

Complaint

IN THE MATTER OF

JORE CORPORATION

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

Docket C-4004; File No. 0023237
Complaint, March 15, 2001--Decision, March 15, 2001

This consent order addresses claims on certain packaging and labeling for products marketed by Respondent Jore Corporation -- including power tool accessories -- that such products are all or virtually all made in the United States. The order, among other things, prohibits the respondent from misrepresenting the extent to which any product is made in the United States, while permitting the respondent to represent that such products are made in the United States as long as all, or virtually all, of the components of the products are of United States origin, and all, or virtually all, of the labor in manufacturing them is performed in the United States.

Participants

For the Commission: *Laura D. Koss, Walter C. Gross, Elaine D. Kolish, and Keith B. Anderson.*

For the Respondent: *William Outman, Baker & McKenzie.*

COMPLAINT

The Federal Trade Commission, having reason to believe that Jore Corporation ("respondent") has violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent Jore Corporation is a Montana corporation with its principal office or place of business at 45000 Highway 93 South, Ronan, Montana 59864.
2. Respondent has manufactured, advertised, labeled, offered for sale, sold, and distributed products to the public, including power tool accessories.

Complaint

3. The acts and practices 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.

4. Respondent has disseminated or has caused to be disseminated packaging for certain of its products, including but not necessarily limited to the attached Exhibits A through C. The packaging contains the following statements or depictions:

A. Craftsman Speed-Lok, 7/16" Hex Shank Wood Boring Bit (½"), Exhibit A

"Made in USA"

B. Craftsman Speed-Lok, 7/16" Hex Shank Wood Boring Bit (1"), Exhibit B

"Made in USA"

C. Stanley/JoreTech Fast Change Power Drilling and Driving Set, Exhibit C

"Made in USA" in immediate conjunction with American flag (on front and two side panels)

In small print on back of package, "Made in USA with Domestic and Global Components"

5. Through the means described in Paragraph 4, notwithstanding the inconspicuous statement "Made in USA with Domestic and Global Components," respondent has represented, expressly or by implication, that certain of its power tool accessories are made in the United States, *i.e.*, that all, or virtually all, of the component parts of such power tool accessories are made in the United States, and that all, or virtually all, of the labor in manufacturing such power tool accessories is performed in the United States.

Complaint

6. In truth and in fact, a significant portion of the components of certain of respondent's power tool accessories is, or has been, of foreign origin. Therefore, the representation set forth in Paragraph 5 was, and is, false or misleading.

7. Respondent has disseminated or has caused to be disseminated packaging for certain of its products, including but not necessarily limited to the attached Exhibits D and E. The packaging contain the following statements:

A. Stanley/JoreTech 1/4" Hex Shank Wood Boring Bit (5/8"), Exhibit D

"Made in USA with Domestic and Global Components"

B. Stanley/JoreTech 1/4" Hex Shank Wood Boring Bit (7/8"), Exhibit E

"Made in USA with Domestic and Global Components"

8. Through the means described in Paragraph 7, respondent has represented, expressly or by implication, that certain of its power tool accessories are made in the United States with domestic and imported components.

9. In truth and in fact, these products do not contain domestic components. Therefore, the representation set forth in Paragraph 8 was, and is, false or misleading.

10. 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.

THEREFORE, the Federal Trade Commission this fifteenth day of March, 2001, has issued this complaint against respondent.

CRAFTSMAN

926254

Speed-Lok™

7/16-in.
Speed-
Shank™

1/2-in Wood
Boring Bit

Drill Chuck

Use with the
Speed-Lok™
Quick Connector
or chuck directly
into any 1/2-in.
drill chuck.
(Sold Separately)

Speed-Lok™
Quick Connector
for easy one
handed bit changes

**Speed-
Shank™**
eliminates
drill bit
slippage

FITS ALL
BRANDS

WARNING:

Always wear eye protection which complies with current ANSI Standard Z87.1

Always disconnect power source before using tool on electrical boxes, fittings or any workplace which may conduct electricity.

Do not use on any power impact wrench. Bits could break, throwing fragments in all directions.

