

ANNUAL REPORT
OF THE

FEDERAL
TRADE COMMISSION

FOR THE

FISCAL YEAR ENDED JUNE 30, 1920

WASHINGTON
GOVERNMENT PRINTING OFFICE

FEDERAL TRADE COMMISSION.

VICTOR MURDOCK, *Chairman.*

HUSTON THOMPSON.

WILLIAM B. COLVER.

NELSON B GASKILL.

JOHN GARLAND POLLARD.

J.P. YODER, *Secretary.*

CONTENTS.

	Page.
Summary	5
Administrative Division	9
Quarters	13
Personnel	13
Appropriations and expenditures	18
Publications Issued	23
Economic Division	25
Coal	26
Steel	28
Cotton textiles	29
Paper	30
Petroleum	30
Farm machinery	31
Leather and shoes	32
Grain trade	33
Lumber	34
Flour	35
Animal feeds	36
Sugar	36
Milk	37
Meat	38
Marketing of perishable foods	39
Southern live-stock prices	40
Canned foods	41
Tobacco	

position of the cases are given in detail in the body of the report. Explanation of the "trade practice submittal" through which the Commission is undertaking to inform itself of practices in trade, as viewed by trade itself, is also given. Other important actions of the Commission in controverted trade practices are set forth. The report of the Commission to the Attorney General in the case of the California Raisin Association case is given. (Exhibit 9.)

During the year the work of the Commission reached a point where through final disposition of a large number of cases, it was possible for the Commission's orders and the law under which it works to become the subject of review in the courts. This phase of the matter is treated later in this report.

The division of the Commission which administers the export-trade law has now on file the papers of 43 associations, comprising approximately 732 concerns, distributed over 43 States of the United States. The products and commodities exported by these

associations is given hereafter in detail, together with an account of the operations under this law, and the work of the Commission in administering it.

TI:0-2-01-ED-grassociations is given hereafter in detail, together with an account of the operations
b1D(0-02264ad. (These 30126-00269k089fcj1D.su1j c n3th
Tc (.0092 Trade under this law, and the work of the Commission in administering it. b1D(0-02264ad. (These 30126-00269k089fcj1D.su1j c n3th

where in the United States the necessary directions are transmitted to the official reporters by the reportorial section in the Commission's office. All of the necessary work involved in the direction of the official reporters, the receipt, care, and custody of the transcripts of hearings, the auditing of vouchers, etc., is performed in this section.

Docket section is a section somewhat comparable to the office of a clerk of a court. All applications for the issuance of complaints pass through this section; it files all correspondence, exhibits, notices of assignments to attorneys, and field and office reports in connection with such applications. From it issue all formal complaints and their service is attended to by this section. It certifies copies of formal records to the different circuit courts of appeals when required, and keeps the current docket record for the inspection of the public. This section also answers all inquiries from the general public and interested parties with reference to the status of formal proceedings; and it also has the custody of the Commission's seal.

The following tables show in detail the receipt and disposition of applications for complaints and formal complaints, by months, for the fiscal year ended June 30, 1920, and by fiscal years from the beginning of the Commission to June 30, 1920:

TABLE A.--*Showing receipt and disposition of applications for complaints and formal complaints by months, fiscal year ended June 30, 1920.*

Month.	Applications for complaints.				Formal complaints.			
	Received.	Dis- missed	Disposed of. To formal com-	Increase (+) or with 3	Served. Tc (the)	Dis- Tj 13.56 0	Orders to TD 0 ved.	Increase (+) or

It is also worthy of note that during the fiscal year ended June 30, 1920, more formal complaints were served by the Commission than the combined totals for the previous five years.

Library section.--The functions carried on in the library during the fiscal year covered by this report were under the direction of the Economic Division and the offices of the chief counsel and chief examiner. This diversified supervision was a gradual growth. At one time the functions now under the librarian's directions were divided into two parts--those relating to the legal work of the Commission and those having to do with the economic work. It has been thought better to place this unit in the Administrative Division as its activities are for the benefit of all characters of work performed in the Commission, and accordingly on July 1 of this year the library was transferred to the Administrative Division.

The law library includes the following volumes and series of reports:

- | | | | |
|---|---|--|--|
| e | d | Federal Reporter.
Statutes at Large.
Compiled Statutes.
United States Reports.
Federal Reporter.
Northeastern Reporter. | Interstate Commerce Commission Reports.

American Digest
Lawyers' Reports Annotated.
Session laws of the States. |
|---|---|--|--|

Hospital.--The Commission maintains a small unit of a very serviceable nature in the way of a hospital and retirement or rest room for its employees. This unit is under the care of a graduate nurse and has shown great usefulness and rendered beneficial service to employees. Many employees are here from other cities and do not have facilities so easily obtainable in home surroundings and this unit partly supplies some of these needs. The graduate nurse in all cases of sudden or prolonged illness renders in the former cases immediate assistance and makes periodic visits in the latter and the Commission is kept in closer touch with conditions of this sort and this activity has been the means of rendering desirable assistance that could not otherwise have been obtained.

QUARTERS.

The Commission's force is located in one of the temporary buildings erected for war purposes. It occupies one-half of the structure that is located between Twentieth and Twenty-first Streets and New York Avenue. It was the building formerly occupied by the Fuel Administration and the Commission's force moved into it the latter part of May and the early part of June, 1919. It is of frame construction and two stories in height and of the most temporary character. During the fiscal year covered by this report the Fuel Administration moved out all of its force from the eastern half of the structure and at different times other Government offices moved in. This Commission has no jurisdiction over the care and custody of the building. It is operated under the direction of the Superintendent of the State, War, and Navy Department Building, through an assignment made by the Public Buildings Commission, that commission deriving its authority through provisions made in the legislative, executive, and judicial act approved March 1, 1919. The heating, lighting, care and custody are matters over which the Federal Trade Commission has no control.

PERSONNEL.

Changes in personnel.--November 30, 1919, John Franklin Fort, of New Jersey, resigned as a member of the Commission. (Form filed, Tj-17136-D 0.327136-D)
 operator Murdock, 25 Kansas, w (om ilding, Tj-17136-D 0.327136-D)

February 1, 1920, Nelson B. Gaskill, of New Jersey, entered on duty as a member of this Commission, vice John Franklin Fort, for term ending September 25, 1924. His nomination by the President was confirmed by the Senate December 18, 1919. He took the oath of office January 31, 1920.

March 6, 1920, John Garland Pollard, of Virginia, entered upon duty as a member of this Commission, Vice Joseph E. Davies, for the term expiring September 25, 1921. His nomination by the President was confirmed by the Senate March 2, 1920.

Number of new employees who entered the service of the Federal Trade Commission during the year, 348.

Number of employees who left the service during the year, 297.

The number of employees in the Commission at the close of June 30, 1919, was 367, with a total salary of \$731,095.

The number of employees at the close of June 30, 1920, was 418, with a total salary of \$914,110.

The number of employees in our service at the close of June 30, 1920, who have had United States military or naval service was 81.

The recently enacted retirement law covering the classified civil service will apply to approximately 211 employees, as near as can now be forecast, on August 1, 1920, when the 2 ½ per cent deduction from salaries of such employees begins. This Commission has but one employee in its force who has reached the retirement age.

26ice was 83 Tj 9 1917s

The following table presents in a statistical way some of these facts:

	Total number of em- ployees.	Total number of civil service, em- ployees.	Total number of excepted em- ployees.	Number of female	Total salary.
Close of June 30, 1919	367	236	131	113	\$731,095
Number of employees entering on duty July 1, 1919-June 30, 1920	318	218	130	129	
Total to be accounted for	715	454	261	242	
Number of employees who left service during fiscal year	297	220	77	113	
Number at close of June 30, 1920 (classified according to present designations, changed through the year)	418	232	186	129	914, 110

*Employees of the Federal Trade Commission at the close of business June 30,
1920, showing salary rates.*

5 commissioners		\$10,000		
1 secretary		5,000		
		-----	\$55,000	
5 clerks to commissioners		1,800		
		-----	9,000	
1 chief clerk			3,250	
1 disbursing clerk			2,880	
3 clerks		3,000		
1 clerk		2,880		
1 clerk		2,520		
1 clerk		2,500		
1 clerk		2,220		
2 clerks		2,100		
5 clerks		2,000		
1 clerk		1,920		
1 clerk		1,860		
8 clerks		1,800		
3 clerks		1,740		
5 clerks		1,680		
2 clerks		1,600		
1 clerk		1,560		
3 clerks		1,520		
14 clerks		1,500		
12 clerks		1,440		
8 clerks		1,400		
21 clerks		1,380		
18 clerks		1,320		
3 clerks		1,260		
38 clerks		1,200		
2 clerks		1,140		
8 clerks		1,100		
3 clerks		1,000		
		-----	240,120	

1 special attorney	\$8,000	
2 special attorneys	5,000	
1 special attorney	4,500	
2 special attorneys	3,600	
1 special attorney	3,500	
1 special attorney	3,000	
1 special attorney	2,280	
	-----	\$38,480
2 attorneys and examiners	5,000	
1 attorney and examiner	4,800	
3 attorneys and examiners	4,200	
7 attorneys and examiners	4,000	
4 attorneys and examiners	3,600	
1 attorney and examiner	3,500	
5 attorneys and examiners	3,300	
2 attorneys and examiners	2,820	
1 attorney and examiner	2,700	
1 attorney and examiner	2,500	
2 attorneys and examiners	2,460	
	-----	105,560
1 special agent	4,800	
1 special agent	4,500	
1 special agent	4,000	
1 special agent	3,600	
4 special agents	3,300	
3 special agents	3,000	
3 special agents	2,500	
4 special agents	2,400	
4 special agents	2,280	
1 special agent	2,250	

1 537 a.,054 Tc 0 Tw (.03217cial at0.8 TD 0.06 Tc (1) T /Fc 0 Tw (537 a.,054 Tc 0 Tw (.03217cial at0.8 TD 0.06 T
 4(11,3.054 Tc3c 09 0j -28p0-agen1356 TD 0.039gent) Tj 270 0 extorneys and examiners

ADMINISTRATIVE DIVISION.

17

14 examiners	\$3,000	
1 examiner	2,940	
2 examiners	2,880	
3 examiners	2,820	
1 examiner	2,800	
1 examiner	2,700	
1 examiner	2,640	
10 examiners	2,500	
15 examiners	2,400	
1 examiner	2,340	
5 examiners	2,280	
1 examiner	2,260	
1 examiner	2,220	
1 examiner	2,200	
2 examiners	2,160	
4 examiners	2,100	
9 examiners	2,000	
5 examiners	1,920	
13 examiners	1,800	
4 examiners	1,680	
1 examiner	1,650	
2 examiners	1,600	
1 examiner	1,560	
3 examiners	1,500	
5 examiners	1,440	
1 examiner	1,400	
1 examiner	1,380	
2 examiners	1,320	
1 examiner	1,260	
4 examiners	1,200	
	-----	\$318,650
1 multigraph operator	1,800	
I multigraph operator	1,200	
	-----	3,000
4 Hollerith operators	1,320	
	-----	5,280
1 messenger	1,060	
1 messenger	900	
7 assistant messengers	900	
1 assistant messenger	720	
8 messenger boys	480	
	-----	12,820
1 general mechanic	1,260	
	-----	1,260
1 telephone operator	900	
1 telephone operator	720	
	-----	1,620
1 skilled laborer	780	
1 laborer	1,200	
1 laborer	780	
1 laborer	600	
	-----	3,360
Grand total		914,110

15616--20-----2

Congress has

ADMINISTRATIVE DIVISION.

19

unexpended balances of appropriations for previous years and expenditures are tabulated below:

Appropriation.	Amount available.	Amount expended.
Federal Trade Commission, 1920:		
Salaries, commissioners and secretary	\$55,000.00	\$46,527.77
All other authorized expenses	1,150,000.00	909,295.88
Total, fiscal year 1920	1,205,000.00	955,823.65
Unexpended balances:		
Federal Trade commission, 1919	1 225,725.03	2 225,721.96
Federal Trade commission, 1918	36,570.68	

Farm operating equipment	30.05	
Milk products	64.38	
Food hoarding	60.77	72.27
Trade practice submittal, guaranteed against price decline	21.73	
Contingent	42,295.71	
Rent	7,770.00	
Printing and binding	28,348.97	
Total	275,059.35	2,055.83

*Detailed statement of the expenditures of the Federal Trade Commission for
the fiscal year ended June 30, 1920--Continued.*

ECONOMIC DIVISION.		
	Office.	Field.
Annual leave	\$34,104.93	
Sick leave	9,344.06	
General administration	435.84	
Mail and files	940.22	
Disbursements and accounts	771.32	
Library	5,796.19	
Time excused by Executive or Commissioner's order	1,992.41	
Special briefs	16.70	
Labor costs, response to request of congressman Each	31.99	
Economic supervision	31,434.29	\$902.63
Legal supervision	6.87	
Detailed to Congressional Reclassification Commission	4,026.76	
Printing and publications	143.88	
Stenographic		45.50
Informal complaints	363.32	649.58
Formal complaints	1,027.16	197.95
Miscellaneous computing machine work	1,475.69	
Oil, general	4,617.14	545.47
Lumber	30.05	
Trading with the enemy	1,701.59	653.16
Miscellaneous, economic	2.09	
Coal	35,054.04	74.54
Steel	24,893.44	1,766.96
Oil	3,326.57	416.20
Lumber	14,785.33	89.69
Copper lead and zinc (nonferrous metals)	96.78	
Canned goods	2,872.79	202.51
Sisal binder twine		12.20
Cotton textiles	1,476.23	3,889.22
Locomotives		Cr. 3.40
Cost system for packers		420.20
Leather costs		Cr. 1.19
Government paper contracts	2,154.07	636.96
Woolen rags	263.03	7.80
Tobacco and cigarettes	3,192.97	1,684.50
Hemlock and hardwoods		Cr. 5.40
Transportation (war workers)		Cr. 2.20
Cast-iron car wheels	1,068.40	465.88
Steel tires for locomotives	50.22	
Locomotive driving springs and coil springs	268.62	155.02
Car couplers		.01
Live stock and its products	17,290.41	1,057.85
Grain products.	7,433.72	31.11
Grain and produce exchanges	38,827.08	362.30
Canned goods		Cr. .60
Export trade	4.77	
Paper schedules	7,114.25	148.78
Paper prices		Cr. 8.09
Leather and shoes	192.35	.18
Farm operating equipment	19,170.49	1,860.64
Marketing meat and perishable food products	6,024.09	69.68
Section 8, Clayton Act, general investigation	36.67	
Merger of corporations	21.63	
Milk products	28,780.93	5,223.34
Stock securities	6.72	
Southern meat prices.	3,078.21	1,028.49
Food hoarding	7,387.43	2,164.35
California oil	18,252.09	4,393.40
Commercial feeds for animals	11,860.54	3,733.96
Sugar	16,586.03	773.77
Increased cost of shoes	12,380.13	3,360.44
Newsprint paper	2,183.46	303.58

Cotton textiles	1,529.46	
Gasoline prices, etc	7,362.99	988.30
Prices of combed cotton yarns	8,421.17	1,035.70
Total	401,709.34	39,331.06

Stenographic	2,442.96	55.18
Labor		281.00
Preliminary work on informal complaints	2,191.93	207.85
Informal	7,384.49	2,429.03
Formal complaints	1,429.93	357.57
Live stock and its products	17.63	

*Detailed statement of the expenditures of the Federal Trade Commission for
the fiscal year ended June 30, 1920--Continued.*

CHIEF EXAMINER--Continued.

	Office.	Field.
NEW YORK BRANCH OFFICE--continued.		
Section 7 Clayton Act, general investigation		Cr. \$.01
Merger of corporations	\$7.01	
Stock securities	121.55	77.10
Food hoarding	137.94	
Contingent	530.11	
Rent	2,600.04	
Total	22,061.54	3,711.22

CHICAGO BRANCH OFFICE.

Annual leave	1,130.48	
Sick leave	176.56	
Time excused by Executive or Commission's order	13.35	
Legal supervision	1,457.05	141.98
Study of procedure	33.48	
Stenographic	2,150.82	816.34
Special for the commissioners	89.13	
Preliminary work on informal complaints	683.40	193.71
Informal complaints	2,429.16	813.02
Formal complaints	961.32	499.80
Lumber	4,405.83	3,233.13
Miscellaneous legal	1.34	
Grain and produce exchanges	30.04	47.72
Section 7, Clayton Act, general investigation	21.58	Cr. .44
Contingent	382.40	
Rent	1,252.50	
Total	15,218.44	5,745.26

SAN FRANCISCO BRANCH OFFICE.

Annual leave	136.90	
Sick leave	59.09	
Time excused by Executive or Commission's order	22.41	
Legal supervision	368.52	
Stenographic	941.07	72.00
Preliminary work on informal complaints	735.78	107.75
Informal complaints		487.06
Formal complaints	1,087.43	458.00
Lumber	169.11	49.36
Section 7, Clayton Act, general investigation	4.44	59.41
Contingent	59.14	
Total	4,449.58	1,233.58

SUMMARY, CHIEF EXAMINER.

Washington office	50,876.59	16,549.10
New York branch office	22,061.54	3,711.22
Chicago branch office	15,218.44	5,745.26
San Francisco branch office	4,449.58	1,233.58
Total	92,606.15	27,239.16

SUMMARY OF EXPENDITURES.

	Office.	Field.	Total.
Administrative	\$275,059.35	\$2,055.83	\$277,115.18
Economic	401,709.34	39,331.06	441,040.40
Legal:			
Chief counsel	98,774.87	27,959.56	126,734.43
Chief examiner	92,606.15	27,239.16	119,845.31
Grand total	868,149.71	96,585.61	964,735.32

Adjustments.--The following adjustments are made to account for the difference between the costs and disbursements:

Total cost for the year ended June 30, 1920	\$964,735.32
Less transportation Issued	25,190.51
New total	939,544.81
Plus transportation paid	24,643.66
Adjusted total	964,188.47
June, 1919, costs paid In July, 1919 (add)	2,479.38
New total	966,667.85
Credit received for work done for other departments (add)	24,450.68
New total	991,118.53
Returned to credit of Treasurer United States	205,140.69
Disbursements for the year ended June 30, 1920	1,196,259.22

The appropriations for the Federal Trade Commission for the fiscal year ended June 30, 1920, were as follows:

For five commissioners, at \$10,000 each; secretary, \$5,000; in all, \$55,000.

For all other authorized expenditures of the Federal Trade Commission in performing the duties imposed by law or in pursuance of law, including personal and other services in the District of Columbia and elsewhere, supplies and equipment, law books, books of reference, periodicals, printing and binding, traveling expenses, per diem in lieu of subsistence not to exceed \$4, newspapers, foreign postage, and witness fees and mileage in accordance with section 9 of the Federal Trade Commission act, \$1,000,000.

For all expenses necessary in connection with the collection of Information as mayw (of) T3 Tc 0 Tw (InfTj 2.16eUTj 7

Maximum Profit Limitation on Meat Packing Industry. Letter from Federal Trade Commission in response to Senate resolution of September 3, 1919, September 25, 1919. 179 pages (Senate Doc. 1 66th Cong., 1st sess.).

Meat Packing Industry, Part IV (The Five Larger Packers in Produce and Grocery Foods), June 30, 1919. 390 pages.

Meat Packing Industry, Part V (Profits of the Packers) , June 30, 1919. 110 pages.

Meat Packing Industry, Part VI. 92 0 TD 0 of 03 (Tw) Dec 26 13, 1918 1390 page 229.16 0 TD 0Part) T9 16.56

of

ECONOMIC DIVISION.

The work of the Economic Division during the fiscal year ended June 30, 1920, may be grouped under the following heads: (1) inquiries directed by the Senate or House of Representatives; (2) inquiries directed by the President; (3) inquiries undertaken at the request of other departments of the Government; (4) inquiries undertaken on the initiative of the Commission; (5) preparation of general information with regard to various industries, for which data were in the possession of the Commission, at the request of various branches of the Government; and (6) preparation for publication of a large quantity of valuable statistical data regarding costs of production collected during the war.

The most varied and extensive work of the Economic Division was done at the direction of the Senate or House of Representatives, and embraced inquiries into the petroleum, sugar, meat, milk, animal feed, shoe, and cotton-textile industries.

Additional reports were completed and issued a n d

cite coal operators similar to those required during the war, although in briefer form, and additional data annually as to investment and profits. These reports, which are returnable by the operators 30 days following the close of each month, were immediately compiled and published in monthly bulletins, which showed currently tonnage produced, average costs of production, and sales realization by districts, States, and general competitive regions; also data showing the effects which the different wage-scale agreements have upon labor costs.

These monthly bulletins covering coal costs and sales realizations are of value to the operators, to mine laborers, to large industrial consumers of coal, and also to household consumers. They give to the general public an exact understanding of the coal situation in so far as production costs and amounts realized by the mining companies are concerned. They are of value to the operators not only as current summaries of conditions in the industry, but to the public as well.

Reference is made elsewhere (see p. 48) to the Maynard suit and the injunction of the Supreme Court of the District of Columbia against requiring reports from that company. While a large proportion of the coal operators were already making these reports without protest and many others continued to do so quite voluntarily after the injunction mentioned, it naturally had considerable influence on the industry and hindered the Commission from obtaining as comprehensive data as are desirable for public information regarding this industry.

Cost reports for war period.--During the fiscal year ending June 30, 1920, a large amount of work was performed in the preparation of a series of reports showing the cost of producing bituminous and anthracite coal during the war. This series, consisting of seven volumes, presents data for 75 mining districts in 24 coal-producing States in year 8.8 0 TD 0f 75c 9Tc (and) Tj 15.96 0 TD 9Tc (a) Tj 2.52 6 0 TD E004 (TD) Tj 87c 201

28

ANNUAL REPORT OF THE FEDERAL TRADE COMMISSION.

To

These legal controversies tended, of course, to still further reduce the number of companies making reports, though the Steel Corporation continued to file them regularly.

Special cost inquiries.-A number of special investigations into the costs of iron and steel products were made at the request of the Rail-road Administration and Tariff Commission, the more important of which are mentioned below:

At the request of the Railroad Administration the costs of producing iron ore mined in the Lake Superior district during the year 1918 were procured by sending a questionnaire to over 100 companies which was summarized and presented in comparative form together with costs for the year 1917, which had been previously procured by the Commission.

The costs for steel tires for locomotives were examined for three companies at the request of the Railroad Administration.

Also at the request of the Railroad Administration the costs of making driving springs and coil springs for locomotives for six different companies were examined.

At the request of the Tariff Commission statements were prepared showing for certain typical products average costs for representative companies, based on data obtained during the war.

Cost reports for war period.--A considerable amount of work was done in compiling the data on the cost of production of iron and steel products which were collected during the war, but it was found impractical to complete the contemplated report on this subject during this fiscal year.

COTTON TEXTILES.

repr Tc8 0 TD 01() Tj 1h 2.88 0 4.78 0 TD 0.0261 Tc (rep Tc8 0 TD 096 TD 0.023 Tc (the) T

PAPER.

Current periodic reports.--The periodic reporting of statistics of the paper industry which was begun in 1917 was continued through out the fiscal year. The statistics relate chiefly to production and stocks of paper and pulp by grades, together with imports and exports. Statistics were also collected from publishers regarding the consumption and prices of newsprint paper, as well as data from other sources. The information so collected was compiled and published in monthly and special statements for the benefit of the industries, the consumers, and others interested.

publishwhTj 36.24 Report (09/07/14) 3790 FDLE 003 896512 8740 03900 (j 2 4380172 68) b4c

The work,

and

Volume II The Terminal Markets and Exchanges.--This volume deals with the history and relative importance of the various terminal markets and exchanges, their organization, rules, trading practices and methods.

Volume V--Future Trading Operations .--This volume includes a detailed estimate of the volume of future trading, the character of the operators engaged therein, including warehouses, a detailed description of the technique of future operations, and a discussion of the legal status of future trading.

At the close of the fiscal year Volume III, on Terminal Market Operations; Volume IV, on Cost and Profits of Grain Marketing; and Volume VI, on Prices of Cash Grain and Futures, were also nearing completion.

LUMBER.

Current periodic reports.--The Commission has been considering the advisability of collecting costs and other economic data from the lumber industry; and accordingly during the latter part of the year prepared a tentative cost schedule, which was sent to secretaries of the

companies. Studies were made of stumpage, labor, expense, and general overhead, in order to determine the relation of these various items to the total production cost.

These reports when published should be of value both as a record of production costs during the war period and as a basis of comparison for the future.

FLOUR.

A report on commercial wheat-flour milling in the United States, completed during the year, was in press at its close. This report discusses the development of the wheat-flour industry briefly. It then presents in some detail the advance in the prices of wheat, wheat flour, and wheat feed, and the increase in the costs and the profits of the large commercial wheat-flour millers during the five years 1913-14 to 1917-18. The difference in the conditions under which wheat-flour milling is carried on and the differences in the results obtained in the Pacific Northwest, the hard spring-wheat country tributary to Minneapolis, the hard winter-wheat country of the Southwest, and at scattered milling centers farther east are brought out and in part explained. Comparisons are made between results obtained by the very large mills and those not quite so large. The present development of association activities in the industry is also presented briefly.

Concentration activities

The inquiry was directed to ascertain what supplies were available to the United States during this period, D 0f7

was submitted to the Department of Justice in the letter part of 1918, as respects the bulk of the material though additional material was furnished from time to time thereafter. In the latter part of 1919, following the announcement by the Attorney General after a study of the evidence that a criminal suit would be brought, and while preparations were being made for laying the evidence before a Federal grand jury, the packers entered into negotiations with the attorney General looking towards a consent a consent decree. On February 27, 1920, a consent decree was entered in the Supreme Court of the District of Columbia against the five principal corporations and certain of their subsidiaries and against certain individual defendants. (U. S. v. Swift & Co. et al., in Equity No.37623.)

