

IN THE MATTER OF

RBR PRODUCTIONS, INC., ET AL.

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF
SEC. 5 OF THE FEDERAL TRADE COMMISSION ACT*Docket C-3696. Complaint, Dec. 10, 1996--Decision, Dec. 10, 1996*

This consent order prohibits, among other things, a New Jersey-based company and its officer from misrepresenting the health, safety and environmental benefits of its beauty salon disinfectant products and aerosol spray, and requires the respondents to possess reliable and competent scientific evidence to substantiate such representations.

Appearances

For the Commission: *Janet Evans* and *C. Lee Peeler*.

For the respondents: *Pro se*.

COMPLAINT

The Federal Trade Commission, having reason to believe that RBR Productions, Inc., a corporation, and Richard Rosenberg, individually and as an officer and director of said corporation ("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 RBR Productions, Inc., is a New Jersey corporation, with its offices and principal place of business located at 1010 Hoyt Avenue, Ridgefield, New Jersey. From time to time, RBR Productions, Inc., does business under the name of Isabel Cristina Beauty Care Products.

Respondent Richard Rosenberg is or was at relevant times herein an officer and director of RBR Productions, Inc. Individually or in concert with others, he formulates, directs, and controls the acts and practices of the corporate respondent, including the acts and practices alleged in this complaint. His office and principal place of business is the same as that of RBR Productions, Inc.

PAR. 2. Respondents have advertised, offered for sale, sold, and distributed products for use in beauty salons, including Let's Dance,

a concentrated disinfectant product that contains o-phenylphenol, para-tertiary amylphenol and phosphoric acid and is designed to be diluted and used for disinfection of non-metal instruments and other non-metal, non-porous surfaces; Let's Touch, a concentrated disinfectant product that contains o-phenylphenol and is designed to be diluted and used for cleaning and storage of metal beauty care instruments such as manicure scissors; and Let's Go spray, an aerosol spray that contains the volatile organic compounds ("VOCs") isobutane and propane and is designed for speeding nail glue drying.

PAR. 3. The acts and practices of respondents 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. Respondents have disseminated or caused to be disseminated advertisements and promotional materials for Let's Dance and Let's Touch, including but not necessarily limited to the advertisements and promotional materials attached hereto as Exhibits A through D. These advertisements and promotional materials contain the following statements and depictions:

(a) Brochure front:

Let's Touch

* * *

- Sold in pre-measured packets

Let's Dance

* * *

- Ultra concentrated for ease of use and storage. . .

[depiction of concentrated and diluted products]

Brochure back:

Here's why the combination of scientific and beauty care industry experience of the ISABEL CRISTINA team means more professional results for you.

[depiction of concentrated and diluted products] Let's Touch and Let's Dance

* * *

- EPA registered and meet or exceed all federal OSHA and State Board requirements. Environmental safe, biodegradable and non-toxic.

- Sold as concentrates for reduced shipping, storage and handling costs Packet-only re-orders reduce costs even more.

* * *

Let's Dance use dilution: pH 2.6

Let's Touch use dilution: pH 10.6

Let's Dance and Let's Touch are:
 -- Environmentally Safe -- Non-Toxic
 -- Non-Corrosive to Skin and Eyes -- Bio-degradable

Comparative Disinfectants Chart						
	Let's Touch	Let's Dance	Quats	Alcohol —	Ultra- Violet	Glass Bead
* * *						
No Damage to Environmental Surfaces	Yes	Yes	Yes ¹	No	No	No
Non-Corrosive to Skin and Eyes	Yes	Yes	Yes ¹	No	No	No
Non-Toxic	Yes	Yes	No ¹	No	—	—
* * *						

¹ Perhaps. Consult EPA offices.

[EXHIBIT A-chart is abbreviated]

(b) Magazine ad:

LET'S DANCE!
 BECAUSE...

TOMORROW'S WORLD DEPENDS ON YOU

Environmentally Safe One Step Hospital Grade Disinfectant, Cleaner, and
 Deodorizer for Salons

[depiction of concentrated and diluted product]

Let's Dance!

- Environmentally Safe
- PH Buffered
- Non-Corrosive to Skin and Eyes
- Biodegradable and Non-Toxic
- Ultraconcentrated

Protect Yourself, Your Clients, Your Family

[EXHIBIT B]

(c) Magazine ad:

IS YOUR DISINFECTANT ENVIRONMENTAL SAFE?

LET'S TOUCH IS!

* * * *

IN HANDY PREMEASURED FOIL PACKETS

* * * *

BIODEGRADABLE

NON-TOXIC

NON-CORROSIVE TO SKIN AND EYES

[depiction of concentrated and diluted product]

[EXHIBIT C]

(d) Brochure:

Let's Touch and Let's Dance use-solutions as defined by the latest Federal Hazardous Substances Act Regulations are
NON-TOXIC AND NON-CORROSIVE TO SKIN AND EYES

* * * *

Let's Touch and Let's Dance are pH buffered phenolic products which deliver excellent Broad Spectrum Performance even under the most demanding use situations while offering the greatest degree of safety to the end user and the environment. Let's Touch and Let's Dance use-solutions are defined by the latest Federal Hazardous Substances Act Regulations as NON-TOXIC AND NON-CORROSIVE TO SKIN AND EYES.

