasonic sound
wave system

PEST SENTRY

The professional
ultrasonic sound
wave system

PEST SENTRY

The professional
ultrasonic sound
wave system

PEST SENTRY

The professional
ultrasonic sound
wave system

The professional
ultrasonic sound
wave system

ELIMINATES FLYING AND CRAWLING PESTS...SAFELY, ECONOMICALLY

ELIMINATES FLYING AND CRAWLING PESTS...SAFELY, ECONOMICALLY

ELIMINATES FLYING AND CRAWLING
PESTS...SAFELY, ECONOMICALLY

ELIMINATES FLYING AND CRAWLING
PESTS...SAFELY, ECONOMICALLY

ELIMINATES FLYING AND CRAWLING
PESTS...SAFELY, ECONOMICALLY

ELIMINATES FLYING AND CRAWLING
PESTS...SAFELY, ECONOMICALLY

ELIMINATES FLYING AND CRAWLING
PESTS...SAFELY, ECONOMICALLY

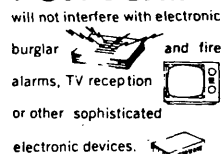
PEST SENTRY

will not harm people,
household pets,
farm animals,
birds,
plants,
flowers.



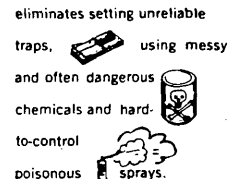
PEST SENTRY

will not interfere with electronic
burglar and fire
alarms, TV reception
or other sophisticated
electronic devices.



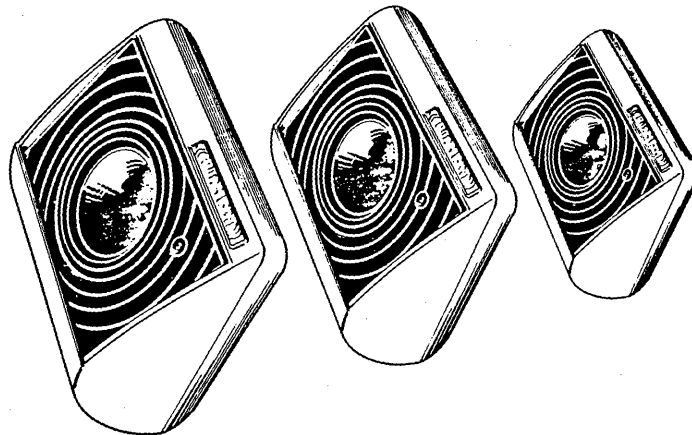
PEST SENTRY

eliminates setting unreliable
traps, using messy
and often dangerous
chemicals and hard-
to-control
poisonous sprays.



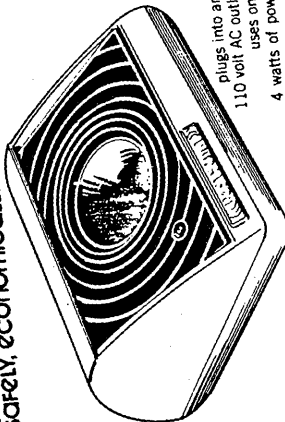
Complaint

EXHIBIT A-3



PEST SENTRY

ELIMINATES FLYING AND CRAWLING PESTS...
SAFELY, ECONOMICALLY... IN 2-6 WEEKS.



plugs into any
110 volt AC outlet
uses only
4 watts of power

WITHOUT...

expensive pest control services or
calling in valuable time using poisonous
powders, messy sprays, dangerous chemicals
or unsightly traps.

will not harm people, household pets, farm animals, birds, plants,
flowers. • will not interfere with electronic burglar and fire
alarms, TV reception or other sophisticated electronic devices.

Complaint

105 F.T.C.

EXHIBIT B-1-1



NEW ULTRASONIC SOUND WAVE SYSTEM ELIMINATES

RATS, MICE, ROACHES, FLIES, MOSQUITOES AND OTHER FLYING & CRAWLING PESTS

The newly introduced PEST SENTRY (PS-1500) broadcasts high intensity ultrasonic waves on a continually changing frequency. This seriously affects the auditory and nervous systems of rats, mice, roaches, flies, mosquitoes and other flying and crawling pests.

While "resident" pests are completely eliminated in 2-6 weeks, PEST SENTRY will not harm people, household pets, birds, farm animals, plants or flowers, electronic alarms, TV receivers or related technical equipment. And...no new crawling or flying pests will enter a PEST SENTRY-protected area (1,500 to 2,000 sq. feet).

Using only 4 watts of power, the PEST SENTRY is an economical and professional way to eliminate crawling and flying pests without resorting to baiting and setting unreliable traps or spreading and spraying hard-to-control poisons and chemicals.

In addition...PEST SENTRY is easy-to-install and use. Just plug it into any 110 volt AC outlet, turn on the switch, and let PEST SENTRY introduce you to the benefits of utilizing this fully warranted, maintenance-free device that protects you from crawling and flying pests 24 hours a day. PEST SENTRY has a red indicator light and a low buzzing sound from the electronic components (not the ultrasound) to show that the unit is performing continuously. It is UL listed (85G4).

The PEST SENTRY can be adapted to DC operation and is available in various power supplies to meet export requirements. Suggested retail price is \$99.95.

Developed for indoor use, the PEST SENTRY is a professional answer for homes, restaurants, warehouses, schools, farm buildings (chicken coops, barns, out-buildings, storage silos), garages, retail stores, hospitals, nursing homes -- any indoor location where flying and crawling pests are a problem.

