

Complaint

118 F.T.C.

IN THE MATTER OF

KEYES FIBRE COMPANY

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF
SEC. 5 OF THE FEDERAL TRADE COMMISSION ACT*Docket C-3512. Complaint, Aug. 2, 1994--Decision, Aug. 2, 1994*

This consent order prohibits, among other things, a Connecticut-based company, that manufactures Chinet disposable tableware, from representing that any of its paper products or packages are degradable, biodegradable, or photodegradable, or offers any environmental benefits when disposed of in a sanitary landfill, unless the respondent possesses competent and reliable scientific evidence to substantiate such representation. In addition, the consent order prohibits the respondent from misrepresenting the extent to which any paper product or package is capable of being recycled or the extent to which recycling collection programs are available.

Appearances

For the Commission: *Michael Dershowitz.*

For the respondent: *William L. Patton and Lisa Ropple, Ropes & Gray, Boston, MA.*

COMPLAINT

The Federal Trade Commission, having reason to believe that Keyes Fibre Company, a corporation ("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. Respondent Keyes Fibre Company ("Keyes Fibre"), is a Delaware corporation with its principal office or place of business at 301 Merritt 7, Norwalk, Connecticut.

PAR. 2. Respondent has manufactured, advertised, labeled, offered for sale, sold, and distributed disposable paper tableware products, including Chinet® disposable tableware, and other products to the public.

PAR. 3. The acts and practice of respondent alleged in this complaint have been in or affecting commerce, as "commerce" is defined in Section 4 of the Federal Trade Commission Act.

PAR. 4. Respondent has disseminated or has caused to be disseminated advertisements, including product labeling and other promotional materials, for its Chinet® disposable tableware, including but not necessarily limited to the attached Exhibits A - H.

The aforesaid product labeling (Exhibit A) includes the following statement:

BIODEGRADABLE

The aforesaid product labeling (Exhibit B) includes the following statement:

100% BIODEGRADABLE

The aforesaid promotional material (Exhibit C) includes the following statement:

ECOLOGICALLY SOUND.

Chinet® is 100% biodegradable in landfill operations

The aforesaid promotional material (Exhibit D) includes the following statements:

Biodegradable

. . . While not everyone is in agreement with regard to solid waste management, most concur that a solution can be found in the combined use of landfills, recycling/composting and waste-to-energy incineration. Concerned consumers can feel confident that Chinet® paper plates perform in whatever disposal method is used in their community.

The aforesaid promotional material (Exhibit E) includes the following statements:

Protecting the Environment

. . . Chinet® is . . . fully biodegradable And . . . it degrades much faster than most ordinary paper plates.

In a 12-week soil-burial study, an independent research firm tested Chinet® against seven other types of paper and plastic plates. Products were labeled and buried in open mesh bags in an environment simulating a landfill. Every two weeks, they were unearthed and examined for signs of deterioration.

Chinet® plates reached an advanced state of decomposition in just two weeks. The other plastic and foam plates showed almost no signs of deterioration after 12 weeks.

The aforesaid promotional material (Exhibit F) includes the following statements:

Unlike foam and plastic alternatives, our molded fiber paper products are biodegradable and can be safely and efficiently disposed of in virtually any method of solid waste management, including waste-to-energy incineration and municipal composting.

Regardless of what it is used for, molded fiber paper is the responsible alternative to foam and plastic. It offers a viable solution to today's methods of solid waste disposal.

We have commissioned independent studies which compare the biodegradability of molded fiber paper, laminated paper, plastic and polystyrene foam. The studies show that Keyes molded fiber paper products biodegrade faster than any of the other materials. In fact, the [Chinet®] molded fiber paper almost completely decomposed in two weeks, while plastic and foam products remained intact indefinitely.

The aforesaid promotional material (Exhibit G) includes the following statements:

WE CARE ABOUT THE ENVIRONMENT

That's why we use biodegradable tableware.

Chinet® makes food look good and its biodegradability is a good step in controlling solid waste volume.

It also contains a three chasing arrow symbol with the words "RECYCLE" and "BIODEGRADABLE" around it.