....

[EXHIBIT D]

(e) Proper Disinfection For The Beauty Industry--Video Transcript:

* * * *

Speaker: Phenols are another group of disinfectants. They are a benzene molecule derivative -- which means they are a very safe way to disinfect. Phenols are about 3 to 5 times less toxic than Quats when ingested. Buffered Phenols are non-corrosive to skin and eyes, non-toxic, they're biodegradable, environmentally safe, and last longer than other forms of disinfection because they're not as sensitive to organic matter. . . .

Super: Phenols

- very safe way to disinfect
- 3 to 5 times less toxic than quats
- buffered phenols are non-corrosive to skin and eyes
- biodegradable & non-toxic
- environmentally safe
- last longer-not as sensitive to organic matter
- little residue

* * *

Speaker: Armed with the knowledge you now have, you're just beginning to get an appreciation for some of the complexities, and variables involved with just trying to keep your instruments clean. . . . You might even be thinking -- "Does a disinfecting system exist out there that answers my needs?" Well, there is, and that's where we fit in We are ISABEL CRISTINA. We have developed a superior Disinfecting System -- consisting of LET'S TOUCH AND LET'S DANCE Let's Touch and Let's Dance are extremely unique products designed specifically for people in the salon industry, by people in the salon industry. Let's Touch and Let's Dance use solutions are completely non-corrosive to the skin and eyes, non-toxic, biodegradable and environmentally safe, which means you can pour them down the drain.

Super: Let's Touch & Let's Dance

Non-corrosive to Skin & Eyes

Non-toxic

Biodegradable
Environmentally Safe

* * *

Speaker: Let's Touch comes in pre-measured packets with a mixing jar and a starting kit. A child could mix it, its so simple!

* * *

PAR. 5. Through the use of the statements and depictions contained in the advertisements and promotional materials referred to in paragraph four, including but not necessarily limited to the advertisements and promotional materials attached as Exhibits A through D, respondents have represented, directly or by implication, that:

- a) Let's Dance concentrate is non-corrosive to skin and eyes, non-toxic, and does not pose a risk of adverse health effects;
- b) Let's Touch concentrate is non-toxic and does not pose a risk of adverse health effects; and
- c) Let's Dance and Let's Touch use dilutions are classified as non-toxic under the Federal Hazardous Substances Act regulations.

PAR. 6. In truth and in fact:

- a) Let's Dance concentrate is corrosive to skin and eyes, toxic, and poses a risk of adverse health effects;
- b) Let's Touch concentrate is toxic and poses a risk of adverse health effects; and
- c) Let's Dance and Let's Touch use dilutions are not classified as non-toxic under the Federal Hazardous Substances Act regulations. In fact, Let's Dace and Let's Touch are not regulated under the Federal Hazardous Substances Act, but under the Federal Insecticide, Rodenticide and Pesticide Act which requires that these products bear various label warnings about their potential for harmful health effects.

Therefore, the representations set forth in paragraph five were, and are, false and misleading.

PAR. 7. Through the use of the statements and depictions contained in the advertisements and promotional materials referred to in paragraph four, including but not necessarily limited to the advertisements and promotional materials attached as Exhibits A

through D, respondents have represented, directly or by implication, that:

- a) Let's Dance and Let's Touch use dilutions are non-toxic and do not pose a risk of adverse health effects;
- b) Let's Dance and Let's Touch are three to five times less toxic than quaternary aluminum compound disinfectants;
- c) Let's Dance is safe for the environment after ordinary use, and
- d) Let's Dance 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.

PAR. 8. Through the use of the statements and depictions contained in the advertisements and promotional materials referred to in paragraph four, including but not necessarily limited to the advertisements and promotional materials attached as Exhibits A through D, respondents have represented, directly or by implication, that at the time they made the representations set forth in paragraphs five and seven, respondents possessed and relied upon a reasonable basis that substantiated such representations.

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

PAR. 10. Respondents have disseminated or caused to be disseminated advertisements and promotional materials for Let's Go spray, including product labeling, including but not necessarily limited to the advertisements and labeling attached hereto as Exhibits E and F. These advertisements and labeling contain the following statements and depictions:

(f) Let's Go aerosol can front label:

ENVIRONMENTAL FORMULA

Will not harm the ozone

Contains No Freon, Chlorofluorocarbons

Methylene Chloride, or 1,1,1-Trichloroethane.