We would be pleased to provide you with additional information.

Cordially,

SENTRONIC CONTROLS CORP.

Handwritten signature of Stanley P. Stewart in dark ink, with the name "Stanley P. Stewart" printed below it.

SBS/aa
encl.

- over -

Complaint

EXHIBIT B-1-2

7/5/84
 Dear Mr. Stewart:
 I have a small
 single apartment in L.A.
 Is it OK to leave the
 "PEST SENTRY" on continuously?
 It is not harmful is it?
 P.D. I really work.

Sincerely,
 Jack A. Werts
 9519 Laurel Canyon Blvd.
 N. Hollywood, CA 91607

Albert Bros.

PAINTS - HARDWARE - MILL SUPPLIES

Wholesale & Retail

2207 BELLMORE AVENUE • BELLMORE, NEW YORK 11710 • SUNset 3-2262

Dear Mr. Stewart:

A month ago, we had a serious problem with rodents. We had mice in our main store and warehouses, they were destroying the packages of grass seeds and fertilizers.

Since we installed the "Pest Sentry" Ultrasonic Soundwave Units, we have had no further problems with any rodents at all. We also noticed that the warehouses are free of insects.

Please feel free to use me as a reference for any potential customers you may have.

Sincerely,
 Mark Albert

Mark Albert



Dear Mr. Stewart:

As you know, we had a serious problem concerning roaches and rodents. Since the installation of six of your "Pest Sentry" Ultrasonic Sound Wave System units, two months ago, we are happy to state that we have not seen any vermin in the affected areas in question.

Sincerely,

Steve Lombardo, Sr.
 Steve Lombardo, Sr.
 Finance Manager

Gentlemen:

It has now been approximately 6 weeks since we installed the "Pest Sentry" flying insect and rodent repeller in our fine chemical bottling room, an area that was mildly infested with cockroaches.

I am pleased to report that since the installation of the "Pest Sentry" we have observed no roaches or crawling insects in this area.

Very truly yours,
 PFANSTIEHL LABORATORIES, INC.

Edward S. Holstein
 Edward S. Holstein
 Vice-President

FEDERAL TRADE COMMISSION DECISIONS

Complaint

105 F.T.C.

EXHIBIT B-1-3

 **SENTRONIC CONTROLS CORP.**
Suite 200 730 North LaSalle Street
Chicago, Illinois 60610 Telephone (312) 787-1511

50 E. WOOD ROAD GRAFTON, WISCONSIN 53024 TELEPHONE (414) 377-6755

March 3, 1982

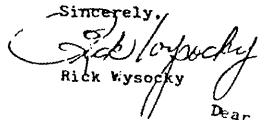
Gentlemen:

I would like to express our delight with the perfect results of our pest sentry. For over twelve years we have had field mice in our basement and each year hired a pest control service. After three months use of our pest sentry we have had no field mice, spiders or bugs in our basement area.

The results are phenomenal. I can only applaud the fantastic results we have had with this new innovation in pest control. It is simple to use, neat and clean and most important rids the property of the rodents in a most efficient manner.

May we add our compliments and applause to this sensational device. It really works and solves the pest control problem.

Sincerely,


Rick Wysocky

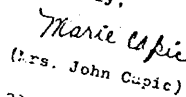
Dear Mr. Stewart:-

Feb. 5th, 1982.

We have a horrible infestation of roaches in our fifteen apartment building due to three dirty, lazy and belligerent men in one apartment.

After spending 375 in assorted spray liquid cans, powders, motels, bay leaves, bombs and Osage Orange, with no results, bay leaves, bombs and Osage Orange, paper made we run to the store immediately. Needless to say was plugged into work pronto and giving excellent results working twenty four hours without a stop.

Sincerely,


(Mrs. John Cupic)

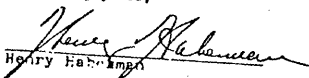
23-36 31st Road,
L.I. City, N.Y. 11106

Chery, Dismant
rtinique 97223
ench West Indies
ecember 28, 1981

Gentlemen:

I purchased your Pest Sentry in New York, sometime in November of this year; and brought it down to my home in Martinique. Amazingly, I found it very workable; for there is a decided relief and difference between this and the past few years.

Very truly yours,


Henry H. H. H.

Complaint

EXHIBIT B-1-4

February 12, 1982

Dear Mr. Steward:

I switched units with my mother and her unit seems to be keeping the pests away, and while we were waiting for the replacement units she did have a mouse come in and begin chewing in the walls when she plugged my unit in, it stopped, I then added a replacement unit to the other end of the house, and she has not had a problem since. It would seem that the furniture etc. were just absorbing too much of the sounds.

Sincerely yours,

Charles V. Feely Jr.
Charles V. Feely Jr.
P. O. Box 43
Brookfield, Illinois 60513

P.S. I would like to buy another unit too, so possibly would a co worker

I recently bought one of your pest Sentry from Jimble's Dept Store in New York City.

I wish to purchase another one like the one I bought, but the store no longer has them in stock. Please ship to my home CO.

Judith Leypold
401 West 160th St.
NY 10032

last as given, it is in use about 3 weeks and I have seen results. I live in a 2 family house, after six weeks or so do I have to buy leaving it on or can I have it off.