Before using on a power tool, read and understand machine owners manual, observing all instructions. **FAILURE TO HEED ALL INSTRUCTIONS CAN RESULT IN SERIOUS BODILY INJURY OR DEATH.**

Speed-Lok™ and Speed-Shank™

ARE TRADEMARKS OWNED BY JORE CORPORATION

MADE IN U.S.A. Sold by Sears, Roebuck and Co., Hoffman Estates, IL 60179 1/2000



D9M26254

60550669

926254

CRAFTSMAN

Aggressive
Angled
Cutting Edge

Hardened
Steel

Quick
Connector

7/16-in.
Speed-
Shank™

Speed-
Shank™

CRAFTSMAN

926258

Speed-Lok™

7/16-in.
Speed-
Shank™

1-in Wood Boring Bit

Drill Chuck

Use with the
Speed-Lok™
Quick Connector
or chuck directly
into any 1/2-in.
drill chuck.
(Sold Separately)

Speed-Lok™
Quick Connector
for easy one
handed bit changes

**Speed-
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Speed-Lok™ and Speed-Shank™

ARE TRADEMARKS OWNED BY JORE CORPORATION

MADE IN U.S.A. Sold by Sears, Roebuck and Co.,
Hoffman Estates, IL 60179 1/2000



D 9 M 2 6 2 5 8

60550673

926258

CRAFTSMAN

Aggressive
Angled
Cutting Edge

Hardened
Steel

Quick
Connector

7/16-in.
Speed-
Shank™

Speed-
Shank™

STANLEY

Joe

Fast Change Power Drilling and Driving Set

Juego de cambio rápido para taladro o destornillador eléctrico
Ensemble de perçage et de vissage motorisé avec connecteur à remplacement rapide

FAST IN

FAST OUT

FAST SHANK™



STANLEY

Cretech
Drive System

Contractor Grade

Fast Change Power Drilling and Driving Set

Juego de cambio rápido para taladro o destornillador eléctrico
Ensemble de perçage et de vissage motorisé avec connecteur à remplacement rapide

FAST IN

FAST OUT

100%
faster bit changes than with standard keyed chuck.
Change les broches 100% plus vite que les systèmes traditionnels à clé pour broches.
Permet de remplacer les pointes à 100% plus rapidement qu'avec des mandrins à clé traditionnels.

STC-1744

Fast Change

MADE IN U.S.A.
FABRIQUE AUX E.U.



JOE
BROTHERS

Contents

1-4 Converter 1 Compact Screw Guide with P2 insert bit, 8 Assorted 1 Insert Bits, 13 Black Drive 1-4 Fast Shank™ Drill Bits 1-16, 5-64, 3-32, 7-64, 1-8, 9-64, 5-32, 11-64, 3-16, 13-64, 7-32, 15-64, 1-4, Contractor Drill & Drive Body, 4 Reversible Countersink Inserts - #6x3-32 with P1 Bit, #8x7-64 with P2 Bit, #10x1-8 with P2 Bit, #12x1-8 with P3 Bit, Two 1-4 Hex Shank Wood Boring Bits 1-2, 3-4, 1-4, Three 1-4 Fast Shank™ Clearance Drill Bits 1-8, 3-16, 1-4, High Torque Handle, 6 Assorted 2 Power Bits, 3 Replacement Drill Bits 3-32, 7-64, 1-8, 3 Set Screws, Total 52 Pieces Plus Case

Contenido

Convertidor de 1-4 de pulg. 1 guía compacta de tornillo con broca de inserto con P2 8 brocas de inserción surtidas de 1 pulg. 13 brocas de poder acero hexagonales de 1-4 de pulg. de todo rango 1-16 de pulg. 5-64 de pulg. 3-32 de pulg. 7-64 de pulg. 1-8 de pulg. 9-64 de pulg. 5-32 de pulg. 11-64 de pulg. 3-16 de pulg. 13-64 de pulg. 7-32 de pulg. 15-64 de pulg. 1-4 de pulg. convertidor de atornillado y perforación 4 insertos reversibles con avellanadoras - #6x3-32 pul y broca alternadora P1 - #8x7-64 pul y broca alternadora P2 - #10x1-8 pul y broca alternadora P3, tres tornos para madera hexagonales de 1-4 de pulg. 1-2 de pulg. 3-4 de pulg. 1 de pulg. tres brocas de perforación hexagonales de 1-4 de pulg. 1-8 de pulg. 3-16 de pulg. 1-4 de pulg. mango de alta torsión, 6 brocas surtidas de tornillo exterior de 2 pulg. 3 brocas para perforar de aluminio de 3-32 de pulg. 7-64 de pulg. 1-8 de pulg. 3 juegos de tornillos 52 piezas en total incluye estuche