[product logo]

Let's Go aerosol can back label:

Let's Go

* * *

[chasing arrows symbol]
RECYCLABLE ALUMINUM
[EXHIBIT E]

(g) Magazine ad:

LET'S GO

* * *

Environmental Formula -- Freon Free Ozone Friendly . . .
Recyclable aluminum
[EXHIBIT F]

PAR. 11. Through the use of the statements and depictions contained in the advertisements and promotional materials referred to in paragraph ten, including but not limited to the advertisement and labeling attached as Exhibits E and F, respondents have represented, directly or by implication, that the Let's Go spray aluminum aerosol can is recyclable.

PAR. 12. In truth and in fact, while the Let's Go aluminum aerosol can is capable of being recycled, there are only a few collection facilities that accept aluminum aerosol cans for recycling. Therefore, the representation set forth in paragraph eleven was, and is, false and misleading.

PAR. 13. Through the use of the statements and depictions contained in the advertisements and promotional materials referred to in paragraph ten, including but not necessarily limited to the advertisements and labeling attached as Exhibits E and F, respondents have represented, directly or by implication, that Let's Go spray does not contain any ingredients that harm or damage the environment.

PAR. 14. Through the use of the statements and depictions contained in the advertisements and promotional materials referred to in paragraph ten, including but not necessarily limited to the advertisements and labeling attached as Exhibits E and F, respondents have represented, directly or by implication, that at the time they made the representations set forth in paragraphs eleven and thirteen, respondents possessed and relied upon a reasonable basis that substantiated such representations.

PAR. 15. In truth and in fact, at the time they made the representations set forth in paragraph eleven and thirteen, respondents 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 respondents 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.

EXHIBIT A

EXHIBIT A

ISABEL CRISTINA BEAUTY CARE PRODUCTS

Scientifically Formulated *Hospital Grade*
Broad Spectrum Anti-Viral and Tuberculocidal Protection
for Your Customer, Yourself and the Environment

LET'S TOUCH®

Full immersion system for quality metal instruments.

- Does not rust or dull
— cleans instruments to a shine.
- pH Buffered — non-corrosive, lasts longer, environmentally safe and non toxic.
- Active color — reliable indication of time for fresh solution.
- Ideal for storage of instruments
— complete with lid, forceps or scissor hook.
- Sold in pre-measured packets



ISABEL CRISTINA

*Beauty Care Products for the
Educated Professional*

LET'S DANCE®

Hospital grade disinfectant for the entire salon.

- Combs, brushes, files, baths, beds, counters and stations.
- Furnishings, surfaces, restrooms, equipment, floors, windows and more.
- Fast, convenient sprayer application or immersion bath.
- Fresh lemon-y scent
- Ultra concentrated for ease of use and storage
— 16 oz. makes 32 gallons.
- Pre-measured pump or packets for accurate solution control.



EXHIBIT A

Here's why the combination of scientific and beauty care industry experience of the ISABEL CRISTINA team means more professional results for you.



Let's Touch® AND Let's Dance®

...the most effective salon disinfection products for protection against knowing or unknowing carriers of infectious diseases.

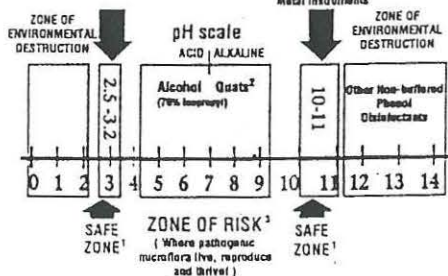
- Bactericidal, fungicidal, virucidal, staphylocidal, pseudomonacidal, tuberculocidal - including HIV-1.
- Hospital grade disinfection in just 10 minutes — clean, disinfect and deodorize in one step.
- EPA registered and meet or exceed all federal OSHA and State Board requirements. Environmentally safe, biodegradable and non toxic.
- Sold as concentrates for reduced shipping, storage and handling costs. Packet-only re-orders reduce costs even more.

Let's Dance®

One Step Germicidal Detergent
For All Salon Surfaces
and Plastic Items

Let's Touch®

Hospital Grade Instrumental
Disinfection / Storage
System For Salon
Metal Instruments



Let's Dance® use dilution: pH 2.6

Let's Touch® use dilution: pH 10.6

Let's Dance® and Let's Touch® are:

- Environmentally Safe • Non-Toxic
- Non-Corrosive to Skin and Eyes • Bio-degradable

¹ Safe zones are where germicidal activity and maximum cleaning occur without environmental surface damage to pH sensitive materials.

² Most quats fall in the 3 - 10 pH range.

³ Osmyn cites five primary sources regarding neutral solutions, pH 5 - 8. Zone of Risk, having a higher recovery of bacterial survivors than alkalines.