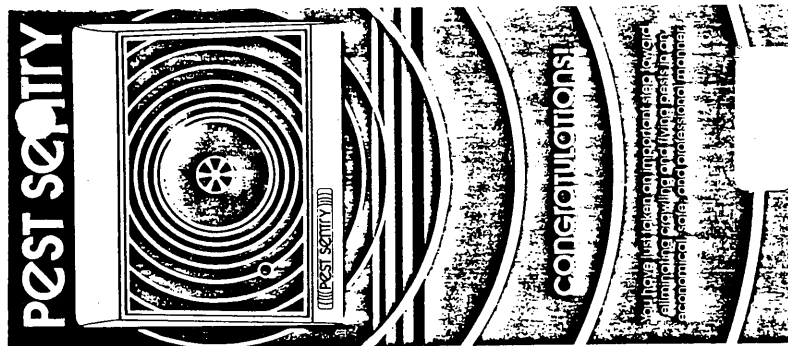
Thank you
Mrs. Marie L. Murakovic
1052-27th St
Astoria N.Y.
11105

MYRA HANSHAW
133 W. 90th Street
apt. 5D
NEW YORK 10024
NY.

Complaint

105 F.T.C.

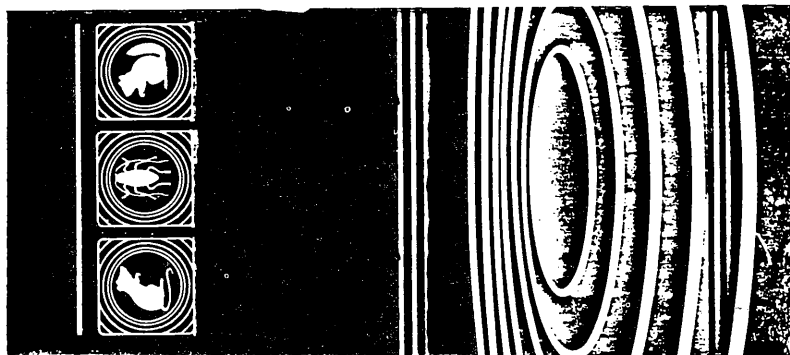
EXHIBIT B-2-1

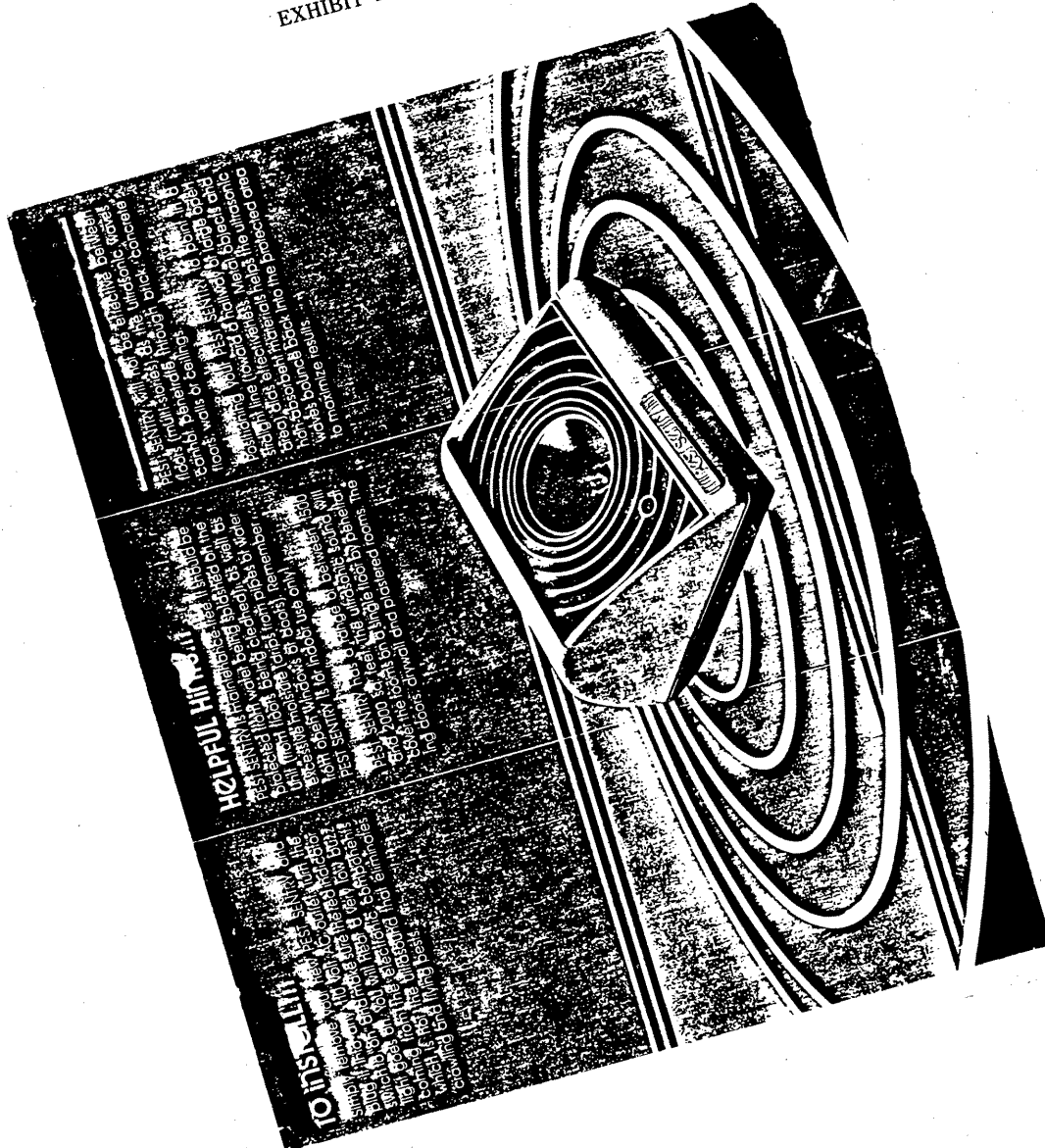


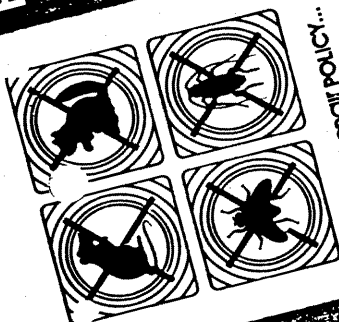
A WORD OF CAUTION:

It takes 2 to 6 weeks to completely eliminate crawling and flying pests. Pests with favorite nests, hiding places and feeding stations will endure a high degree of pain before they give up their shelter, water and food sources. You will notice results in a few days and within 4 to 6 weeks you will be free of the entire list of crawling and flying pests as long as PEST SENTRY stands guard.

SENTRONIC CONTROLS CORP.
730 North LaSalle St.
Chicago, IL 60610





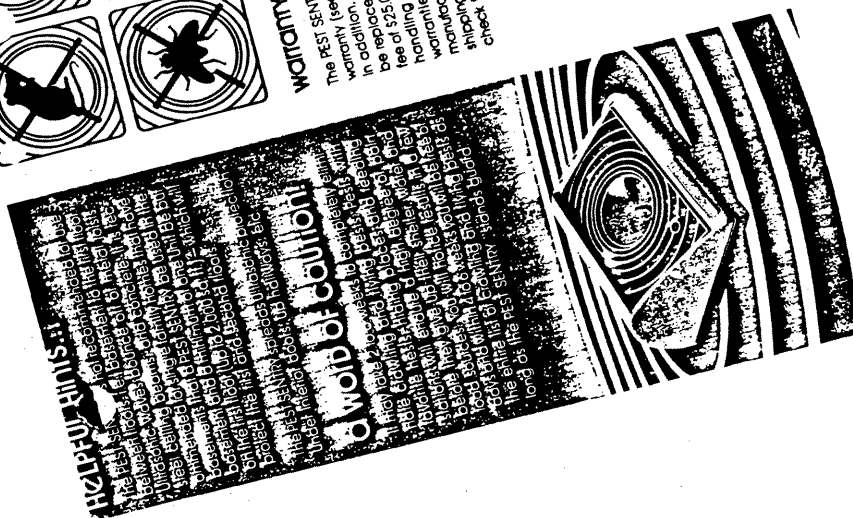


...policy...

