

IN THE MATTER OF

INTERCO INCORPORATED, ET AL.

SET ASIDE ORDER IN REGARD TO ALLEGED VIOLATION OF
THE FEDERAL TRADE COMMISSION AND THE CLAYTON ACTS

*Docket C-2929. Consent Order, Sept. 26, 1978—Set Aside Order, Apr. 22, 1988*¹

The Federal Trade Commission has set aside a portion of the 1978 consent order with Interco Incorporated, (92 FTC 405), by setting aside a sentence in the consent order regarding the preticketing provision.

ORDER REOPENING AND SETTING ASIDE
A PORTION OF ORDER ISSUED SEPTEMBER 26, 1978

On October 26, 1987, respondents Interco Incorporated ("Interco"), Londontown Corporation ("Londontown") and Queen Casuals, Inc. ("Queen Casuals") filed a "Request As Supplemented To Reopen And Set Aside A Portion Of Order" ("Request"), pursuant to section 5(b) of the Federal Trade Commission Act, 15 U.S.C. 45(b), and Section 2.51 of the Commission's Rules of Practice. The Request asked that, with respect to raincoats and outerwear sold by Londontown, the Commission reopen the consent order issued on September 26, 1978, and set aside the following sentence in paragraph 4 of Part I of that order:

"A respondent shall not, however, suggest resale prices on any tag, ticket or other marking affixed or to be affixed to any product shipped to a reseller."

On February 23, 1988, the Commission issued its "Order Reopening And Modifying Order Issued September 26, 1978, And Order To Show Cause." The Commission's February 23, 1988, order modified the order of September 26, 1978, in the manner requested by respondents and, in addition, ordered that respondents show cause within 30 days why the provision in question should not be set aside with respect to all other products covered by the order.

On March 14, 1988, respondents filed their "Answer To Order To Show Cause" with the Commission, requesting that the provision "be deleted in its entirety."

Accordingly, *it is ordered*, that this matter be and it hereby is

¹ This matter was inadvertently omitted from the Federal Trade Commission Decisions-Volume 110.

reopened and that the last sentence in paragraph 4 of Part I of the Commission's Decision and Order issued on September 26, 1978, shall be set aside as of the effective date of this order.

Commissioner Bailey not participating.

IN THE MATTER OF
ASSOCIATED MILLS, INC.

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

Docket C-3249. Complaint, Apr. 27, 1989—Decision, Apr. 27, 1989

This consent order requires, among other things, a Chicago, Ill. corporation to have a reasonable basis for any claims of performance characteristics of the Bottled Water Maker or any other water treatment appliance or product. Respondent is also required to have a reasonable basis for claims of the expected life over which any environmental treatment product can treat or remove any contaminant or reduce any health-related risks.

Appearances

For the Commission: *Steven A. Shaffer.*

For the respondent: *Mark Schattner, Pepper, Hamilton & Scheetz,*
Washington, D.C.

COMPLAINT

The Federal Trade Commission, having reason to believe that Associated Mills, Inc., a corporation ("AMI" or "respondent"), has violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, alleges:

PARAGRAPH 1. AMI is an Illinois corporation, with its office and principal place of business located at 165 N. Canal Street, Chicago, Illinois.

PAR. 2. AMI has advertised, promoted, offered for sale, sold, and distributed home water treatment devices and accessories, including the Pollenex Model WP120 Bottled Water Maker Reverse Osmosis System ("Bottled Water Maker"). The Bottled Water Maker uses both reverse osmosis technology and granulated activated carbon filtration to remove contaminants from tap water.

PAR. 3. The acts and practices of respondent alleged in this complaint have been in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act.