The aforesaid promotional material (Exhibit H) includes the following statements:

Chinet® disposable tableware, the environmentally sound line of molded paper products (they're biodegradable, made from recycled paper, and are recyclable, especially via municipal composting)

Look for products that are biodegradable. Contrary to claims that biodegradability isn't important, it will be a key attribute as more cities turn to composting of solid waste as an alternative to landfills. Municipal composting works with biodegradable material *only*.

. . . it's biodegradable and recyclable, especially via composting. And don't forget that biodegradable products are recyclable via municipal composting.

PAR. 5. Through the use of the statements contained in the advertisements referred to in paragraph four, including but not necessarily limited to the advertisements attached as Exhibits A - H, respondent has represented, directly or by implication, that:

A. Chinet® disposable tableware will completely break down and return to nature -- *i.e.*, decompose into elements found in nature -- within a reasonably short period of time after customary disposal.

B. Chinet® disposable tableware offers a significant environmental benefit after customary disposal.

PAR. 6. Through the use of the statements contained in the advertisements referred to in paragraph four, including but not necessarily limited to the advertisement attached as Exhibit G, respondent has represented, directly or by implication, that Chinet disposable tableware will completely break down and return to nature -- *i.e.*, compose into elements found in nature -- within a short enough period of time after customary disposal to significantly reduce the amount of garbage in landfills.

PAR. 7. Through the use of the statements contained in the advertisements referred to in paragraph four, including but not necessarily limited to the advertisements attached as Exhibits E and F, respondent has represented, directly or by implication, that after customary disposal Chinet® disposable tableware will completely break down and return to nature -- *i.e.*, decompose into elements found in nature significantly faster than other paper plates, or plastic or foam products, to provide a significant environmental benefit.

PAR. 8. Through the use of the statements contained in the advertisements referred to in paragraph four, including but not necessarily limited to the advertisements attached as Exhibits A - H, respondent has represented, directly or by implication, that at the time it made the representations set forth in paragraphs five, six and seven, respondent possessed and relied upon a reasonable basis that substantiated such representations.

PAR. 9. In truth and in fact, at the time it made the representations set forth in paragraphs five, six and seven, respondent did not possess and rely upon a reasonable basis that substantiated such representations. Therefore, the representation set forth in paragraph ten was, and is, false and misleading.

PAR. 10. Through the use of the statements contained in the advertisements referred to in paragraph four, including but not necessarily limited to the advertisements attached as Exhibits F and

H, respondent has represented, directly or by implication, that Chinet[®] disposable tableware is compostable through municipal solid waste composting.

PAR. 11. In truth and in fact, while Chinet[®] disposable tableware is capable of being composted in municipal solid waste composting facilities, the vast majority of consumers cannot compost the product through municipal solid waste composting because there are only a few municipal solid waste composting facilities nationwide. Therefore, the representation set forth in paragraph ten was, and is, false and misleading.

PAR. 12. Through the use of the statements and depictions contained in the advertisements referred to in paragraph four, including but not necessarily limited to the advertisements attached as Exhibits G and H, respondent has represented, directly or by implication, that Chinet[®] disposable tableware is recyclable after ordinary use.

PAR. 13. In truth and in fact, while Chinet[®] disposable tableware is capable of being recycled, the vast majority of consumers cannot recycle the product because there are virtually no collection facilities that accept used Chinet[®] disposable tableware for recycling. Therefore, the representation set forth in paragraph twelve was, and is, false and misleading.

PAR. 14. Through the use of the statements and depictions contained in the advertisements referred to in paragraph four, including but not necessarily limited to the advertisements attached as Exhibits F - H, respondent has represented, directly or by implication, that at the time it made the representations set forth in paragraphs ten and twelve, respondent possessed and relied upon a reasonable basis that substantiated such representations.

PAR. 15. In truth and in fact, at the time it made the representations set forth in paragraphs ten and twelve, respondent did not possess and rely upon a reasonable basis that substantiated such representations. Therefore, the representation set forth in paragraph fourteen was, and is, false and misleading.

PAR. 16. The acts and practices of respondent as alleged in this complaint constitute unfair or deceptive acts or practices in or affecting commerce in violation of Section 5(a) of the Federal Trade Commission Act.