Warranty/Return: The PEST ENTRY carries a 1 year limited warranty. Any unit not in standard warranty (see unit not in standard warranty) will be replaced or repaired for shipping and in addition of required \$3.00 with applied fee of \$25.00 charges. Units to be returned should be returned to the handling with clear, enclosed warranties with clear, enclosed manufacturer instructions and shipping to: Sennett Controls Corp. 10000 Dayton, OH 45424. Please check to:

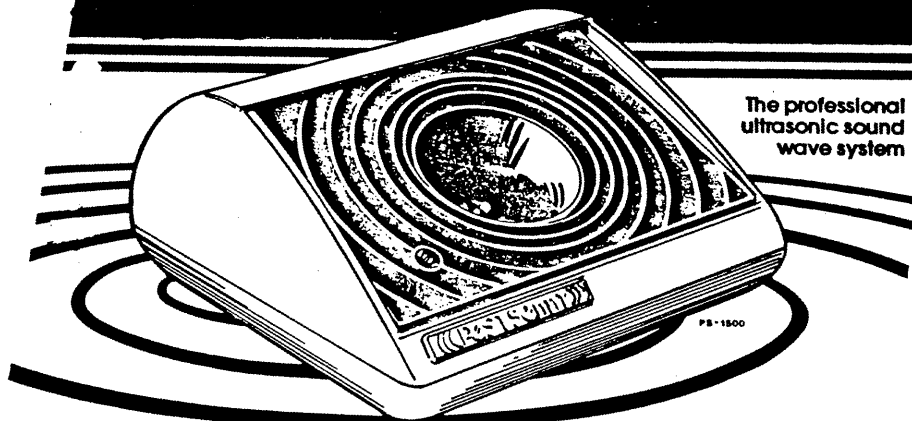
Santronic Controls Corp.
1440 North Dayton Street
Chicago, IL 60622

SEMPERONIC CONTROLS CORP.
730 North LaSalle Street
Chicago, Illinois 60610
(312) 787-1511



PEST SENTRY

ELIMINATES FLYING AND CRAWLING PESTS... SAFELY, ECONOMICALLY... IN 2-6 WEEKS.



The professional
ultrasonic sound
wave system

WITHOUT...

calling in expensive pest control services or spending your valuable time using
poisonous powders, messy sprays, dangerous chemicals or unsightly traps.

