

**UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION**

**COMMISSIONERS:**      **Timothy J. Muris, Chairman**  
                                 **Mozelle W. Thompson**  
                                 **Orson Swindle**  
                                 **Thomas B. Leary**  
                                 **Pamela Jones Harbour**

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<b>In the Matter of</b>	)	
	)	
<b>GLOBAL INSTRUMENTS LTD.,</b>	)	<b>DOCKET NO. C-4092</b>
<b>a corporation, and</b>	)	
	)	
<b>CHARLES PATTERSON,</b>	)	<b>DECISION AND ORDER</b>
<b>individually and as an officer</b>	)	
<b>of the corporation.</b>	)	

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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

Respondents, their attorneys, and counsel for the Commission having thereafter executed an Agreement Containing Consent Order, an admission by Respondents of all the jurisdictional facts set forth in the complaint, a statement that the signing of said 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 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 had 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 thirty (30) days, now in further conformity with the procedure prescribed in § 2.34(f) of its Rules, the Commission hereby issues its complaint, makes the following jurisdictional findings, and enters the following Order:

1. Respondent Global Instruments Ltd. is an Iowa corporation with its principal office or place of business at 819 Industrial Drive, Trenton, Missouri 64683.
2. Respondent Charles Patterson is President of the corporate respondent. Individually or in concert with others, he formulates, directs, or controls the policies, acts, or practices of the corporation. His principal office or place of business is the same as that of Global Instruments Ltd.
3. 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 purposes of this order, the following definitions shall apply:

1. “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 have 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. “Pest-control product” shall mean any Pest-A-Cator, Pest-A-Cator Too!, Pest-A-Cator Plus, Pest-A-Cator Too! Plus, Riddex, Riddex Jr., PestVacator 800, or PestVacator 1500, or any other product designed, advertised, or intended to repel, control, drive away, or eliminate any

offering for sale, sale, or distribution of any pest-control product, in or affecting commerce, shall not make any representation, in any manner, expressly or by implication, that such pest-control product:

- A. repels, controls, drives away, or eliminates, temporarily or indefinitely, mice, rats, cockroaches, or any other insects or animal pests,
- B. repels, controls, drives away, or eliminates any mice, rats, cockroaches, or any other insects or animal pests in a desired area or an area of a certain size,
- C. is an effective alternative to or eliminates the need for chemicals, pesticides, insecticides, exterminators, or any other pest control product or service, or
- D. will alter the electromagnetic field, send a pulsating signal, or otherwise work inside the walls or through the wiring of homes, offices, schools, restaurants, hospitals, or other buildings in a manner that effectively repels, controls, or eliminates mice, rats, cockroaches or any other insects or animal pests,

unless, at the time of making such representation, respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation.

## II.

IT IS FURTHER 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 any product, in or affecting commerce, shall not make any representation, in any manner, expressly or by implication, about the benefits, performance, or efficacy of such product, unless, at the time the representation is made, respondents possess and rely upon competent and reliable evidence, which when appropriate must be competent and reliable scientific evidence, that substantiates the representation.

## III.

IT IS FURTHER ORDERED that respondent Global Instruments Ltd., and its successors and assigns, and respondent Charles Patterson 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;

VI.

IT IS FURTHER ORDERED that respondent Charles Patterson, for a period of three (3) years after the date of issuance of this order, shall notify the Commission of the discontinuance of his current business or employment with Global Instruments Ltd., or of his affiliation with any new business or employment involving the marketing of any consumer product. The notice shall include the respondent's new business address and telephone number and a description of the nature of the business or employment and his duties and responsibilities. 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.

VII.

IT IS FURTHER ORDERED that respondent Global Instruments Ltd., and its successors and assigns, and respondent Charles Patterson 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 they have complied with this order.

VIII.

This order will terminate on August 22, 2023, 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:

- A. Any Part in this order that terminates in less than twenty (20) 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 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.