

any corporate or other device, in the course of business in commerce,

with cease and desist from:

Manufacturing, Inc., corporations, and Morris Kaplan, individually

Complaint

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of the Textile Fiber Products Identification Act, and in the manner and form as prescribed by the Rules and Regulations promulgated under said Act.

Among such misbranded textile fiber products, but not limited thereto, was women's wearing apparel which had no stamp, tag, label or other means of identification on or affixed to such products.

PAR. 4. Respondents named in paragraph 1 have failed to maintain proper records showing the fiber content of the textile fiber products

Fiber Products Identification Act and Rule 39 of the Regulations

PAR. 5. Respondents named in paragraph 1 in the course and conduct of their business, as aforesaid, were and are in substantial competition in commerce with corporations, firms and individuals likewise engaged in the manufacture and sale of textile fiber products

PAR. 6. The acts and practices of respondents named in paragraph 1

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Complaint

Respondents Nathan Katz, Miles Shafferman and Jack Blagman

Individuals and companies including The Blackwood Company

ton Avenue, New York, N.Y.

Respondents Barilen Corp. and The Blackwood Company are advertising agencies of the respondents Transair Inc. and Prudential

and deceptive. In truth and in fact:

1. The shoes offered in the advertisement were not late style shoes similar to those depicted and each pair was not one of the name brands listed.

2. Said lingerie was not imported from France but was manu-

factured in this country.

3. Certain of said blouses were not imported but were manufactured in this country.

PAR. 13. Respondents used such statements as "you must be 100% satisfied as to fit or quality or every penny will be refunded", "you must be 100% satisfied as to fit or quality or your money back" thereby representing that the purchase price will be refunded voluntarily and promptly to the purchaser upon demand.

PAR. 14. Said statements and representations were false, misleading and deceptive. In truth and in fact, the purchase price of merchandise

petition, in commerce, within the intent and meaning of the Federal Trade Commission Act

Mr. Charles W. O'Connell for the Commission.

Mr. Howard A. Heffron of *Shapiro & Heffron*, of New York, N.Y., for Barilen respondents; *Mr. Arnold Katz*, of New York, N.Y., for Blackwood respondents; no appearance for other respondents.

INITIAL DECISION BY WILMER L. TINLEY, HEARING EXAMINER

The Federal Trade Commission, on June 1, 1961, issued and subsequently served its complaint in this proceeding upon the respondents named in the caption hereof charging them with unfair and deceptive

in the advertising and sale of women's shoes and wearing apparel in

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dence in support of the charges of the complaint with respect to
the ~~Resilon and Blackwood~~ respondents and ~~the~~ ~~respondents~~

the motions to dismiss as to those respondents.

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by virtue of the laws of the State of California with their principal office and place of business located at 1085 North Oxford Hollywood

29, Calif.

(b) Respondent Morris Kaplan is an officer of the corporate respondents and formulates, directs and controls the acts, policies and practices of the corporate respondents. His address is the same as that of the corporate respondents.

(c) Respondents advertise and sell their merchandise under the names of Maurice de Paree, Maurice of Hollywood and Langfords.

2. The corporate respondents and their officers are now, and for some time have been engaged in the advertising, offering for sale, sale

and distribution of women's shoes and wearing apparel.

3. In the course and conduct of their business, respondents now cause and for some time have caused their said apparel and shoes.

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GRAB BAG FANTASY!
VALUES TO \$39.95 EACH!
3 PAIRS BRAND NEW SHOES
EACH PAIR DIFFERENT

ONLY \$9.95
FOR ALL THREE PAIRS

THIS IS PROBABLY THE MADDEST SALE OF DRESS
SHOES OF ALL TIME AND VERY LIMITED

MOST FANTASY BAGS IN HISTORY EVER

* * * REMEMBER EACH PAIR OF SHOES IS

BRAND NEW . . .

(Depiction of women's late style shoes with brand names such as
I. Miller, Palizzio, Delman, De Liso Debs, etc.)

. . . Petite Panties . . .

Imported from France

Thousands of beautiful blouses . . . all
gorgeous imports

spondents in that they were not stamped, tagged, or labeled as required under the provisions of Section 4(b) of the Textile Fiber Products Identification Act, and in the manner and form as prescribed by the Rules and Regulations promulgated under said Act. Among such misbranded textile fiber products, but not limited thereto, was women's wearing apparel which had no stamp, tag, label or other means of identification on or affixed to such products.

11. Respondents have failed to maintain proper records showing

required by Section 6(a) of the Textile Fiber Products Identification Act and Rule 39 of the Regulations promulgated thereunder.

12. The corporate respondents and their officers in the conduct of their business at all times mentioned herein have been in substantial

competition, in commerce with corporations, firms and individuals in the sale of women's apparel and shoes of the same general kind and nature as sold by respondents; and have been in substantial competition in commerce with corporations, firms and individuals likewise engaged in the manufacture and sale of textile fiber products

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content of such products manufactured by them, as herein found,
~~have and are in violation of the Federal Trade Commission Act~~

tion Act and the Rules and Regulations promulgated thereunder, and constituted, and now constitute, unfair and deceptive acts and practices and unfair methods of competition in commerce within the intent and meaning of the Federal Trade Commission Act.

ORDER

1. *It is ordered*, That respondents Transair, Inc., and Prudential
~~Manufacturing Corporation, Inc., and Prudential Insurance Company of America~~

lan, individually and as an officer of said corporations, and respondents' representatives, agents and employees, directly or indirectly,

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Syllabus

- a. Misbranding textile fiber products by:
 - (1) Falsely or deceptively stamping, tagging, labeling, invoicing, advertising, or otherwise identifying such products as to the name