Certain formal complaints were issued by the Commission against the five principal packing companies above mentioned alleging violations of the Clayton Act and the Federal Trade Commission act.

The Commission's report on the meat-packing industry was the occasion of several bills and resolutions, some of which had the attention of committees of Congress in extensive hearings at various times from the fall of 1918 to the spring of 1920 ,at which members of the Commission testified setting forth the facts found in the investigation. Among these bills and resolutions were the following: Senate resolution 221, Sixty-fifth Congress, second session; House bill 13324 (Representative Sims, of Tennessee), Sixty-fifth Congress, third session; Senate bill 5305 (Senator Kendrick, Sixty-fifth Congress, third session; Senate bill 2199 (Senator Kendrick, Sixty-sixth Congress, first session; Senate bill 2202 (Senator Kenyon) , Sixty-sixth Congress, first session; Senate bill 3944 (Senator Gronna), Sixty-sixth Congress, second session; House bill 13526 (Representative Baer, of North Dakota), Sixty-sixth Congress, second session; House bill 14387 Representative Anderson, of Minnesota), Sixty-sixth Congress, second session.

MARKETING OF PERISHABLE FOODS.

The inquiry into the marketing of Swift (see H. R. 1382 (bill) Tj 14.88 O T D 0 the marketing of Swift

50TD-0.00059 Tj 1.5d

bill

and disposition of foodstuffs handled , the conditions of competition, and the methods and facilities used in marketing. Members of the wholesale trade in the leading centers

for hive stock in the Southern States,

offered them by the Government in the final settlement of war contracts.

TOBACCO.

At the request of the War Department the Commission ascertained the cost of producing and marketing those brands and packings of chewing and smoking tobacco and cigarettes that were purchased in large quantities by the War and Navy Departments. These reports were needed by these purchasing agencies in order to adjust prices and make settlements with the manufacturers.

LEGAL DIVISION.

The Legal Division of the Commission includes two subdivisions. The first is the trial division, at the head of which is the chief counsel, who is also the Commission's chief legal adviser. The second is the administrative division, at the head of which is the chief administrative officer. The Commission's legal staff is composed of approximately 100 attorneys and 50 administrative personnel. The Commission's legal staff is organized into several divisions, including the trial division, the administrative division, the research and analysis division, the public information division, and the general counsel division. The trial division is responsible for the trial of cases, while the administrative division is responsible for the management of the Commission's legal staff. The research and analysis division is responsible for the research and analysis of legal issues, while the public information division is responsible for the dissemination of information to the public. The general counsel division is responsible for the provision of legal advice to the Commission.

had in the creamery, rebuilt-typewriter pyroxylin plastic (celluloid) , macaroni and butter industries. ¹

The methods of competition condemned by the members of the several industries follow:

Creamery industry.--In this comparatively young and highly competitive industry a number of creamery companies applied to the Commission for relief from unfair methods of competition which by gradual growth had finally become universally practiced in States located in the Ohio and Mississippi Valleys and west thereof. After investigation members of the creamery industry assembled at Omaha, Nebr., November 3, 1919, at the invitation of the Commission, and there defined and denounced by resolutions, separately discussed and passed, a number of competitive methods which, according to the judgment and experience of the industry, were unfair. The methods so denounced were as follows: Enticement of employees with the purpose and effect of appropriating values created by or belonging to competitors; false testing of cream; unauthorized use of competitors' equipment; furnishing of equipment without charge therefor as an inducement to appropriating competitors' patronage; defamation of competitors; employment of agents of common carriers for the purpose of soliciting or influencing shipments; espionage; false advertising; price discrimination; the payment of more than established commissions; free gifts or premiums; adjustments in the sale of butter on one-half pound instead of on 1-pound basis; and the furnishing of cans without charge to producers.

Rebuilt typewriter industry.--The reputation gained for properly and thoroughly rebuilt typewriting machines yielding a comparatively high percentage of efficiency was found on investigation by the Commission to have induced widespread unfair deceptive practices.

¹ *Book*

To simultaneously correct the unfair practices complained of, the industry, upon the invitation from the Commission, assembled and at its request defined and denounced in open meeting those practices which, in the judgment and experience of the industry, were considered unfair methods of competition.

The terms "rebuilt" or "remanufactured" typewriters were first defined substantially as follows: Machines in which all substantial parts have been removed, examined, cleaned, and tested; defective parts replaced; type properly aligned; unnecessary lost motion eliminated; tarnished blue and nickel parts reblued and renickeled, and the parts of which have been reassembled, inspected, and adjusted by competent workmen. The industry then defined and denounced the use of the following practices as unfair methods of competition: (a) The selling of rebuilt or remanufactured typewriters as new machines; (b) the selling as rebuilt or remanufactured typewriters machines which have been given only superficial repairs, or only such repairs as are necessary to enable a machine to be operated without being rebuilt or remanufactured as defined herein; (c) guaranteeing of a machine by a dealer who is not a competent workman or who does not employ a skilled repair or service man, and who can not keep the guaranteed machines in repair or furnish service in answer to a customer's complaint; (d) the guaranteeing of machines sold on mail order, unless the guaranty expressly provides that a local dealer shall make service repairs at the expense of the mail-order dealer, or provides for the return of the machine to the mail-order dealer for guaranteed service repairs.

Pyroxylin plastics industry.--Misbranding of various articles made from compounds known commercially as "celluloid," "pyralin," "fibrelloid," "viscoloid," "zynolite," "acwelite," etc., which articles had been branded, represented, advertised, and sold by numerous dealers as "ivory," "tortoise shell," "amber," "pearl," "jade," "jet," "coral," etc., resulted in the calling together at the office of the Commission on March 8, 1920 the manufacturers of the basic material, manufacturers of articles fabricated from the basic material, and dealers in the finished products. At this conference a committee was appointed by the members of the industry represented to prepare resolutions to be reported back at an adjourned meeting, which was held May 17, 1920.

In the resolutions presented to the Commission by those engaged in the industry it was concluded that it was impracticable to brand the various articles made from these compounds in a way which would indicate their inflammable character, but that the discontinuance of the use, in a substantive sense, of such terms as "ivory," "jade," "jet," "coral," "tortoise shell," etc., would obviate the necessity of branding the articles so as to indicate their inflam-

mable character; that it is also impossible the brand the

Butter industry.--Having received complaints of an alleged unfair method of competition practiced generally in the Gulf and South-western States, the Commission upon request from manufacturers and distributors of butter, held a trade practice submittal whereat the members of the industry assembled and by resolution petitioned the Federal Trade Commission to bring its action against manufacturers, makers, and shippers of butter who after August 1, 1920, offer for sale in cartons, rolls, or prints, butter in quantities or weights other than the standard weights of 16 ounces, or of 8 ounces, or of 4 ounces, or who offer for sale, butter in such standard weight packages upon which is not marked the net weight of butter contained therein in accordance with subdivision (c) of regulation 29 of the Rules and Regulations for the Enforcement of the Food and Drug Act as Amended (34 Stats., 768), the practice here complained of, according to the unanimous decision of the representatives present, is likely to lead purchasers into the belief that they are purchasing and receiving standard weights of butter when in truth and in fact they are receiving less than standard weights.

to June 20, 1917, are covered in the Commission formal report of that date.

As a result of requests from the governor of Indiana, the Ohio State Council, of Defense, and the Secretary of the Navy, of

FEDERAL TRADE COMMISSION.

For all expenses necessary in connection with the collection of information as may be directed by the President of the United States, or within the scope of its powers, regarding the production, ownership, manufacture, storage, and distribution of foodstuffs, or other necessities and the products or by-products arising from or in connection with the preparation and manufacture thereof, together with figures of cost and wholesale and retail prices, \$150,000.

Thereafter, on December 15, 1919, the Commission adopted the following resolution:

Whereas at hearings held by the Committee on Appropriations of the House of Representatives on August 25, 1919, the Federal Trade Commission was requested to suggest what it might undertake to do to reduce the high cost of living; and

Whereas the Commission recommended to the said committee that it would be desirable to obtain and publish from time to time current information with respect to "the production, ownership, manufacture, storage, and distribution of foodstuffs or other necessities and the products or by-products arising from or in connection with the preparation and manufacture thereof, together with figures of cost and wholesale and retail prices," and particularly with in respect to various basic industries, including coal and steel; and

Whereas the said committee recommended an appropriation of \$150,000 for the current fiscal year for the said Commission in consequence of this recommendation and the same was duly made

a) f ca
theom \$02.56 for 1914
C. O. T. 158
and D. 410 v. 8. 11696
in December 13, 19
of the \$114.6me
as 27 annual (1919) p. 1460-70. J. D. at
E. 7. 11696. 11-14 (conseq

filed for each mine, if you so elect, provided that you file also a composite cost report for each field or district.

Your attention is called to the fact that the above-mentioned law provides penalties for delay or failure in the making of reports to the Commission, or for making false reports.

With the above letter there were inclosed forms of reports, together with instructions for preparing the same. For the month of January, 1920, reports were made as requested by about 1,600 producers. Meantime the National Coal Association negotiated with the Commission with the view of bringing certain injunction suits to determine the question of the authority of the Commission to require producers of coal to make reports concerning the cost of mining coal; accordingly, on March 4, 1920, a bill was filed in the Supreme Court.

Clipping from 140.0254 Tc () Tj 5.28 0 TD (by) Tj 10 0 TD 0.0

c o a l

manded by the Commission while acting under the resolution of December 15, 1919, hereinbefore set out, the Commission requested the Attorney General of the United States to proceed under the provisions of section 9 of the Commission act to petition the district court of the United States for the eastern district of Pennsylvania and the district of New Jersey to issue wants of mandamus against two of the steel-producing companies which had failed and refused to make the reports requested. Accordingly the Department of Justice, acting through the local district attorneys, early in June, 1920, petitioned the court in the eastern district of Pennsylvania to issue a writ of mandamus against the Bethlehem Steel Co. and petitioned the court in the district of New Jersey to issue a writ of mandamus against the Republic Iron & Steel Co. to compel each of said companies to furnish the reports requested by the Commission while acting under said resolution of December 15, 1919. A rule to show cause why the writ should not issue was issued and served in each of these cases, but before they became returnable these two companies, together with 20 other corporations engaged in the steel industry, filed a bill in the Supreme Court of the District of Columbia to enjoin the Commission from requiring those companies to make the said reports requested. A temporary restraining order was issued and afterwards by stipulation of record a temporary injunction pending final hearing on the bill was granted. This is still in force.

COMMERCIAL BRIBERY.

A matter which has been constantly before the Commission is that of commercial bribery. The situation with respect thereto is set forth in a special report submitted to the Congress on May 15, 1918, as follows:

FEDERAL TRADE COMMISSION,
Washington.

To the Congress of the United States:

Pursuant to the provisions of paragraph (f), section 6, of the Federal Trade Commission act, the Federal Trade Commission submits the following to Congress for its consideration:

The Commission has made considerable investigation of bribery of employees of customers as a method of securing trade.

The Commission has found that commercial bribery of employees is a prevalent and common practice in many industries. These bribes take the form of commissions for alleged services, of money and gratuities and entertainments of various sorts, and of loans—all intended to influence such employees in the choice of materials.

It is evident that this Inexcusable added cost is finally passed on to the consumer.

Bribery is criminal per se. The Federal Trade Commission has 110 criminal jurisdiction. It treats the practice as an unfair method of competition. In dealt with commercial bribery as an unfair method of competition the Com-

mission is entirely limited to,

which are for the mutual advantage of all the parties engaging in it, it is believed that a strong Federal enactment against the practice, striking at each person participating, both givers and recipients, coupled

The party cited is then given 40 days in which to prepare his reply in writing and thereafter a full hearing is had, the respondent being present in person or by attorney with every opportunity to cross-examine witnesses and examine documentary evidence.

After that there is placed at his disposal all the processes of the Commission so that he may produce his own witnesses and compel the production of books and papers or any other documentary evidence which he may wish to employ in his defense. In the end the Commission may find either that the acts complained of have not been committed, or, if committed, may not properly be said to be unfair. In which case the whole matter is dismissed.

If, however, it is found that the things complained of have actually been done, and that they are contrary to the public interest, the Commission's order to cease and desist from the practice complained of is issued. But thereafter the respondent may, if he believes that the decision is unfair to him, appeal to the circuit court of appeals of the United States and thence to the Supreme Court of the United States; so that every possible safeguard of law is thrown about the proceedings.

Experience has shown that about two out of three of the complaints which are brought to the Commission's attention are not such as to warrant any formal proceedings and those matters are dismissed without annoyance to the respondent, without publicity, and without public knowledge.

Since its organization, March 16, 1915, the Commission has received and filed 1,990 applications for the issuance of formal complaints. Of these, 992 were dismissed after examination as being without merit or without the jurisdiction of

are

aD 0 Tc (

METHODS OF COMPETITION CONDEMNED.

Among the methods of competition thus far condemned by the Commission may be mentioned the following:

Misbranding of fabrics and other commodities respecting the materials or ingredients of which they are composed, their quality, origin, or source.

Adulteration of commodities, misrepresenting them as pure or selling them under such names and circumstances that the purchaser would be misled into believing them to be pure.

Bribery of buyers or other employees of customers and prospective customers to secure new customers or induce continuation of patronage.

The payment of bonuses by manufacturers to salesmen of jobbers and retailers to procure their special services in selling their goods; and making unduly large contributions of money to associations of customers.

Procuring the business or trade secrets of competitors by espionage, by bribing their employees, or by similar means.

Procuring breach of competitors' contracts for the sale of products by misrepresentation or by other means.

Inducing employees of competitors to violate their contracts or enticing away employees of competitors in such numbers or under such circumstances as to hamper or embarrass them in business.

Making false or disparaging statements respecting competitors' products, their business, financial credit, etc.

The use of false or misleading advertisements.

Making vague and

of the California Associated Raisin Co., alleged to be violating the antitrust acts, and to make recommendations for the readjustment of its business in order that the corporation might thereafter maintain its organization and management and conduct its business in accordance with law. Hearings had on November 20, 22, 24, 25, 26, 28, 29, December 1 and 2, were concluded on December 3, 1919. The essential facts thereby disclosed and the conclusions and recommendations of the Federal Trade Commission thereon will be found in Appendix 8.

PROCEEDINGS UNDER SECTION 5 OF THE COMMISSION ACT.

The first formal complaint was issued by the Commission February 18, 1916. It charged the use of an unfair method of competition within the meaning of section 5 of the Federal Trade Commission act. Since that time the Commission has issued 1709 such complaints. In 1916 there were 134, in 1917 186, in 1918 215, in 1919 360, in 1920 475, in 1921 601, in 1922 719, in 1923 844, in 1924 979, in 1925 1114, in 1926 1259, in 1927 1404, in 1928 1549, in 1929 1694, in 1930 1839, in 1931 1984, in 1932 2129, in 1933 2274, in 1934 2419, in 1935 2564, in 1936 2709, in 1937 2854, in 1938 2999, in 1939 3144, in 1940 3289, in 1941 3434, in 1942 3579, in 1943 3724, in 1944 3869, in 1945 4014, in 1946 4159, in 1947 4304, in 1948 4449, in 1949 4594, in 1950 4739, in 1951 4884, in 1952 5029, in 1953 5174, in 1954 5319, in 1955 5464, in 1956 5609, in 1957 5754, in 1958 5899, in 1959 6044, in 1960 6189, in 1961 6334, in 1962 6479, in 1963 6624, in 1964 6769, in 1965 6914, in 1966 7059, in 1967 7204, in 1968 7349, in 1969 7494, in 1970 7639, in 1971 7784, in 1972 7929, in 1973 8074, in 1974 8219, in 1975 8364, in 1976 8509, in 1977 8654, in 1978 8799, in 1979 8944, in 1980 9089, in 1981 9234, in 1982 9379, in 1983 9524, in 1984 9669, in 1985 9814, in 1986 9959, in 1987 10104, in 1988 10249, in 1989 10394, in 1990 10539, in 1991 10684, in 1992 10829, in 1993 10974, in 1994 11119, in 1995 11264, in 1996 11409, in 1997 11554, in 1998 11699, in 1999 11844, in 2000 11989, in 2001 12134, in 2002 12279, in 2003 12424, in 2004 12569, in 2005 12714, in 2006 12859, in 2007 13004, in 2008 13149, in 2009 13294, in 2010 13439, in 2011 13584, in 2012 13729, in 2013 13874, in 2014 14019, in 2015 14164, in 2016 14309, in 2017 14454, in 2018 14599, in 2019 14744, in 2020 14889, in 2021 15034, in 2022 15179, in 2023 15324, in 2024 15469, in 2025 15614, in 2026 15759, in 2027 15904, in 2028 16049, in 2029 16194, in 2030 16339, in 2031 16484, in 2032 16629, in 2033 16774, in 2034 16919, in 2035 17064, in 2036 17209, in 2037 17354, in 2038 17499, in 2039 17644, in 2040 17789, in 2041 17934, in 2042 18079, in 2043 18224, in 2044 18369, in 2045 18514, in 2046 18659, in 2047 18804, in 2048 18949, in 2049 19094, in 2050 19239, in 2051 19384, in 2052 19529, in 2053 19674, in 2054 19819, in 2055 19964, in 2056 20109, in 2057 20254, in 2058 20399, in 2059 20544, in 2060 20689, in 2061 20834, in 2062 20979, in 2063 21124, in 2064 21269, in 2065 21414, in 2066 21559, in 2067 21704, in 2068 21849, in 2069 21994, in 2070 22139, in 2071 22284, in 2072 22429, in 2073 22574, in 2074 22719, in 2075 22864, in 2076 23009, in 2077 23154, in 2078 23299, in 2079 23444, in 2080 23589, in 2081 23734, in 2082 23879, in 2083 24024, in 2084 24169, in 2085 24314, in 2086 24459, in 2087 24604, in 2088 24749, in 2089 24894, in 2090 25039, in 2091 25184, in 2092 25329, in 2093 25474, in 2094 25619, in 2095 25764, in 2096 25909, in 2097 26054, in 2098 26199, in 2099 26344, in 2100 26489, in 2101 26634, in 2102 26779, in 2103 26924, in 2104 27069, in 2105 27214, in 2106 27359, in 2107 27504, in 2108 27649, in 2109 27794, in 2110 27939, in 2111 28084, in 2112 28229, in 2113 28374, in 2114 28519, in 2115 28664, in 2116 28809, in 2117 28954, in 2118 29099, in 2119 29244, in 2120 29389, in 2121 29534, in 2122 29679, in 2123 29824, in 2124 29969, in 2125 30114, in 2126 30259, in 2127 30404, in 2128 30549, in 2129 30694, in 2130 30839, in 2131 30984, in 2132 31129, in 2133 31274, in 2134 31419, in 2135 31564, in 2136 31709, in 2137 31854, in 2138 31999, in 2139 32144, in 2140 32289, in 2141 32434, in 2142 32579, in 2143 32724, in 2144 32869, in 2145 33014, in 2146 33159, in 2147 33304, in 2148 33449, in 2149 33594, in 2150 33739, in 2151 33884, in 2152 34029, in 2153 34174, in 2154 34319, in 2155 34464, in 2156 34609, in 2157 34754, in 2158 34899, in 2159 35044, in 2160 35189, in 2161 35334, in 2162 35479, in 2163 35624, in 2164 35769, in 2165 35914, in 2166 36059, in 2167 36204, in 2168 36349, in 2169 36494, in 2170 36639, in 2171 36784, in 2172 36929, in 2173 37074, in 2174 37219, in 2175 37364, in 2176 37509, in 2177 37654, in 2178 37799, in 2179 37944, in 2180 38089, in 2181 38234, in 2182 38379, in 2183 38524, in 2184 38669, in 2185 38814, in 2186 38959, in 2187 39104, in 2188 39249, in 2189 39394, in 2190 39539, in 2191 39684, in 2192 39829, in 2193 39974, in 2194 40119, in 2195 40264, in 2196 40409, in 2197 40554, in 2198 40699, in 2199 40844, in 2200 40989, in 2201 41134, in 2202 41279, in 2203 41424, in 2204 41569, in 2205 41714, in 2206 41859, in 2207 42004, in 2208 42149, in 2209 42294, in 2210 42439, in 2211 42584, in 2212 42729, in 2213 42874, in 2214 43019, in 2215 43164, in 2216 43309, in 2217 43454, in 2218 43599, in 2219 43744, in 2220 43889, in 2221 44034, in 2222 44179, in 2223 44324, in 2224 44469, in 2225 44614, in 2226 44759, in 2227 44904, in 2228 45049, in 2229 45194, in 2230 45339, in 2231 45484, in 2232 45629, in 2233 45774, in 2234 45919, in 2235 46064, in 2236 46209, in 2237 46354, in 2238 46499, in 2239 46644, in 2240 46789, in 2241 46934, in 2242 47079, in 2243 47224, in 2244 47369, in 2245 47514, in 2246 47659, in 2247 47804, in 2248 47949, in 2249 48094, in 2250 48239, in 2251 48384, in 2252 48529, in 2253 48674, in 2254 48819, in 2255 48964, in 2256 49109, in 2257 49254, in 2258 49399, in 2259 49544, in 2260 49689, in 2261 49834, in 2262 49979, in 2263 50124, in 2264 50269, in 2265 50414, in 2266 50559, in 2267 50704, in 2268 50849, in 2269 50994, in 2270 51139, in 2271 51284, in 2272 51429, in 2273 51574, in 2274 51719, in 2275 51864, in 2276 52009, in 2277 52154, in 2278 52299, in 2279 52444, in 2280 52589, in 2281 52734, in 2282 52879, in 2283 53024, in 2284 53169, in 2285 53314, in 2286 53459, in 2287 53604, in 2288 53749, in 2289 53894, in 2290 54039, in 2291 54184, in 2292 54329, in 2293 54474, in 2294 54619, in 2295 54764, in 2296 54909, in 2297 55054, in 2298 55199, in 2299 55344, in 2300 55489, in 2301 55634, in 2302 55779, in 2303 55924, in 2304 56069, in 2305 56214, in 2306 56359, in 2307 56504, in 2308 56649, in 2309 56794, in 2310 56939, in 2311 57084, in 2312 57229, in 2313 57374, in 2314 57519, in 2315 57664, in 2316 57809, in 2317 57954, in 2318 58099, in 2319 58244, in 2320 58389, in 2321 58534, in 2322 58679, in 2323 58824, in 2324 58969, in 2325 59114, in 2326 59259, in 2327 59404, in 2328 59549, in 2329 59694, in 2330 59839, in 2331 59984, in 2332 60129, in 2333 60274, in 2334 60419, in 2335 60564, in 2336 60709, in 2337 60854, in 2338 60999, in 2339 61144, in 2340 61289, in 2341 61434, in 2342 61579, in 2343 61724, in 2344 61869, in 2345 62014, in 2346 62159, in 2347 62304, in 2348 62449, in 2349 62594, in 2350 62739, in 2351 62884, in 2352 63029, in 2353 63174, in 2354 63319, in 2355 63464, in 2356 63609, in 2357 63754, in 2358 63899, in 2359 64044, in 2360 64189, in 2361 64334, in 2362 64479, in 2363 64624, in 2364 64769, in 2365 64914, in 2366 65059, in 2367 65204, in 2368 65349, in 2369 65494, in 2370 65639, in 2371 65784, in 2372 65929, in 2373 66074, in 2374 66219, in 2375 66364, in 2376 66509, in 2377 66654, in 2378 66799, in 2379 66944, in 2380 67089, in 2381 67234, in 2382 67379, in 2383 67524, in 2384 67669, in 2385 67814, in 2386 67959, in 2387 68104, in 2388 68249, in 2389 68394, in 2390 68539, in 2391 68684, in 2392 68829, in 2393 68974, in 2394 69119, in 2395 69264, in 2396 69409, in 2397 69554, in 2398 69699, in 2399 69844, in 2400 69989, in 2401 70134, in 2402 70279, in 2403 70424, in 2404 70569, in 2405 70714, in 2406 70859, in 2407 71004, in 2408 71149, in 2409 71294, in 2410 71439, in 2411 71584, in 2412 71729, in 2413 71874, in 2414 72019, in 2415 72164, in 2416 72309, in 2417 72454, in 2418 72599, in 2419 72744, in 2420 72889, in 2421 73034, in 2422 73179, in 2423 73324, in 2424 73469, in 2425 73614, in 2426 73759, in 2427 73904, in 2428 74049, in 2429 74194, in 2430 74339, in 2431 74484, in 2432 74629, in 2433 74774, in 2434 74919, in 2435 75064, in 2436 75209, in 2437 75354, in 2438 75499, in 2439 75644, in 2440 75789, in 2441 75934, in 2442 76079, in 2443 76224, in 2444 76369, in 2445 76514, in 2446 76659, in 2447 76804, in 2448 76949, in 2449 77094, in 2450 77239, in 2451 77384, in 2452 77529, in 2453 77674, in 2454 77819, in 2455 77964, in 2456 78109, in 2457 78254, in 2458 78399, in 2459 78544, in 2460 78689, in 2461 78834, in 2462 78979, in 2463 79124, in 2464 79269, in 2465 79414, in 2466 79559, in 2467 79704, in 2468 79849, in 2469 79994, in 2470 80139, in 2471 80284, in 2472 80429, in 2473 80574, in 2474 80719, in 2475 80864, in 2476 81009, in 2477 81154, in 2478 81299, in 2479 81444, in 2480 81589, in 2481 81734, in 2482 81879, in 2483 82024, in 2484 82169, in 2485 82314, in 2486 82459, in 2487 82604, in 2488 82749, in 2489 82894, in 2490 83039, in 2491 83184, in 2492 83329, in 2493 83474, in 2494 83619, in 2495 83764, in 2496 83909, in 2497 84054, in 2498 84199, in 2499 84344, in 2500 84489, in 2501 84634, in 2502 84779, in 2503 84924, in 2504 85069, in 2505 85214, in 2506 85359, in 2507 85504, in 2508 85649, in 2509 85794, in 2510 85939, in 2511 86084, in 2512 86229, in 2513 86374, in 2514 86519, in 2515 86664, in 2516 86809, in 2517 86954, in 2518 87099, in 2519 87244, in 2520 87389, in 2521 87534, in 2522 87679, in 2523 87824, in 2524 87969, in 2525 88114, in 2526 88259, in 2527 88404, in 2528 88549, in 2529 88694, in 2530 88839, in 2531 88984, in 2532 89129, in 2533 89274, in 2534 89419, in 2535 89564, in 2536 89709, in 2537 89854, in 2538 89999, in 2539 90144, in 2540 90289, in 2541 90434, in 2542 90579, in 2543 90724, in 2544 90869, in 2545 91014, in 2546 91159, in 2547 91304, in 2548 91449, in 2549 91594, in 2550 91739, in 2551 91884, in 2552 92029, in 2553 92174, in 2554 92319, in 2555 92464, in 2556 92609, in 2557 92754, in 2558 92899, in 2559 93044, in 2560 93189, in 2561 93334, in 2562 93479, in 2563 93624, in 2564 93769, in 2565 93914, in 2566 94059, in 2567 94204, in 2568 94349, in 2569 94494, in 2570 94639, in 2571 94784, in 2572 94929, in 2573 95074, in 2574 95219, in 2575 95364, in 2576 95509, in 2577 95654, in 2578 95799, in 2579 95944, in 2580 96089, in 2581 96234, in 2582 96379, in 2583 96524, in 2584 96669, in 2585 96814, in 2586 96959, in 2587 97104, in 2588 97249, in 2589 97394, in 2590 97539, in 2591 97684, in 2592 97829, in 2593 97974, in 2594 98119, in 2595 98264, in 2596 98409, in 2597 98554, in 2598 98699, in 2599 98844, in 2600 98989, in 2601 99134, in 2602 99279, in 2603 99424, in 2604 99569, in 2605 99714, in 2606 99859, in 2607 100004, in 2608 100149, in 2609 100294, in 2610 100439, in 2611 100584, in 2612 100729, in 2613 100874, in 2614 101019, in 2615 101164, in 2616 101309, in 2617 101454, in 2618 101599, in 2619 101744, in 2620 101889, in 2621 102034, in 2622 102179, in 2623 102324, in 2624 102469, in 2625 102614, in 2626 102759, in 2627 102904, in 2628 103049, in 2629 103194, in 2630 103339, in 2631 103484, in 2632 103629, in 2633 103774, in 2634 103919, in 2635 104064, in 2636 104209, in 2637 104354, in 2638 104499, in 2639 104644, in 2640 104789, in 2641 104934, in 2642 105079, in 2643 105224, in 2644 105369, in 2645 105514, in 2646 105659, in 2647 105804, in 2648 105949, in 2649 106094, in 2650 106239, in 2651 106384, in 2652 106529, in 2653 106674, in 2654 106819, in 2655 106964, in 2656 107109, in 2657 107254, in 2658 107399, in 2659 107544, in 2660 107689, in 2661 107834, in 2662 107979, in 2663 108124, in 2664 108269, in 2665 108414, in 2666 108559, in 2667 108704, in 2668 108849, in 2669 108994, in 2670 109139, in 2671 109284, in 2672 109429, in 2673 109574, in 2674 109719, in 2675 109864, in 2676 110009, in 2677 110154, in 2678 110299, in 2679 110444, in 2680 110589, in 2681 110734, in 2682 110879, in 2683 111024, in 2684 111169, in 2685 111314, in 2686 111459, in 2687 111604, in 2688 111749, in 2689 111894, in 2690 112039, in 2691 112184, in 2692 112329, in 2693 112474, in 2694 112619, in 2695 112764, in 2696 112909, in 2697 113054, in 2698 113199, in 2699 113344, in 2700 113489, in 2701 113634, in 2702 113779, in 2703 113924, in 2704 114069, in 2705 114214, in 2706 114359, in 2707 114504, in 2708 114649, in 2709 114794, in 2710 114939, in 2711 115084, in 2712 115229, in 2713 115374, in 2714 115519, in 2715 115664, in 2716 115809, in 2717 115954, in 2718 116099, in 2719 116244, in 2720 116389, in 2721 116534, in 2722 116679, in 2723 116824, in 2724 116969, in 2725 117114, in 2726 117259, in 2727 117404, in 2728 117549, in 2729 117694, in 2730 117839, in 2731 117984, in 2732 118129, in 2733 118274, in 2734 118419, in 2735 118564, in 2736 118709, in 2737 118854, in 2738 118999, in 2739 119144, in 2740 119289, in 2741 119434, in 2742 119579, in 2743 119724, in 2744 119869, in 2745 120014, in 2746 120159, in 2747 120304, in 2748 120449, in 2749 120594, in 2750 120739, in 2751 120884, in 2752 121029, in 2753 121174, in 2754 121319, in 2755 121464, in 2756 121609, in 2757 121754, in 2758 121899, in 2759 122044, in 2760 122189, in 2761 122334, in 2762 122479, in 2763 122624, in 2764 122769, in 2765 122914, in 2766 123059, in 2767 123204, in 2768 123349, in 2769 123494, in 2770 123639, in 2771 123784, in 2772 123929, in 2773 124074, in 2774 124219, in 2775 124364, in 2776 124509, in 2777 124654, in 2778 124799, in 2779 124944, in 2780 125089, in 2781 125234, in 2782 125379, in 2783 125524, in 2784 125669, in 2785 125814, in 2786 125959, in 2787 126104, in 2788 126249, in 2789 126394, in 2790 126539, in 2791 126684, in 2792 126829, in 2793 126974, in 2794 127119, in 2795 127264, in 2796 127409, in 2797 127554, in 2798 127699, in 2799 127844, in 2800 127989, in 2801 128134, in 2802 128279, in 2803 128424, in 2804 128569, in 2805 128714, in 2806 128859, in 2807 129004, in 2808 129149, in 2809 129294, in 2810 129439, in 2811 129584, in 2812 129729, in 2813 129874, in 2814 130019, in 2815 130164, in 2816 130309, in 2817 130454, in 2818 130599, in 2819 130744, in 2820 130889, in 2821 131034, in 2822 131179, in 2823 131324, in 2824 131469, in 2825 131614, in 2826 131759, in 2827 131904, in 2828 13204