Contenu

Convertisseur 1-4 po. 1 guide de vissage compacte avec pointe enrobée P2, 8 pointes enrobées assorties de 1 po. 13 forets hexagonaux de 1-4 po avec finition unique (1) 16 po. 5-64 po. 3-32 po. 7-64 po. 1-8 po. 9-64 po. 5-32 po. 11-64 po. 3-16 po. 13-64 po. 7-32 po. 15-64 po. 1-4 po. mandrin professionnel de perçage et de vissage, 4 pointes enrobées et réversible pour le fraisage - #6x3-32 po avec pointe de vissage P1, #8x7-64 po avec pointe de vissage P2, #10x1-8 po avec pointe de vissage P3, trois forets à bois avec tal hexagonal de 1-4 po. 1-2 po. 3-4 po. 1 po, trois forets de machine à la broche hexagonaux de 1-4 po. 1-8 po. 3-16 po. 1-4 po, manche de serrage puissant, 6 pointes de vissage assorties de 2 po. 3 pointes de perçage de machine de 3-32 po. 7-64 po. 1-8 po. 3 vis de pression, total 52 pièces et étui

The System

Advanced Process Control

This drill has been manufactured using a process that controls the cutting edge of the drill bit, ensuring a sharp precision edge point for fast penetration, while maintaining the cutting edge of the flutes.

Screw Guide

Helps set any correct position without wobbling or slipping from the bit.

Contractor Drill and Driver

Allows you to pre-drill, countersink or countersink a screw hole, then drive a screw without retooling by using the quick disconnect feature.

High-Torque Handle

Works with most 2 power bits and many other 1-4 hex shank accessories with a power groove.

Made in the USA with domestic and global components

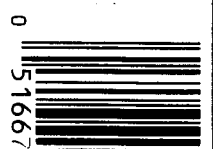
©1999 Jore Corporation

Work safety with tools by wearing safety goggles.
Usa lentes de seguridad para trabajar de manera seg y con las herramientas.
Travaille en sécurité. Portez des lunettes de sécurité lorsque vous utilisez des outils.

MADE IN U.S.A.
HECHO EN EU.A.
FABRIQUÉ AUX É.U.

STC-1744

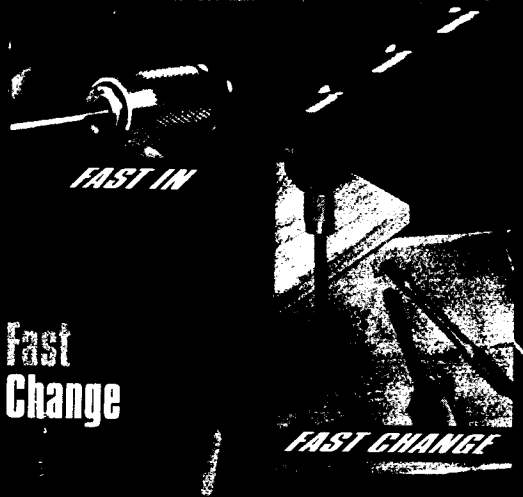
Jore Corporation
45000 Hwy 83 South Roman, UT 84401, 1-800-888-JORE, Fax: 801-876-8400
Stanley is the registered trademark of The Stanley Works and subsidiaries



5/8"
15.9 MM

ST 1198

DRILL



Fast
Change

FAST CHANGE

Lock T-4 Fast Shank accessories directly into the Fast Change Connector to eliminate re-chucking. (connector sold separately)



Work safely with tools by wearing safety goggles.

Made in the USA With Domestic and Global Components

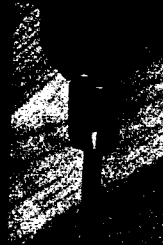
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Jare Corporation, 10000 Jare Way, Dallas, Texas 75243
Tel: 800-800-JARE • Fax: 972-470-4999
Stanley is the registered trademark of
The Stanley Works and subsidiaries

Wood
Boring
Bit

FITS
ALL
DRILLS



1/4"

FAST SHANK

Change

FAST IN
FAST OUT

Angled cutting edge digs into wood while the super sharp spurs cut a clean, smooth hole in all types of wood products.