Comparative Disinfectants Chart

	Let's Touch®	Let's Dance®	Quats	Alcohol	Ultra-Violet	Glass Bead
U.S. Government EPA Registered Claims	Yes ¹	Yes ¹	Yes	No	No	No
Meets Latest Government Regulations	Yes ¹	Yes ¹	No ¹	No	No	No
Broad Spectrum	Yes ¹	Yes ¹	Yes ²	Yes	Yes	No
Tuberculocidal	Yes ¹	Yes ¹	No ¹	Yes	No	No
Built In Activity Indicator	Yes	N/A	No	No	No	No
Contains Corrosion Inhibitors	Yes	N/A	No	No	No	No
Contains Natural Oil Lubricants	Yes	Yes	No	No	No	No
NON-CORROSIVE Does Not Cause Rust, Dulling and Overall Damage to Instrument	Yes	N/A	No	No	Yes	No
pH Buffered	Yes	N/A	No	No	No	No
Can Be Poured Down Drain***	Yes	Yes	Yes	Yes	No	No
No Damage to Environmental Surfaces	Yes	Yes	Yes ¹	No	No	No
Non-Corrosive to Skin and Eyes	Yes	Yes	Yes ¹	No	No	No
Non-Toxic	Yes	Yes	No ¹	No	—	—
Full Immersion - Full Coverage Disinfection	Yes	Yes	No ¹	Yes	No	No
Disinfects Box Joints of Nippers and Joints of Scissors	Yes	N/A	No ¹	Yes	No	No
Doesn't Allow Bacteria to Grow and Breed in Solution**	Yes	Yes	No	Yes	No	No
Doesn't Leave Residue Behind	Yes	Yes	No	Yes	—	No
Non-Flammable	Yes	Yes	Yes ¹	No	No	No
No Irritant Odors	Yes	Yes	—	No	—	No
Pleasant Fragrance	Yes	Yes	— ¹	No	No	No
Easy to Use	Yes	Yes	No	No	No	No
Pre-measured	Yes	Yes	No	No	No	No

Perhaps, Consult EPA offices.

¹ No in box and X joints. Yes, only on surfaces exposed directly to light.

² Limited

N/A=Not Applicable

**With fresh solutions

***Use Diluents

00000367



Beauty Care Products for
the Educated Professional

ISABEL CRISTINA

P.O. Box 3599, Teaneck, New Jersey 07606

For West Interstate Line: 1-800-247-4130. In NJ, dial 201-313-5730

Gx. P. 4.2

Complaint

122 F.T.C.

EXHIBIT B

EXHIBIT B

LET'S DANCE®!

Because...
Tomorrow's World Depends On You

Environmentally Safe One Step Hospital Grade Disinfectant,
 Cleaner, and Deodorizer for Salons

LET'S DANCE® FOR:

- Combs and Brushes
- Counters and Stations
- Nail Files and Foot Baths
- Restrooms and Sinks
- Floors and Windows

LET'S DANCE®!

- Environmentally Safe
- PH Buffered
- Non-Corrosive to Skin and Eyes
- Biodegradeable and Non-Toxic
- Ultraconcentrated - 16 oz.
 Makes 32 Gallons
- Costs Just Pennies Per Day to Use
- Replaces the Need for 5 Products
- Saves Time - Disinfects, Cleans,
 and Deodorizes in One Step
- Premeasured Pump for Ease of
 Preparation and Accuracy



Meets and Exceeds All State Board Requirements
 Kills HIV/AIDS Virus on Nonporous Surfaces

Master volume - 16 oz. - equipped with 16 oz. LET'S DANCE®
 spray, 16 oz. with premeasured pump
 16 oz. 160 and a professional long lasting
 16 oz. 160 and a bottle
 MAKES 32 GALLONS - JUST \$29.95

Protect Yourself, Your Clients, Your Family
 So Step Up and **LET'S DANCE®**

Because... **You** Make The Difference!

EPA REGISTRATION #1043-92-062296



ISABEL CRISTINA

1615 10TH AVENUE, SUITE 100, DENVER, CO 80202

Need more info? Circle Reader Service #194

6227, or
vide, or

252

4
 om The
 devel-
 one, a
 it, or
 ozone
 e nail
 mpany.
 ned to
 s, and

ly-like
 Supply
 ces on
 bles
 of
 the

contact
 s Rd.,
 1783-
 9553.
 33

vision
 or &
 mail
 The
 rains
 g Oil
 e and
 five
 Bare-
 Watu-
 res it
 31

in a
 by the
 tion.

EXHIBIT C

EXHIBIT C

IS YOUR DISINFECTANT ENVIRONMENTALLY SAFE?

LET'S TOUCH™ IS!

