HOVING CORPORATION v. F. T. C. 803 Cite as 290 F.2d 803 (1961)
this case. There is evidence that the

representative of the union brought the matter to the attention of the employer and insisted that the discharged em-ployees be reinstated and secured a prom-ise that the cases would be investigated. The record does not show what action

was finally taken. The union's decision to deal directly with the employer about the discharges rather than formally to file charges was certainly a reasonable way in which to handle the matter and it does not support petitioners' allegation of an understanding going beyond coopera-tion.

The petition for review will be dis-missed.

Petition dismissed.

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0 i KEY NUMBER SYSTEM
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HOVING CORPORATION, a corporation, Petitioner,

v.

FEDERAL TRADE COMlUISSION,
Respondent.
No. 343, Docket 26664.

United States Court of Appeals
Second Circuit.

Argued April 19, 1961.

Decided May 25, 1961.

Petition for review and to set aside (__)Tj 0 567.8 183.97 246.699 0 Td (M4 0.05 Tc 9.139.8 201.59 242.65

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mitted violations in all three general
areas of the statute. Fur Products Label-
ing Act,§§ 4(2), 5(b) (1), 15 U.S.C.A. §§
69b(2), 69c(b) (1).

7. Trade Regulation ~794
Federal Trade Commission's allow-

ing amendment of complaint to add fur-ther alleged violations of Fur Products Labeling Act was not improper. Fur Products Labeling Act, § 1 et seq., 15 U.S.C.A. § 69 et seq.

8. Administrative Law and Procedure ~226
Courts will not dictate to federal administrative bodies concerning minor procedural technicalities.

9. Trade Regulation ~747
Regulations promulgated by Federal Trade Commission under Fur Products

Labeling Act would not be declared void because of technical flaw in failing to in-clude within rules themselves concise gen-eral statement of basis and purpose, where basis and purpose were obvious from governing legislation and entire trade was fairly apprised of them by pro-cedure followed. Administrative Proce-dure Act, § 4(b), 5 U.S.C.A. § 1003(b).

10. Trade Regulation ~765
Retailer of mink muffs was not ex-empt from disclosure requirements of Fur Products Labeling Act because man-ufacturer's price of fur contained in muffs was· less than five dollars, where retailer made representations concerning fur. Fur Products Labeling Act, §§ 4 (2), 5(b) (1), 15 U.S.C.A. ·§§ 69b(2), 69 c(b) (1).

I. "Sec. 4. For the purposes of this Act,
a fur product shall be considered to be misbranded-
* * • * *

"(2) if there is not affixed to the fur
product a label showing in words and figures plainly legible-
"(A) the name or names (as set forth
in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be

Stanley J. Moss, New York City (Mnuchin & Smith and Harry K. Smith, New York City, -on the brief), for peti-tioner.

Thomas F. Howder, Atty., F. T. C., Washington, D. C. (PGad B. Morehouse, Acting Gen. Counsel, Alan B. Hobbes, Asst. Gen. Counsel, and John W. Carter, Jr., Atty., F. T. C., Washington, D. C., on the brief), for respondent.

Before WATERMAN, MOORE and SMITH, Circuit Judges.

SMITH, Circuit Judge.
Hoving Corporation is a large scale, high volume retailer of women's wearing apparel and accessories; it trades under the name "Bonwit Teller" in New York, Chicago, Cleveland and other large cities. In August of 1958 a complaint was filed against it charging violations of the branding, invoicing and advertising sec-tions of the Fur Products Labeling Act, 15 U.S.C.A. § 69 et seq. Counsel for the Commission later moved to amend the

complaint to add further alleged viola-tions (both prior and subsequent to the date of the original complaint) ; the Hearing Examiner denied the motion. Although counsel for respondent failed to appeal that ruling within the prescribed period, they later obtained leave from the full Commission to amend the complaint through a collateral certification proceed-ing.
After a full hearing, the Examiner found that petitioner had committed nu-merous violations of the Act. On appeal, the Commission adopted his findings and ordered petitioner to cease and desist from (1) misbranding furs as to all par-ticulars enumerated in § 4(2) of the Act, 15 U.S.C.A. § 69b(2) ; 1 (2) falsely or de-

required pursuant to section 7 (c) of this Act;
"(B) that the fur product contains or
is composed of used fur, when such is
the fact;
"(C) that the fur product contains or
is composed of bleached, dyed, or other-wise artificially colored fur, when such is the fact;
"(D) that the fur product is com-
posed in whole or in substantial part of

HOVING CORPORATION 805 v. F. T. O,
Cite !l8 290 F.2d

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Act-misbranding, false invoicing and
deceptive advertising. One group of vi-
olations cutting across all categories con-
cerned the marketing of bleached white
mink muffs and mink "sets" (muff, hat
and ascot choker). The fur pieces were made from waste fur of mink tails, flanks, bellies, etc.-and Bonwit Teller nowhere informed its customers of that fact.5 On the invoice, the only document likely to be retained by the customer, the petitioner failed to inform the buyer that the fur had been bleached. Hoving ar-gues that the broad order