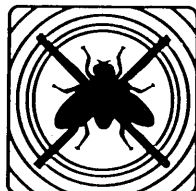
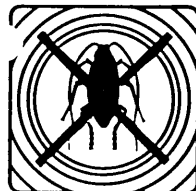
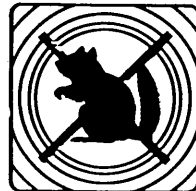
PEST SENTRY is a compact (7 1/4" W. x 7 1/4" D. x 3 1/4" H.) electronic, solid-state system that broadcasts high intensity ultrasonic waves on a continually changing frequency. The waves seriously affect the auditory and nervous system of rats, mice, roaches, flies, mosquitoes and other flying and flying pests. "Resident" pests can be totally eliminated in 2 to 6 weeks. And, you will be free of the entire list of "undesirables" for as long as you continue to use the PEST SENTRY. Plugging into any 110 volt AC outlet, the

maintenance-free PEST SENTRY Ultrasonic Sound Wave System protects from 1500-2000 square feet in any indoor location. The PEST SENTRY operates on only 4 watts of electrical power. It's a professional answer to the age-old problem of pest control. The PEST SENTRY is perfect for homes, basements, garages, warehouses, factories, schools, retail stores, enclosed farm buildings, food service facilities, hospitals and nursing homes - any indoor location where crawling or flying pests are a problem.

 Synchronic Controls Corp.



EXHIBIT B-4-2



PEST SENTRY

simply plugs into any 110 volt AC outlet. It uses only 4 watts of power—making it an economical as well as professional way to eliminate crawling and flying pests.

PEST SENTRY

will not harm people,
household pets, farm animals,
plants, birds, flowers.

PEST SENTRY

will not interfere with electronic
burglar and fire
alarms, TV reception
or other sophisticated
electronic devices.

PEST SENTRY

eliminates setting unreliable
traps, using messy
and often dangerous
chemicals and hard-
to-control
poisonous sprays.

THE PEST SENTRY

Protects indoor facilities from:

- Rats
- Mosquitoes
- Mice
- Waterbugs
- Flies
- Chipmunks
- Roaches
- Skunks

and other kinds of crawling and flying pests. Research data available upon request from manufacturer.

SPECIFICATIONS:

Dimensions 7 1/4" W x 7 1/4" D x 3 1/4" H
Power 105-120 Volts
Supply AC 60 Cycle
Power Consumption 4 Watts
Shipping Weight 2 lbs
Packed 12 to master
or individually
Frequency Random frequency sweep
Range 30,000 - 60,000 Hz

INSTALLATION:

Simply remove your new PEST SENTRY and plug it into any 110 volt AC outlet. Turn the switch to "on" and make sure the red indicator light goes on. You will hear a very low buzz coming from the electronic components which is not the ultrasound that eliminates crawling and flying pests.

A WORD OF CAUTION:

It takes 2 to 6 weeks to completely eliminate crawling and flying pests. Pests with favorite nests, hiding places and feeding stations will endure a high degree of pain before they give up their shelter, water and food sources. You will notice results in a few days and within 4 to 6 weeks you will be free of the entire list of crawling and flying pests as long as PEST SENTRY "stands guard."

PEST SENTRY

The Professional
Ultrasonic Sound Wave System



SENTRONIC CONTROLS CORP. Suite 200 • 730 N. LaSalle St. • Chicago, IL 60610 • (312) 787-1511

This Product is Listed by
UNDERWRITERS LABORATORIES INC.
and Bears the Mark: 85G4



Distributed by

[illegible]

SAY GOOD-BYE TO ANNOYING PESTS!

**Let a Pest Sentry help eliminate
roaches, rats, mice, mosquitoes, flies, waterbugs
and other crawling and flying pests from your home.**

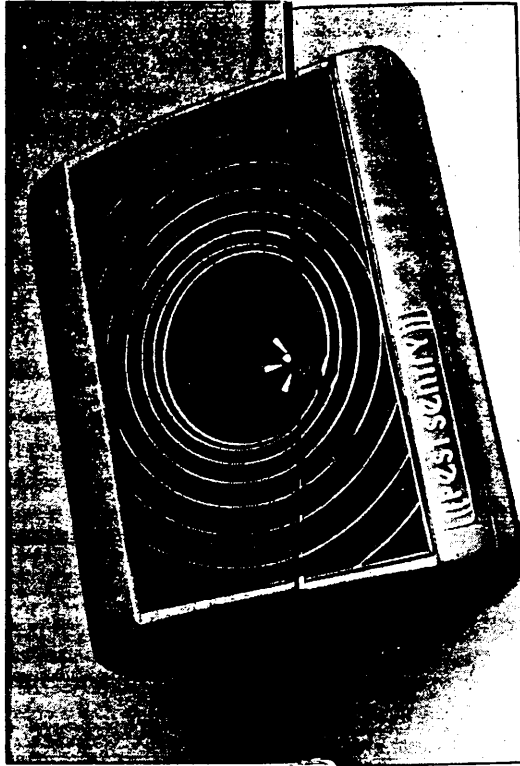


EXHIBIT C-1 (CONT'D)

Daily News, Sunday, December 18, 1981

Pest Sentry is a revolutionary new concept in indoor pest control. A compact, (7-1/8x7-3/8x3-5/8") electrical solid state unit that broadcasts high frequency ultrasonic waves to drive pests away in droves.

Ultrasonic waves cause pests discomfort. The ultrasonic waves affect the nervous and auditory systems of bothersome insects and rodents, causing them discomfort. Rather than endure this, they leave.

It's simple and economic to operate. It plugs into any 110 volt AC outlet. You can leave the Pest Sentry on day and night because it draws only 4 watts of power. The Pest Sentry is maintenance free, requires no messy chemicals, no emptying of cassetts.

