

FEDERAL TRADE COMMISSION

_____)
)
 In the Matter of)
)
 UNO RESTAURANT CORPORATION,)
 PIZZERIA UNO CORPORATION, and)
 UNO RESTAURANTS, INC.,)
 corporations.)
 _____)

FILE NO. 962 3150

AGREEMENT CONTAINING
CONSENT ORDER

The Federal Trade Commission has conducted an investigation of certain acts and practices of Uno Restaurant Corporation, Pizzeria Uno Corporation, and Uno Restaurants, Inc., corporations ("proposed respondents"). Proposed respondents, having been represented by counsel, are willing to enter into an agreement containing a consent order resolving the allegations contained in the attached draft complaint. Therefore

b. The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law; and

c. All rights to seek judicial review or otherwise to challenge or contest the validity of the order entered pursuant to this agreement.

4. This agreement shall not become part of the public record of the proceeding unless and until it is accepted by the Commission. If this agreement is accepted by the Commission, it, together with the draft complaint will be placed on the public record for

a period of sixty (60) days and information about it publicly released. The Commission thereafter may either withdraw its acceptance of this agreement and so notify proposed respondents, in which event it will take such action as it may consider

the circumstances may require) and decision in disposition of the proceeding.

5 This agreement is for settlement purposes only and does not

7. Proposed respondents have read the draft complaint and consent order. They understand that they may be liable for civil penalties in the amount provided by law and other appropriate relief for each violation of the order after it becomes final.

ORDER

DEFINITIONS

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

1. Unless otherwise specified, "respondents" shall mean Uno Restaurant Corporation, Pizzeria Uno Corporation, and Uno Restaurants, Inc., corporations, their successors and assigns and their officers, agents, representatives and employees.
2. "In or affecting commerce" shall mean as defined in Section 4 of the Federal Trade Commission Act, 15 U.S.C. § 44.

I.

IT IS ORDERED that respondents, 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 pizzas, or any other food product containing a baked crust, in or affecting commerce, shall not misrepresent, in any manner, expressly or by implication, through numerical or descriptive terms or any other

III.

IT IS FURTHER ORDERED that respondents Uno Restaurant Corporation, Pizzeria Uno Corporation, and Uno Restaurants, Inc.

and their 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 advertisements and promotional materials containing the representation;
- 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

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 respondents learns less than thirty (30) days prior to the date such action is to take place, respondents shall notify the Commission as soon as is practicable after obtaining such knowledge. All notices required by this Part shall be sent by certified mail to the Associate Director, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, D.C. 20580.

VI.

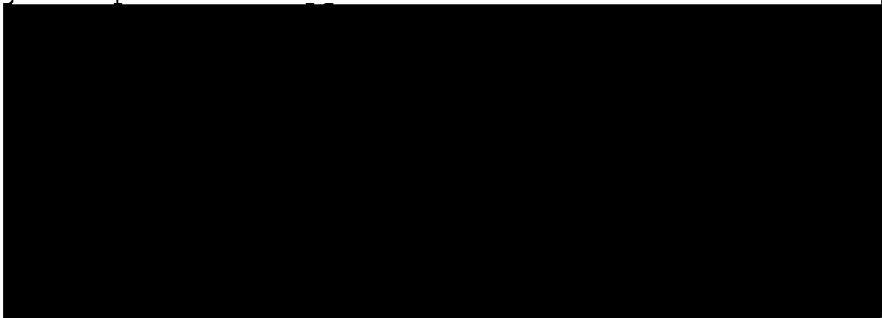
IT IS FURTHER ORDERED that respondents Uno Restaurant

Corporation, Pizzeria Uno Corporation, and Uno Restaurants, Inc. and their successors and assigns shall, within sixty (60) days after the date of service of this order, and at such other times

filed, except that the order will not terminate between the date such complaint is filed and the later of the deadline for

ruling is up

held on appeal.



Signed this 23rd day of October, 1996

FEDERAL TRADE COMMISSION

_____)	
)	
In the Matter of)	
)	
UNO RESTAURANT CORPORATION,)	DOCKET NO.
PIZZERIA UNO CORPORATION, and)	
UNO RESTAURANTS, INC.,)	
corporations.)	
)	
_____)	

COMPLAINT

The Federal Trade Commission, having reason to believe that

Uno Restaurant Corporation, Pizzeria Uno Corporation, and Uno Restaurants, Inc., corporations ("respondents"), have violated the provisions of the Federal Trade Commission Act, and its

the meaning of Sections 12 and 15 of the Federal Trade Commission Act.

5. 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.

6. Respondents have disseminated or have caused to be disseminated advertisements for thin crust pizzas, including but not necessarily limited to the attached Exhibits A1, A2, and B. These advertisements contain the following statements:

- A. Customer: "Me, I Like to watch what I eat."
- Chef: "Then keep watching . . ."
- Announcer: "Introducing great tasting low fat thin crust pizzas."

. . . .

(Exhibit A1, television commercial transcript, and Exhibit A2, television commercial videotape)

- B. "Uno's menu is full of 23 new tempting items. Try our 2 new Deep Dish or 2 new Lowfat Thin Crust Pizzas"

violation of Sections 5(a) and 12 of the Federal Trade Commission Act.

THEREFORE, the Federal Trade Commission this day
of , 199 , has issued this complaint against
respondents.

By the Commission.

Donald S. Clark
Secretary

SEAL:

[Exhibits A1 and B are attached to paper copies of the complaint,
but not available in electronic form. Exhibit A2 is a television
commercial videotape.]

ANALYSIS OF PROPOSED CONSENT ORDER
TO AID PUBLIC COMMENT

The Federal Trade Commission has accepted an agreement to a proposed consent order from Uno Restaurant Corporation, Pizzeria Uno Corporation, and Uno Restaurants, Inc. The proposed respondents operate the nationwide Pizzeria Uno restaurant chain, where they sell, among other items, a line of thin crust pizzas known as "Thinzettas."

The proposed consent order has been placed on the public record for sixty (60) days for reception of comments by interested persons. Comments received during this period will become part of the public record. After sixty (60) 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.

The Commission's complaint charges that the proposed respondents falsely claimed that their Thinzettas line of thin crust pizzas is low in fat. The proposed consent order contains provisions designed to remedy the violations charged and to prevent proposed respondents from engaging in similar acts in the future.

Part I of the proposed order, in connection with pizzas or any other food product containing a baked crust, prohibits the proposed respondents from misrepresenting the existence