gators, most of whom

presented are not controlling circumstances, and the Commission never refuses to consider an application, if it appears probable that the law has been violated.

The Commission has three branch offices, established in June, 1918, for the purpose of saving time and expense in travel and also to afford business men a better opportunity of presenting the matters they wish considered. Convenient and well-equipped quarters are maintained at No. 20 West Thirty-eighth Street, New York

remedial action in such cases, it would be necessary for the Commission to have the power to fix prices, and such a power has never been given it.

Appeals are frequently made to the Commission for the enforcement of the terms of contracts, or for redress where there has been fraud or failure to carry out their terms; and it has been frequently necessary to point out to such applicants that the Commission is not a court and therefore can not award damages, costs, or reparation. The best remedy in such cases is usually to be found in the courts, and it is usually considered that there is little or no public interest in a proceeding by the Commission where the injured party already has an adequate remedy at law or in equity. A useful point for applicants to bear in mind is that the Commission acts primarily on behalf of the public and only secondarily, if at all, for the righting of private wrongs; and, therefore, when the contest appears to be a quarrel between two competitors and one in which the public is not particularly concerned, the Commission will ordinarily decline to interfere.

Another prolific source of misunderstanding is the impression, apparently widely prevalent, that the Commission exercises the function of a detective bureau, and that all that is necessary to set its machinery in motion is to write a letter suggesting that a certain concern or industry could profitably be investigated. Often such communications take the form of anonymous letters. While, as before stated, the Commission's doors are wide open to legitimate complaints, yet the line is drawn at anonymous communications and complaints by parties obviously animated by malice. The Commission insists upon having a definite applicant in each case, and it does not proceed by secret methods, but its investigators walk openly into the offices of concerns under investigation and inform the officers what they have come for. The investigation files are considered confidential, but after the issuance of formal complaints all proceedings are open to the public.

In the year 1915, 112 applications for complaints were docketed; in 1916, there were 134, an increase of 18 per cent; in 1917, 154, an increase of 15 per cent; in 1918, 332, an increase of 117 per cent; in 1919, 535, an increase of 61 per cent; and in 1920, 724, an increase of 35 per cent over the preceding year. This shows an average annual increase of almost 50 per cent, and at the same rate the division will be called upon to handle more than a thousand applications next year.

The force of investigators is, and always has been, quite small. At the end of the fiscal year covered by this report it consisted of 31 men, and the greatest number ever employed was 40. It is obvious that a force of this size can not handle many large investi-

gations concurrently and at the same time take care of its current work. The number of cases handled by each investigator has been steadily rising and the cost per case falling.

In addition to the large amount of important work accomplished by this division, in taking care of the investigation of the application for the issuance of complaints under section 5 of the act of September 26, 1914, it also undertook, in November, 1919, and had nearly completed at the time of this report, a very voluminous and painstaking investigation of the activities of wholesale lumber dealers' associations in the United States. This work was undertaken at the request of the Department of Justice, and it is believed, when completed, will be one of the most extensive inquiries of the kind ever made.

reported that their system of conducting business abroad is meeting with the hearty approval of the foreign customers.

The criticisms which were directed Theund0.0tooc () 49.(The) Tj 17.28g /F0 1ghich

In foreign countries the number and size of combinations has grown very rapidly in recent years. A report by a committee on trusts to the British Parliament in 1919 states that there are “considerably more than 500 associations, all exerting a substantial influence on the course of industry and price, in being at the present time in the United Kingdom.”

According to the British Board of Trade Journal of June 17, 1920, the Canadian Trade Commission, in an open letter to Canadian manufacturers, advocated the forming of trade groups to obtain foreign orders to be divided among Canadian factories according to their capacity. The letter is quoted as saying, in part:

In less than five weeks 10 trade groups have been organized at the direct suggestion of the trade commission. Already reports coming in are that prospects are rosier than were even dreamed of. Big business is being booked.

A similar movement toward concentration and combination in commerce and trade is noticeable in Australia, Japan, South America, and continental Europe.

To solve the problems thus arising, official Government committees have been formed in several foreign countries to study the situation and recommend legislation or administrative remedies. Reports have been submitted by such committees to their parliaments during the past year in New Zealand, Argentina, Denmark, and Norway. Bills subsequently introduced in the parliaments of those countries follow very closely the provisions of the Federal Trade Commission and the export trade acts of the United States.

SUMMARY OF THE EXPORT TRADE ACT (WEBB-POMERENE LAW).¹

The export trade act (40 Stat. L., 516-518), approved April 10, 1918, amends sections 1, 2, and 3 of the Sherman antitrust act (approved July 2, 1890), and section 7 of the Clayton Act (approved Oct. 15, 1914), to the extent that it authorizes the formation of combinations or “associations” solely engaged in export trade. It also amends the Federal Trade Commission act of September 26, 1914, by extending the prohibition against “unfair methods of competition” and the remedies for enforcing said prohibition to “unfair methods of competition used in export trade against competitors engaged in export trade, even though the acts constituting such unfair methods are done without the territorial jurisdiction of the United States.”

An “association,” as provided for in the export trade act, may be “any corporation or combination, by contract or otherwise, of two or more persons, partnerships, or corporations,” and must be formed for the sole purpose of engaging in export trade.

¹ See Exhibit 7.

Export trade is defined in the act as “solely trade or commerce in goods, wares, or merchandise exported, or in the course of being exported, from the United States or any Territory thereof to any foreign nation;” and “shall not be deemed to include the production, manufacture, or selling for consumption or for resale, within the United States or any Territory thereof, of such goods, wares, or merchandise, or any act in the course of such production, manufacture, or selling for consumption or for resale.”

Associations formed under the act are required to file with the Federal Trade Commission certain statements and papers, as provided by the law; and such associations may not enter into any agreement or commit any act which is “in restraint of trade within the United States,” or “in restraint of the export trade of any domestic competitor of such associations,” or which “artificially or intentionally enhances or depresses prices within the United States of commodities of the class exported by such association, or which substantially lessens competition within the United States or otherwise restrains trade therein.” In case of violation of these provisions, the Commission may, after due investigation and decision, recommend necessary readjustments of the business of the association in order that it may conform to the law; and if such recommendations are not complied

ASSOCIATIONS WHICH HAVE FILED PAPERS DURING THE PAST FISCAL YEAR.

During the past fiscal year a total of 43 associations, purporting to be under section 5 of the export trade act, have filed papers with the Federal Trade Commission. This number includes those associations which filed their annual statements with the Commission on January 1, 1920, as well as those which, subsequent to that date, filed their first reports.

The 43 associations comprise approximately 732 concerns, whose offices and plants are distributed over 43 States of the Union.

The products and commodities exported by the different associations are drawn from all sections of the country. From California go out lumber, hardware, chemicals, fertilizer, general merchandise; from Illinois, condensed milk, grain, meat, office equipment, agricultural, implements, machinery, lumber; from Wisconsin, cereals, canned goods, forest products; from Michigan, chemicals, cereals, foundry equipment, paper, furniture, meats; from New York and Pennsylvania, locomotives, cement, steel, copper, wood products, machinery, textiles, paper, alcohol, chemicals, cereals, food products, general merchandise; from Massachusetts, textiles, webbing material, copper, paper, valves and pipe fittings, chemicals, cereals, lumber; from North Carolina and the Southern States, tanning materials, lumber, phosphates, pipe fittings, meats, locomotives, clothespins, general merchandise.

following list comprises the concerns which have filed their annual reports with the Federal Trade Commission, as of January 1, 1920, and all additional concerns have filed their first reports since that date, in compliance with the provisions of the export trade act:

American Export Lumber Corporation, 505 Stock Exchange Building, Philadelphia, Pa.
American Locomotive Sales Corporation, 30 Church Street, New York, N. Y.
American Milk Products Corporation, 302 Broadway, New York, N. Y.
American Paper Exports (Inc.) , 136 Liberty Street, New York, N. Y.
American Pitch Pine Export Co., 522 Audubon Building, New Orleans, La.
American Provisions Export Co., 319 Royal Insurance Building, Chicago, Ill.
American Soda Pulp Export Association, 200 Fifth Avenue, New York, N. Y.
American Tanning Materials Corporation, Marion, Va.
American Textile Machinery Corporation, 60 Federal Street, Boston, Mass.
American Webbing Manufacturers' Export Corporation, 395 Broadway, New York, N. Y.
Canned Foods Export Corporation, care National Cannery Association, Washington, D. C.
Carolina Wood Export Corporation, Norfolk, Va.
Cement Export Co. (Inc.) , 280 Broadway, New York, N. Y.
Consolidated Steel Corporation, 165 Broadway, New York, N. Y.
Copper Export Association (inc.), 60 Broadway, New York, N. Y.

porters generally. Under this section the scope of the law reaches out to methods of competition which are unfair to an American competitor and which are done by anyone who is engaged in exporting from the United States to a foreign nation.

A number of cases of alleged unfair competition or unfair trade practices in export trade by individual exporters (not Webb-law "associations") have been brought to the attention of the Commission by other departments of our Government as well as by private parties. After examination of the facts involved, the matters have been adjusted satisfactorily.

The economic difficulties arising out of sharpened competitive conditions in international trade, of which mention was made in the previous annual report of this Commission, have received similar consideration by a number of official and private bodies here and abroad. A committee on trusts of the in(51502953Dve@AT07.92306D TD208

ved mattioPa 0

ENEMY TRADE DIVISION.

PATENTS.

The act of October 6, 1917, generally known as the "Enemy trade act," vested in the President certain powers which he, by Executive order of October 12, 1917, delegated to the Federal Trade Commission, most important among which was the authority to issue licenses under certain conditions to citizens of the United States and to corporations organized within the United States to make, use, and vend articles controlled by enemies or allies of enemies through patent, trade-mark, and copyright registrations.

In the exercise of its authority the Commission has, since the passage of the act, received and considered, through its Enemy Trade Division, 277 applications for license. Of this number, 247 related to patents, under which 71 licenses have been issued, while 62 applications were denied, either for lack of jurisdiction or for the reason that it did not appear to be for the public interest to issue the desired licenses.

The apparent inconsistency in the number of applications received and the total disposed of is explained by the fact that in many instances a single license covered a group of patents, each of which had been the subject of a separate application, this being particularly true in the case of dyes--a single license in many instances embracing a group of patents such as the "Indigo," the "Azo," and the "Anthracene" group. In other instances the patent forming the basis of a given application was added to a previously issued license.

The applications have covered a wide range of subjects, the most important perhaps embracing the classes which gave to the public the benefit of certain important drugs, notably, arsphenamine, barbital and procaine, and the patents enabling the production in this country of the dyestuffs of which Germany had long held the monopoly. Others covered important machinery, including "Pulmotor" life-saving apparatus, the Imhoff system of sewage disposal, the Rueping process of impregnating wood, sand-blast machinery, Bosch magnetos, and gyroscopic apparatus. The licenses granted have been almost without exception for the life of the patent, and save in a few instances are still in active operation under the supervision of the Commission.

Four patent licenses have been canceled by the Commission, and in two of these instances, viz, Farbwerke-Hoechst and Frederick F. Schaefer surrender was tendered and cancellation made effective

with the simultaneous issue of a new license--by reason of a reorganization affecting the name under which license had originally issued. In the other two cases, involving a license to Pfanstiehl Co. (Inc.), under patent covering pyrophoric alloy, and that to Stearns-Roger Co., under patent covering cellular drying apparatus, surrender was tendered to and incense canceled by the Commission at the request of the licensees.

The act provides that a certain royalty, the rate to be fixed in the discretion of the Commission but not exceeding 5 per cent of gross sales or 5 per cent of the value of use of the licensed invention, be payable at specified semiannual periods to the Alien Property Custodian who shall deposit the same as a trust fund for the enemy owner and the licensee, such fund to be subject to the disposition on the courts in event the enemy owner during the year following peace avails himself of the privilege accorded him by the act to file suit to recover his rights under his patent and to enjoin the licensee from further use and enjoyment thereof. In each case the rate of royalty has been fixed by the Commission after full consideration of the peculiar circumstances incident thereto. In certain classes of patents, particularly covering the production of dyes and chemicals, the insufficient disclosure of the patents has necessitated such vast expenditure in experimental and development work that the Commission reduced the rate of royalty originally prescribed until such the as a profitable commercial product is assured.

The grand total of royalties reported to date under all Federal trade licenses amounts to \$833,223.30, of this amount \$480,726.18 having accrued under patents; \$351,828.24 under trade-marks; and \$668.88 under copyrights. Total royalties during

accrued

transferred to the corporation known as "The Chemical Foundation (Inc.)," the entire class of enemy dye, drug, and chemical patents (approximating 4,500), the number of applications received by the Commission began to appreciably

One of the most vital and far-reaching accomplishments of the enemy trade act

The following is a list of licenses issued: San Carlo Grand Opera Co., of New York City, to present the operas "The Jewels of the Madonna"; "The Secret of Suzanne"; "Hansel & Gretel"; and "Salome" ; the Ravinia Co., of Chicago, "The Secret of Suzanne" and "The Jewels of the Madonna"; the Philadelphia Operatic Co. also being licensed under "The Secret of Suzanne"; Joseph W. Herbert, in addition to license covering "Madame Troubadour" was also licensed to produce the comedy "Der Seerauber"; Houghton Mifflin Co., of Boston, to publish a German officer's description of submarine warfare; David McKay, of Philadelphia, to publish an English and Greek dictionary; and the John Crerar Library, of Chicago, to publish important technical works on dyestuffs and condiments. No surrenders of licenses under copyright registrations have been accepted by the Commission.

Section 10(a) of the enemy trade act granted to the President authority, which he delegated to the Commission by Executive order of October 12, 1917, to license citizens and corporations of the United States to file and prosecute in the country of an enemy or ally of enemy applications for patents or for registration of trademarks, prints, labels, or copyrights, or to pay any taxes, annuities, or fees in relation thereto.

In view of the many uncertainties attending the transmission of such

revested therein, on November 29, 1919 issued a general or blanket license to all citizens of

EXHIBIT 1.

The Auditor for the State and Other Departments shall receive and examine all accounts of expenditures of the commission.

SEC. 3. That upon the organization of the commission and election of its chairman, the Bureau of Corporations and the offices of Commissioner and Deputy Commissioner of Corporations shall cease to exist; and all pending Investigations and proceedings of the Bureau of Corporations shall be continued by the commission.

All clerks and employees of the said bureau shall be transferred to and become clerks and employees of the commission at their present grades and salaries. All records, papers, and property of the said bureau shall become records, papers, and property of the commission, and all unexpended funds and appropriations for the use and maintenance of the said bureau, including any allotment already made to it by the Secretary of Commerce from the contingent

appropriation for the Department of Commerce for the fiscal year nineteen hundred and fifteen, or from the departmental printing fund for the fiscal year nineteen hundred and fifteen, shall become funds and appropriations available to be expended by the commission

If such person, partnership, or corporation fails or neglects to obey such order of the commission while this same is in effect, the commission may apply to the circuit court of appeals of the United States, within any circuit where the method of competition in question was used or where such person, partnership, or corporation resides or carries on business, for the enforcement of its order, and shall certify and file application transcript of the entire record in the proceeding, including all testimony taken and the report and order of the commission. Upon such filing of the application and transcript the court shall cause notice thereof to be served upon such person, partnership, or corporation and thereupon shall have jurisdiction of the proceeding and of the question determined therein, and Shall have power to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree affirming, modifying, or setting aside testimony and p 6 0 T c 0 . e 9 y t i m o n y

commerce, or any class of them, or any of them, respectively, to file with the commission in such form as the commission may prescribe annual or special, or both annual and special, reports or answers in writing to specific questions, furnishing to the commission such information as it may require as to the organization, business, conduct, practices, management, and relation to other corporations, partnerships, and individuals of the respective corporations filing such reports or answers in writing. Such reports and answers shall be made under oath, or otherwise, as the commission may prescribe, and shall be filed with the commission within such reasonable period as the commission may prescribe, unless additional time be granted in any case by the Commission.

(c) Whenever a final decree has been entered against any defendant corporation in any suit brought by the United States to prevent and restrain any violation of the antitrust acts, to make investigation, upon its own initiative, of the manner in which the decree has been or is being carried out, and upon the application of the Attorney General it shall be its duty to make such investigation. It shall transmit to the Attorney General a report embodying its findings and recommendations as a result of any such investigation, and the report shall be made public in the discretion of the Commission.

including to make TD 0.ma.039 Tc 1 0 Tw (such) Tj 16.56 0 TD 0 0 Tw (a 0.8159j 1.92 0 TD -0TDafthe dec.

may invoke the aid of any court of the United States in

into the Treasury of the United States and shall be recoverable in a civil suit in the name of the United States brought in the district where the corporation has its principal office or in any district in which it shall do business. It shall be the duty of the various district attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of forfeitures. The costs and expenses of such prosecution shall be paid out of the appropriation for the expenses of the courts of the United States.

Any officer or employee of the commission who shall make public any information obtained by the commission, without its authority, unless directed by a court, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding \$5,000, or by imprisonment not exceeding one year, or by fine and imprisonment, in the discretion of the court.

SEC. 11. Nothing contained in this act shall be construed to prevent or interfere with the enforcement of the provisions of the antitrust acts or the acts to regulate commerce, nor shall anything contained In the act be construed to, alter, modify, or repeal the said antitrust acts or the acts to regulate commerce or any part or parts thereof.

Approved, September 26, 1914.

EXHIBIT 2.

PROVISIONS OF THE CLAYTON ACT WHICH CONCERN THE FEDERAL TRADE COMMISSION.

“Commerce,” as used herein, means trade or commerce among the Several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States: *Provided*, That nothing in this act contained shall apply to the Philippine Islands.

The word “person” or “persons” wherever used in this act shall be deemed to include corporations and associations existing under or authorized by the laws of either the United States, the laws of any of the Territories, the laws of any State, or the laws of any foreign country.

SEC. 2. That it shall be unlawful for any person engaged in commerce, in the course of such commerce, either directly or indirectly to discriminate in price between different purchasers of commodities, which commodities are sold for use, consumption, or resale within the United States or any Territory thereof or the District of Columbia or any insular possession or other place under the jurisdiction of the United States, where the effect of such discrimination may be to substantially lessen competition or tend to create a monopoly in any line of commerce: *Provided*, That nothing herein contained shall prevent discrimination in price between purchasers, of commodities, on account of differences in the grade, quality, or quantity of the commodity sold, or that makes only due allowance for difference in the cost of Selling or transportation, or discrimination in price in the same or different communities made in good faith to meet competition: *And provided further*, That nothing herein contained shall prevent persons engaged in selling goods, wares, or merchandise in commerce from selecting their own customers in bona fide transactions and not in restraint of trade.

SEC. 3. That it shall be unlawful for any person engaged in commerce, in the course of such commerce, to lease or make a sale, or cont

EXHIBITS.

least thirty days after the service of said complaint. The person so complained of shall have the right to appear at the place and time so fixed and show cause why an order should not be entered by the commission or board requiring such person to cease and desist from the violation of the law so charged in said complaint. Any person may make application, and upon good cause spoken may be allowed by the commission or board, to intervene and appear in said proceeding by counsel or in person. The testimony in any such proceeding shall be reduced to writing and filed in the office of the commission or board.