KEYES FIBRE COMPANY

155

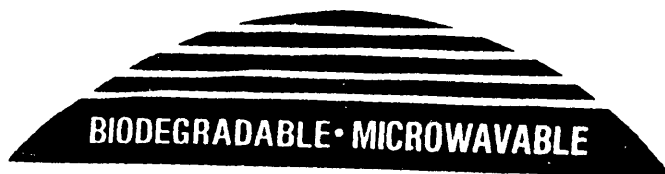
150

Complaint

EXHIBIT A

Chinet • NO LEAKS

9223045
B158142



Chinet

THE NEXT BEST THING TO CHINA



- NO LEAKS
- NO DRIPS
- NO DISASTERS



25-8³/₄ IN.

DISPOSABLE LUNCH PLATE
KEYES FIBRE CO., PAPER, NORWALK, CT

Exhibit A

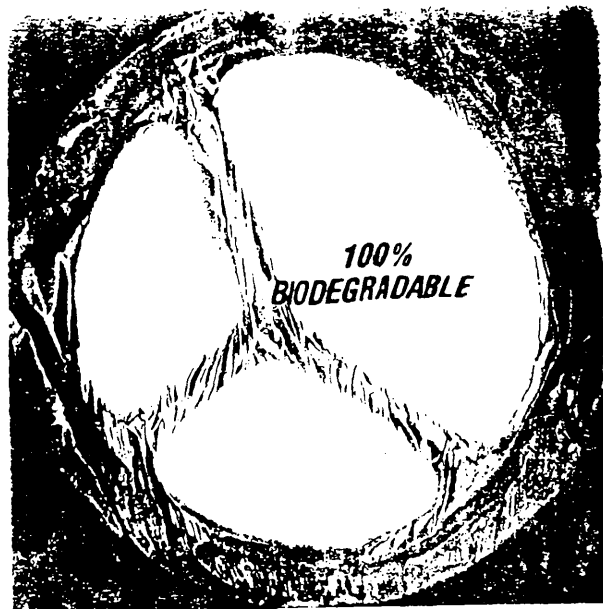
Complaint

118 F.T.C.

EXHIBIT B



Front of package



Back of package

Exhibit B

EXHIBIT C



WHAT'S SO GOOD ABOUT IT?

- =====
- **RIGID.** As strong as any disposable plate on the market, and stronger than most. Rigid enough for any food service application.
 - **ANTI-LEAK PROTECTION.** Resists penetration from grease, water and oil; even 350° french fry oil!
 - **MICROWAVE SAFE.** Try to fry bacon in a microwave on a styrene plate. Good luck! But, Chinet® is completely microwave safe.
 - **WHITER THAN EVER.** Chinet® has a "china-like" appearance. As "white" as any plastic.
 - **TWO STOCK PRINT DESIGNS,** at no extra cost! Our Value Enhancer designs are functional too.
 - **DEEP DISH DESIGN** for ease in serving entrees on Chinet® plate, and keeping them there.
 - **MATTE FINISH.** Sauces and gravies "cling" better to a Chinet® plate, instead of "beading up" on the slick surface of plastic.
 - **VERSATILITY.** Chinet® comes in every possible shape and size for any possible function. This versatility aids portion control planning.
 - **ECOLOGICALLY SOUND.** Chinet® is 100% biodegradable in landfill operations, and burns clean, without polluting, when incinerated. And, it's made from a renewable resource!

WHAT'S SO GOOD ABOUT CHINET®? PLENTY

FS-89-05

Exhibit C

00231

Just how beneficial are we?

Made from Recycled Paper

- The manufacturing process of Chinet® molded paper plates recycles approximately 35,000 tons of paper per year.
- Every ton of paper recycled can save 17 trees and conserve related energy costs in processing to pulp.
- Recycling also reduces the amount of solid waste going into landfills.

Biodegradable



bio-de-grad-able: Readily decomposed by bacterial action.

- Biodegradability is an integral part of composting technology - a fast-emerging, solid waste recycling method.
- Chinet® paper plates are the ideal choice as they do not have a plastic or wax coating that may interfere with decomposition.

While not everyone is in agreement with regard to solid waste management, most concur that a solution can be found in the combined use of landfills, recycling/composting and waste-to-energy incineration. Concerned consumers can feel confident that Chinet® paper plates perform in whatever disposal method is used in their community.