AN EPA-REGISTERED, BROAD-SPECTRUM, HOSPITAL-GRADE DISINFECTANT
A COMPLETE PRACTICAL FULL-IMMERSION DISINFECTION AND STORAGE SYSTEM
FOR NAIL TECHNICIANS' TOOLS

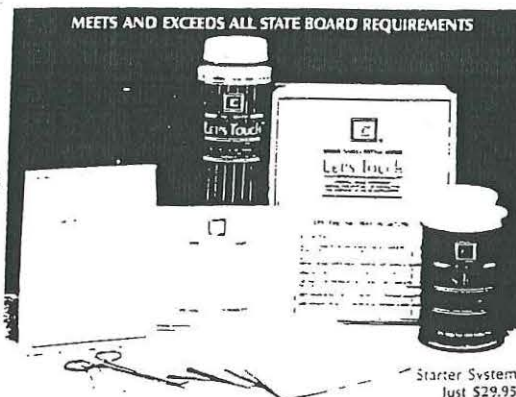
PROTECTS YOUR INSTRUMENTS
STORE QUALITY METAL
INSTRUMENTS IN SOLUTION
DOES NOT RUST
DOES NOT DULL

CLEANSSES INSTRUMENTS TO A SHINE
LASTS LONGER - PH BUFFERED
IN HANDY PREMEASURED FOIL PACKETS
WITH NO OFFENSIVE ODORS

BIODEGRADABLE
NON-TOXIC
NON-CORROSIVE TO SKIN AND EYES
ACTIVITY INDICATED

The Clear Blue Solution Simply
Turns Cloudy, Displaying "Solution
Overload". When It's Time To Change!

CLIENT-REASSURING
EDUCATIONAL
PROFITABLE



Starter System Complete With: 4 Packets of Hospital Grade Disinfectant (Makes 4 Quarts), Full Immersion Instrument Bath with Airtight Lid, Instrument Cushion, Stainless Resistant Forceps, Mixing Jar, Client Awareness Card, and Salon Window Decal.

ALL AT A COST LESS THAN ALCOHOL AND OTHER METHODS

BACTERIOCIDAL, FUNGICIDAL, VIRUCIDAL, STAPHYLOCIDAL, PSEUDOMONACIDAL, TUBERCULOCIDAL

LET'S TOUCH™ WORKS!

IN JUST 10 MINUTES, SO YOU DON'T HAVE TO WAIT TO BE SURE!

Also used in ultrasonic disinfecting systems

EPA REGISTRATION #1043-3b-0b224b



ISABEL CRISTINA

Questions Call or Write: ISABEL CRISTINA NAIL CARE PRODUCTS
P.O. Box 3550, TANEY, N.J. 07506 N.N. 201-337-1166 FAX 300-247-4130

Complaint

122 F.T.C.

EXHIBIT D

IC

ISABEL CRISTINA

LET'S TOUCH® / LET'S DANCE®
NON-TOXIC CONFIRMATION

Brief Summary

Both LET'S TOUCH and LET'S DANCE decrease exposure to the active ingredients by using highly buffered germicidal cleansers and offer the greatest degree of Broad Spectrum Efficacy. Both LET'S TOUCH and LET'S DANCE work within a pH range, which acts against supporting the growth and reproduction of bacteria in the salons (always follow the label directions). The Disinfectants, Harmful Bacteria and pH Chart represents the three pH areas: Environmental Destruction, Risk and Safe Zones. LET'S TOUCH and LET'S DANCE fall within the safe Zone, while other products, *e.g.* Quats, Alcohol and other non-buffered phenolic disinfectants, perhaps, fall within the Zones of Risk and Environmental Destruction.

LET'S TOUCH and LET'S DANCE use-solutions
as defined by the latest Federal Hazardous Substances Act Regulations are
NON-TOXIC AND NON-CORROSIVE TO SKIN AND EYES

Specific Data

LET'S TOUCH

The acute oral LD₅₀ of LET'S TOUCH concentrate is 12.6 grams per kilogram. This acute oral LD₅₀ is equivalent to the ingestion of 23 fluid ounces of concentrate or 5.8 gallons of 1:32 use-dilution by a 150 lb. adult. As the term is defined in the Federal Hazardous Substances Act Regulations, LET'S TOUCH is not a toxic substance.

The acute Dermal LD₅₀ of LET'S TOUCH concentrate is greater than 10.0 ml/kg of body weight. As the term is defined in the Federal Hazardous Substances Act Regulations, LET'S TOUCH is not a toxic substance.

A 1:32 use dilution of LET'S TOUCH when tested according to procedures accepted by the Environmental Protection Agency (EPA), showed a score of zero for the primary eye irritation test (16 CFR 1500.42). Therefore, a properly made use-solution of LET'S TOUCH is not considered a primary eye irritant as defined by regulations of the Federal Hazardous Substances Act.

Let's Dance

The normal use dilution of 1:256 of LET'S DANCE germicidal detergent is not considered toxic, nor is it classified as corrosive to skin and eyes. When tested according to protocol prescribed by the US Environmental Protection Agency (EPA) with a twenty-four hour exposure time, the use-solution was found to have a maximum Primary Irritation Score (skin) of 0.0. LET'S DANCE is considered as not a Primary Irritant as defined by the Federal Hazardous Substances Act.

A use-dilution (1:256) was tested according to protocol prescribed by the US Environmental Protection Agency (EPA). All tests were free from any signs of eye irritation at the 48-hour and subsequent readings. The investigating laboratory concluded that LET'S DANCE is not a Primary Eye Irritant.