(0.090Tt (of) The 2012 7.4.03 TD 0.06 (B) Board 19.8.22 9. oard. Tj 294 9.
TD 0.0295 Tc (boar5Tc 0 Tw (in) Tj 7.08 0 TD 0 Tc 0.03 Tw () Tj 2.4 0 TD 0.0053ar Tj 0 TD 0..06 Tc 0 Tw (by) Tj 8.88 0 TD 0 Tc

EXHIBIT 3.

RULES OF PRACTICE BEFORE THE FEDERAL TRADE COMMISSION.

I. SESSIONS.

The principal office of the commission at Washington, D. C., is open each business day from 9 a.m. to 4:30 p.m. The commission may meet and exercise all its powers at any other place, and may, by one or more of its members, or by such examiners as it may designate, prosecute any inquiry necessary to its duties in any part of the United States.

Sessions of the commission for hearing contested proceedings will be held as ordered by the commission.

Sessions of the commission for the purpose of making orders and for the transaction of other business, unless otherwise ordered, Will be held at the office of the commission at Washington, D. C., on each business day at 10.30 a.m. Three members of the commission shall constitute a quorum for the transaction of business.

All orders of the commission shall be signed by the Secretary.

II. COMPLAINTS.

Any person partnership, corporation, or association may apply to the commission to institute a proceeding in respect to any violation of law over which the commission has jurisdiction.

Such application shall be in Writing, signed by or in behalf of the applicant, and shall contain b y u r e a u o f P r a c t i c e a n d T e c h n i c a l A s s i s t a n c e o f t h e c o m m i s s i o n

the principal office or place of business of such person, partnership, corporation, or association; or (c) by registering and mailing a copy thereof addressed to such person, partnership, corporation, or association at his or its principal office or place of business. The verified return by the person so serving said complaint, order, or other process, setting forth the manner of said service, shall be proof of the same, and the return post-office receipt for said complaint, order, or other process, registered and waioc 0.03 Tw () Tj 2.04 0 TD -0.003 shall

therein.

XI. HEARINGS ON INVESTIGATIONS.

When a matter for investigation is referred to a single commissioner for examination or report, such commissioner may conduct or hold conferences or hearings thereon, either alone or with other commissioners who may sit with him, and reasonable notice of the time and place of such hearings shall be given to parties in interest and posted.

The general counsel or one of his assistants, or such other attorney as shall be designated by the Commission, shall attend and conduct such hearings, and such hearings may, in the discretion of the commissioner holding same, be public.

XII. DEPOSITIONS IN CONTESTED PROCEEDINGS.

The commission may order testimony to be taken by deposition in a contested proceeding. Depositions may be taken before any person designa conferences

ordered.

Application for extension of time in which to file any brief shall be by petition in writing, Stating the

EXHIBIT 4.

EXTRACTS FROM THE TRADING WITH THE ENEMY ACT AND EXECUTIVE ORDER OCTOBER 12, 1917

The act of Congress approved October 6, 1917, known as the trading with the enemy act, contains the following provisions:

SEC. 10.

* * * * *

(b) Any citizen of the United States, or any corporation organized within the United States, may, when duly authorized by the President, pay to an enemy or ally of enemy any tax, annuity, or fee which may be required by the laws of such enemy or ally of enemy nation in relation to patents and trademarks, prints, labels, and copyrights; and any such citizen or corporation may file and prosecute an application for letters patent or for registration of trademark, print, label, or copyrights in the country of an enemy, or of an ally of enemy, after first submitting such application to the President and receiving license so to file and prosecute, and to pay the fees required by law and customary agents' fees, the maximum amount of which in each case shall be subject to the control of the President.

(c) Any citizen of the United States or any corporation organized within the United States desiring to manufacture, or cause to be manufactured, a machine, manufacture, composition of matters or design, or to carry on, or to use any trademark, print, label, or cause to be carried on a process under any patent or copyrighted matter owned or controlled by an enemy or ally of enemy at any time during the existence of a state of war may apply to the President for a license; and the President is hereby authorized to grant such a license, nonexclusive or exclusive as he shall deem best, provided he shall be of the opinion that such grant is for the public welfare, and that the applicant is able and intends in good faith to manufacture, or cause to be manufactured, the machine, manufacture, composition of matter, or design, or to carry on, or cause to be carried on, the process or to use the trademark, print, label, or copyrighted matter. The President may prescribe the conditions of this license, including the fixing of prices of articles and products

invention to the Government of the United States for its use, the shall, if the ultimately receives a patent, have the right to sue for compensation in the Court of claims, such right to compensation to begin from the date of the use of the invention by the Government.

By the Executive order of October 12, 1917, the power and authority to administer the above section was vested in the Federal trade Commission, as follows:

XVII. I further hereby vest in the Federal Trade Commission the power and authority to issue licenses under such terms and conditions as are not inconsistent with law or to withhold or refuse the same, to any citizen of the United States or any corporation organized within the United States to file and prosecute applications in the country of an enemy or ally of enemy for letters patent or for registration of trademark, print, label, or copyright, and to pay the fees required by law and the customary agents' fees, the maximum amount of which in each case shall be subject to the control of such commission ; or to ~~to any~~ of

By the Executive order of November 25, 1919, there was revested in designated officers certain powers under the trading with the enemy act as follows:

By virtue of the power and authority vested in me by "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, I hereby rescind, as of the 14th day of July, 1919, the Executive order of April 11, 1918, which revoked (1) the power and authority vested in the Secretary of the Treasury by Section XI of the Executive order of October 12, 1917, to issue licenses to send, take, or transmit out of the United States any letter or other writing, book, map, plan or other paper, picture, or any telegram, cablegram, or wireless message, or other form of communication intended for or to be delivered, directly or indirectly, to an "enemy" or "ally of enemy," in any way relating to letters patent, or registration of trade-mark, print, label, or copyright, or to any application therefore, and (2) the power and authority vested in the Federal Trade Commission by Section XVII of the Executive order of October 12, 1917, to issue licenses to any citizens of the United States or any corporation organized within the United States, to file or prosecute applications in the country of an "enemy" or "ally of enemy" for letters patent or for registration of trade-mark, print, label, or copyright, and to pay any fees or agents' fees in connection therewith; or to pay to any "enemy" or "ally of enemy" any tax, annuity, or fee in relation to patents, trade-marks, prints, labels, and copyrights; and I do hereby order that on and after July 14, 1919, licenses to perform the acts hereinabove described may be issued under Sections XI and XVII of the Executive order of October 12, 1917, by the officials in whom the authority to issue such licenses was by said order vested; and I do hereby further order that any and all licenses issued on or after July 14, 1919, which, except for the above-mentioned order of April 11, 1918, would by their terms authorize any of the acts hereinabove described, are hereby confirmed and approved, and all such licenses shall be deemed to have full force and effect according to the terms thereof, in like manner as though said order of April 11, 1918, had been rescinded prior to July 14, 1919.

By virtue of the power and authority revested in the Commission by the Executive order of November 25, 1919, above quoted, license is hereby granted to all citizens of the United States and all corporations organized within the United States, to file or prosecute applications in the country of an enemy or ally of enemy for letters patent or for registration of trade-mark, print, label, or copyright, and to pay any fees or agents' fees in connection therewith; or to pay to any enemy or ally of enemy any tax, annuity, or fee in relation to patents, trade-marks, prints, labels, and copyrights.

Dated November 29, 1919.

[SEAL]

(Signed)

FEDERAL TRADE COMMISSION,
J. P. YODER, *Secretary*.

of any nation which is an ally of a nation with which the United States is at and doing business within such territory, and any incorporated within any country other than the United of

(1) Where the alleged trademark is the, name of a patented or copyrighted article and a license is granted tinder the patent or copyright.

(2) Where the alleged trade-mark is the name of an article manufactured under an expired patent or copyright.

THE LICENSE FEE.

The act provides that the license fee shall not exceed \$100, and not exceeding 1 per cent of the sum deposited with the alien property custodian. This fund is an amount not to exceed (a) 5 per cent of the gross sums received by the licensee from the sale of the licensed subject matter, or (b) 5 per cent of the value of the use of the licensed subject matter as established by the Federal Trade Commission.

ACCOUNTING AND PAYMENT TO THE ALIEN PROPERTY CUSTODIAN.

The licensee shall file with the Federal Trade Commission, semiannually on January 1 and July 1 of each year and oftener if required, a full statement of the extent of the use and enjoyment of the license, and of the prices received from the sale or use of the subject matter of it, and within 30 days thereafter the licensee shall pay to the alien property custodian not to exceed 5 per cent of the gross sums received from the sale of the licensed subject matter, or if the Federal Trade Commission so order not to exceed 5 per cent of the value of the use of the licensed subject matter as established by the Federal Trade Commission.

FORM OF LICENSE UNDER PATENT.

Patent licenses issued by the Federal Trade Commission under o Patent 2 Patent Federal () Tj 2.5

The licensee shall, during the continuance of this license, keep proper accounts and separate books containing full particulars of:

(a) All articles made or caused to be made by the licensee under the said letters patent and of the price or prices charged therefore;

(b) All items of cost incurred in the use of such invention and the manufacture and sale of articles inside thereunder; and

(c) All other matters and things which in the opinion of the Federal Trade Commission may be material for the purpose of showing the amounts from time to time payable by the licensee concerning such royalty and what is a fair and reasonable price to the public for such article.

15616--20---7

The licensee shall, within 10 days after each of the semiannual days aforesaid, deliver a sworn statement to the Federal Trade Commission in writing showing the aforesaid particulars.

The licensee shall, during the continuance of this license, give all such information as the Federal Trade Commission may consider to be material for the purpose of ascertaining the amount of royalty payable by the licensee under this license, the cost of the use of such invention, the cost of producing and the price or prices charged by the licensee for the said article, and for that purpose shall, if requested by the Federal Trade Commission, permit such person or persons as shall be authorized in that behalf by the Federal Trade Commission at any time or times to enter upon and inspect any factory or place of business in which the use of the said invention or the manufacture shall be carried on and all books, papers, and documents of such licensee relating to such use, manufacture, and sale.

If any payment under this license shall not be made, within one month after the same shall have become due under the provisions herein contained (whether demand therefor shall have been made or not), or if the licensee shall or shall attempt to assign or part with the benefit of or grant any sublicense under this license, or shall make default in the performance or observance of any obligations on his part herein contained, or shall have violated any of the conditions of this license or any of the provisions of the statute under which it is granted, and if, after 10 days' notice in writing, shall have failed to comply with the aforesaid, then the Federal Trade Commission may, by notice in writing, and after a hearing, cancel and terminate this license as from the date of such notice, but without prejudice to and so as not in any manner to affect any liability hereunder on the part of the licensee which may then be subsisting or have accrued.

If in the opinion of the Federal Trade Commission the licensee has failed to use this license so as to satisfy the reasonable requirement of the public with regard to the subject matter thereof; or

If in the opinion of the Federal Trade Commission the licensee has failed to supply to the public tire articles made under this license at reasonable prices; or

If in the opinion of the Federal Trade Commission the licensee has charged unreasonable or excessive prices for articles made under this license; or

If in the opinion of the Federal Trade Commission the articles made under this license are of unsatisfactory quality (and the licensee shall furnish to the Federal Trade Commission in the manner prescribed by it and when and as often as required, samples and specimens for inspection, analysis, and test); or

Circumstances have arisen which, in the opinion of the Federal Trade Commission, make it advisable that this license be canceled in whole or in part: Then

The Federal Trade Commission may, in its absolute discretion, terminate and cancel this license in whole or in part, and, if canceled and terminated, the same shall be without prejudice to and so as not in any manner to affect any liability hereunder on the part of the licensee which may then be subsisting or have accrued.

Any sums which may at any time be payable by the licensee under the provisions of this license shall be a debt due from the licensee to the people of the United States and shall be recovered in an appropriate action in the name of the people of the United

States against the licensee.

Dated _____, 191__.

Accepted and agreed to.

_____ ,

Licensee.

A copy of the patent is to be attached.

If the licensee is not to be the actual manufacturer, the licensee will be held accountable to the Federal Trade Commission for the observance of the terms of his license by the actual manufacturer of the article, and the license will contain the following addendum, naming the actual manufacturer who shall sign:

----- , m a n u f a c t u r e r f o r
_____, the licensee _____ of
the article herein licensed, separately agrees to keep separate books containing full
particulars of all articles manufactured, and the cost thereof, sold to
_____ the licensee, and the price or prices

charged therefor, and his books and plant shall be open to inspection in the same manner as provided for the licensee.

(c)

in which the use or manufacture of the said copyright work shall be carried on, and all books, papers, and documents of such licensee relating to such use, manufacture, and sale.

If any payment under this license shall not be made within one month after the same shall have become due under the provisions herein contained (whether demand therefor shall have been made or not), or if the licensee shall or shall attempt to assign or part with the benefit of or grant any sublicense under this license, or shall make default in the performance or observance of any obligation on his part herein continued, or shall have violated any of the conditions of this license or any of the provisions of the statute under which it is granted, and if after 10 days' notice, in writing, shall have failed to comply with the aforesaid, then the Federal Trade Commission may, by notice in writing, and after a hearing, cancel, and terminate this license as from the date of such notice, but without prejudice to and so as not in any manner to affect any liability hereunder on part of the licensee which may be subsisting or have accrued.

If in the opinion of the Federal Trade Commission the licensee has failed to use this license so as to satisfy the reasonable requirement of the public with regard to the copyright work; or

If in the opinion of the Federal Trade Commission the licensee has failed to supply to the public the copyright work at reasonable prices; or if in the opinion of the Federal Trade Commission the licensee has charged unreasonable or excessive prices for said copyright work; or

Circumstances have arisen which in the opinion of the Federal Trade Commission make it just and equitable that this license be canceled in whole or in part;

The Federal Trade Commission may, in its discretion, give notice in writing to the licensee to terminate this license in whole or in part, and if canceled and terminated the same shall be without prejudice to and so as not in any manner to affect any liability hereunder on the part of the licensee which may then be subsisting or have accrued.

Any sums which may at any time be payable by the licensee under the provisions of this license shall be a debt due from the licensee to the people of the United States and shall be recovered in an appropriate action in the name of the people of the United States against the licensee.

Dated _____, 191____

Accepted and agreed to. _____,
Licensee.

If the licensee is not to be the actual manufacturer or producer of the copyright work, the licensee will be held accountable to the Federal Trade Commission for the observance of the terms of his license by the actual manufacturer or producer of the article, and the license will contain the, following addendum, naming the actual manufacturer or producer of the article, who shall sign:

_____, the manufacturer for _____ the licensee of the

copyright work herein licensed, separately agrees to keep separate books containing full particulars of all of such copyright works manufactured and the cost thereof, sold to _____, the licensee, and the price or prices charged therefor, and his books and plant shall be open to inspection in the same manner as provided for the licensee. The licensee and the undersigned, during the continuance of the license, shall furnish or procure to be furnished till such information as the Federal Trade Commission may consider to be material for

volved except for _____, the licensee, and not further or otherwise, and the undersigned undertakes to observe and perform the terms and

of the kind covered by the patent or copyright, his technical equipment for manufacturing and selling such articles and his ability to do so, the estimated cost of manufacture and price proposed to be charged if the license is granted.)

(If the applicant does not intend to manufacture but to procure the manufacture of the article, state specifically what arrangements have been made or proposed to this end and their terms and conditional. State the name and address of the manufacturer proposed to be employed and his technical equipment, etc., and article copies of any contracts or proposals.)

(f) The license desired is exclusive or nonexclusive for the following reasons:(Here state reasons why, in the opinion of the applicants the license be exclusive or nonexclusive.)

(g) The license is desired-

(1) For the term of the patent or copyright, (2) the duration of the war, or (3) any other period,
stating reasons in each case.

(h) The application is also to contain the following: "The undersigned intends in good faith to manufacture or cause to be manufactured the article licensed and understands that the license, if granted, may not be assigned and may be canceled by the Federal Trade Commission, after due notice of hearing upon violation by the

EXHIBIT 5.

FEDERAL TRADE COMMISSION,
WASHINGTON, D. C.

FIRST REPORT FROM EXPORT ASSOCIATIONS,
DUE WITHIN 30 DAYS AFTER CREATION.

1. Name

Address

(Here insert address of principal office.)

2. *Statement.*--This corporation or association was organized or entered into for the sole purpose of engaging in export trade, and is now or about to be solely engaged in the export trade as defined in the export trade act, approved April 10, 1918, viz: "Trade or commerce in goods, wares, or merchandise exported or In the course of being exported from the United States or any territory thereof, to any foreign nation."

3. There is hereunto annexed and made a part hereof a schedule, showing In paragraph "A" *the location of its offices or places of business*; In paragraph "B," the *names and addresses* of all its *officers and directors*; in paragraph "C" the *names and addresses* of all Its *stockholders or members*; in paragraph "D," the products to be exported; and in paragraph "E," the capital authorized and paid in.

4. There is also annexed (F) a brief statement describing its methods and plan under which it is doing business a statement of its relations with other associations, corporations, and individuals, and such other information as this company or association deems should be in the export files of the Federal Trade Commission.

5. If a corporation, a copy of its certificate or articles of incorporation and by-laws is annexed and filed, and if unincorporated, a copy of its articles of contract of association.

By -----

STATE OF -----

ss:

COUNTY OF -----

-----, being first duly sworn, on oath deposes and says that he is an officer, to-wit, ----- of the above-named corporation or association; that he has read the foregoing report and schedules annexed and that the same are in all respects true and correct.

(Verifying officer sign here.)

Subscribed and sworn to before me this ----- day of -----, 19----

Notary Public

SCHEDULE 1.

(A) The following are the locations of all offices and places of business:

(B)

NOTES.

1. The information required by this report is to be furnished to the Federal Trade Commission under "An act to promote export trade, and for other purposes," approved April 10, 1918 (the export trade act), which provides in section 5 thereof as follows:

SEC. 5. That every association now engaged solely in export trade, within sixty days after the passage of this act, and every association entered into hereafter which engages solely in export trade, within thirty days after its creation, shall file with the Federal Trade Commission a verified written statement setting forth the location of its offices or places of business and the names and addresses of all its officers and of all its stockholders or members, and if a corporation, a copy of its certificate or articles of incorporation and by-laws, and if unincorporated, a copy of its articles or contract of association, and on the first day of January f **off**

statement of the location of its offices or places of business and the names and addresses of all its officers and of all its stockholders or members and of all amendments to and changes in its articles or certificates of incorporation or in its articles or contract of association. It shall also furnish to the commission. such information. as the commission may require as to its organization,

EXHIBIT 6.

FEDERAL TRADE COMMISSION,
WASHINGTON, D. C.

REPORT FROM EXPORT ASSOCIATIONS,

DUE JANUARY 1, ----, OF:

1. Name -----

Address -----

(Here insert address of principal office.)

2. *Statement.*--~~This~~ corporation or association was organized or entered into for the sole purpose of ~~engagement~~ ~~THIS~~ 0.0236 s

(B) The following were officers or directors, as at January 1, 1919:

Names.	Office held.	Addresses.
-----	-----	-----

-----	-----	-----

(C) The following were stockholders or members January 1, 1919:

Names.	Addresses.	Number of shares.
----- -----	----- -----	----- -----
----- -----	----- -----	----- -----

(D) Since the last report to the Federal Trade Commission the articles of or certificate of incorporation, articles of association, and by-laws have been amended or changed as follows:

(E) The following briefly describes the methods and plan under which our business Is done and states our relations with other associations, corporations, and Individuals, with such other information as we deem should be in the export files of the Federal Trade Commission:

NOTES.

1. The information required by this report is to be furnished to the Federal Trade Commission under "An act to promote export trade, and for other purposes," approved April 10, 1918 (the export trade act), which provides Ill section 5 thereof, as follows:

SEC. 5. That every association now engaged solely in export trade, within sixty days after the passage of this act, and every association entered into hereafter which engages solely in export trade, within thirty days after its creation, shall file with the Federal Trade Commission a verified written statement setting forth the location of its offices or places of business and the names and addresses of all its officers and of all its stockholders or members, and if a corporation, a copy of its certificate or articles of incorporation and by-laws, and if unincorporated, a copy of its articles or contract of association, and on the first day of January of each year thereafter it shall make a like statement of the location of its offices or places of business and the names and addresses of all its officers and of all its stockholders or members and of all amendments to and changes in its articles or certificate of incorporation or In its articles or contract of association. It shall also furnish to the Commission such information as the Commission may require as to its organization, business, conduct, practices, management, and relation to other associations, corporations, partnerships, and individuals. Any association which shall fail so to do shall not have the benefit of the provisions of section two and section three of this act, and it shall also forfeit to the United States failure, which forfeiture shall be payable into

EXHIBIT 7.

[PUBLIC--NO. 126--65TH CONGRESS.]

[H. R. 2316.]

An Act To promote export trade, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States Of America in Congress assembled, That the words "export trade" wherever used in this act mean solely trade or commerce in goods, wares, or merchandise exported, or in the course of being exported from the United States or any Territory thereof to any foreign nation; but the words "export trade" shall not be deemed to include the production,

50ry60c487 T (800) 431-1111 as declared to be illegal 86 0 1180 (u

the thi4 Tc 4ct c

thea 86 0 o03c4 the c used t

monopolies, and for other purposes," approved October fifteenth, nineteen hundred and fourteen, shall be construed to forbid the acquisition or ownership by any corporation of the whole or any part of the stock or other capital of any corporation organized solely

spiracy, or done any act which artificially or intentionally enhances or depresses prices within the United States of commodities of the class exported by such association, or which substantially lessens competition within the United States or otherwise restrains trade therein it shall summon such association, its officers, and agents to appear. Therefore it, and thereafter conduct an investigation into the alleged violations of law. Upon investigation, if it shall conclude that the law has been violated, it may make to such association recommendations for the readjustment of its business, in order that it may thereafter maintain its organization and management and conduct its business in accordance with law. If such association fails to comply with the recommendations of the Federal Trade Commission, said commission shall refer its findings and recommendations to the Attorney General of the United States for such action thereon as he may deem proper.

For the purpose of enforcing these provisions the Federal Trade Commission shall have all the powers, so far as applicable, given it in "An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes."

Approved, April 10, 1918.

EXHIBIT 8.

PROCEEDINGS PENDING AND DISPOSED OF.

PROCEEDINGS PENDING JUNE 30, 1920.

Complaint No. 25.-Federal Trade Commission v. J. F. Hillerich & Son Co. Charge: Unfair methods of competition in connection with the manufacture, marketing and sale of baseball bats by fixing resale prices and refusing to supply those who do not agree to maintain such selling prices, or who do not sell at the prices fixed, in alleged violation of section 5 of the Federal Trade Commission act; price discrimination, the effect of which may be to substantially lessen competition or tend to create a monopoly, In alleged violation of section 2 of the Clayton Act. Status: This proceeding is awaiting decision of the Supreme Court of the United States in the Beech-Nut Packing Co. case, now pending on a writ of certiorari to the United States Circuit of Appeals, second circuit, which court reversed an order of the Commission against the Beech-Nut Packing Co. to cease and desist the practice in question.

Complaint No. 28.

Complaint No. 87.--Federal Trade Commission v. Crescent Manufacturing Co. Charge: Stifling and suppressing competition in the manufacture, marketing, and sale of baking powder, spices, teas, coffees, and flavoring extracts by tiling resale prices and refusing to sell those who will not agree to maintain such specified standard resale prices, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 89.--Federal Trade Commission v. L. E. Waterman Co. Charge: Stifling and suppressing competition in the manufacture, marketing, and sale of fountain pens by fixing standard specified resale prices and by refusing to sell to those who will not agree to maintain such prices, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 90.--Federal Trade Commission v. Cluett, Peabody & Co. (Inc.). Charge: Stifling and suppressing competition in the manufacture, marketing, and sale of men's collars by fixing and maintaining resale prices, requiring the purch4 TD 0 Tc 0reu.64 0 TD -0.0341 Tc 0 Tw (and)

Complaint No. 90.--Federal Trade Commission v. *n*
Stifling

the sale of automatic measuring pumps, tanks, etc., the product of the Gilbert & Barker Manufacturing Co. (post, complaint No.130), by falsely representing the product of certain of its competitors to be unsatisfactory, defective, and that such would not operate and was being sold at exorbitant prices; by inducing competitors' customers to cancel orders; selling and lending pumps, etc., without adequate consideration; threatening to sell oil direct by retail unless dealers used the Gilbert & Barker product; and by holding itself out to be the agent of its competitors, as well as of the Gilbert & Barker Manufacturing Co., quoting exorbitant prices, in alleged violation of section 5 section

ranted by trade conditions and so high as to be prohibitive to small competitors, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon he complaint of the Commission amid answer of the respondent.

Complaint No. 167.--Federal Trade Commission v. United Electric Co. Charge: Stifling and suppressing competition in the manufacture, marketing, selling, and reselling of its vacuum cleaning machines by fixing standard resale prices and refusing to sell to those who fail to maintain such prices, in alleged violation of section 5 of the Federal Trade Commission act; price fixing and establishing discounts or rebates on condition that the purchasers shall not use or deal in the goods of competitors, the effect of which is to substantially lessen competition or to tend to create a monopoly, in alleged violation of section 3 of the Clayton Act. Status: (Ante, complaint No.25.)