The Original Molded Paper Plate

Exhibit D

00013

150

Complaint

EXHIBIT E

Chinet

Quality
from
Start
to
Finish



Soil burial site preparation

Protecting the Environment

It's been called the "greening" of America: growing concern among consumers about the environmental impact of every product they buy. From plastics to paper, and from Maine to Maui, consumers are increasingly looking at biodegradability as an important factor in their buying decisions.

Chinet is the strongest disposable plate money can buy, and completely biodegradable. In fact, Chinet is one of the few fully biodegradable lines. And despite its remarkable strength, it degrades much faster than most ordinary paper plates.

In a 12-week soil-burial study, an independent research firm tested Chinet against seven other types of paper and plastic plates. Products were labeled and buried in open



Chinet plate before burial

mesh bags in an environment simulating a landfill. Every two weeks, they were unearthed and examined for signs of deterioration.

Chinet plates reached an advanced state of decomposition in just two weeks. The other plastic and foam plates showed almost no signs of deterioration after 12 weeks.



Chinet plate after 12 weeks

In a recent nationwide survey conducted by the Michael Peters Group, 89% of American consumers are concerned about the environmental impact of

products purchased, and 78% said they're willing to pay more for recyclable or biodegradable packaging.

Chinet doesn't just keep the kitchen clean—it keeps the environment clean. For a growing number of environmentally conscious consumers, that's one more reason to buy Chinet.

00022

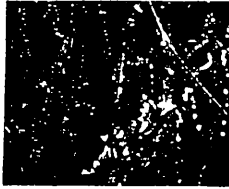
Complaint

118 F.T.C.

EXHIBIT F

Key's direct company is a leading manufacturer of the nation's most prominent, new, no-blocked solid waste disposal composting, an organic waste disposal, the amount of solid waste going to landfills. The recycling of compost by humans and animals is a solid waste disposal method that is not as familiar.

Key's direct company is a leading manufacturer of the nation's most prominent, new, no-blocked solid waste disposal composting, an organic waste disposal, the amount of solid waste going to landfills. The recycling of compost by humans and animals is a solid waste disposal method that is not as familiar.



Key's direct company is a leading manufacturer of the nation's most prominent, new, no-blocked solid waste disposal composting, an organic waste disposal, the amount of solid waste going to landfills. The recycling of compost by humans and animals is a solid waste disposal method that is not as familiar.

Key's direct company has instituted programs to reach out to customers, the "Three Rs" - Recycle, Reuse, and Reduce. But the direct company's environmental responsibility is not limited to recycling, reuse, and reduce.



We have found a major environmental education program which reaches the consumers through the media and supermarkets. And we've prepared and distributed tips on how to be an environmentally smart shopper.

Key's direct believes that it's important to save our resources. We've taught early on the importance of environmental issues. We've developed a curriculum for schools, a booklet on environmental issues for school children, and a booklet on environmental issues for school children.

Key's direct company believes that in the best interest of our environment.

HOW CAN YOU HELP?



Key's direct company
P.O. Box 1000, New York, NY 10000

www.keysdirect.com

in corporations, individuals, and the government are to form a partnership with equal responsibility for protecting our resources.

• Learn which method of solid waste disposal your community uses. Encourage your legislators to seek alternatives to landfills, such as composting of biodegradable solid waste, recycling and waste-to-energy incineration.

• Does your community have a recycling program? If not, drop off recyclables at a recycling center. Recycle and encourage your legislators to get a program started. Be conscious of what you contribute to the solid waste stream. Live by the golden rule: reduce, recycle, reuse.

• Your buying decisions make your voice heard for a better environment. Always purchase the most environmentally responsible product. Use less plastic or opt for paper products. Buy products that are made from recycled materials and products that are biodegradable and recyclable via composting.

These are just a few ideas to get you started. Remember, everything you do makes a difference.

Key's direct company is proud of our commitment to the environment and of the steps we've taken to protect it and enhance it. We encourage you to join our efforts and get involved and to your part.