99.95

People, dogs, cats, birds, plants, and flowers are not affected. Nor are electronic systems like your TV, microwave oven and burglar alarm. Only insects and rodents will hear the sound. And run from it!

One Pest Sentry covers 1800-2000 square feet. The Pest Sentry covers an entire apartment, not just one room like other machines. The sound will penetrate doors, drywall and plastered rooms.



GIMBELS

You will see results in 2-4 weeks! There will be an improvement in a few days and by six weeks time you will be free of annoying pests.

Consider this — The Pest Sentry is ideal for apartments, homes, schools, warehouses, restaurants and stores. We all know how high the cost of exterminating can be and how many follow-up visits it may take to solve your problem. Take an important step towards eliminating crawling and flying pests in an economical, safe and professional manner.

Model #PS15000.1

**PHONE TODAY
CALL 736 5'00**

In reply to the representative's inquiry as to whether the unit is safe to use in homes with children, the unit is safe. Change it on your Gimbel's account. Mail and phone orders accepted. Add 2.00 for delivery plus applicable sales tax. Item, no a.c.d.s. Inval. Buckles (P. 871), Super Floor, Gimbel's Broadway at 3rd Street, (212) 736-5400; Gimbel's East of Main Street, (212) 368-3300; Headquarters, (212) 463-7700; Paramus, (212) 463-3000; Rosemead Field, Valley Stream, (516) 41-4200.



PEST SENTRY simply plugs into any 110 volt AC outlet. It uses only 4 watts of power — making it an economical as well as professional way to eliminate crawling and flying insects.

THE PEST SENTRY

Protects indoor facilities from:

- Bats
- Mosquitoes
- Mice
- Waterbugs
- Fleas
- Chinchillas
- Rabbits
- Squirrels

and other kinds of crawling and flying pests. Research data available upon request from manufacturer.

SPECIFICATIONS:

Dimensions: 7 1/2" x 4 1/2" x 3 1/2"
 Power: 110-120 volt
 Supply: AC 60 Cycle
 Power Consumption: 4 Watts
 Shipping Weight: 2 lbs.
 Packed: 12 to make or individually
 Frequency Range: Random frequency sweep: 30,000 - 60,000 Hz

INSTALLATION:

Simply remove your new PEST SENTRY and plug it into any 110 volt AC outlet. Turn the switch to "on" and make sure the red indicator light goes on. You will hear a very low buzz coming from the electronic component which is not the ultrasound that eliminates crawling and flying pests.

A WORD OF CAUTION:

It takes 2 to 6 weeks to completely eliminate crawling and flying pests. Pests with favorite nest, hiding places and feeding stations will endure a high degree of pain before they give up their shelter, water and food sources. You will notice results in a few days and within 4 to 6 weeks you will be free of the entire lot of crawling and flying pests as long as PEST SENTRY "stands guard."

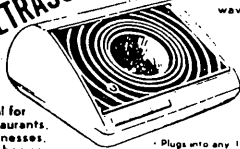
NEUKAM & ROTHERT S&T
 Phone 536-3923 — Holland, Indiana
 So Much More Than A Hardware Store



Complaint

EXHIBIT C-2-2

NOW ELIMINATE
FLYING AND CRAWLING
PESTS: RATS, MICE, ROACHES,
MOSQUITOES, FLIES, WATERBUGS
ULTRASONICALLY



The PEST SENTRY is a compact, solid state system that broadcasts high intensity ultrasonic waves at changing frequencies. These waves seriously affect the auditory & nervous system of crawling & flying pests. PEST SENTRY ~~kills~~ resident pests in 2 to 6 weeks & protects a 1,500 to 2,000 sq. ft. area from further pest invasions. PEST SENTRY is for indoor use anywhere pests are a problem.

Reg. \$99.99
SALE \$79.99

Plugs into any 110 volt AC outlet.
Uses only 4 watts of power.

WITHOUT...
calling in expensive pest control services or spending your valuable time using poisonous powders, messy sprays, dangerous chemicals or unsightly traps. Will not harm people, household pets, farm animals, birds, plants, flowers, will not interfere with electronic burglar & fire alarms, TV reception or other sophisticated electronic devices.

True Value
HARDWARE STORES

HOURS: M-F 8:30-6:30, SAT 8:30-6, SUN 10-2
7532 N. ARMENIA 933-1500
(Between Sligh and Waters)



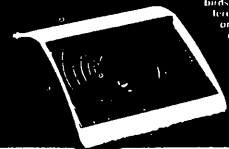
NEW!
Pest Sentry

Ultrasonically eliminates flying and crawling pests. Protects Area 1500-2000 Sq. Ft. Uses only four watts of power. Will not harm people, dogs, cats and plants. No PS 15.

Reg. \$99.99
\$79.88
SAVE \$20 Ea.

ULTRA-EFFECTIVE Pest Eliminator

Pest Sentry eliminates flying and crawling pests, without deadly chemicals, unsightly traps, or expensive (and unpleasant) pest control services. It broadcasts high intensity ultrasonic waves that actually drive pests away by affecting their auditory and nervous systems. Flies, mosquitoes, chipmunks, squirrels, rodents, and roaches - gone completely in 2 to 6 weeks! And they stay away as long as Pest Sentry stands guard. It's safe for people, household pets, farm animals, birds, plants, and flowers. Won't interfere with TV reception, electronic burglar alarms, or other sophisticated electronic devices. Just plug it into any AC outlet & draw only 4 watts. One ultrasonic unit is ultra effective for an area up to 2000 feet in homes, warehouses, stores, farm buildings, anywhere pests are a problem.