Complaint No. 168.--Federal Trade Commission v. The National Wholesale Druggists' Association et al. Charge: Engaging in a combination or conspiracy among themselves with the intent, purpose, and effect of discouraging, stifling, and suppressing competition in the wholesale drug trade and of unfairly hampering arid obstructing certain of their competitors l)y inducing or compelling manufacturing to refuse to recognize competitors as jobbers amid as entitled to the benefits such competitors as jobbers would receive, by means of oral and written notices to manufacturers to the effect that certain competitors,

to as of 2017 7 Tj 2005 0 D 0 with Tw () Tj 2.04 0 TD -0.0195 Tc 0 Tw (manufacturers) Tj 5

selling consumers direct at the same price as dealers when such consumers will agree to use respondent's tires exclusively, in alleged violation of section 5 of the Federal Trade Commission act; selling its products on the condition, agreement, or understanding that the purchasers shall not use or deal In the goods of a

its ownership and control of other corporations and holding them out as independent companies; paying commissions to its customers and its competitor's customers, with the understanding that the customers will not advertise the goods of competitors, and by paying to one of its customers a rebate proportionate to the increased amount of purchases made in one year over the preceding year, in alleged violation of section 5 of the Federal Trade Commission act; discriminating in price between different purchasers of respondent's products, the effect of which may be to substantially lessen competition or tend to create a monopoly, in alleged violation of section 2 of the Clayton Act; and acquiring the whole of the stock and share capital of various tobacco companies, where the effect of such acquisition may be and is to substantially lessen competition and create a monopoly, in alleged violation of section 7 of the Clayton Act; and several of the individual respondents, acting as directors in several of respondent corporations, thereby through agreements eliminating competition among these corporations, in alleged violation of section 8 of the Clayton Act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent and is now in preparation for trial.

Complaint No. 206.--Federal Trade Commission v. Marinello Co. et al. Charge: Stifling and suppressing competition in the sale of cosmetics, toilet articles, and preparations by fixing and maintaining resale prices, requiring dealers to maintain such resale prices, and refusing to sell their products to those who will not maintain such resale prices; maintaining a school of cosmeticians and granting to graduates of such schools licenses to practice the "Marinello System" and use the name "Marinello" upon condition that the licensees shall maintain such resale prices and not deal in the products of competitors; threatening to revoke the licenses of such graduates who refuse to maintain such resale prices and deal exclusively in the products of respondents, and threatening to establish competitive shops adjacent to those of their competitors and others who refuse to deal exclusively in respondent's products and who do not maintain the resale prices of such products, in alleged violation of section 5 of the Federal Trade Commission act; selling cosmetics, toilet articles, and preparations under condition, agreement, or understanding that the purchasers thereof shall not use or deal in the products of competitors, the effect of which is to substantially lessen competition or tend to create a monopoly, in alleged violation of section 3 of the Clayton Act. Status: (Ante, complaint No.25).

Complaint No. 207.--Federal Trade Commission v. The Cleveland Macaroni Co. Charge: Using unfair methods of competition in the sale of macaroni, noodles, and kindred products, viz, giving premiums of jewelry, silverware, and other personal property to salesmen of jobbers handling respondent's products, and giving dinners to jobbers and their salesmen, retail buyers, customers, and prospective customers of respondent, and competitor's customers and prospective customers, as an inducement to influence them to purchase respondent's macaroni, noodles, and kindred products, and to refrain from purchasing those of respondent's competitors, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is now before the Commission for final disposition.

Complaint No. 213.--Federal Trade Commission v. American Thermos

Stifl2 T

or tend to create a monopoly, In violation of section 2 of the Clayton Act. Status: (Ante, complaint No.25).

Complaint No. 215.--Federal Trade Commission v. Minerals Separation (Ltd) . et al. Charge: Stifling and suppressing competition in lines of commerce dependent upon apparatus and processes and other commodities used in the separation and concentration of ores, by entering into and enforcing and attempting to enter into and enforce agreements which are for the purposes of preventing independent concerns from selling or licensing any independent commodities without respondents' permission, permitting

notified p Tj 6.72 0 TD -0.0454 Tc 0 Tw (w

respond Ind enforce agc 0.00

Complaint No. 218.--Federal Trade Commission v. The Proctor & Gamble Co., and the Proctor & Gamble Distributing Co. Charge: Stifling and suppressing competition in the sale of soap and kindred articles by fixing and maintaining resale prices, requiring dealers to maintain such resale prices, refusing to sell to those who will not maintain such resale prices, and refusing to sell mixed car-load lots of its products unless the purchaser thereof will also buy from them respondents' "Ivory" soap, in alleged violation of section 5 of the Federal Trade Commission act. Status: (Ante, complaint No.25).

Complaint No. 224.--Federal Trade Commission v. National Bridge Co., Daniel B. Luten and Frank H. Drury. Charge: Using unfair methods of competition, consisting of threats of patent infringement and demands for royalty made to) municipalities, bridge builders, and contractors; procuring consent decrees for patent infringements in favor of respondent and publishing them without showing that they were entered by consent; publishing and circulating among bridge contractors and builders false and misleading advertisements to the effect that such consent decrees were entered after full trials upon the merits, in alleged violation of section 5 of the Federal Trade

2 of the Clayton Act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 248.--Federal Trade Commission v. Aluminum Co. of America. Charge: Acquiring and owning a large part of the stock and share capital of the Aluminum Rolling Mill Co., the effect of such acquisition being to substantially lessen competition between the respondent and the Aluminum Rolling Mill Co. and tend to create a monopoly, in alleged violation of section 7 of the Clayton Act. Status: This proceeding is now before the Commission awaiting final argument.

Complaint No. 250.--Federal Trade Commission v. Borden's Farm Products Co. (Inc.). Charge: Acquiring and owning the whole of the stock and share capital of the Alexander Campbell Milk Co., the effect of such acquisition being to substantially lessen competition between the respondent and the Alexander Campbell Milk Co. and tend to create a monopoly, in alleged violation of section 7 of the Clayton Act. Status: This proceeding is at issue under the complaint of the Commission and answer of the respondent, and is now in course of trial.

Complaint No. 251.--Federal Trade Commission v. American Sheet & Tin Plate Co. Charge: Discriminating in price between different purchasers of the products manufactured and sold by respondent, the effect of which may be to substantially lessen competition or tend to create a monopoly, in alleged violation of section 2 of the Clayton Act. Status: This proceeding is at issue under the complaint of the Commission and answer of the respondent, and is now in preparation for trial.

Complaint No. 259.--Federal Trade Commission v. Oldbury Electro-Chemical Co., J. L. & S. Stanfield. 108 0 T

quiring dealers to maintain such resale prices, refusing to sell to those who will not retain such resale prices, maintaining a system of requiring dealers who deal in other types of phonograph instruments, records, or talking machines to advertise, promote, and sell respondent's products as the best and unqualified leaders of any and all goods of the phonograph type, and refusing to sell and prohibit dealers who sell Aeolian instruments, parts, and accessories from selling the perforated music rolls therefor to anyone other than the purchaser of an Aeolian pipe organ, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue under the complaint of the Commission and answer of the respondent.

Complaint No. 269.--Federal Trade Commission v. American Graphophone Co., Columbia Graphophone Co., and Columbia Graphophone Manufacturing Co. Charge: Using unfair methods of competition in connection with the sale of talking machines and records, viz., the American Graphophone Co. and Columbia Graphophone Manufacturing Co. fix and maintain certain specified resale prices by issuing catalogues periodically, addressing circular letters to retail dealers, and printing notices upon the paper envelopes designed and commonly used as wrappers or containers for Columbia records; respondent's American Graphophone Co. and Columbia Graphophone Manufacturing Co. through the Columbia Graphophone Co. require retail dealers to maintain specified resale prices fixed upon Columbia products and refuse to sell their products to dealers who will not agree to maintain such specified resale prices, in alleged violation of section 5 of the Federal Trade Commission act. Status: (Ante, complaint No.25.)

Complaint No. 272.--Federal Trade Commission v. Wm. Waltke & Co. Charge: Stifling and suppressing competition in the sale of soaps and toilet sundries by fixing and maintaining resale prices, requiring dealers to retain such prices, and refusing to sell to those who will not retain such resale prices, in alleged violation of section 5 of the Federal Trade Commission act. Status: (Ante, complaint No.25.)

Complaint No. 277.--Federal Trade Commission v. Boston Piano & Music Co. Charge: Using unfair methods of competition in connection with the sale of talking machines by purchasing talking machines under the brand name of "Masterphone"; selling such machines by the use of a sales plan consisting of false representations and fraudulent schemes and practices, such as providing the salesmen with what purports to be order blanks, which are in reality, when signed, binding contracts of purchase; extravagant statements regarding the quality and nature of the machine and records, the facility with which they may be disposed of, the representation that machines are sent on approval, and that respondent operates its own factory; that under respondent's plan a dealer can lose no money; that respondent will conduct an advertising campaign for the benefit of such dealers; and that the salesmen will return and lend their personal aid in a selling campaign, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is now before the Commission for final disposition.

Complaint No. 293.--Federal Trade respondent

of a drilling device or apparatus for the manufacture of which the respondent was ostensibly organized, and also falsely stating, representing, and advertising that it is engaged in business as a drill contractor, whereas its activities have been confined solely to the sale of its capital stock, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at Issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 303.--Federal Trade Commission v. Utah-Idaho Sugar Co., Amalgamated Sugar Co., E. R Wooley, A. P. Cooper, and E. F. Cullen. Charge: Using unfair methods of competition in connection with the manufacture and sale of beet sugar, consisting in the circulation of false and misleading reports concerning the business methods and financial standing of competitors and the inability of competitors to produce sugar, due to the alleged fact that all the producing territory is controlled by respondent; making long-term contracts with growers in territories where competitors were intending to erect factories; causing railroads to delay building tracks and other facilities for competitors and causing banks to withhold credit; spying upon the private and business affairs of competitors; establishing factories and buying up supplies in territories about to be occupied by competitors; preventing manufacturers of machinery from supplying competitors; secretly paying others to institute litigation against competitors and furnishing money to secret agents for the purpose of acquiring the controlling interest in the business of competitors in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon complaint of the Commission and answer of the respondent and is now in course of trial.

Complaint No. 305.--Federal Trade Commission v. Thomas K. Brushart, doing business under the trade name of Motor Fuel & Lubricating Co. Charge: Using unfair methods of competition in the business of purchasing and selling refined oil and gasoline and the leasing and loaning of oil pumps, storage tanks, or containers and their equipments by selling, leasing, or loaning oil pumps, storage tanks, or containers, etc., at prices which do not represent a reasonable return on the investment, many such sales, leases, or loans being made at prices below the cost of producing and vending the same, and many of the contracts for the lease or loan of such devices, lease at and loansuch
 et cetera
 1916
 1917
 1918
 1919
 1920
 1921
 1922
 1923
 1924
 1925
 1926
 1927
 1928
 1929
 1930
 1931
 1932
 1933
 1934
 1935
 1936
 1937
 1938
 1939
 1940
 1941
 1942
 1943
 1944
 1945
 1946
 1947
 1948
 1949
 1950
 1951
 1952
 1953
 1954
 1955
 1956
 1957
 1958
 1959
 1960
 1961
 1962
 1963
 1964
 1965
 1966
 1967
 1968
 1969
 1970
 1971
 1972
 1973
 1974
 1975
 1976
 1977
 1978
 1979
 1980
 1981
 1982
 1983
 1984
 1985
 1986
 1987
 1988
 1989
 1990
 1991
 1992
 1993
 1994
 1995
 1996
 1997
 1998
 1999
 2000
 2001
 2002
 2003
 2004
 2005
 2006
 2007
 2008
 2009
 2010
 2011
 2012
 2013
 2014
 2015
 2016
 2017
 2018
 2019
 2020
 2021
 2022
 2023
 2024
 2025
 2026
 2027
 2028
 2029
 2030
 2031
 2032
 2033
 2034
 2035
 2036
 2037
 2038
 2039
 2040
 2041
 2042
 2043
 2044
 2045
 2046
 2047
 2048
 2049
 2050
 2051
 2052
 2053
 2054
 2055
 2056
 2057
 2058
 2059
 2060
 2061
 2062
 2063
 2064
 2065
 2066
 2067
 2068
 2069
 2070
 2071
 2072
 2073
 2074
 2075
 2076
 2077
 2078
 2079
 2080
 2081
 2082
 2083
 2084
 2085
 2086
 2087
 2088
 2089
 2090
 2091
 2092
 2093
 2094
 2095
 2096
 2097
 2098
 2099
 2100
 2101
 2102
 2103
 2104
 2105
 2106
 2107
 2108
 2109
 2110
 2111
 2112
 2113
 2114
 2115
 2116
 2117
 2118
 2119
 2120
 2121
 2122
 2123
 2124
 2125
 2126
 2127
 2128
 2129
 2130
 2131
 2132
 2133
 2134
 2135
 2136
 2137
 2138
 2139
 2140
 2141
 2142
 2143
 2144
 2145
 2146
 2147
 2148
 2149
 2150
 2151
 2152
 2153
 2154
 2155
 2156
 2157
 2158
 2159
 2160
 2161
 2162
 2163
 2164
 2165
 2166
 2167
 2168
 2169
 2170
 2171
 2172
 2173
 2174
 2175
 2176
 2177
 2178
 2179
 2180
 2181
 2182
 2183
 2184
 2185
 2186
 2187
 2188
 2189
 2190
 2191
 2192
 2193
 2194
 2195
 2196
 2197
 2198
 2199
 2200
 2201
 2202
 2203
 2204
 2205
 2206
 2207
 2208
 2209
 2210
 2211
 2212
 2213
 2214
 2215
 2216
 2217
 2218
 2219
 2220
 2221
 2222
 2223
 2224
 2225
 2226
 2227
 2228
 2229
 2230
 2231
 2232
 2233
 2234
 2235
 2236
 2237
 2238
 2239
 2240
 2241
 2242
 2243
 2244
 2245
 2246
 2247
 2248
 2249
 2250
 2251
 2252
 2253
 2254
 2255
 2256
 2257
 2258
 2259
 2260
 2261
 2262
 2263
 2264
 2265
 2266
 2267
 2268
 2269
 2270
 2271
 2272
 2273
 2274
 2275
 2276
 2277
 2278
 2279
 2280
 2281
 2282
 2283
 2284
 2285
 2286
 2287
 2288
 2289
 2290
 2291
 2292
 2293
 2294
 2295
 2296
 2297
 2298
 2299
 2300
 2301
 2302
 2303
 2304
 2305
 2306
 2307
 2308
 2309
 2310
 2311
 2312
 2313
 2314
 2315
 2316
 2317
 2318
 2319
 2320
 2321
 2322
 2323
 2324
 2325
 2326
 2327
 2328
 2329
 2330
 2331
 2332
 2333
 2334
 2335
 2336
 2337
 2338
 2339
 2340
 2341
 2342
 2343
 2344
 2345
 2346
 2347
 2348
 2349
 2350
 2351
 2352
 2353
 2354
 2355
 2356
 2357
 2358
 2359
 2360
 2361
 2362
 2363
 2364
 2365
 2366
 2367
 2368
 2369
 2370
 2371
 2372
 2373
 2374
 2375
 2376
 2377
 2378
 2379
 2380
 2381
 2382
 2383
 2384
 2385
 2386
 2387
 2388
 2389
 2390
 2391
 2392
 2393
 2394
 2395
 2396
 2397
 2398
 2399
 2400
 2401
 2402
 2403
 2404
 2405
 2406
 2407
 2408
 2409
 2410
 2411
 2412
 2413
 2414
 2415
 2416
 2417
 2418
 2419
 2420
 2421
 2422
 2423
 2424
 2425
 2426
 2427
 2428
 2429
 2430
 2431
 2432
 2433
 2434
 2435
 2436
 2437
 2438
 2439
 2440
 2441
 2442
 2443
 2444
 2445
 2446
 2447
 2448
 2449
 2450
 2451
 2452
 2453
 2454
 2455
 2456
 2457
 2458
 2459
 2460
 2461
 2462
 2463
 2464
 2465
 2466
 2467
 2468
 2469
 2470
 2471
 2472
 2473
 2474
 2475
 2476
 2477
 2478
 2479
 2480
 2481
 2482
 2483
 2484
 2485
 2486
 2487
 2488
 2489
 2490
 2491
 2492
 2493
 2494
 2495
 2496
 2497
 2498
 2499
 2500
 2501
 2502
 2503
 2504
 2505
 2506
 2507
 2508
 2509
 2510
 2511
 2512
 2513
 2514
 2515
 2516
 2517
 2518
 2519
 2520
 2521
 2522
 2523
 2524
 2525
 2526
 2527
 2528
 2529
 2530
 2531
 2532
 2533
 2534
 2535
 2536
 2537
 2538
 2539
 2540
 2541
 2542
 2543
 2544
 2545
 2546
 2547
 2548
 2549
 2550
 2551
 2552
 2553
 2554
 2555
 2556
 2557
 2558
 2559
 2560
 2561
 2562
 2563
 2564
 2565
 2566
 2567
 2568
 2569
 2570
 2571
 2572
 2573
 2574
 2575
 2576
 2577
 2578
 2579
 2580
 2581
 2582
 2583
 2584
 2585
 2586
 2587
 2588
 2589
 2590
 2591
 2592
 2593
 2594
 2595
 2596
 2597
 2598
 2599
 2600
 2601
 2602
 2603
 2604
 2605
 2606
 2607
 2608
 2609
 2610
 2611
 2612
 2613
 2614
 2615
 2616
 2617
 2618
 2619
 2620
 2621
 2622
 2623
 2624
 2625
 2626
 2627
 2628
 2629
 2630
 2631
 2632
 2633
 2634
 2635
 2636
 2637
 2638
 2639
 2640
 2641
 2642
 2643
 2644
 2645
 2646
 2647
 2648
 2649
 2650
 2651
 2652
 2653
 2654
 2655
 2656
 2657
 2658
 2659
 2660
 2661
 2662
 2663
 2664
 2665
 2666
 2667
 2668
 2669
 2670
 2671
 2672
 2673
 2674
 2675
 2676
 2677
 2678
 2679
 2680
 2681
 2682
 2683
 2684
 2685
 2686
 2687
 2688
 2689
 2690
 2691
 2692
 2693
 2694
 2695
 2696
 2697
 2698
 2699
 2700
 2701
 2702
 2703
 2704
 2705
 2706
 2707
 2708
 2709
 2710
 2711
 2712
 2713
 2714
 2715
 2716
 2717
 2718
 2719
 2720
 2721
 2722
 2723
 2724
 2725
 2726
 2727
 2728
 2729
 2730
 2731
 2732
 2733
 2734
 2735
 2736
 2737
 2738
 2739
 2740
 2741
 2742
 2743
 2744
 2745
 2746
 2747
 2748
 2749
 2750
 2751
 2752
 2753
 2754
 2755
 2756
 2757
 2758
 2759
 2760
 2761
 2762
 2763
 2764
 2765
 2766
 2767
 2768
 2769
 2770
 2771
 2772
 2773
 2774
 2775
 2776
 2777
 2778
 2779
 2780
 2781
 2782
 2783
 2784
 2785
 2786
 2787
 2788
 2789
 2790
 2791
 2792
 2793
 2794
 2795
 2796
 2797
 2798
 2799
 2800
 2801
 2802
 2803
 2804
 2805
 2806
 2807
 2808
 2809
 2810
 2811
 2812
 2813
 2814
 2815
 2816
 2817
 2818
 2819
 2820
 2821
 2822
 2823
 2824
 2825
 2826
 2827
 2828
 2829
 2830
 2831
 2832
 2833
 2834
 2835
 2836
 2837
 2838
 2839
 2840
 2841
 2842
 2843
 2844
 2845
 2846
 2847
 2848
 2849
 2850
 2851
 2852
 2853
 2854
 2855
 2856
 2857
 2858
 2859
 2860
 2861
 2862
 2863
 2864
 2865
 2866
 2867
 2868
 2869
 2870
 2871
 2872
 2873
 2874
 2875
 2876
 2877
 2878
 2879
 2880
 2881
 2882
 2883
 2884
 2885
 2886
 2887
 2888
 2889
 2890
 2891
 2892
 2893
 2894
 2895
 2896
 2897
 2898
 2899
 2900
 2901
 2902
 2903
 2904
 2905
 2906
 2907
 2908
 2909
 2910
 2911
 2912
 2913
 2914
 2915
 2916
 2917
 2918
 2919
 2920
 2921
 2922
 2923
 2924
 2925
 2926
 2927
 2928
 2929
 2930
 2931
 2932
 2933
 2934
 2935
 2936
 2937
 2938
 2939
 2940
 2941
 2942
 2943
 2944
 2945
 2946
 2947
 2948
 2949
 2950
 2951
 2952
 2953
 2954
 2955
 2956
 2957
 2958
 2959
 2960
 2961
 2962
 2963
 2964
 2965
 2966
 2967
 2968
 2969
 2970
 2971
 2972
 2973
 2974
 2975
 2976
 2977
 2978
 2979
 2980
 2981
 2982
 2983
 2984
 2985
 2986
 2987
 2988
 2989
 2990
 2991
 2992
 2993
 2994
 2995
 2996
 2997
 2998
 2999
 3000
 3001
 3002
 3003
 3004
 3005
 3006
 3007
 3008
 3009
 3010
 3011
 3012
 3013
 3014
 3015
 3016
 3017
 3018
 3019
 3020
 3021
 3022
 3023
 3024
 3025
 3026
 3027
 3028
 3029
 3030
 3031
 3032
 3033
 3034
 3035
 3036
 3037
 3038
 3039
 3040
 3041
 3042
 3043
 3044
 3045
 3046
 3047
 3048
 3049
 3050
 3051
 3052
 3053
 3054
 3055
 3056
 3057
 3058
 3059
 3060
 3061
 3062
 3063
 3064
 3065
 3066
 3067
 3068
 3069
 3070
 3071
 3072
 3073
 3074
 3075
 3076
 3077
 3078
 3079
 3080
 3081
 3082
 3083
 3084
 3085
 3086
 3087
 3088
 3089
 3090
 3091
 3092
 3093
 3094
 3095
 3096
 3097
 3098
 3099
 3100
 3101
 3102
 3103
 3104
 3105
 3106
 3107
 3108
 3109
 3110
 3111
 3112
 3113
 3114
 3115
 3116
 3117
 3118
 3119
 3120
 3121
 3122
 3123
 3124
 3125
 3126
 3127
 3128
 3129
 3130
 3131
 3132
 3133
 3134
 3135
 3136
 3137
 3138
 3139
 3140
 3141
 3142
 3143
 3144
 3145
 3146
 3147
 3148
 3149
 3150
 3151
 3152
 3153
 3154
 3155
 3156
 3157
 3158
 3159
 3160
 3161
 3162
 3163
 3164
 3165
 3166
 3167
 3168
 3169
 3170
 3171
 3172
 3173
 3174
 3175
 3176
 3177
 3178
 3179
 3180
 3181
 3182
 3183
 3184
 3185
 3186
 3187
 3188
 3189
 3190
 3191
 3192
 3193
 3194
 3195
 3196
 3197
 3198
 3199
 3200
 3201
 3202
 3203
 3204
 3205
 3206
 3207
 3208
 3209
 3210
 3211
 3212
 3213
 3214
 3215
 3216
 3217

Complaint No. 307.--Federal Trade Commission v. St. Louis Lightning Rod Co., Monarch Lightning Rod Co., and Franklin Lightning Rod Co. Charge: Using unfair methods of competition by respondents, who are engaged in the manufacture and sale of lightning rods, fixtures, and ornaments generally, by concealment of the true ownership of respondent companies; use of trade names employed by competitors, spying upon competitors' businesses, misbranding of products, disparagement of competitors, and the payment of large sums of money to employees of its competitors for confidential information, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is now before the Commission for final disposition.

Complaint No. 308.--Federal Trade Commission v. The Ohio Cities Gas Co. Charge: (Ante, complaint No.305.) Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent and is in course of trial.

Complaint No. 310.--Federal Trade Commission v. Oklahoma Producing & Refining Corporation of America. Charge: (Ante, complaint No. 305.) Status: this proceeding is at issue upon the complaint of the Commission and answer of the respondent and is in course of trial.

Complaint No. 315.--Federal Trade Commission v. Kentucky Independent Oil Co. Charge: (Ante, complaint No.305.) Status: This proceeding is at issue upon the complaint of the Commission amid answer of the respondent and is in course of trial.

Complaint No. 319.--Federal Trade Commission v. Hickok Producing Co. Charge: (Ante, complaint No. 305.) Status: This proceeding is now before the Commission for final disposition.

Complaint No. 321. Complaint

and distribution of yeast and other products by concealing from the public the fact that the Fagin Co. and Herman Cheifetz are selling agents of the respondents, United States Food Products Corporation and Liberty Yeast Corporation, and permitting them to be advertised as wholly independent, and that the yeast manufactured by said selling agents are In fact the yeast of the United States Food Products Corporation and the Fagin Co.; enticement of employees of competitors by means of increased salaries and other considerations; inducing employees of competitors to deliver samples of respondents' yeast from wagons of such competitors; obtaining valuable trade secrets, formulas, and methods of competitors through enticement of their employees; circulating false, misleading, and disparaging statements concerning the business and practices of competitors; selling yeast at prices which are less than the cost of producing and selling the same in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is now before the Commission for final disposition.

Complaint No. 339.--Federal Trade Commission v. The Pictorial Review Co. and The Oklahoma Publishing Co. Charge : Unfair methods of competition inn the sale of magazines and periodicals by the procuring by the Pictorial Review Co., through the Oklahoma Publishing Co., a list of dealers throughout the State of Oklahoma handling magazines of competitors and the number of copies sold by such dealers, without disclosing to the dealers the purpose for which it was sought, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 341.--Federal Trade Commission v. W. A. Case & Son Manufacturing Co.

(Inc.). Charge: Use of unfair methods of competit3gf coi64 T2.280 TD -0.0042 Tc 0 Tw (such) Tj 18.120 TD 0 7
 www.industrydocuments.ucsf.edu/docs/3b5f10 2875 5008 40049 a 00 Quality Control 3348 (0475) 01101

respondents; that the respondents operate a number of factories in various parts of the United States, the total produce of one of which are purchased and indorsed by the Quartermaster Department of the United States Army; and that the respondents own and operate certain large and extensive machinery necessary for the manufacture of said product, in alleged violation of section 5 of the Federal Trade Commission act. Status: The proceeding is at issue upon the complaint of the Commission and answer of the respondent and is now in course of trial.