KEYS DIRECT COMPANY
DARING
TO BE
GREEN
FOR OVER 35 YEARS



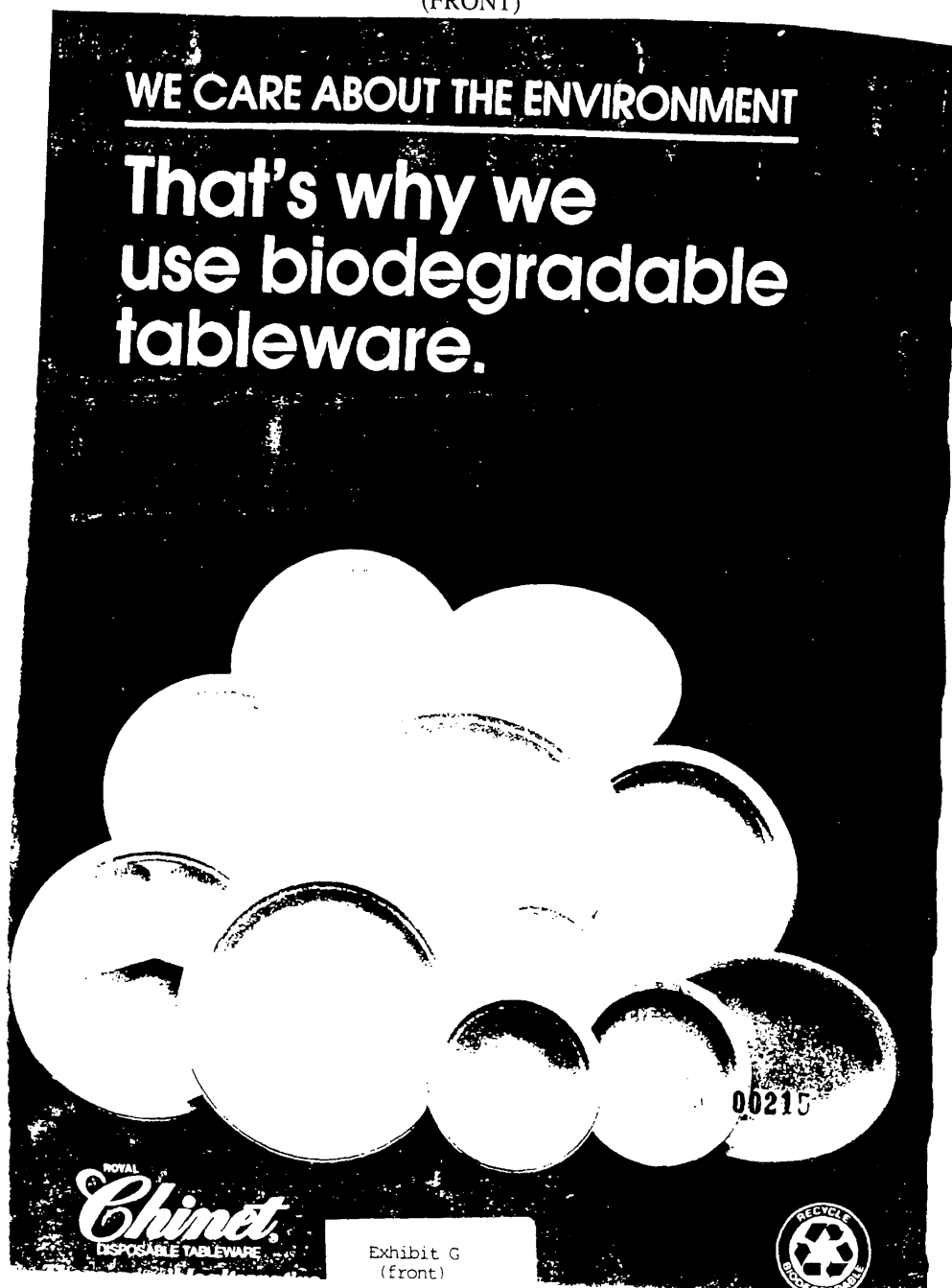
Protecting the environment has become one of the most important and visible causes of the twenty-first century. It's a cause that every type of industry is joining in. The green movement is a growing force in our economy and in our lives.

00025

Exhibit F

Complaint

118 F.T.C.

EXHIBIT G
(FRONT)Exhibit G
(front)

Free Poster.

Chinet makes food look good and its biodegradability is a good step in controlling solid waste volume.

ROYAL
Chinet[®]
Biodegradable disposable tableware
made from molded fiber.

Please send me _____ Chinnet posters.
quantity

Maid to: _____

Indicate street address only, no P.O. Boxes

Exhibit G
(back)

00213

FOR A
K I T C H E N

— Edmund Burke

Fortunately, most of us really want to get involved in a

Why not begin right in your own house?

practically second line of defense.