Please note that Disinfectant products are labeled for the concentrate contained within.

LET'S TOUCH and LET'S DANCE use-solutions
as defined by the latest Federal Hazardous Substances Act Regulations are
NON-TOXIC AND NON-CORROSIVE TO SKIN AND EYES

NOTE: When purchasing our products, you are purchasing them in a concentrated form. Thus, you purchase pure product and not watered down product. Additionally, unless a product falls within the 2.5 - 3.2 pH and 10 - 11 pH Range, the product cannot possibly last for extended periods of time. Considering the needs of today's salon, the extended life offered by Buffered Disinfection systems more than meet the practical level, the safety requirements of both operator and client. LET'S TOUCH and LET'S DANCE are pH buffered phenolic products which deliver excellent Broad Spectrum Performance even under the most demanding use situations while offering the greatest degree of safety to the end user and the environment. LET'S TOUCH and LET'S DANCE use-solutions are defined by the latest Federal Hazardous Substances Act Regulations as NON-TOXIC AND NON-CORROSIVE TO SKIN AND EYES. Some common examples of Phenolics are: INK and Chloroseptic throat spray medication.

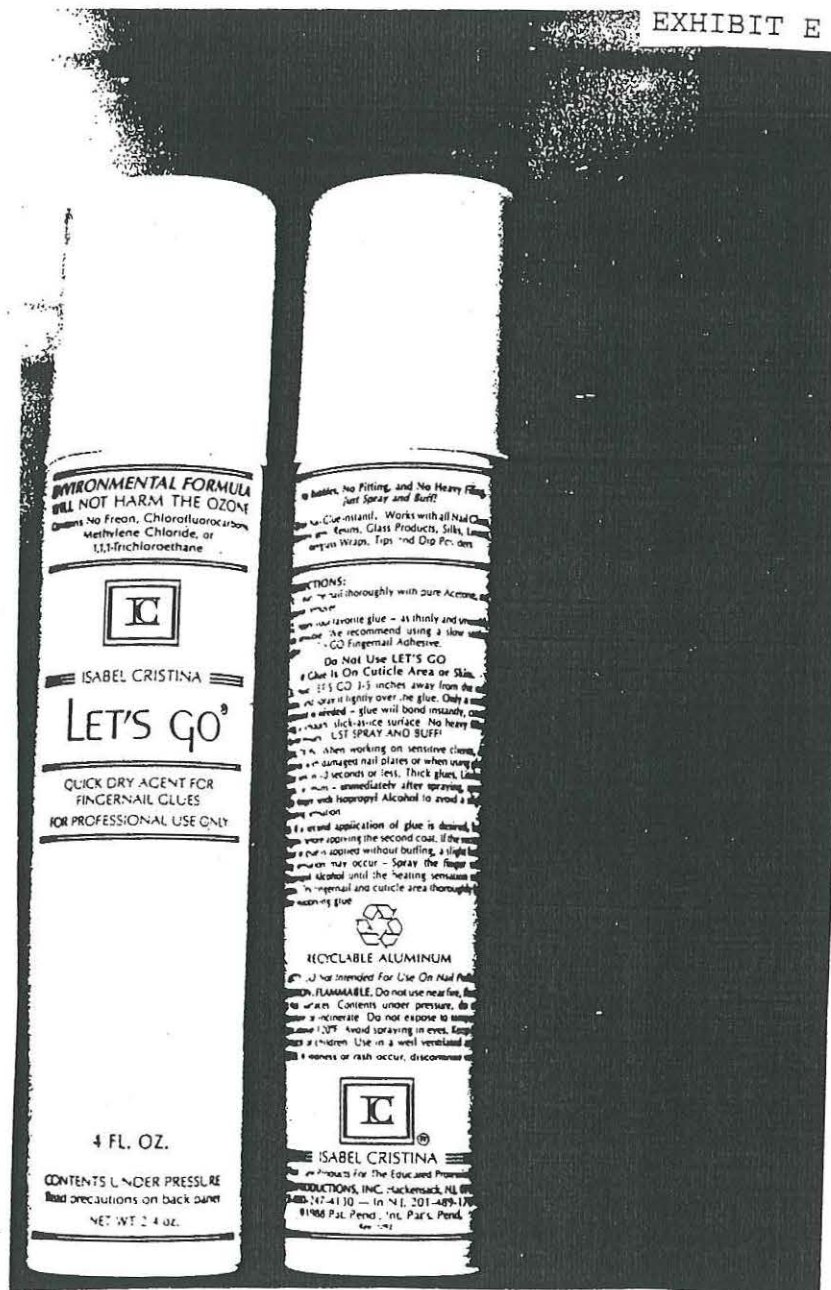
Quaternary Ammonium Compounds (Quats) due to their significant number of drawbacks as a Disinfectant are not classified for Instrument Disinfection by many of the most significant authorities in both the Medical and the Dental fields.