Complaint No. 344.--Federal Trade Commission v. The Oakes Co. Charge: Using unfair methods of competition in the sale of automobile fans (pressed steel) by employing a private detective agency to spy upon the business of one of its competitors; attempting to induce a certain manufacturer to refrain from selling its products to the competitor of respondent by statements that a salesman of said manufacturer was selling supplies to the competitor at too low a price and by intimating that there was collusion between the salesman of said competitor; by threatening that if the manufacturer continued to sell respondent's competitor at such prices, respondent would engage in the same line of business as the manufacturer; making false and misleading statements as to the cost of manufacture of the roller-bearing type fan manufactured by a competitor of respondent, causing time purchasing public to believe that its competitors who manufacture the roller-bearing type of fan are selling same at more than a fair price; and offering to sell and selling the roller-bearing fans at less than cost, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is before the Commission for final disposition.

Complaint No. 347.--Federal Trade Commission v. Ward & Mackey Biscuit Co. Charge: Unfair methods of competition in the sale of stock and securities by circulating false statements concerning the identity of persons promoting time corporation, its assets, financial standing and prospects, facilities and equipment in connection with the sale of its stock; and assuming its corporate name because of its similarity to "Ward-Makey Co.," a corporation previously engaged in the same line of business, widely advertised, and successfully operated in the same city, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 350.--Federal Trade Commission v. H. Norwood Ewing, doing business under the firm name and style of Liberty Paper Co.. Charge: Using unfair methods of competition in the sale of paper products by respondent selling its paper products in commerce under the firm name and style of Liberty Paper Co., the name of a company long established and well known and engaged in the manufacture and sale in like territory of various paper products, with the effect of causing embarrassment and confusion, and of securing to the respondent the benefit of the advertising of the original corporation of the same name; and falsely representing to the public and the paper-buying trade that respondent is a manufacturer of paper, when in fact he is not a manufacturer of paper, but a purchaser of paper in bulk, which is converted into the finished product, thereby gaining an advantage over other jobbers who are not and do not hold themselves out to be manufacturers of paper, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is before the Commission for final disposition.

Complaint No. 351.--Federal Trade Commission v. Armour & Co. Using unfair methods of competition by acquiring the capital stock of E. H. Stanton Co., engaged in a similar line of business.

lessening competition between these two companies, restraining commerce in certain sections of the United States, and tending to create a monopoly in the purchase of live stock and sale of meat and meat products, in alleged violation of section 7 of the Clayton Act. Status: This proceeding is now at issue upon complaint of Commission and answer of respondent, and is now in course of trial.

Complaint No. 352.--Federal Trade Commission v. L. I. Wolper and H. B. Wolper, copartners, trading under the name and style of Errant-Knight Co., Lewis Grocery Co., and Ira Lester Co. Charge: Use of unfair methods of competition in the sale of groceries by circulating false statements regarding respondent's business and its ability to sell goods at prices lower than other dealers; and selling certain staple commodities, such as sugar and flour, at a loss. and charging prices on other products sold in combination so that the assortment as a whole yields respondent a satisfactory profit, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is now at issue on complaint of the Commission and answer of the respondent and is now in course of trial.

Complaint No. 353.--Federal Trade Commission v. The Domestic Engineering Co. (Inc.), et al. Charge: Stifling and suppressing competition in the sale of electric lighting system, by adopting and maintaining a system of fixed prices at which its products ("Delco Lights") shall be resold by its distributors; by

or purchaser of such machines from obtaining the same discounts and rebates as a large purchaser, in alleged violation of section 5 of the Federal Trade Commission act; and by adopting and maintaining the practice of giving rebates or discounts to purchasers on condition that they purchase all or a large percentage of their typewriters, parts and supplies therefor, from the respondent; and by entering upon contracts upon the express condition that purchasers named therein would purchase all or a large percentage of their typewriting, calculating, or adding machines from respondent, with the effect of preventing competitors of respondent from selling their products to aforesaid purchasers, with the further effect of substantially lessening competition and tending to create a monopoly, in alleged violation of section 3 of the Clayton Act. Status: This proceeding is now before the Commission for final disposition.

Complaint No. 357.--Federal Trade Commission v. Royal Typewriter Co. Charge: (Ante, complaint No.356). Status: This proceeding is now before the Commission for final disposition.

Complaint No. 358.--Federal Trade Commission v. L. C. Smith & Bros. Type-writer Co. Charge: (Ante, complaint No. 355). Status: This proceeding is now before the Commission for final disposition.

Complaint No. 359.--Federal Trade Commission v. Underwood Typewriter Co. Charge: (Ante, complaint No.355). Status: This proceeding is now before the Commission for final disposition.

Complaint No. 360.--Federal Trade Commission v. Woodstock . Typewriter Co. Charge: (Ante, complaint No.355). Status: This proceeding is now before the Commission for final disposition.

Complaint No. 361.--Federal Trade Commission v. Accounting Machine Co. (Inc.). Charge: (Ante, complaint No. 355). Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent, and is in course of trial.

Complaint No. 362.--Federal Trade Commission v. Burroughs Adding Machine Co. Charge: (Ante, complaint No.355). Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent, and is in course of trial.

Complaint No. 363.--Federal Trade Commission v. Corona Typewriter Co. (Inc.). Charge: (Ante, complaint No.355). Status: This proceeding is now before the Commission for final disposition.

Complaint No. 364.--Federal Trade Commission v. The Dalton

Complaint

Complaint No. 369.--Federal Trade Commission v. Rockford Milling Machine Co. Charge: (Ante, complaint No.355). Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent, and is in course of trial.

Complaint No. 370.--Federal Trade Commission v. Teetor Adding Machine Co. Charge: (Ante, complaint No.355). Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent, and Is in course of trial.

Complaint No. 372.--Federal Trade Commission v. Standard Oil Co. of Kentucky. Charge: (Ante, complaint No. 305). Status: This proceeding is now at issue upon the complaint of the Commission and answer of respondent, and Is in course of trial.

Complaint No. 374.--Federal Trade Commission v. Lasker & Bernstein. Charges: Using unfair methods of competition by deceptively increasing and falsifying the weight of sponges by loading them with foreign material and selling such loaded sponges by weight, thereby creating a fictitious price for said sponges, defrauding and misleading customers, and causing prejudice and injury to competitors, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is now at issue upon the complaint of the Commission and answer of respondent, and is in course of trial.

Complaint No. 375.--Federal Trade Commission v. Joseph Bloch (Inc.). Charge: (Ante, complaint No.374). Status: This proceeding is now at issue upon the complaint of the Commission and answer of respondent, and is in course of trial.

Complaint No. 376.--Federal Trade Commission v. Max Fuchs Co. Charge: (Ante, complaint No.374). Status: This proceeding is now at issue upon the complaint of the Commission and answer of respondent, and is in course of trial.

Complaint No. 377.--Federal Trade Commission v. American Sponge & Chamois Co. Charge: (Ante, complaint No. 374). Status: This proceeding

upon the complaint of the Commission and answer of respondent, and is in course of trial.

Complaint No. 384.--Federal Trade Commission v. Atlantic Sponge Co. Charge: (Ante, complaint No. 374) . Status: This proceeding is now at issue upon the complaint of the Commission and answer of respondent, and is in course of trial.

Complaint No. 385.--Federal Trade Commission v. A. Isaacs & Co. Charge: (Ante, complaint No.374). Status: This proceeding is now at issue upon the complaint of the Commission and answer of respondent and is in course of trial.

Complaint No. 386.--Federal Trade Commission v. Albert Bloch & Sons. Charge: (Ante, complaint No. 374). Status: This proceeding is now at issue upon the complaint of the Commission and answer of respondent, and is in course of trial.

Complaint No. 387.--Federal Trade Commission v. Freirich & Mansell. Charge: (Ante, complaint No.374). Status: This proceeding is now at issue upon the complaint of the Commission and answer of respondent, and is in course of trial.

Complaint No. 388.--Federal Trade Commission v. Leousi Clonney & Co. Charge: (Ante, complaint No.374). Status: This proceeding is now at issue upon the complaint of the Commission amid answer of respondent, and is in course of trial.

Complaint No. 389.--Federal Trade Commission v. Schroeder & Tremayne. Charge: (Ante, complaint No.374). Status: This proceeding is now at issue upon the complaint of the Commission and answer of respondent, and is in course of trial.

Complaint No. 390.--Federal Trade Commission v. S. Perlinan & Co. Charge: (Ante, complaint No.374). Status: This proceeding is now at issue upon the complaint of the Commission and answer of respondent, and is in course of trial.

Complaint No. 391.--Federal Trade Commission v. F. L. Lampel. Charge: (Ante, complaint No.374). Status: This proceeding is now at issue upon the complaint of the Commission amid answer of respondent, and is in course of trial.

Complaint No. 392.--Federal Trade Commission v. Emil Bloch. Charge: (Ante, complaint No.374). Status: This proceeding is now at issue upon the complaint of the Commission and answer of respondent, and is in course of trial.

Complaint No. 393.--Federal Trade Commission v. Florida Sponge & Chiamois Co. Charge: (Ante, Complaint No. 374). Status: This proceeding is now at issue upon the Complaint of the Commission and answer of respondent, and is in course of trial.

Complaint No. 394.--Federal Trade Commission v. Levy Bros. Charge: (Ante, complaint No.374). Status: This proceeding is now at issue upon the complaint of the Commission and answer of respondent, and is in course of trial.

Complaint No. 395.--Federal Trade Commission v. David Davis Sons. Charge : (Ante, complaint No.374). Status: This proceeding is now at issue upon the complaint of the Commission and answer of respondent, and is in course of trial.

Complaint No. 396.--Federal Trade Commission v. John K. Chayney. Charge: (Ante, complaint No. 374.) Status: This proceeding is now at issue upon the complaint of the Commission and answer of respondent, and is in course of trial.

Complaint No. 397.--Federal Trade Commission v. George M. Emmanuel & Co. Charge: (Ante, complaint No. 374). Status : This proceeding is now at issue upon the complaint of the Commission and answer of respondent, and is in course of trial.

Complaint No. 398.--Federal Trade Commission v. R. B. Blaum. Charge: (Ante, complaint No.374.) Status: This proceeding is now at issue upon the complaint of the Commission and answer of respondent, and is in course of trial.

Complaint No. 399.--Federal Trade Commission v. American Dental Trade Association, The Dental Manufacturers' Club, American Retail Dental Dealers' Association, et al. Charge: Using unfair methods of competition by combining and conspiring with the intent of monopolizing the business of manufacturing and selling dental goods, and with the intent of stifling and suppressing competition by enforcing adherence to resale prices fixed by respondents, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is now at issue upon the complaint of the Commission and answer of respondent, and is in course of trial.

Complaint No. 400.--Federal Trade Commission v. The Music Publishers' Association of the United States, National Association of Sheet Music Dealers, Thomas F. Delaney, individually and as president; E. Grant Ege, individually and as vice president; J. M. Prialux, individually and as secretary and treasurer of the National Association of Sheet Music Dealers; Walter Fischer, J. Elmer Harvey, Charles W. Homeyer, William J. Kearney, Edward P. Little, Holmes T. Maddox, L. W. Miller, Harold Orth, Gustav Schirmer, S. Ernest Philpitt, Paul A. Schmitt, Clayton F. Summy, Charles H. Willis, W. H. Witt, Harvey J. Wood, individually and as directors of the National Association of Sheet Music Dealers, and all the members of said association. Charge: Using unfair methods of competition by conspiring with the intent and

intent of stifling 3 Tw () T.88 831.520 TD 0 TC 0.03 Tw () Tj 3.24 0 TD 0.030 TD 0 TC 0.30 TD 0

kinds, including sums of money and expenses to the respondent's place of business for the purpose of inspecting the respondent's products, as an inducement to influence their employers to purchase or contract to purchase road machinery, steam rollers, and kindred products from the respondent, or to influence such employers to refrain from dealing or contracting to deal with competitors of respondent, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is now at issue upon complaint of Commission and answer of respondent.

Complaint No. 405.--Federal Trade Commission v. J. H. Haney, W. A. McKey, and W. M.

Dutton, copartners, doing business under the firm name and StiflTw (copadT w (employers) Tj0 Tc 0.03 T

ders, and other cleansing compounds. (Ante, complaint No. 424.) Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 428.--Federal Trade Commission v. Curtice Brothers Co. Charge: Using unfair methods of competition in the sale of canned food products. (Ante, complaint No. 424.) Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 429.--Federal Trade Commission v. Joseph Campbell Co. Charge: Using unfair methods of competition in the sale of canned soups. (Ante, complaint No.424.) Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 430.--Federal Trade Commission v. Russell Grader Manufacturing Co. Charge: (Ante, complaint No. 404.) Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 431.--Federal Trade Commission v. The Barber Asphalt Paving Co. Charge: (Ante, complaint No.404.) Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 432.--Federal Trade Commission v. Time Dyar Supply Co. Charge: (Ante, complaint No.404.) Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 433.--Federal Trade Commission v. Chas. Hvass & Co. (Inc.). Charge: (Ante, complaint No. 404.) Status: This proceeding is now at issue upon the complaint of the Commission amid answer of the respondent.

Complaint No. 434.--Federal Trade Commission v. The Austin-Western Road Machinery Co. Charge: (Ante, complaint No.404.) Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 435.--Federal Trade Commission v. Stockland Road Machinery Co. Charge: (Ante, complaint No.404). Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 436.--Federal Trade Commission v. Galion Iron Works & Manufacturing Co. Charge: (Ante, complaint No.404). Status: This proceeding is now at issue upon time complaint of the Commission and answer of the respondent.

Complaint No. 437.--Federal Trade Commission v. J. D. Adams, R. E. Adams, et ah., copartners doing business under the name and style of J. D. Adams & Co. Charge: (Ante, complaint No.404). Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 438.--Federal Trade Commission v. The Barr Sales Co. Charge: (Ante, complaint No.404). Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 439.--Federal Trade Commission v. The Good Roads Machinery Co. Charge: (Ante, complaint No. 404). Status: This proceeding is now at Issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 440.--Federal Trade Commission v. The Chamberlain Road Machine Co. Charge: (Ante, Complaint No.404). Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 441.--Federal Trade Commission v. Acme Road Machinery Co. Charge: (Ante, Complaint No.404). Status: This proceeding is now at issue upon the complaint of the

Commission and answer of the respondent.

Complaint No. 444.-Federal Trade Commission v. The Gates Rubber Co. And J. R. Hurt and William H. Klinefelter, copartners, doing business under

the firm name and style of J. R. Hunt & Co. Charge: Stifling and suppressing competition in the sale of fan belts, tires, brake linings, fire patches, and other automobile accessories by fixing and maintaining certain specified standard prices at which such products shall be resold to the purchasers thereof; requiring purchasers to agree to maintain or resell the above-mentioned commodities at said standard selling prices; refusing to sell said commodities to jobbers or dealers who will not agree to maintain or resell the said commodities at standard resale prices fixed by respondents, or who do not resell such products at such fixed prices; inducing and requiring jobbers or dealers to spy upon others dealing in the said commodities who have not maintained said standard prices or who have resold to jobbers or dealers to whom respondents have directed that the said products should not be resold; refusing to sell to jobbers or dealers engaged in the mail-order business; and employing diversions to the means of alleged violation of section 5 of the Federal Trade Commission act. Status: *Admitted* (3216, 098, 012, 32, Nebraska)

Complaint No. 446.--Federal Trade Commission v. Van Camp Packing Co. and Van Camp Products Clation Prod04 0 8 Tw () Tj Tc 0 m4 035.4 0 TD 0 Tc 0.03 Tw () Tj 2.4 0 Tj Tc 0 m

Slaughter House Co., a competitor; that it

acquired stock in the Bluefield Produce & Provision Co.; that it acquired the whole of the capital stock of the Holland Butterine Co. and held the same out to the public as wholly independent and without connection with respondent; that it acquired 66 per cent of the common stock of the Providence Churning Co., a competitor, and organized a corporation to take over and succeed to the business and property of said Providence Churning Co.; that it acquired one-half of the entire capital stock of the

ness and property to the Loudon Packing Co., a Delaware corporation, in consideration of all

list compiled by the respondent; using coercive methods to obtain subscriptions to the "three-year plan" fund; adopting, through its "trade matter committee," a practice of attempting to control the matter of terms on which manufacturers of printing presses, etc., sell their output to printing establishments, and attempting to have such manufacturers refuse to place any of their presses, etc., in any printing establishment until a cash payment equal to 25 per cent of the amount of the total purchase price be paid; urging printers to adopt a "standard cost system" and "standard price list," for the purpose of establishing a uniform scale of prices throughout the printing industry, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 460.--Federal Trade Commission v. Raymond Bros.-Clark pr24.7thdpr(St2of11) Tj -149.2.76 0

dling dyestuffs; and by making derogatory and false statements regarding the quality and usefulness of the soap so sold by competitors, all in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is now at issue on the complaint of the Commission and the answer of the respondent and is in course of trial.

Complaint No. 468.--Federal Trade Commission v. H. A. Metz & Co. (Inc.). Charge: Using unfair methods of competition in the sale of dyestuffs and chemicals by giving and offering to give to employees of both its customers and prospective customers and its competitors' customers and prospective customers sums of money as an inducement to influence their employers to purchase or contract to purchase from the respondent, or to influence such employers to refrain from dealing or contracting to deal with competitors of respondent, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 472.--Federal Trade Commission v. Pioneer Paper Co. Charge : Using unfair methods of competition by falsely advertising its products as "rubber" and using the terms "one ply," "two ply," and "three ply" to designate and describe the different degrees of thickness of its product when the different degrees of thickness consists of but one layer or ply, with the effect of misleading and deceiving the public and giving respondent's products an undue preference over products of competitors who do not use such methods, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint tisw () Tj 2.64 19.56 0 Tl.03 Tw () Tjn,w () Tj 2.64 Tl8 0 TD 0 Tc9o TD 0 Tc 0.0c 0.03 Tw

Complaint No. 481.--Federal Trade Commission v. Amalgamated Roofing Co. Charge : (Ante, complaint No.472).- Status : This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 482.--Federal Trade Commission v. The Chatfield Manufacturing Co. Charge: (Ante, complaint No.472). Status : This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 483.--Federal Trade Commission v. H. W. John-Mansville Co. Charge : (Ante, complaint No.472). Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 484.--Federal Trade Commission v. Keystone Roofing Manufacturing Co. Charge: (Ante, complaint No.472). Status : This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 485.--Federal Trade Commission v. The Barrett Co. Charge: (Ante, complaint No.472). Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 486.--Federal Trade Commission v. Patent Vulcanite Roofing Co. Charge: (Ante, complaint No.472). Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 487.--Federal Trade Commission v. Philip Carey Manufacturing Co. Charge: (Ante, complaint No.472). Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 488.--Federal Trade Commission v. H. F. Watson-- Co. Charge: (Ante, complaint No.472).- Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 489.--Federal Trade Commission v. The Paraffine Co. (Inc.). Charge : (Ante, complaint No.472). Status : This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 490.--Federal Trade Commission v. Sylvester L. Weaver, trading as the Weaver Roof Co. Charge: (Ante, complaint No. 472). Status: This proceeding is now at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 492.-Federal Trade Commission v. The Great Republic Tire & Rubber Manufacturing Co. Charge : Using unfair methods of competition in the sale of automobile tires and inner tubes by adopting and using as its corporate title "The Great Republic Tire & Rubber Manufacturing Company," and by using as a brand name on automobile tires and Inner tubes sold by it the words "Great Republic," which corporate title and brand name so closely resemble the brand name of "Republic" and the corporate title "The Republic Rubber Company," of a competitor which has widely and extensively advertised its automobile and inner tubes and created a valuable good will thereby, as to deceive and mislead the purchasing public and cause them to believe that the respondent and the Republic Rubber Co. are one and the same, and by holding itself out to the purchasing public that it is a manufacturer of automobile tires and Inner tubes, when in fact it is not, thereby inducing the public to give to the respondent such preference as might be given by them to manufacturers over dealers in the purchase of the products of the respondent or in investing in its corporate stock, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent, and a proposed agreed statement of facts has been submitted to the Commission for its approval.

Complaint No. 494.--Federal Trade Commission v. Super-Tread Tire Co. Charge: Using

unfair methods of competition in the sale of automobile tires

entering into agreements with dealers to maintain prices specified by respondent, refusing to sell to dealers who will not maintain such prices, and by maintaining in its business a system of giving cumulative discounts, or discounts based upon accumulations of purchases during a year, in alleged violation of section 5 of the Federal Trade Commission act. Status: (Ante, complaint No.25).

Complaint No. 504.--Federal Trade Commission v. F. Hecht, Louis Friedheim, and T. I. Ghynn, partners styling themselves F. Hecht & Co. and T. I. Glynn Leather Co. (Inc.). Charge: Using unfair methods of competition by selling to customers in foreign countries leather which does not conform in value to the samples sent to said customers, the leather sold by sample and billed as "calf" being of the inferior grade known to the trade as "kips," and leather sold by sample and billed as "cabretta" being an inferior grade of sheepskin, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent and is in course of trial.

Complaint No. 505.--Federal Trade Commission v. The C. D. Kenny Co. Charge: Using unfair methods of competition in the sale of sugar by adopting the policy of refusing to sell sugar unless a customer will at the same time purchase from respondent the same number of pounds of coffee, thereby coercing a customer into purchasing a quantity of coffee in excess of his needs or demands, and coercing, during the recent shortage in sugar, customers into purchasing an inferior grade of coffee, at prices above the fair market value of same, in order that such customers might purchase sugar from respondent to satisfy their needs and requirements, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is now before the Commission for final disposition.

Complaint No. 506.--Federal Trade Commission v. Sparrows Point Store Co. Charge : Using unfair methods of competition by giving and offering to give to employees of both its customers and prospective customers, gratuities of different kinds, including large sums of money, as an inducement to influence their employers to purchase or contract to purchase from the respondent, or to influence such employers to refrain from dealing or contracting to deal with competitors of respondent, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 512.--Federal Trade Commission v. The Ronald Press Co. Charge: Using unfair methods of competition by entering into agreements a

force or effect, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent, and is in course of trial.

Complaint No. 515.--Federal

policy of resale price maintenance, inducing

and

failed to maintain such resale prices, with the purpose and effect of eliminating competition in price among dealers handling the product of respondent, depriving said dealers of the opportunity to resell such products at prices which they may deem adequate, and unduly securing the trade of dealers in such products and obtaining their aid and cooperating in enlarging the sale thereof, to the prejudice of competitors who

the former prices of its said predecessor's product, were still much in excess of the current and reasonable prices of baking powders such as respondent was in fact selling, thus injuring and restraining the business of its competitors and deceiving and misleading purchasers and consumers, in alleged violation of section 5 of the Federal Trade Commission act. Status : This proceeding is powder powder 8i: -23.16 TD -0.057 Tc 0 Tw (the) Tj 12.12 0 TD 0 Tc 0.0 Tw3ea Tc 0.03D

bination lots or assortments at and for certain fixed prices, it being necessary for the purchaser to buy the entire lot or assortment to obtain such prices which are advertised and held out to be less than the average retail price. charged for such merchandise by competitors of respondent; and advertising price lists, comparing the prices charged by it to the average retail prices charged by its competitors, such retail prices so advertised being false and misleading and calculated to mislead the trade and general public into the belief that such average retail prices are higher than they are in truth and in fact, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 548.--Federal Trade Commission v. Vacuum Oil Co. Charge: Using unfair methods of competition by maintaining in its business a system of giving cumulative discounts or rebates in the sale of its products whereby purchasers of its products obtain at the end of each calendar year, or at the end of a definite period, certain rebates or discounts based and estimated upon the aggregate of the separate purchases made by such dealers during the calendar year, or such fixed period; selling lubricating oils to automotive manufacturers for use in their machines, being sold at list prices, that is to say, prices to consumers, less 40 per cent discount, irrespective of amount, and an additional 5 per cent on carload lots; and giving and offering to give an additional rebate of the cost of a half gallon of oil per machine sold to all such manufacturers who will agree to recommend in their instruction booklets issued to purchasers, or attach to their machines a plate recommending the use of the respondent's lubricating oils, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue v i o l T r t a d e o i i v i o l a t i o n i p r o c e e d i n g

the respondent's lubricating oils,
their se 2.1ion

Complaint .aint

visible; with the effect of misleading the trade and general public into the belief that such pen points are 14 karat gold pens, when in truth and in fact they are only gold plated, in alleged violation of section 5 of the Fed-

eral Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 565.--Federal Trade Commission v. C. Howard Hunt Pen Co. Charge: (Ante, complaint No.564). Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 566.--Federal Trade Commission v. The E J. O'Neill Medicine Co. Charge: Using unfair methods of competition by simulating in the marketing of its products, the trademark, advertising matter, form of contracts for special agency, the containers, and the product itself of the A. H. Lewis Medicine Co., with the design of deceiving and misleading the purchasing public and causing purchasers to believe that respondent's product is one and the same as that manufactured and sold by A. H. Lewis Medicine Co., and by printing on its advertising matter respondent's trade name or mark and the words "Registered U. S. Pat. Office," when said trade name or mark has not been registered in the United States Patent Office, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 567.--Federal Trade Commission v. Acme Coal Mining Co. Charge: Using unfair methods of competition by organizing, with full knowledge of the existence of the Wittenberg Coal Co. and of the widespread use and meaning of its trade name "Acme" when used in connection with coal, under the corporate name of "Acme Coal Mining Company," for the purpose of appropriating for the respondent the good will established by the said Wittenberg Coal Co. for its brand name "Acme" when used in connection with coal, with its principal office in the same city in which the Wittenberg Coal Co. also has an office for the transaction of its business of selling coal, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is now before the Commission for final disposition.