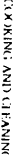
7



for cereals, cakes, confectionery

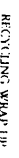


reusable containers to store



When washing dishes, fill a basin ra-

- 三



the everything possible -- all

DECISION AND ORDER

The Federal Trade Commission having initiated an investigation of certain acts and practices of the respondent named in the caption hereof, and the respondent having been furnished thereafter with a copy of a draft 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 respondent with violation of the Federal Trade Commission Act; and

The respondent, its attorneys, and counsel for the Commission having thereafter executed an agreement containing a consent order, an admission by the respondent of all the jurisdictional facts set forth in the aforesaid draft complaint, a statement that the signing of the agreement is for settlement purposes only and does not constitute an admission by respondent 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 respondent has violated the 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. Respondent Keyes Fibre Company is a corporation organized, existing and doing business under and by virtue of the laws of the State of Delaware, with its office and principal place of business located at 301 Merritt 7, in the City of Norwalk, State of Connecticut.
2. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of the respondent, and the proceeding is in the public interest.

ORDER

DEFINITIONS

For purposes of this order, the following definitions shall apply:

The term “*product or package*” means any product or package that is offered for sale, sold or distributed to the public by respondent, its successors and assigns, under the Chinet® brand name or any other brand name of respondent, its successors and assigns; and also means any product or package sold or distributed to the public by third parties under private labeling agreements with respondent, its successors and assigns.

“*Competent and reliable scientific evidence*” shall mean tests, analyses, research, studies or other evidence based on the expertise of professionals in the relevant area, that has been conducted and evaluated in an objective manner by persons qualified to do so, using procedures generally accepted in the profession to yield accurate and reliable results.

I.

A. *It is ordered*, That respondent Keyes Fibre Company, a corporation, its successors and assigns, and its officers, agents, representatives, and employees, directly or through any corporation, subsidiary, division, or other device, in connection with the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of any paper product or package in or affecting commerce, as “commerce” is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, in any manner, directly or by implication:

(1) That any such product or package is degradable, biodegradable, or photo degradable; or,

(2) Through the use of such terms as degradable, biodegradable, or photo degradable, or any other similar term or expression, that any such product or package offers any environmental benefits when consumers dispose of it as trash that is buried in a sanitary landfill,

unless at the time of making such representation, respondent possesses and relies upon competent and reliable scientific evidence that substantiates the representation.

B. Provided, however, respondent will not be in violation of Part I(A) of this order, in connection with the advertising, labeling, offering for sale, sale, or distribution of any paper product or package, if it truthfully represents that such product or package will degrade into usable compost (*e.g.*, soil-conditioning material, mulch) in a safe and timely manner, when disposed of in home compost piles or devices or in municipal solid waste composting facilities, provided that respondent complies with Part II of this order and discloses clearly, prominently, and in close proximity to such representation that such product or package is not designed to degrade in landfills.

II.

A. *It is further ordered*, That respondent, Keyes Fibre Company, a corporation, its successors and assigns, and its officers, agents, representatives, and employees, directly or through any corporation, subsidiary, division, or other device, in connection with the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of any paper product or package in or affecting commerce, as “commerce” is defined in the Federal Trade Commission Act, do forthwith cease and desist from misrepresenting, in any manner, directly or by implication, the extent to which any such product or package can be composted by any means or the extent to which municipal solid waste composting facilities for such product or package are available.

B. Provided, however, respondent will not be in violation of Part II(A) of this order, in connection with the advertising, labeling, offering for sale, sale, or distribution of any paper product or package, if it truthfully represents that such product or package will compost or otherwise be converted into usable compost (*e.g.*, soil-conditioning material, mulch) in a safe and timely manner, when disposed of in home compost piles or devices or in municipal solid waste composting facilities, provided that respondent discloses clearly, prominently, and in close proximity to any representation referring or relating to municipal solid waste composting:

(1) That such product or package is compostable where municipal solid waste composting facilities exist, and the current number of municipal solid waste composting facilities in the U.S.; or

(2) That such product or package is compostable in the few communities with municipal solid waste composting facilities; or

(3) The approximate percentage of U.S. communities or the U.S. population to which municipal solid waste composting facilities are available.