Complaint

122 F.T.C.

EXHIBIT E

EXHIBIT E



444

Complaint

EXHIBIT F

EXHIBIT F

Accelerate
Your Service with . . .

LET'S GO®

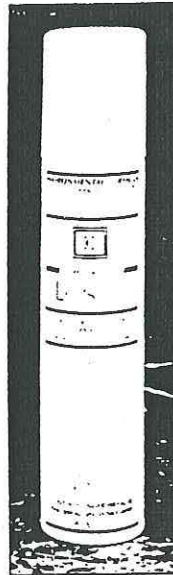
No Bubbles, No Pitting, and No
Heavy Filing. Just Spray and Buff!

LET'S GO® dries nail
glue instantly. Works with all nail
glues, lightless gels, resins, glass
products, silks, linens, fiberglass
wraps, tips and dip powders.

Environmental Formula - Freon Free
Ozone Friendly - Low Low ODP.

Recyclable aluminum.

One 4.0-oz. size does 300 to 500 nails.
Just \$9.95.



To maximize your speed, to save you time, call toll free

(800) 247-4130
outside NJ

(201) 837-1166
in NJ



ISABEL CRISTINA, P.O. Box 3599, Teaneck, NJ 07656

Nail Care Products for the Educated Professional

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 the respondents with violation of the Federal Trade Commission Act; and

The respondents 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 complaint, a statement that the signing of the 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, or that the law has been violated as alleged in such complaint, or that the facts as alleged in such complaint, other than jurisdictional facts, are true, 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 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 RBR Productions, Inc. is a corporation organized, existing, and doing business under and by virtue of the laws of the State of New Jersey, with its office and principal place of business located at 1010 Hoyt Avenue in the City of Ridgely, State of New Jersey. From time to time, RBR Productions, Inc. does business under the name of Isabel Cristina Beauty Care Products.

Respondent Richard Rosenberg is an officer and director of RBR Productions, Inc. he formulates, directs, and controls the policies, acts, and practices of said corporation and his office and principal place of business is the same as that of said corporation.

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

DEFINITIONS

For the purposes of this order:

1. "*Competent and reliable scientific evidence*" shall mean tests, analyses, research, studies, or other evidence based upon 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;

2. "*Volatile organic compound*" ("*VOC*") shall mean any compound of carbon which participates in atmospheric photochemical reactions as defined by the U.S. Environmental Protection Agency at 40 CFR 51.100(s), and as subsequently amended. When the final rule was promulgated, 57 Fed. Reg. 3941 (February 3, 1992), the EPA definition excluded carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate and certain listed compounds that EPA has determined are of negligible photochemical reactivity.

I.

It is ordered, That respondents, RBR Productions, Inc., a corporation, its successors and assigns, and its officers, and Richard Rosenberg, individually and as an officer and director of said corporation, and respondents' agents, representatives, and employees, directly or through any partnership, corporation, subsidiary, division, or other device, in connection with the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of Let's Dance and Let's Touch disinfectants, 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, that:

A. Let's Dance concentrate is non-corrosive to skin or eyes, non-toxic, or does not pose a risk of adverse health effects;

B. Let's Touch concentrate is non-toxic or does not pose a risk of adverse health effects; or

C. Let's Dance and Let's Touch use dilutions are classified as non-toxic under the Federal Hazardous Substances Act regulations.

II.

It is further ordered, That respondents, RBR Productions, Inc., a corporation, its successors and assigns, and its officers, and Richard Rosenberg, individually and as an officer and director of said corporation, and respondents' agents, representatives, and employees, directly or through any partnership, corporation, subsidiary, division, or other device:

A. In connection with the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of Let's Dance and Let's Touch disinfectants, 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:

1. Let's Dance or Let's Touch use dilutions are non-toxic or do not pose a risk of adverse health effects;

2. Let's Dance or Let's Touch concentrates or use dilutions are less toxic than quaternary ammonium compound disinfectants or any other disinfectant or product;

3. Let's Dance is biodegradable;

4. Let's Dance is safe for the environment after ordinary use; and

B. In connection with the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of Let's Go spray or any other product containing any volatile organic compound, through the use of such terms as "environmental formula," "environmental formula, freon free, ozone friendly," "environmental formula, will not harm the ozone, contains no freon, chlorofluorocarbons, methylene chloride, or 1,1,1-trichloroethane," or any other term or expression, that any such product will not harm the environment; and

C. In connection with the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of any disinfectant

or aerosol product 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 such product will offer any absolute or comparative health, safety, or environmental evidence.

III.

A. *It is further ordered*, That respondents, RBR Productions, Inc., a corporation, its successors and assigns, and its officers, and Richard Rosenberg, individually and as an officer and director of said corporation, and respondents' agents, representatives, and employees, directly or through any partnership, 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 misrepresenting, in any manner, directly or by implication, the extent to which:

- (1) Any such product or package is capable of being recycled; or,
- (2) Recycling collection programs for such product or package are available.