PS15000 \$99.95

Complaint

105 F.T.C.

EXHIBIT C-2-3

Shop Hess's For Your Needs...



SAVE \$19!
**Pest Sentry Eliminates
 Flying and Crawling Pests**

\$80
 reg. 99.99

HARDWARE

Eliminate resident pests in 2-6 weeks. High intensity ultrasonic waves seriously affect the auditory system of rats, mice, roaches, flies, mosquitoes and other flying and crawling pests.

- Will not harm people, pets, or plants
- Will not interfere with electronic alarms or TV reception . . .
- Eliminates unreliable traps, messy chemicals.

EXHIBIT C-2-4

NOW Eliminate...

Flying & crawling pests, rats, mice, roaches, flies, mosquitoes, waterbugs & other pests...

ULTRASONICALLY!



The PEST SENTRY is a compact, solid state system that broadcasts high intensity ultrasonic waves at changing frequencies. These waves seriously affect the auditory & nervous system of crawling & flying pests. PEST SENTRY kills resident pests in 2 to 6 weeks & protects a 1500 to 2000 sq. ft. area from further pest invasions. PEST SENTRY is for indoor use anywhere pests are a problem!

PEST SENTRY
Ideal for restaurants, businesses, offices & homes!

PEST SENTRY will not harm people, household pets, farm animals, birds, plants, flowers.	PEST SENTRY will not interfere with electronic burglar and fire alarms, TV reception or other sophisticated electronic devices.	PEST SENTRY eliminates setting unreliable traps, using messy chemicals and hard-to-control poisonous sprays.
--	--	---

only \$88⁸⁸ at

FOREST CITY

West Side
 • 10800 Brookpark Rd.
 • 8201 Day Drive
 • 2001 Center Ridge Rd.

East Side
 • 6420 Mayfield Rd.
 • 436 Northfield Rd.
 • 7850 Plaza Drive
 • 17903 St. Clair Ave.

EXHIBIT C-2-5

SAY GOOD-BYE TO ANNOYING PESTS!

Let **PEST SENTRY** eliminate
roaches, rats, mice, mosquitoes, flies,
waterbugs and other crawling and flying
pests from your home.



Pest Sentry is a revolutionary new concept in indoor pest control. A compact, (7 1/2 x 7 1/2 x 3 1/2") electrical solid state unit that broadcasts high frequency ultrasonic waves to drive pests away in droves.

Ultrasonic waves cause pests discomfort. The ultrasonic waves affect the nervous and auditory systems of bothersome insects and rodents, causing them discomfort. Rather than endure this, they leave.

It's simple and economic to operate. It plugs into any 110 volt AC outlet. You can leave the Pest Sentry on day and night because it draws only 4 watts of power.

People, dogs, cats, birds, plants, and flowers are not affected. Nor are electronic systems like your TV, microwave oven and burglar alarm. Only insects and rodents will hear the sound. And run from it!

One Pest Sentry covers a very large area, 1500-2000 sq. ft. (10,000 cubic ft. for 8 ft. ceilings). The Pest Sentry sound will penetrate doors, drywall and plastered rooms.

You will see results in 2-4 weeks! There will be an improvement in a few days and by six weeks time you will be free of annoying pests.

Consider this - The Pest Sentry is ideal for apartments, homes, schools, warehouses, restaurants and stores. We all know how high the cost of exterminating can be and how many follow-up visits it may take to solve your problem. Take an important step towards eliminating crawling and flying pests in an economical, safe and professional manner.

ONLY \$99.95

Atlantic Aluminum
Peddlers Village
Monasquan, N.J.

Atlantic Aluminum Products
Lavallette, N.J.

Energy Cove
Forked River, N.J.

A's Garden Center
Lanoka Harbor, N.J.

Hendrick's Equipment Co.
Howell, N.J.

Distributed by Elmc Distributors Inc., Parsippany, N.J.

[illegible]

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 Bureau of Consumer Protection 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 respondents, their attorneys, and counsel for the Commission having thereafter executed an agreement containing a consent order, 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, makes the following jurisdictional findings and enters the following order:

1. Respondents Sentronic Controls Corporation and International Marketing and Manufacturing, Inc. are Illinois corporations with their offices and principal places of business located at 730 North LaSalle Street, Chicago, Illinois.

Respondent Unigraf, Inc. is an Illinois corporation with its principal place of business located at 60 West Erie Street, Chicago, Illinois.

Respondent Stanley Stewart is an officer of SCC and an officer of IMM. Respondent Anne K. Stewart is an officer of IMM. Respondent Richard Muller is a director of SCC and an officer and director of Unigraf.

As such, the individual respondents formulate, direct and control the policies, acts and practices of said corporations, and their business addresses are the same as those for said corporations.