For purposes of this order, a disclosure elsewhere on the product package shall be deemed to be “in close proximity” to such terms if there is a clear and conspicuous cross-reference to the disclosure. The use of an asterisk or other symbol shall not constitute a clear and conspicuous cross-reference. A cross-reference shall be deemed clear and conspicuous if it is of sufficient prominence to be readily noticeable and readable by the prospective purchaser when examining the part of the package on which the representation appears.

III.

It is further ordered, That respondent, Keyes Fibre Company, a corporation, its successors and assigns, and its officers, agents, representatives, and employees, directly or through any corporation, subsidiary, division, or other device, in connection with the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of any paper product or package in or affecting commerce, as “commerce” is defined in the Federal Trade Commission Act, do forthwith cease and desist from misrepresenting, in any manner, directly or by implication, the extent to which any such product or package is capable of being recycled or the extent to which recycling collection programs for such product or package are available.

IV.

It is further ordered, That respondent, Keyes Fibre Company, a corporation, its successors and assigns, and its officers, agents, representatives, and employees, directly or through any corporation, subsidiary, division, or other device, in connection with the

manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of any product or package in or affecting commerce, as “commerce” is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, in any manner, directly or by implication, that any product or package offers any environmental benefit, unless at the time of making such representation, respondent possesses and relies upon competent and reliable evidence, which when appropriate must be competent and reliable scientific evidence, that substantiates such representation.

V.

Nothing in this order shall prevent respondent from using any of the terms cited in Parts I, II and III, or similar terms or expressions, if necessary to comply with any federal rule, regulation, or law governing the use of such terms in advertising or labeling.

VI.

It is further ordered, That for five (5) years after the last date of dissemination of any representation covered by this order, respondent, or its successors and assigns, shall maintain and upon request make available to the Federal Trade Commission for inspection and copying:

A. All materials that were relied upon in disseminating such representation; and

B. All tests, reports, studies, surveys, demonstrations, or other evidence in its possession or control that contradict, qualify, or call into question such representation, or the basis relied upon for such representation, including complaints from consumers.

VII.

It is further ordered, That the respondent shall distribute a copy of this order to each of its operating divisions and to each of its officers, agents, representatives, or employees engaged in the preparation and placement of advertisements, promotional materials, product labels or other such sales materials covered by this order.

VIII.

It is further ordered, That respondent shall notify the Commission at least thirty (30) days prior to any proposed change in the corporation such as a dissolution, assignment, or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries, or any other change in the corporation which may affect compliance obligations under this order.

IX.

It is further ordered, That respondent shall, within sixty (60) days after service of this order upon it, and at such other times as the Commission may require, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with this order.

IN THE MATTER OF

LIFESTYLE FASCINATION, INC., ET AL.

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF
SECS. 5 AND 12 OF THE FEDERAL TRADE COMMISSION ACT*Docket C-3513. Complaint, Aug. 4, 1994--Decision, Aug. 4, 1994*

This consent order prohibits, among other things, a New Jersey-based corporation, its owner, and its general manager from making specified false representations for five products (a gasoline additive, an automobile retrofit device, an electric stimulation device, an electric acupuncture device, and pinhole eyeglasses), advertised in their catalog. It also prohibits the respondents from making any claim regarding the performance, safety, attributes, benefits, or efficacy of the electric and electronic products they market unless they possess competent and reliable scientific evidence that substantiates the representation. In addition, the consent order prohibits the respondents from misrepresenting the existence, contents, validity, results, conclusions, or interpretations of any test or study, and from misrepresenting that any endorsement or testimonial for health related products represents the typical or ordinary experiences of users.

Appearances

For the Commission: *Lesley A. Fair, Joel Winston, Loren Weinstein, C. Lee Peeler and Christian White.*

For the respondents: *Robert Ullman, Bass & Ullman, New York, N.Y.*

COMPLAINT

The Federal Trade Commission, having reason to believe that Lifestyle Fascination, Inc., a corporation, Eli Zabare, individually and as an officer of said corporation, and Simon Pantierer, individually ("respondents"), have 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. Respondent Lifestyle Fascination, Inc. is a Delaware corporation with its office and principal place of business located at 12 Progress Place, Jackson, New Jersey. Respondent Eli Zabare is the owner, president and sole officer of the corporate