B. Provided, however, respondents will not be in violation of Part III.A(2) of this order, in connection with the advertising, labeling, offering for sale, sale or distribution of any aluminum aerosol can, if it truthfully represents that such package is recyclable, provided that:

- (1) Respondent discloses clearly, prominently, and in close proximity to such representation:

- (a) That such packaging is recyclable in the few communities with recycling collection programs for aluminum aerosol cans; or
- (b) The approximate number of U.S. communities with recycling collection programs for such aluminum aerosol cans; or
- (c) The approximate percentage of U.S. communities or the U.S. population to which recycling collection programs for such aluminum aerosol cans are available.

For the purposes of this order, a disclosure elsewhere on the product package shall be deemed to be "in close proximity" to such representation 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.

IV.

It is further ordered, That for five (5) years after the last date of dissemination of any representation covered by this order, respondents, or their successors or assigns, shall maintain and upon request make available to the Federal Trade Commission or its staff 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 their possession or control that contradict, qualify, or call into question such representation, or the basis relied upon for such representation, including complaints from consumers and complaints or inquiries from governmental organizations.

V.

It is further ordered, That respondent RBR Productions, Inc. 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.

VI.

It is further ordered, That respondent RBR Productions, Inc., its successors and assigns, 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.

VII.

It is further ordered, That respondent Richard Rosenberg shall, for a period of five (5) years from the date of entry of this order, notify the Commission within thirty (30) days of the discontinuance of his present business or employment and of his affiliation with any new business or employment. Each notice of affiliation with any new business or employment shall include respondent's new business address and telephone number, and a statement describing the nature of the business or employment and his duties and responsibilities.

VIII.

It is further ordered, That this order will terminate twenty years from the date of its issuance, or twenty years from the most recent date that the United States or the Federal Trade Commission files a complaint (with or without an accompanying consent decree) in federal court alleging any violation of the order, whichever comes later; provided, however, that the filing of such a complaint will not affect the duration of:

A. Any paragraph in this order that terminates in less than twenty years;

B. This order's application to any respondent that is not named as a defendant in such complaint; and

C. This order if such complaint is filed after the order has terminated pursuant to this paragraph.

Provided, further, that if such complaint is dismissed or a federal court rules that the respondent did not violate any provision of the order, and the dismissal or ruling is either not appealed or upheld on

appeal, then the order will terminate according to this paragraph as though the complaint was never filed, except that the order will not terminate between the date such complaint is filed and the later of the deadline for appealing such dismissal or ruling and the date such dismissal or ruling is upheld on appeal.

IX.

It is further ordered, That respondents shall, within sixty (60) days after service of this order upon them, 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 they have complied with this order.

IN THE MATTER OF

THE B.F. GOODRICH COMPANY, ET AL.

MODIFYING ORDER IN REGARD TO ALLEGED VIOLATION OF SEC. 7 OF
CLAYTON ACT AND SEC. 5 OF THE FEDERAL TRADE COMMISSION

Docket 9159. Modified Final Order, July 18, 1989--Modifying Order, Dec. 12, 1996

This order reopens a 1989 modified final order -- that required Goodrich to divest its Calvert City, Kentucky facility, for the production of vinyl chloride monomer ("VCM") and ethylene dichloride, instead of the LaPorte VCM plant, and also required Commission approval before acquiring any interest in any producer of VCM located in the United States -- and this order modifies the order by setting aside the prior approval requirement.

ORDER REOPENING AND MODIFYING ORDER

On August 23, 1996, The Geon Company ("Geon") filed a Petition to Reopen and Modify Order ("Petition") in this matter. Geon was formed by respondent The B.F. Goodrich Company ("Goodrich") in 1993, and became the wholly-owned subsidiary of Goodrich into which Goodrich placed its vinyl chloride monomer ("VCM") and polyvinyl chloride ("PVC") resin and compound businesses. Goodrich subsequently sold all of its shares of Geon in two public offerings. As a result, Geon is currently the owner and operator of Goodrich's former operations in the VCM industry. Geon is joined in its Petition by respondent Goodrich.¹ In its Petition, Geon asks that the Commission reopen and modify the Modified Final Order issued on July 18, 1989, in Docket No. 9159 ("order") to delete the prior approval provision set forth in paragraph IX of the order 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 and Procedure, 16 CFR 2.51, and consistent with the Statement of Federal Trade Commission Policy Concerning Prior Approval and Prior Notice Provisions, issued on June 21, 1995 ("Prior Approval Policy Statement").² Should the Commission determine that deletion of the prior approval requirement would be inconsistent with the public interest, Geon requests that the Commission modify paragraph IX to remove the prior approval requirement and replace it with a

¹ Goodrich has joined in Geon's Petition by stating in an affidavit by Jon V. Heider, Goodrich's Executive Vice President and General Counsel, that it does not object to the modification sought by Geon.

² 60 Fed. Reg. 39,745-47 (Aug. 3, 1995); 4 Trade Reg. Rep. (CCH) ¶ 13,241.