1/8
22.2 MM

STANLEY



Fast
Change

FAST CHANGE

Lock 1/4 Fast Shank accessories directly into the Fast Change Connector to eliminate re-drilling (connector sold separately)



Work safely. Always use proper safety procedures.

Model 51667-11200, 1/4" Shank, 11200

Fast Change Connector



60550509

Jore Corporation, 1000 Hwy 101, Suite 100, Portland, ME 04104

Tel: 207-633-1000, Fax: 207-633-1001

Stanley is the registered trademark of

The Stanley Works and its subsidiaries

7/8
22.2 MM



Wood
Boring
Bit

FITS
ALL
DRILLS



Angled cutting edge digs into wood while the super sharp spurs cut a clean, smooth hole in all types of wood products.

1/4

FAST SHANK

ST-1200

Decision and Order

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 violations of the Federal Trade Commission Act; and

The respondent, its attorney, and counsel for the Commission having thereafter executed an agreement containing a consent order, and admission by the respondent of all the jurisdictional facts set forth in the draft complaint, a statement that the signing of said 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, 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 respondent violated the said Act, and that a 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 thirty (30) 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 Jore Corporation is a Montana corporation with its principal office or place of business at 45000 Highway 93 South, Ronan, Montana 59864.
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.

Decision and Order

ORDER

I.

IT IS ORDERED that respondent, Jore Corporation, 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, in or affecting commerce, as "commerce" is defined in section 4 of the Federal Trade Commission Act, 15 U.S.C. § 44, shall not misrepresent, in any manner, directly or by implication, the extent to which any such product is made in the United States.

PROVIDED, however, that a representation that any such product is made in the United States will not be in violation of this Order so long as all, or virtually all, of the component parts of the product are made in the United States and all, or virtually all, of the labor in manufacturing the product is performed in the United States.

PROVIDED FURTHER, that nothing in the order shall prohibit respondent from depleting the inventory of any product bearing a marking or labeling otherwise prohibited by this order and existing on the date this order is signed, in the normal course of business, provided that no such existing inventory is shipped later than January 31, 2001.

II.

IT IS FURTHER ORDERED that respondent Jore Corporation, and its successors and assigns, shall, for five (5) years after the last date of dissemination of any representation covered by this order, maintain and upon request make available to the Federal Trade Commission for inspection and copying:

- A. All labeling, packaging, advertisements and promotional materials containing the representation;

Decision and Order

- B. All materials that were relied upon in disseminating the representation; and
- C. All tests, reports, studies, surveys, demonstrations, or other evidence in their possession or control that contradict, qualify, or call into question the representation, or the basis relied upon for the representation, including complaints and other communications with consumers or with governmental or consumer protection organizations.

III.

IT IS FURTHER ORDERED that respondent Jore Corporation, and its successors and assigns, shall deliver a copy of this order to all current and future officers, directors, and to all current and future employees, agents, and representatives having responsibilities with respect to the subject matter of this order, and shall secure from each such person a signed and dated statement acknowledging receipt of the order. Respondent shall deliver this order to current personnel within thirty (30) days after the date of service of this order, and to future personnel within thirty (30) days after the person assumes such position or responsibilities.

IV.

IT IS FURTHER ORDERED that respondent Jore Corporation, and its successors and assigns, shall notify the Commission at least thirty (30) days prior to any change in the corporation that may affect compliance obligations arising under this order, including but not limited to a dissolution, assignment, sale, merger, or other action that would result in the emergence of a successor corporation; the creation or dissolution of a subsidiary, parent, or affiliate that engages in any acts or practices subject to this order; the proposed filing of a bankruptcy petition; or a change in the corporate name or address. Provided, however, that, with respect to any proposed change in the corporation about which respondent learns less than thirty (30) days prior to the date such action is to take place, respondent shall notify the Commission as soon as is practicable after obtaining such knowledge. All notices required by this Part

Decision and Order

shall be sent by certified mail to the Associate Director, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580.

V.

IT IS FURTHER ORDERED that respondent Jore Corporation, and its successors and assigns, shall, within sixty (60) days after the date of service of this order, and at such other times as the Federal Trade 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.