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

PART I

It is ordered, That respondents Sentronic Controls Corporation, a corporation, its successors and assigns, and its officers, International Marketing & Manufacturing, Inc., a corporation, its successors and assigns, and its officers, Unigraf, Inc., a corporation, its successors and assigns, and its officers, and Stanley Stewart, Anne K. Stewart and Richard Muller, individually and as officers of said corporations, and respondents' agents, representatives, distributors, and employees, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, offering for sale, sale or distribution of the Pest Sentry (PS-1500) or any other pest control product in or affecting commerce, as "commerce" is defined in the Federal Trade Commission act, do forthwith cease and desist from:

A. Representing, directly or by implication, that respondents' Pest Sentry (PS-1500) or any such ultrasonic product will:

(1) eliminate cockroaches, rats, mice and other pests from a home or place of business;

(2) eliminate rodent and insect problems from a home or place of business within two to six weeks, or within any other specified period of time;

(3) prevent rodents and insects from entering or remaining in an area where the ultrasonic product is in use in a home or place of business;

(4) protect, from rodent and insect infestations, areas up to 150 square feet in a home or place of business, or within any other specified square footage area;

(5) serve as an effective alternative to the use of conventional products such as sprays, powders, traps or other chemicals in providing protection from insect and rodent infestation.

B. Representing, directly or by implication, any performance characteristic of any pest control product unless at the time of making such representation respondents possess and rely upon competent and reliable evidence which substantiates the representation. Evidence shall be competent and reliable only if tests, experiments, analyses, research studies, or other evaluations are conducted in an objective manner by persons qualified to do so, using procedures generally accepted in the relevant professions or sciences to yield accurate, reliable, and reproducible results.

C. Representing, directly or by implication, that any pest control product is effective in providing protection from insect and

infestation in a home or place of business unless at the time of making such representation respondents possess and rely upon competent and reliable evidence which either directly relates to such home or place of business use conditions or which can properly be applied to such conditions.

PART II

It is further ordered, That for three years after the last date of dissemination of the relevant representation respondents shall maintain and upon request make available to the Federal Trade Commission for inspection and copying copies of all materials relied upon to support any representation covered by Part I of this Order, and copies of all documents in respondents' possession that contradict, qualify, or otherwise call into question any such representations, including complaints from consumers.

PART III

It is further ordered, That respondents shall for a period of three years:

- A. Distribute a copy of this Order to all managerial employees, distributors, independent sales agents and retailers present and future.
- B. Notify each present and future distributor or sales representative that the failure to comply with the Order may result in cancellation of the distributorship or other selling agreement with respondents.
- C. Require all distributors, independent sales agents and retailers report to respondents semi-annually all consumer requests to recall and their action taken in response to such requests.

PART IV

is further ordered, That for a period of ten years:

Respondents shall notify the Commission at least thirty (30) days to any proposed change in the corporate respondents, such as merger, acquisition, assignment, or sale resulting in the emergence of a new corporation, the creation or dissolution of subsidiaries, or other change in the corporation that may affect compliance obligations arising out of this Order.

Each individual respondents named herein shall promptly notify the Commission of the discontinuance of their present pest control business or employment and of their affiliation with any new pest control product business or employment, stating the nature of the business or employment in which the individual is newly engaged.

SENTRONIC CONTROLS CORP., ET AL.

197

Decision and Order

as well as a description of duties and responsibilities in connection with such new business or employment and the address of such new business and employment.

PART V

It is further ordered, That respondents shall, within sixty (60) days after service upon it of this Order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with this Order.

Chairman Miller dissented.

IN THE MATTER OF

CHEVRON CORPORATION, ET AL.

MODIFYING ORDER IN REGARD TO ALLEGED VIOLATION OF SEC. 5 OF THE
FEDERAL TRADE COMMISSION ACT AND SEC. 7 OF THE CLAYTON ACT*Docket C-3147. Consent Order, Oct. 24, 1984—Modifying Order, March 13, 1985*

After a "Request For Termination of Hold Separate Agreement" (Request) filed by a respondent in a divestiture order issued on October 24, 1984, had been placed on the public record for ten days and no comments had been received, the Commission reviewed the Request and concluded that the public interest warranted modifying Paragraph II(c) of the Order, so that the Agreement To Hold Separate, attached to the Order as Appendix I, "shall continue in effect until such time as Gulf's stock interest in Colonial Pipeline Company has been divested." The Commission held that the Hold Separate Agreement had accomplished its primary objectives with the divestitures of Gulf's refining and marketing assets in the Southeast and of its interest in Colonial Pipeline Company, and the potential harm resulting from the costs of continuing the Agreement outweighed any further need to maintain it in effect.

ORDER MODIFYING DECISION AND ORDER ISSUED OCTOBER 24, 1984

On February 21, 1985, respondent Chevron Corporation ("Chevron") filed a "Request For Termination Of Hold Separate Agreement" (Request). Since Paragraph II(c) of the decision and order issued on October 24, 1984 ("the order") incorporates the Agreement To Hold Separate, which is attached to the order as Appendix I, the Request, in effect, seeks modification of the order to terminate the Hold Separate Agreement. The Request was on the public record for ten days and no comments were received.

Paragraph II(c) of the order provides that the Agreement to Hold Separate "shall continue in effect until such time as the Schedule A properties have been divested. . . ." As the Request notes, the Hold Separate Agreement is not limited to the assets that Chevron is required to divest pursuant to the order but is applicable to all of Gulf's domestic oil and gas assets and operations. Chevron has now submitted divestiture applications covering all of the assets it is required to divest and the Commission has approved the divestitures with the exception of the divestiture of 51 percent of Gulf's interest in the West Pipeline Company. The latter divestiture proposal is awaiting Commission action.

In reviewing respondent's Request, the Commission has concluded that the public interest warrants reopening the order and modifying Paragraph II(c) so that the Hold Separate Agreement will