Complaint No. 568.--Federal Trade Commission v. Darling & Co. Charge: Using unfair methods of competition by causing, through its agents, servants, and employees, its competitor's trucks to be followed and their business spied upon for the purpose of ascertaining and acquiring a list of the dealers from whom respondent's competitors obtain their raw material and offering and purchasing said raw material from said dealers at and for prices greatly in excess of those paid by its competitors and at prices unwarranted by trade conditions and so high as to be prohibitive to its competitors, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent and is in course of trial.

Complaint No. 569.--Federal Trade Commission v. Edward Perlman and Samuel Gerber, copartners trading under the name and style of Liberty Whole-sale Grocers. Charge: Using unfair methods of competition by advertising, through the medium of catalogs and other advertising matter, for sale to the general public groceries in combination lots or assortments at and for certain fixed prices, it being necessary for the purchaser to buy the entire lot or assortment to obtain such prices, which are advertised and held out to be less than the average retail price charged for such groceries; and representing, through advertisements, that respondents are regularly engaged in the business of merchandising grocers at wholesale and that purchasers from respondents save from 30 to 50 per cent on goods purchased from them, when in truth respondents are in no sense engaged in the business of merchandising groceries at wholesale, but sell goods direct to consuming purchasers in comparatively small combination lots, and the prices paid by respondents for the goods so sold in combination lots of assortments, as whole, are substantially

the same or greater than the prices which retail

to phonographs of the standard makes which they are made to imitate, and are manufactured by respondents and sold to purchasers for less than one-third of the standard resale prices at which they the

and briefs on behalf of the Commission and the respondent are in course of preparation.

Complaint No. 578.--Federal Trade Commission v. Swift & Co., Libby, McNeill & Libby (of Illinois), and Libby, McNeill & Libby (Ltd.) (of Honolulu). Charge: That the respondent, Libby, McNeill & Libby, a subsidiary of the respondent, Thomas Pineapple Co., acquired all of the share capital of the Thomas Pineapple Co., the share capital, property, and business of Honolulu Pineapple Co., Kahaluu Pineapple & Range Co. (Ltd.), and Koolau Fruit Co. (Ltd.), with the effect of substantially lessening competition in the sale of pineapples in the territory of Hawaii and creating a condition which tended to create for respondents a monopoly in the growing and sale of pineapples, in alleged violation of section 7 of the Clayton Act and section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 579.--Federal Trade Commission v. The Atlanta Wholesale Grocery, City Salesmen's Association, J. J. Barnes-Fain Co., Kelley Bros. Co., McCord Stewart Co., Maret.-Streeter Co., Oglesby Grocery Co., H. L. Singer Co., Walker Bros. Co., A. McD. Wilson Co., Conley & Ennis, Johnson-Fluker & Co., McDaniel & Co., Parables & Rich, R. W. Davis & Co., Charles I. Brennan, J. N. Hirsch, O. T. Camp, and R. O. Estes. Charge: Using unfair methods of competition by conspiring and confederating together to prevent the Unity Grocery Co. and the Merchants' Wholesale Grocery Co. from obtaining commodities dealt in by them from manufacturers and other usual sources from which a wholesale dealer in groceries must obtain supplies, and inducing manufacturers of grocery products and brokers representing such manufacturers, by boycott and threats of boycott and other unlawful means, to refuse to sell their products to the above-named grocery companies, and informing such manufacturers and brokers that they would refuse to buy from them if they sold to the above-named grocery companies, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 580.--Federal Trade Commission v. D. Fairfax Bush, William Dette, George A. Crocker, Jr., and Leah R. Crocker, copartners doing business under the firm name and style of Crocker Bros.; W. A. Ratyle

a m e d

and W. Ratyle

sell the latter at 25 per cent less, but

Complaint No. 586.--Federal Trade Commission v. Southern Macaroni Manufacturing. Charge: Using unfair methods of competition by offering and giving to jobbers and salesmen of jobbers handling respondent's products bonuses and cash prizes based on the increase in the sales of one or more of respondent's products, and graduated according to the percentage of such increase; and conducting, in pursuance of said offers of bonuses and cash prizes, correspondence encouraging and setting forth the advantages of those who made special efforts to sell respondent's goods by reason of said offers, with the effect of tending to cause and create extra and abnormal financial interest to said jobbers and said salesmen of jobbers in the sale of respondent's products and thereby tending to induce said jobbers and said salesmen of jobbers to give special attention and efforts to selling respondent's products, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 587.--Federal Trade Commission v. Tide-Water Oil Co., Tide Water Oil Sales Corporation, and Tide Water Oil Co. of Massachusetts. Charge: (Ante, complaint No.305). Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 588.--Federal Trade Commission v. Esco Hosiery Co. (Inc.). Charge: Using unfair methods of competition by labeling, advertising, stamping, and branding on packages containing hosiery bought and sold by it representations that the hose contained in said packages are silk, when in truth and in fact the material in said hose is not all silk, but only a portion of such material in such hose is silk, the remaining portion being composed of material of inferior quality and of less value than silk, with the effect of misleading and deceiving the trade and general public, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 589.--Federal Trade Commission v. Ex-Zact Food Products Co. Charge: Using unfair methods of competition by offering to give a bonus or cash commission of 10 per cent on all sales of products manufactured by respondent and other premiums to salesmen, wholesalers, and jobbers handling the products of the respondent and those of its competitors with the effect of creating a direct and personal interest in the sale of respondent's products and inducement to push respondent's products in preference to products of competitors, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 590.--Federal Trade Commission v. Bankers Petroleum & Refining Co. Charge: Using unfair methods of competition in the sale of stocks and securities by false statements concerning the location and value of its leases, its refinery, and available source of crude oil, and soliciting subscriptions to and sales of stock by the use of letters, circulars, and other advertising matter containing false and misleading statements and representations concerning respondent's business and alleged benefits which purchasers might derive from purchasing and investing in its said stock, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 591.--The Federal Trade Commission v. One-piece Bifocal Lens Co., a corporation. Charge: Using unfair methods of competition by adopting an elaborate system of licensing and price fixing by which respondent's product is manufactured in part by certain licensee manufacturers to a specified degree of utility, and thereupon sold by such manufacturing licensee to other finishing

or retailing licensees who complete the product and sell and distribute the same, the price or prices thereof being at all stages in the progress of the article prescribed and rigidly maintained by the express terms and conditions of its licensing agreements and by the refusal of respondent to sell to those who do not maintain such resale prices, m alleged violation of section 5 of the Federal Trade Commission act; and by agreements with certain of its so-called licensees, upon the agreement or understanding that such licensees shall not use or deal m the product of a competitor or competitors of respondent, with the effect of substantially lessening competition or tending to create a monopoly, in alleged violation of section 3 of the Clayton act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 592.--Federal Trade Commission v. The Mebane Iron Bed Co. Charge: Using unfair methods of competition by manufacturing bedsprings similar m appearance to the bed springs produced by the Mebane Bedding Co., which latter company had extensively advertised its products, so that such products had become widely and favorably known and had built up a favorable good will for its products and for the name "Mebane," with the effect of deceiving and misleading the purchasing public and causing it to believe that the respondent and the Mebane Bedding Co. are one and the same, m alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is now before the Commission for final disposition.

Complaint No. 593.--Federal Trade Commission v. A. E. Lind, doing business under the assumed name and style of United States Salvage Co. Charge: Using unfair methods of competition by advertising a "Sale of Army and Navy paints" without having for sale any such products for or acquired from the United States Government, with the effect of misleading the purchasing public, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 594.--Federal Trade Commission v. Butterick Co., Federal Publishing Co., Standard Fashion Co., Butterick Publishing Co., New Idea Pattern Co., and Designer Publishing Co. Charge: Using unfair methods of competition by entering into contracts with approximately 20,000 retail dry goods dealers whereby its paper dress patterns are to be resold at certain prices fixed and established by respondents, and refusing to sell to those who do not maintain such resale prices, in alleged violation of section 5 of the Federal Trade Commission act; and entering into contracts whereby its dealers are prohibited from dealing in patterns manufactured by competitors of respondents, and enforcing such contracts by refusal to sell to such dealers who do not maintain such agreements and by threats of suits and institution of suits for damages, In alleged violation of section 3 of the Clayton act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 595.--Federal Trade Commission v. Dove Oil Co. Using unfair methods of competition in the sale of stock and securities by circulation of false statements as to the location and proven production of its property, with the effect of deceiving the purchasing public as to the true value of the stock of respondent, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 596.--Federal Trade Commission v. United Indigo & Chemical Co. Charge: Using unfair methods of competition by giving to employees of its customers and purchasers, and of the employees of its competitors, dinners, theater tickets, cigars, prize-fight tickets, and lavish entertainments

to such employees, payments of cash commissions, bonuses, prizes, and gratuities to the employees of its customers and purchasers and to the employees of its competitors, in order to induce such employees to push and favor the sale of the products of the respondent over the goods of its competitors, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 597.--Federal Trade Commission v. Samuel Weinberg doing business under the trade name and style of the International Flaxol Co. Charge: Using unfair methods of competition by selling a certain product which respondent has named and advertises as "Flaxol," thereby indicating that it is a product or derivative of flax and the equivalent of linseed oil, the well-known product of flax, when in fact "Flaxol" contains only a small and immaterial amount of linseed oil, is not a product or derivative of flax or the equivalent of linseed oil, and the natural and probable effect of such holding out of the commodity is to mislead the public into believing that "Flaxol" is produced from flax, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 598.--Federal Trade Commission v. Everybody's Mercantile Co. Charge: Using unfair methods of competition by giving and offering to give customers and prospective customers, as an inducement to secure their trade and patronage, certain papers, coupons, or certificates which are redeemable in various prizes or premiums consisting of personal property of unequal values, the distribution of which is determined by chance or lot, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent.

Complaint No. 599.--Federal Trade Commission v. International Fur Exchange (Inc.), Funsten Bros. & Co., F. C. Taylor Fur. Co., and Mallory, Mitchell & Faust. Charge: Using unfair methods of competition by refusing to advertise in newspapers except upon condition that the advertising matter from competitors setting forth the prices said competitors are willing to pay for furs purchased from trappers and hunters, be declined; and that for 40-115D -16 0 TD -0.0552 Tc 0 Tw (

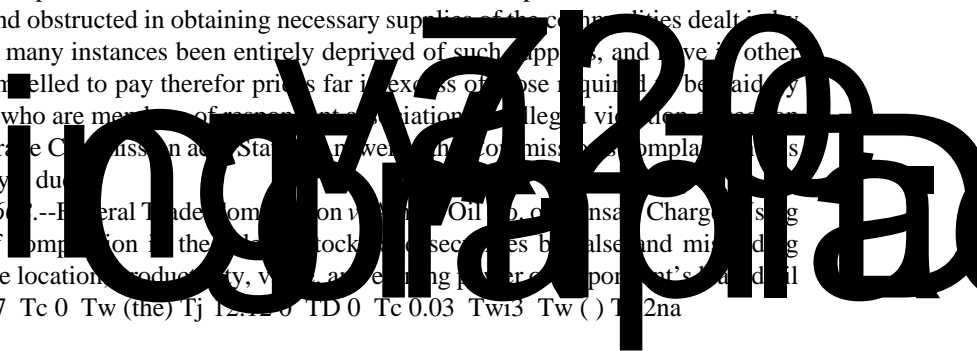
mend the purchase of shellac to their respective employers, gratuities, such as money, liquor, cigars, meals, and other personal property, as inducements to said employees to influence their respective employers to purchase from respondent its said substitute for shellac (sealwood) and the reducer used in connection therewith, with the effect of excluding the products of its competitors unfairly, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the

methods of competition by conducting its business of buying and selling knitted goods as wholesale merchants or jobbers under the trade name of Franklin Knitting Mills, which assumed trade name leads the customers and public generally to believe that the respondent firm operating under said firm name is a manufacturer of the goods sold by it, when such is not the fact, but respondent is a merchant or jobber and buys the goods so sold; and by adopting the name of Franklin Knitting Mills when there was in existence a corporation whose legal corporate name was "Franklin Knitting Mills (Inc.)," a long-established firm which was engaged in the same general business at the time respondent adopted its name, in alleged violation of section 5 of the Federal Trade Commission act. Status: Answer to the Commission's complaint in this proceeding is not yet due.

Complaint No. 606.-Federal Trade Commission v. The Mennen Co. Charge: That the respondent in the sale of talcum powder, tooth paste, shaving soap, and other toilet articles has adopted a plan of grouping its actual and prospective customers according to an arbitrary classification, and allowing customers in one of such classifications discounts on quantity purchases and refusing discounts of any kind to customers in the other classifications, which practice has a tendency to lessen competition and to create a monopoly, in alleged violation of section 2 of the Clayton Act and section 5 of the Federal Trade Commission act. Status : Answer to the Commission's complaint in this proceeding is not yet due.

Complaint No. 607.--Federal Trade Commission v. Iowa-Nebraska-Minnesota Wholesale Grocers' Association, its officers and members. Charge: Using unfair methods of competition by adopting a plan of boycott and withdrawal of patronage from manufacturers and jobbers as a means of coercing such manufacturers and jobbers to refrain from selling to nonmember competitors of the respondents, with the effect that nonmember competitors have been and are being hampered and obstructed in obtaining necessary supplies of the commodities dealt in by them, and have in many instances been entirely deprived of such supplies, and have in other instances been compelled to pay therefor prices far in excess of those required to be paid by their competitors, who are members of respondent organization, in alleged violation of section 5 of the Federal Trade Commission act. Status: Answer to the Commission's complaint in this proceeding is not yet due.

Complaint No. 608.--Federal Trade Commission v. Oil Co. of America. Charge: Using unfair methods of competition in the sale of stocks and securities by false and misleading statements as to the location, productivity, value and earning power of respondent's oil and oil properties, in .057 Tc 0 Tw (the) Tj 12.12 0 TD 0 Tc 0.03 Tw13 Tw () T 2na



Status : Answer to the Commission's complaint in this proceeding is not yet due.

Complaint No. 610.--Federal Trade Commission v. Montgomery Ward & Co. Charge: Using unfair methods of competition by advertising in printed catalogues that a liquid roofing cement which it offers for sale contains no coal tar, when in truth and in fact said liquid roofing cement does contain coal tar, which fact is well known to the respondent, in alleged violation of section 5 of the Federal Trade Commission act. Status: Answer to the Commission's complaint in this proceeding is not yet due.

Complaint No. 611.--Federal Trade Commission v. The Star Provision Co., Malone Oil Co., and B. Marx, trading under the name and style of Liberty Oil Products Co. Charge: Using unfair methods of competition by soliciting trade in various lubricating oil compounds and adulterated linseed oils by means of circulars and circular letters mailed to prospective customers without disclosing to the purchasing public the component ingredients of said compounds, and creating the erroneous impression in said circulars and circular letters that such oils and compounds are pure lard, fish, sperm, or linseed oils; and falsely stating in said circulars and circular letters that such oils and compounds will meet the requirements of all mechanical and industrial uses, in alleged violation of section 5 of the Federal Trade Commission act. Status: Answer to the Commission's complaint in this proceeding is not yet due.

Complaint No. 612.--Federal Trade Commission v. Great Western Oil Co. Charge: Using unfair methods of competition by falsely advertising that its product which is a mixture of benzol and gasoline and sold under the trade name "Crystal-Pep" has been indorsed by the Automobile Association of America and the United States Bureau of Mines, when such is not the fact, in alleged violation of section 5 of the Federal Trade Commission act. Status: Answer to the Commission's complaint in this proceeding is not yet due.

Complaint No. 613.--Federal Trade Commission v. T. C. Hurst and Floyd Hurst, a copartnership doing business under the name and style of T. C. Hurst & Son. Charge: Using unfair methods of competition by giving sums of money and other gratuities to officers and employees of ships as an inducement to influence their employers or the owners of said ships to purchase goods from the respondent, in alleged violation of section 5 of the Federal Trade Commission act Status: Answer to the Commission's complaint in this proceeding is not yet due.

Complaint No. 614.--Federal Trade Commission v. Norden Ship Supply Co. Charge: (Ante, complaint No. 613). Status: Answer to the Commission's complaint in this proceeding is not yet due.

Complaint No. 615.--Federal Trade Commission v. Marine Equipment Co. (Inc.) Charge: (Ante, complaint No. 613). Status: Answer to the Commission's complaint in this proceeding is not yet due.

Complaint No. 616.--Federal Trade Commission v. Quaker Oil Products Corporation. Charge: (Ante, complaint No. 506). Status: Answer to the Commission's complaint in this proceeding is not yet due.

Complaint No. 617.--Federal Trade Commission v. Southern Manufacturing Co. Charge: Using unfair methods of competition by giving to salesmen of grocery Jobbers profit sharing coupons as a means of inducing such salesmen to favor respondent's product over that of competing producers, the number of such coupons given away depending on the amount of sales made by such salesmen, in alleged violation of section 5 of the Federal Trade Commission act. Status: Answer to the Commission's complaint in this proceeding is not yet due.

Complaint No. 618.--Federal Trade Commission v. Eastern Road Machinery Co. Charge: Using unfair methods of competition by paying money

to employees of customers and public officials, purchasing liquor, cigars, theater tickets, etc.,
for employees and public officials, and paying hotel and railway expenses of

plained of under section 5 of the Federal Trade Commission act and section 3 of the Clayton Act.

Complaint No.24 (Jan. 10, 1918) .--Federal Trade Commission v. The Galena-Signal Oil Co. Charge: Using unfair methods of competition by contracting with railroads for sale of total requirements of lubricants at guaranteed minimum price and to refund excess, and so adjusting guaranteed cost of lubrication as to require respondent to make refund from invoice price paid by railroads, with resulting price discrimination, in alleged violation of section 5 of the Federal Trade Commission act; discrimination in price between different purchasers of its lubricant, in alleged violation of section 2 of the Clayton Act; making contracts for sale on the condition, agreement, or understanding that purchasers shall not use the goods, wares, merchandise, supplies, or other commodities of competitors of respondent, in alleged violation of section 3 of the Clayton Act. Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practices complained of under section 5 of the Federal Trade Commission act, and sections 2 and 3 of the Clayton Act.

Complaint No.31 (Jan. 10, 1918) .--Federal Trade Commission v. National Biscuit Co. Charge: Using unfair methods of competition by maintaining a system of cumulative monthly discounts in the sale of its products, causing dealers who are required by the large consumer demand to carry "Uneeda Biscuit" and "N. L. Goods," to purchase either largely or exclusively from respondent their requirements for other bakery products in order to obtain the largest possible discount; division of territory and discrimination as to discounts between purchasers in different zones of this territory; and use of "tying contracts" with street car advertising concerns, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing, an order was entered dismissing the complaint herein.

Complaint No.33 (Feb. 1, 1918).--Federal Trade Commission

not members of the White Rats Actors Union and Associated Actresses of America, by circumventing the law relative to maximum fees to be paid by performers to secure engagements by controlling and dominating the vaudeville industry, by requiring actors to advertise in "Variety," by publishing blacklists, etc., in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing, an order was entered dismissing the complaint herein.

Complaint No.130 (May 13, 1918).--Federal Trade Commission v. Gilbert & Barker Manufacturing Co. Charge: Using unfair methods of competition in the manufacture and sale of automatic-measuring oil pumps, tanks, etc., by falsely representing the product of certain of its competitors to be unsatisfactory, defective, and that such would not operate and was being sold at exorbitant prices; by inducing competitors' customers to cancel orders ; and by holding itself out to be the agent of its competitors, quoting exorbitant prices, in alleged violation of section 5 of the Federal Trade Commission act; price discrimination, the effect of which may be to substantially lessen competition or tend to create a monopoly, in alleged violation of section 2 of the Clayton Act. Disposition: After hearing, an order was entered dismissing the complaint herein.

Complaint No. 131 (May 13, 1918).--Federal Trade Commission v. Atlantic Refining Co. Charge: Unfair methods of competition in the sale of petroleum and in the sale of automatic-measuring oil pumps, tanks, etc., the product of the Gilbert & Barker Manufacturing Co. (ante, complaint No.130), by falsely representing the product of certain of its competitors to be unsatisfactory, defective, and that such would not operate and was being sold at exorbitant prices ; by inducing competitors' customers to cancel orders; selling and lending pumps, etc., without adequate consideration; threatening to sell oil direct by retail unless leaders used the Gilbert & Barker product; and by holding itself out to be the agent of its competitors as well as of the Gilbert & Barker Manufacturing Co., quoting exorbitant prices, in alleged violation of section 5 of the Federal Trade Commission act, price discrimination, the effect of which may be to substantially lessen competition or tend to create a monopoly, in alleged violation of section 2 of the Clayton Act. Disposition: After hearing, an order was entered requiring respondent to cease and desist from the practices complained of under section 5 of the Federal Trade Commission act and section 2 of the Clayton Act.

Complaint No.132 (May 13, 1918).--Federal Trade Commission v. Standard Oil Co. of Ohio. Charge: Unfair methods of competition in the sale of petroleum and in the sale of automatic measuring oil pumps, tanks, etc., the product of the Gilbert & Barker Manufacturing Co., by falsely representing the product of certain of its competitors to be unsatisfactory, defective, and that such would not operate and was being sold at exorbitant prices; by inducing competitors' customers to cancel orders ; selling and lending pumps, etc., without adequate consideration; threatening to sell oil direct by retail unless dealers used the Gilbert & Barker product; and by holding itself out to be the agent of its competitors as well as of the Gilbert & Barker Manufacturing Co., quoting exorbitant prices, in alleged violation of section 5 of the Federal Trade Commission act; price discrimination, the effect of which may be to substantially lessen competition or tend to create a monopoly, in alleged violation of section 2 of the Clayton Act. Disposition: After hearing, an order was entered requiring respondent to cease and desist from the practices complained of under section 5 of the Federal Trade Commission act and section 2 of the Clayton Act.

Complaint No. 133 (May 13, 1918).--Federal Trade Commission v. Standard Oil Co. of Indiana. Charge: Unfair methods of competition in the sale of petroleum and in the sale of automatic measuring oil pumps, tanks, etc. (ante, complaint No. 132). Disposition: After hearing, an order was entered requiring respondent to cease and desist from the practices complained of under section 5 of the Federal Trade Commission act and section 2 of the Clayton Act.

Complaint No. 131, (May 13, 1918).--Federal Trade Commission v. Standard Oil Co. of New York.

Godstuffs-340.40T0156 Tc -0.0181 Tc (Act.) T2 1 Tc 0.0300 6the

3 0 T w () T j 1 . 6 8 0 T D 4 . T c 0 . 0 3 - 1 8 1 2 3 1 c 0 T j 1 2 . 1 m a d - 3 4 0 . 2

prices, which prices were higher than the prices at which the Purity Preserving Co. agreed to sell said catsup, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing, an order was entered dismissing the complaint herein.

Complaint No.164 (June 29, 1918).--Federal Trade Commission v. Federal Rope Co. (Inc.). Charge: Using unfair methods of competition by falsely representing the rope manufactured by it as composed entirely and exclusively of new manila fiber, while in fact it is remade from strands taken from old and used rope, and contains other than pure manila fiber; and using certain methods, appearances, and simulations in packing and distributing said rope to the trade so as to give it the appearance of new and unused rope, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No.198 (Oct.15, 1918).--Federal Trade Commission v. Closset & Devers (Inc.). Charge: Stifling and suppressing competition in the sale of coffee by fixing and maintaining resale prices, requiring dealers to maintain such resale prices, and refusing to sell to those who will not maintain such resale prices, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing, an order was entered dismissing the complaint herein.

Complaint No.199 (Oct.15, 1918).--Federal Trade Commission v. National Grocery Co. Charge: (Ante, complaint No.198). Disposition: After hearing, an order was entered dismissing the complaint herein.

Complaint No.200 (Oct.15, 1918).--Federal Trade Commission v. The Rogers Co. Charge: (Ante, complaint No. 198). Disposition: After hearing, an order was entered dismissing the complaint herein.

Complaint No. 201 (Oct. 15, 1918).--Federal Trade Commission v. Schwabacher Bros. & Co. (Inc.). Charge : (Ante, complaint No.198). Disposition: After hearing, an order was entered dismissing the complaint herein.

Complaint No.202 (Oct.15, 1918).--Federal Trade Commission v. Seattle Grocery Co. Charge: (Ante, complaint No.198). Disposition: After hearing, an order was entered dismissing the complaint herein.

Complaint No.203 (Oct.15, 1918).--Federal Trade Commission v. Washington Retail Grocers & Merchants Association. Charge: Using unfair methods of competition by means of a combination or conspiracy to compel wholesale coffee dealers to maintain a system of fixing prices at which their coffee shall be resold by dealers who will not agree to maintain resale prices, publishing articles in its official organ, the Northwestern Merchant, urging retail coffee dealers to boycott wholesalers who do not maintain resale prices, and boycotting the goods of coffee dealers who are not members of respondent association and who do not maintain resale prices, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing, an order was entered dismissing the complaint herein.

Complaint No.204 (Oct.17, 1918).--Federal Trade Commission v. Commonwealth Color & Chemical Co. and Herbert L. Wittnebel. Charge : Using unfair methods of competition in the sale of colors, chemicals, and dyestuffs, viz, giving gratuities of different kinds, including sums of money, to employees of their customers, prospective customers, and customers and prospective customers of competitors as an inducement money, ~~als,~~

Federal Trade Commission act. Disposition: After hearing, an order was entered dismissing the complaint herein.