VI.

This order will terminate on March 15, 2021, or twenty (20) 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 this order if such complaint is filed after the order has terminated pursuant to this Part. 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 Part as though the complaint had never been 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.

By direction of the Commission.

Analysis

Analysis of Proposed Consent Order to Aid Public Comment

Issued when the Commission tentatively approved a proposed consent order on January 22, 2001

The Federal Trade Commission has accepted an agreement, subject to final approval, to a proposed consent order from respondent Jore Corporation.

The proposed consent order has been placed on the public record for thirty (30) days for reception of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the Commission will again review the agreement and the comments received and will decide whether it should withdraw from the agreement and take other appropriate action or make final the agreement's proposed order.

This matter concerns U.S. origin claims contained on packaging for certain Jore Corporation products, including power tool accessories. The Commission's complaint charges that respondents misrepresented on this packaging that the products were all or virtually all made in the United States. In truth and in fact, these products were actually made with significant foreign content and/or processing.

The proposed consent order contains a provision that is designed to remedy the charges and to prevent the respondent from engaging in similar acts and practices in the future. Part I of the proposed order prohibits Jore Corporation from misrepresenting the extent to which any product is made in the United States. The proposed order would allow Jore Corporation to represent that such products are made in the United States as long as all, or virtually all, of the components of the products are of U.S. origin, and all, or virtually all, of the labor in manufacturing them is performed in the United States.

Part II of the proposed order requires respondent to maintain materials relied upon in disseminating any representation covered by the order. Part III of the proposed order requires Jore Corporation to distribute copies of the order to certain company

Analysis

officials and employees. Part IV of the proposed order requires Jore Corporation to notify the Commission of any change in the corporation that may affect compliance obligations under the order. Part V of the proposed order requires Jore Corporation to file one or more compliance reports. Part VI of the proposed order is a provision whereby the order, absent certain circumstances, terminates twenty years from the date of issuance.

The purpose of this analysis is to facilitate public comment on the proposed consent order. It is not intended to constitute an official interpretation of the agreement and proposed order or to modify in any way their terms.

Complaint

IN THE MATTER OF

**DOW CHEMICAL COMPANY AND
UNION CARBIDE CORP.**CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATIONS OF
SEC. 7 OF THE CLAYTON ACT AND SEC. 5 OF THE FEDERAL TRADE
COMMISSION ACT*Docket C-3999; File No. 9910301
Complaint, February 5, 2001--Decision, March 15, 2001*

This consent order addresses the merger of Respondent The Dow Chemical Company -- a large, worldwide chemical company, with a particular focus on polyethylene, the world's most widely used plastic, and technologies relating to its manufacture -- and Respondent Union Carbide Corporation, also a large, worldwide chemical company and a leading developer and licensor of polyethylene process technology. The order, among other things, requires the respondents to divest and license certain intellectual property and other assets relating to polyethylene to BP Amoco plc ("BP"). The order also requires the respondents to divest Respondent Dow's worldwide businesses in ethyleneamines and ethanolamines -- families of chemicals used in products such as surfactants, personal care products, pulp and paper products, and herbicides and/or fungicides -- respectively to Huntsman International LLC and Ineos Group plc. In addition, the order requires the respondents to divest Dow's business in methyldiethanolamine ("MDEA") -- a powerful solvent used to remove unwanted compounds from gas streams, in oil refineries, natural gas plants, ammonia plants, and other facilities that handle hydrocarbon gases -- to Ineos Group plc. An accompanying Order to Maintain Assets requires the respondents to preserve the businesses they are required to divest as a viable, competitive, and ongoing operation until the divestiture is achieved.

Participants

For the Commission: *Wallace Easterling, Phillip M. Eisenstat, John Warden, Eric Elmore, Crystal Jones, Kristina Martin, April Tabor, Kavita Puri, Scott Reiter, Ronald Curtis, Linda Cunningham, Jeanine Balbach, Rhett R. Krulla, Richard Liebeskind, Arthur Strong, David von Nirschl, Jeffrey Dahnke, Roberta S. Baruch, Gorav Jindal, Jeremy Beck, J. Elizabeth Callison, David Meyer, and Jane Ruseski.*