FEDERAL ~rRADE COMMISSION DECISIONS0 12.9 360 0.05 Tc9 <</BBB

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SOUTHERN PATIO CO., ETC.

Complaint
1st OF THE YEAR CLEARANCE
Aluminum CARPORT or Patio
ANY SIZE UP TO GIANT 8 Ft. x 20 Ft.

Buy Now At This

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Initial Decision 67 F.T.C.

tive acts and practices in commerce, in violation of Section 5 o:f the Federal Trade Commission Act.

Jh. Sheldon Felcbnan, ill?·. TVilliam, D. Perry supporting the complaint.
Jh. ff. Ray Berry, Fubne1·, Ba1·nes and Berry~ Columbia, S.C., for respondents.

Ix1TL-\.L DECISION BY ELDON P. ScHnuP, HE.\TIING ExAl\IINER

NOYEl\IBER :!--!, 19G--!

STATEl\IEXT OF PROCEEDINGS

The Federal Trade Commission on August 4, 1964 issued its com-plaint charging the a.born-named respondents "·ith violation o:f Sec-tion 3 of the }'ederal Trade Commission Act in the interstate adver-tising, offering for sale, sale and distribution to the public o:f alnmi-mun carports, aluminum patio coYers and aluminum siding.
The. complaint alleges respondents' newspaper advertisements not to be bona fide offers of sale of the products at specified prices as therein represented, but instead they were caused to haYe been pub-lished by the respondents solely to obtain information and leads to prospecti-rn purchasers o:f such products. Respondents' salesmen, call-ing on persons answering said advertisements, are alleged to have disparaged the advertised products in such a manner as to discour-age their purchase, and in lien thereof, to haYe c.1ttempted to and frequently sold respondents' much higher priced products. Said alleged false representations and statements by the respondents are clrnrged to be acts and practices to the prejudice and injury of the public and o:f respondents' competitors and to ham constituted and now· constitute unfair methods o:f competition in commerce and un-fair acts and practices in commerce in violation of Section 5 o:f the Federal Trade Commission Act.
Respondents filed answer to the complaint on September 3, 1964. Follo-wing a prehearing conference held pursuant to Section 3.8 of the Rules of Practice for Adjudicative Proceedings on October 5, 196-:1:, and the granting by the Commission on October 13, 1964 of a certificate of necessity to hold a non-continuous hearing in more than one place, a hearing for the purpose of taking testimony and other evidence in support of the allegations of the complaint and in opposition thereto "·as set to commence in Charlotte, North Caro-lina on N'ornmber 3, 1964 and in Columbia, South Carolina on

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mun Sales, both located at 1002 Drake Street, m the city of Columbia, State of South Carolina.2
3. Respondents are now, and for some time last past

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SOUTHERN PATIO CO., ETC. g

Final Order

2. The complaint herein states a cause of action and this proceed-ing is in the public interest.
3. The acts and practices of the respondents, as found and related in the foregoing Findings of Fact Nos. 1 through 10 were unfair methods of competition in commerce and unfair acts and practices in commerce in violation of Section 5 of the Federal Trade Commis-sion Act, and the following agreed order to cease and desist12 is appropriate in form and should issue in this proceeding.

ORDER

It is o1'Clered, That respondents Aluminum Industries, Inc., a cor-poration, and its officers, and ·yvilliam N. Bostic, individually and as an officer of said corporation, and doing business as Southern

Patio Company, Southern Aluminum Sales, or v under any other

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It is further orcle1·ecl, That Aluminum Industries, Inc., a corpora-tion, and YVilliam N. Bostic, individually and as an officer of said corporation, and as a sole proprietor doing business as Southern Patio Company, and as Southern Aluminum Sales, shall, within sixty (60) days after service of this order upon them, file with the Commission a report in writing, signed by each respondent named in this order, setting forth in detail the manner and form of their compliance with the order to cease and desist.

IN THE MATTER OF

WORCESTER DUSTING MILLS, INC., ET AL.

CONSENT ORDER, ETC., IN REG.ARD TO THE ALLEGED VIOLATION OF THE FED-ERAL TRADE COl\Il\IISSION .AND THE TEXILE FIBER PRODUCTS IDENTIFICA-TION ACTS

Docket C-874. Complaint, Jan. 8, 1965-Decision, Jan.. 8, 1965
Consent order