Complaint No.208 (Oct.30, 1918).--Federal Trade Commission v. The Royal Cinema Corporation and two other motion-picture companies. Charge: Using unfair methods of competition by producing, selling leasing, and advertising a motion picture under the title "Mothers of Liberty," which is substantially a copy of another and copyrighted motion picture entitled "The Ordeal," without notifying the exhibitors and the public that it is such, and falsely accusing exhibitors who refuse to exhibit said "Mothers of Liberty" of being German sympathizers and disloyal to the Government of the United States, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No.ral #02529.88 0 tled

tain such prices, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing, an order was entered dismissing the complaint herein.

Complaint No. 226 (Dec. 14, 1918).--Federal Trade Commission v. Kinney-Rome Co. Charge: Using unfair methods of competition in the sale of bed springs and kindred products by giving to salesmen of merchants handling its products and those of its competitors gratuities, consisting of watches and other personal property, as an inducement to influence them to push the sales of respondent's products to the exclusion of the products of its competitors, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 235 (Jan. 6, 1919).--Federal Trade Commission v. Portable Conveying Machinery Co. Charge: Using unfair methods of competition by threatening competitors with suits for patent infringements, which threats are not made in good faith, and false and misleading statements with respect to alleged pending lawsuits against competitors and with respect to the invention of a portable elevator manufactured by a competitor, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 236 (Jan. 6, 1919).--Federal Trade Commission v. Carter Paint Co. Charge: Using unfair methods of competition, consisting of giving gratuities of different kinds to salesmen of jobbers handling respondent's products as an inducement to push the sale of respondent's products in preference to those of its competitors, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 239 (Jan. 11, 1919).--Federal Trade Commission v. Royal Easy Chair Co. Charge: Using unfair methods of competition in the sale of reclining chairs and kindred products by giving a cash bonus on each chair sold to salesmen of retail merchants handling the products of respondent and those of its competitors, as an inducement to push the sale of respondent's products, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 241 (Jan. 21, 1919).--Federal Trade Commission v. J. Frank Bates, trading as Malzo Coffee Co. Charge: Using unfair methods of competition in the sale of coffee, consisting of the adoption and use of the trade name Malzo Coffee Co., which name is so similar to that of a competitor as to deceive and mislead the trade and purchasing public and cause them to believe that respondent's coffee is one and the same as that of its competitor, in alleged violation of section 5 of the Federal Trade Commission act.

Dev Tw () T329 6 0 3.24 0 TD 0 Tcter heartheD 0.0517
deceivebelacTD -0.0328 Tc 0 Tw (Commission) Tj 49.92 0 TD 0 Tc 6eceiveFede 5 of TD 0() T32

to certain flesh-reducing machi

of competition in connection with the manufacture and sale of water heaters by agreeing among themselves to fix and maintain resale prices, requiring purchasers to maintain such resale prices, and refusing to sell to those who will not maintain such resale prices alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practices complained of under section 5 of the Federal Trade Commission act.

Complaint No.256 (Mar 31 1919).--Federal Trade Commission v. Complainer, *40 (Complaints 67)*

requiring its stockholders, jobbers and retail dealers to agree to maintain such resale prices, refusing to sell its products to stockholders, jobbers, or retail dealers who will not agree to maintain such resale prices, and occupying the dual role of selling agent for the products manufactured by the Beech-Nut Packing Co., and either chewing gum manufacturers and of purchasing agent for its stockholders although ostensibly purchasing such products from the manufacturer and reselling them to its own stockholders, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 276 (May 27, 1919).--Federal Trade Commission v. Jacob Lanski. Charge: Using unfair methods of competition in the purchase of scrap iron by knowingly accepting, unloading, and converting to his own use freight cars of iron and steel scrap delivered to him by railway companies, but originally purchased by and shipped to the I. Lanski & Son Scrap Iron Co., and by means of information contained in freight bills and other correspondence relating to such shipments delivered by mistake through the mail 0 Tw (throughs 0 TD -0r -0.0208 Tc 0 Tw (th

gas, no provision being made for a refund of the cash deposit in the event that the customer should purchase no more of respondent's gas, and also agree not to use in connection with said containers the acetylene gas of competitors, the effect of which is to substantially lessen competition or tend to create a monopoly, in alleged violation of section 3 of the Clayton Act. Disposition: After hearing, an order was entered dismissing the complaint herein.

Complaint No.281 (May 27, 1919).--Federal Trade Commission v. Emil West, trading as the Sweater Store. Charge: Using unfair methods of competition consisting of conducting a store for the sale of men's and women's wearing apparel and knitted goods under the name of "The Sweater Store," which name is so similar to that of a competitor as to deceive and mislead the trade and purchasing public and cause them to believe that respondent's firm, store, and business are one and the same as that of its competitor, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No.282 (June 21, 1919) .--Federal Trade Commission v. Federal Color & Chemical Co. Charge: Using unfair methods of competition in connection with the sale of dyestuff, chemicals, soap, and kindred products, by giving gratuities of different kinds, including sums of money, to employees of its customers, prospective customers, and customers and prospective customers of competitors as an inducement to influence their employers to purchase respondent's products and to refrain from purchasing those of competitors, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 283 (June 23, 1919).--Federal Trade Commission v. Webb-Jensen -Davis Co. (Inc.). Charge: Using unfair methods of competition in connection with the sale of its products by giving gratuities of different kinds, including sums of money, to employees of its customers, prospective customers, and customers and prospective customers of competitors as an inducement to influence their employers to purchase respondent's products and to refrain from purchasing those of competitors, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing, an order was entered dismissing the complaint herein.

Complaint No.284 (June 21, 1919).--Federal Trade Commission

WORKSHEET
complaints, FD 0-9517
and 0-9518

hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 287 (June 21 1919).--Federal Trade Commission v. Charles J. Fox. Charge : (Ante, complaint No. 286). Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 288 (June 21, 1919).--Federal Trade Commission v. J. L. Quimby, doing business under the name and style of J. L. Quimby & Co. Charge: (Ante, complaint No.283) Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No.289 (June 21, 1919).--Federal Trade Commission v. Woodley Soap Manufacturing Co. Charge: Using unfair methods of competition in connection with the sale of Its products by giving gratuities of different kinds to employees of Its customers, prospective customers and customers and prospective customers of competitors as an inducement to influence their employers to purchase respondent's products and to refrain from purchasing those of competitors, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No.290 (June 21, 1919).--Federal Trade Commission v. Enterprise Soap Works (Inc.). Charge: (Ante, complaint No. 283). Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 291 (June 21, 1919.)--Federal Trade Commission v. The Arabol Manufacturing Co. Charge: (Ante, complaint No.283). Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No.292 (June 21, 1919).--Federal Trade Commission v. Roxbury Chemical Co. Charge: (Ante, complaint No.283). Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 294 (June 23, 1919).--Federal Trade Commission v. O. P. Olsen & Co. (Inc.). Charge: (Ante, complaint No.286). Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No.295 (June 23, 1919).--Federal Trade Commission v. Bosson & Lane. Charge: (Ante, complaint No. 283). Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No.296 (June 23, 1919).--Federal Trade Commission v. Dobbins Soap Manufacturing Co. Charge: (Ante, complaint No. 289). Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 297 (June 23, 1919).--Federal Trade Commission v. India Alkali Works. Charge: (Ante, complaint No.289). Disposition: After hearing, an order was entered requiring respondent to cease and desist using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No.298 (June

lessees thereof shall not use or purchase or deal in the products of a competitor or competitors of respondent, in alleged violation of section 3 of the Clayton Act. Disposition: After hearing, an order was entered requiring the respondent to cease and desist using the practice complained of under section 5 of the Federal Trade Commission act and section 3 of the Clayton Act.

Complaint No.311 (July 18, 1919).--Federal Trade Commission v. Sterling Oil Corporation. Charge: (Ante complaint No. 309). Disposition: After hearing, an order was entered requiring the respondent to cease and desist using the practice complained of under section 5 of the Federal Trade Commission act and section 3 of the Clayton Act.

Complaint No. 812 (July 18, 1919).--Federal Trade Commission v. Pavanaia Oil Co. Charge: (Ante, complaint No. 309). Disposition: After hearing, an order was entered requiring the respondent to cease and desist using the practice complained of under section 5 of the Federal Trade Commission act and section 3 of the Clayton Act.

Complaint No.313 (July 18, 1919).--Federal Trade Commission v. The Red "C" Oil Manufacturing Co. Charge: (Ante, complaint No.309). Disposition: After hearing, an order was entered requiring the respondent to cease and desist using the practice complained of under section 5 of the Federal Trade Commission act and section 3 of the Clayton Act.

Complaint No.314 (July 18, 1919).--Federal Trade Commission v. C. L. Smith Oil & Gasoline Co. Charge: (Ante, complaint No. 309). Disposition: After hearing, an order was entered requiring the respondent to cease and desist using the practice complained of under section 5 of the Federal Trade Commission act and section 3 of the Clayton Act.

Complaint No.316 (July 18, 1919).--Federal Trade Commission v. Kendall Refining Co. Charge: (Ante, complaint No.309). Disposition : After hearing, an order was entered requiring the respondent to cease and desist using the practice complained of under section 5 of the Federal Trade Commission act and section 3 of the Clayton Act.

Complaint No. 318 (July 18,1919).--Federal Trade Commission v. The Paragon Refining Co. Charge: (Ante, complaint No. 309). Disposition: After hearing, an order was entered requiring the respondent to cease and desist using the practice complained of under section 5 of the Federal Trade Commission act and section 3 of the Clayton Act.

Complaint No. 320 (July 18, 1919).--Federal Trade Commission v. Gulf Refining Co. Charge: (Ante, complaint No.309). Disposition: After hearing, an order was entered requiring the respondent to cease and desist using the practice complained of under section 5 of the Federal Trade Commission act and section 3 of the Clayton Act.

Complaint No.323 (July 18, 1919).--Federal Trade Commission v. The Canfield Oil Co. Charge: (Ante, complaint No. 309). Disposition: After hearing, an order was entered requiring the respondent to cease and desist using the practice complained of under section 5 of the Federal Trade Commission act and section 3 of the Clayton Act.

Complaint No.327 (July 18, 1919).--Federal Trade Commission v. The Lilly White Oil Co. (Inc.). Charge: (Ante, complaint No.309). Disposition: After hearing, an order was entered requiring tile respondent to cease and desist using the practice complained of under section 5 of the Federal Trade Commission act and section 3 of the Clayton Act.

Complaint No.330 (July 18, 1919).--Federal Trade Commission v. Richardson Lubricating Co. Charge: (Ante, complaint No.309). Disposition: After hearing, an order was entered dismissing the complaint herein.

Complaint No. 331 (July 18, 1919).--Federal Trade Commission v. Elmer E. Harris & Co.
Charge: (Ante, complaint No. 309). Disposition: After hearing, an order was entered requiring the respondent to cease and

Complaint No. 373 (Sept. 2, 1919).--Federal Trade Commission v. The Texas Co. Charge: (Ante, complaint No. 309). Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 403 (Sept. 23, 1919).--Federal Trade Commission v. Leo Cohn and B. Counselbaum, copartners doing business under the firm name and style of the Good Wear Tire & Tube Co. (Complaint amended January 1, 1920, making Sophie Cohn and Samuel M. desistad. Tj 14.4 0 TD 0 Tc 0.03 Tw (and) Tj 14.4 0 TD 0 Tc 0.03 Tw

was entered requiring respondent to cease using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 418 (Sept. 23, 1919).--Federal Trade Commission v. Atlas Knitting Co. Charge: Using unfair methods of competition by labeling, branding, and advertising underwear manufactured by respondent, composed but partly of wool, as "Fine Merino Ribbed Union Suits," "Men's Fine Merino Shirts," "Men's Fine Merino Drawers," "Men's Merino Drawers," and "Men's Wool Process Fine Union Suits," with the intent and effect of deceiving the public, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: Upon an agreed statement of facts, an order was entered requiring respondents to cease using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 419 (Sept. 23, 1919).--Federal Trade Commission v. The Broadalbin Knitting Co. (Ltd.). Charge: Using unfair methods of competition by labeling, branding, and advertising underwear manufactured by respondent, composed but partly of wool, as "Men's Extra Heavy Merino Shirts," "Men's Merino Underwear," "Men's Fine Quality Merino Shirts," and "Men's Fine Quality Merino Drawers," with the intent and effect of deceiving the public in alleged violation of section 5 of the Federal Trade Commission act. Disposition: Upon an agreed statement of facts, an order was entered requiring respondent to cease and desist using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 420 (Sept. 23, 1919).--Federal Trade Commission v. Glastonbury Knitting Co. Charge: Using unfair methods of competition by labeling, branding, and advertising underwear manufactured by respondent, composed but partly of wool, as "Wool," "Australian Wool" "Fine Wool," and "Natural Wool," with the intent and effect of deceiving the public, in alleged violation of section 5 of the Federal Trade Commission act. Upon an agreed statement of facts, an order was entered requiring respondent to cease and desist using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 421 (Sept. 23, 1919).--Federal Trade Commission v. The New England Knitting Co. Charge: Using unfair methods of competition by labeling, branding, and advertising underwear manufactured by respondent, composed but partly of wool, as "Men's Fine Merino Shirts," "Men's Natural Wool Shirts," and "Men's Scotch Wool Shirts," with the intent and effect of deceiving the public, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: Upon an agreed statement of facts, an order was entered requiring respondent to cease and desist using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 422 (Sept. 23, 1919).--Federal Trade Commission v. Clarke & Holsapple Manufacturing Co. Charge: Using unfair methods of competition by labeling, branding, and advertising underwear manufactured by respondent, composed but partly of wool, as "Men's Wool Shirts," and "Men's Summer Merino Shirts," with the intent and effect of deceiving the public, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: Upon an agreed statement of facts, an order was entered requiring the respondent to cease and desist the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 423 (Sept. 23, 1919).--Federal Trade Commission v. Root Manufacturing Co. Charge: Using unfair methods of competition by labeling, branding, and advertising underwear made by respondent, composed but partly of wool, as "Australian Wool," "Natural Undyed Wool," "Valley Cashmere

Camel Hair," "Lamb's Wool," "Scotch Wool," "Persian Fleece," and "Saxony Wool," with the intent and effect of deceiving the public in alleged violation of section 5 of the Federal Trade Commission act. Disposition: Upon an agreed statement of facts an order was entered requiring the respondent to cease and desist the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No.442 (Sept.23, 1919).--Federal Trade Commission v. Clarence L. Cox, doing business under the trade names and styles of Ohio State Linseed Co. and Union Linseed & Turpentine Co. Charge: Using unfair methods of competition by falsely advertising, representing, holding out, offering for sale, and selling certain of its products which had been adulterated with low-grade mineral oils and other ingredients as and for linseed oil and turpentine, in alleged violation of section 5 of time Federal Trade Commission act. Disposition: Upon an agreed state of facts an order was entered requiring the respondent to cease and desist the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No.443 (Sept.-23, 1919).--Federal Trade Commission v. David D Levitt, doing business under the trade name and style of The Sport Shop. Charge: Using unfair methods of competition by conducting his store under the name and style of "The Sport Shop" and advertising and displaying such name in newspapers and sundry and divers other forms of advertising, such name being similar to that of "The Sport Mart (Inc.)," a competitor, and such

David

beionnd

beionnd

toto his

h name in n.0018 0.03 0 14.94 Tcj TD 0 Tc 0.0

competitor,

under theburs essadver3Usitor,

Trade Commission act.

Complaint No. 463 (Nov. 25, 1919).--Federal Trade Commission v. John McAteer. Charge: (Ante, complaint No.283.) Disposition: Upon an agreed statement of facts, an order was entered requiring the respondent to cease and desist using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No.464 (Nov.25, 1919).--Federal Trade Commission v. Flitner-Atwood Co. Charge: Using unfair methods of competition by giving and offering to give to employees of both its customers and prospective customers, and its competitors' customers and prospective customers, large sums of money as an inducement to influence their employers to purchase or to contract to purchase from the respondent, or to influence such employers to refrain from dealing or contracting to deal with competitors of respondent, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing, an order was entered requiring the respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 465 (Nov. 25, 1919).--Federal Trade Commission v. John Campbell & Co. Charge: (Ante, complaint No.283). Disposition: After hearing, an order was entered requiring time respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 466 (Nov. 25, 1919).--Federal Trade Commission v. Holliday-Kemp Co. (Inc.). Charge: (Ante, complaint No. 283). Disposition: After hearing, an order was entered requiring the respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No.467 (Nov. 25, 1919).--Federal Trade Commission v. A. Klipstein & Co. Charge: (Ante, complaint No.283). Disposition: After hearing, an order was entered requiring the respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No.469 (Nov. 25, 1919).--Federal Trade Commission v. Geigy Co. (Inc.). Charge: (Ante, complaint No. 283. Disposition: After hearing, an order was entered requiring the respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No.470 (Nov. 25, 1919).--Federal Trade Commission v. Himes Underwear Co. Charge: Using unfair methods of competition by falsely labeling, advertising, and branding certain lines of underwear as "Fine Natural Wool"; and adopting the label or brand "Men's Fine Jaeger Drawers," thereby deceiving and misleading time purchasing public into believing that respondent's product is one and the same as that advertised "Dr. Jaeger's Health Underwear," which is a different product and well-known to the trade and purchasing public to be of a certain quality, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: Upon an agreed statement of facts, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No.471 (Nov.25, 1919).--Federal Trade Commission v. C. Bischoff & Co. (Inc.). Charge: (Ante, complaint No. 283). Disposition: After hearing, an order was issued requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 491 (Nov. 25, 1919).--Federal Trade Commission v. Penn Lubric Oil Co., trading as Midwest Linseed Oil Federal Trade Commission v. Penn Lubric Oil Co., trading as Midwest Linseed Oil

oil is not wholly composed of linseed; and using a cut upon its letterheads of extensive buildings and thereby deceiving the trade and general public into believing that the said cut represents the plants, as shown, to be the plants of respondent, when in truth the respondent the

coffees and tea used by them in the conduct of their respective business, and without other consideration, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: Upon evidence that respondent had gone to Greece, an order was entered

hearing, an order was entered dismissing the complaint herein.

Complaint No. 621 (Dec. 30, 1919).--Federal Trade Commission v. H. Behlen & Eros. (Inc.). Charge: (Ante, complaint No. 464). Disposition: After hearing, an order was entered requiring the respondent to cease and desist using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 527 (Dec. 30, 1919).--Federal Trade Commission v. Andreykovicz & Dunk (Inc.). Charge: (Ante, complaint No. 283). Disposition: After hearing, an order entered requiring the respondent to cease and desist using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint

EXHIBIT 9.

**REPORT TO THE ATTORNEY GENERAL IN RE CALIFORNIA ASSO-
CIATED RAISIN CO.**

SIR: On RAISI-128.88 .64 ffc () Tj 2.04 0 1.92-0.0254 Tc06.0345 (September04 0 47.16 Tc (2

devices were attempted

is obtaining and maintaining more than fair and reasonable prices for its products, the Commission reports:

The evidence shows that prior to the organization of the Raisin Co. the average price realized by the grower was not a reasonable return. Subsequently, under the operation of the Raisin Co., the prices have ,2dot as follows

Year.	Price per pound.		Year.	Price per pound.	
	To grower.	To wholesaler.		To grower.	To wholesaler.
	<i>Cents.</i>	<i>Cents</i>		<i>Cents.</i>	<i>Cents.</i>
1913	3.46	6 3/4	1917	4.85	9
1914	3.31	6 3/4	1918	5.50	91
1915	3.64	7	1919	10.00	15
1916	4.21	7			

In 1918 the United States Food Administration had a part in the determination of the price of raisins both to the growers and to the buyers, so that the prices shown in the raisin market for 1918 can not be regarded as a test of the actions of the Raisin Co. in this particular. The control of the United States Food Administration having ceased, the Raisin Co. was free to fix prices as it saw fit in 1919 and did so. The crop production in 1919 was about the same as that in 1918. Evidence offered shows that according to the declarations of the official organ of the Raisin Co., The Sun-Maid Herald, the prices fixed for the 1918 crop would assure the growers a good and fair profit. The Raisin Co. now asserts that the 1918 price did not give a profit to the growers and that the language used in the Sun-Herald was altruistic and patriotic in purpose and in support of the Food Administration's price. In the same publication in 1919, with reference to the 1919 price, it was stated:

"Probably few growers have expected so high a price, and, on the other hand, the consumer is paying such a high price for everything else that we do not believe he will hesitate to continue using raisins at what may seem to us a very high price. * * * These prices are admittedly the result of an unique situation so far as market conditions are concerned, and though it may be proper to take advantage of this situation, we do not believe that these prices can be maintained for a long period of time."

The president of the Raisin Co. placed the increase in the cost of production in 1919 as against 1918 at about 1 1/4 cents per pound, including the growing, manufacturing, and marketing processes.

A study of the prices paid to growers and charged to purchasers from the organization of the company down to and including that fixed for the 1919 crop shows a slow and steady rate of increase until the 1919 crop is reached. Between 1912 and 1918 the success of the company

diminution in

II. READJUSTMENT.

You request the Federal Trade Commission “to make recommendations for the readjustment of the business of said corporation in order that the corporation may hereafter maintain its organization, management, and conduct of business in accordance with law.”

We understand your request to imply that the present organization, management, and conduct of business are not maintained in accordance with law and that power exists to require the necessary readjustment. The Commission has proceeded on this assumption.

PRESENT ORGANIZATION, MANAGEMENT, AND CONDUCT OF BUSINESS.

The California Associated Raisin Co. was organized and incorporated in 1912¹ because of necessity.

who have been selling their raisins under contract, but who have not been stockholders, are to be paid in part in stock of the corporation, which plan, if carried to conclusion, will increase the number of growers connected with the corporation, making

The capital stock is permitted to earn and distribute a dividend dependent upon the profitableness of the corporation's operation from year to year, with the limitation that there shall not be charged to any year's operations, a dividend which will yield more than 8 per cent of the par value of the stock.

After certain provisions for surplus to provide working capital have been ~~from~~ a i n i n g

subsequent expenses, with the provision that an amount not exceeding one-fourth of 1 per cent per pound may be deducted in addition to the necessary expenses and applied to a dividend to be paid to the stockholders with the limitation that such a dividend may not exceed 8 per cent, and that an

The Raisin Co., in the sale of its raisins to jobbers, uses two devices, the first

from the 1912 crop amounting to about 25,000 tons of raisins, which were being offered in eastern markets at a lower price than the Raisin Co. was asking. Whereupon the Raisin Co. purchased the raisins so offered by its competitors, thereby eliminating the lower price competition. The fact

nonprofit sharing basis of providing financial resources.

(b) The elimination of profit to the corporation or to its stockholders as profit on the operations of the corporation

(c) The restriction of membership or beneficial interest in the corporation to those whose interests are identical of actual growers of raisin grapes.

Modification of the charter granted by the State of California will afford the necessary groundwork for the subsequent changes which lie in corporate action.

It is recognized that a cooperative agricultural association, to perform the service for which it is organized, must have the means of raising capital out

of which to provide the necessary equipment and working capital and also to furnish a basis of credit upon which seasonal working capital may be borrowed.

It is therefor suggested that bonds may be issued to provide working capital, carrying a fixed rate of interest not dependent upon the profitable operation of the company's business. To preserve the mutuality of interest in the membership, these bonds should be nonnegotiable except after tender to the company and its refusal to buy at par and accrued interest or the lapse of a reasonable time after tender.

The outstanding stock should be called in and exchanged for bonds on an equal basis or paid off..

Membership should be incident to a contract with a grape grower and terminate therewith. Each member should have but one vote irrespective of acreage, tonnage delivered, or otherwise.

With an amended charter, capital stock retired, and a membership constituted solely of grape growers under delivery contracts, the Raisin Co. would be in structural conformance with the Clayton law.

Thereafter it might handle the grapes produced by its members and upon their sale deduct from the proceeds its expenses, the interest upon its bonds, and make provision for their amortization and any additional working capital necessary, and distribute all surplus among its members on a prorata tonnage basis.

But the conduct of the Raisin Co.'s business should be modified, as well as its organic structure. Some of its methods have been and would, unless changed, continue to be in violation of the Clayton law even after the company is readjusted in form to the requirements of section 6.

As the Clayton Act did not become a law until October

of

one of its lawful objects.

But the conduct of business must be reformed so as to eliminate any contractual relationships which may have been established since the passage of the Clayton Act, involving price fixing on, the basis of exclusive dealing.

It has been shown that the Raisin Co. controls about 80 per cent of the raisin-grape growing acreage and the marketing of approximately 90 per cent of the raisin crop. By purchase of competing packing plants and the leasing of others, by contracts involving price fixing on the basis of exclusive dealing, by the curtailment of production and the purchase of competing carry-over, by its substantial lessening of marketing competition through the "firm-at-opening price" and "guarantee against decline" devices, the Raisin Co. at present dominates the raisin market of the United

d e v i g 59X03TD0 Tfj(35.4.02080316(0)T2.64 Tj 210402B.02d \$thEj

In its recommendations for the readjustment of organization, management, and conduct of business of the California Associated Raisin Co., the Commission has sought to lay out two alternative courses of conduct, either of which being followed, would bring the Raisin Co. in accord with law. These two courses of conduct, one within the exemption of section 6 of the Clayton law, and the other not within this exemption are entirely distinct one from the other.

The readjustments have been suggested with respect to the fundamental questions in the belief that any readjustments that may be made with respect to larger matters will carry with them the correction of minor infractions.

Respectfully submitted.

VICTOR MURDOCK, *Chairman*,
HUSTON THOMPSON,
WILLIAM B. COLVER,
NELSON B. GASKILL,
JNO. GARLAND POLLARD,
Commissioners

JUNE 8, 1920.

The ATTORNEY GENERAL,

Department of Justice, Washington