

Decision

56 F.T.C.

IN THE MATTER OF

LEVIANT BROTHERS, INC., ET AL.

ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE FEDERAL
TRADE COMMISSION AND THE FUR PRODUCTS LABELING ACTS

Docket 7194. Complaint, July 17, 1958—Decision, July 31, 1959

Order requiring a New York City furrier to cease violating the Fur Products
Labeling Act by failing to comply with invoicing requirements, by setting

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offered for sale, transported and distributed fur products which have been made in whole or in part of fur which had been shipped and received in commerce, as "commerce," "fur" and "fur product" are defined in the Fur Products Labeling Act.

3. There are four charges in the complaint which will be discussed under separate headings: False Impression, False Advertising, Trade

garments were listed as "Regular" \$2,100 and \$1,875, but were offered to Constable at \$1,795 and \$1,385, respectively. On a consignment memorandum dated March 1, 1957, garments were similarly listed as "Regular" \$2,500, \$425 and \$650, but offered to Constable at

of 005 0205 and 0405 consignment memorandum

dated February 19, 1957, showed a "Former Price" of \$725 and an

1056 January 7 1957 and January 15 1957 changed garments to

false representations made thereby with respect to

purpose. The fur products so described in the aforementioned con-

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acts and practices in commerce under the Federal Trade Commission Act.

3. This proceeding is in the public interest, and an order to cease

and desist the above-found acts and practices should issue against

It is ordered, That respondents, Leviant Brothers, Inc., a corporation, and Morris Leviant and Bernard Leviant, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction on the manufacture for intro-

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respondents have reason to believe that such fur or fur product may be introduced, sold, transported or distributed in commerce.

OPINION OF THE COMMISSION

By SECREST, *Commissioner*:

The complaint in this matter charges respondents with false invoicing and false advertising of fur products, the failure to maintain records, and the furnishing of a false guaranty in violation of

~~which were later purchased by that firm. These consignment memo-~~

in the sale or offering for sale" of a fur product or fur.

The record shows that respondents set forth fictitious comparative prices on consignment memorandums issued by them in connection with the consignment to Arnold Constable of certain fur products

which were later purchased by that firm. These consignment memorandums were received by the consignee prior to the consummation of the sale to it of the products described therein. It is clear, there-

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5(b)(1) of the Act as expressed in *Mandel Brothers, Inc.*, Docket
No. 6484. The hearing examiner recommended that

It is further ordered, That paragraph 11 of the initial decision

11. The complaint charges that respondents have violated Rule 44(a) by not maintaining full and

facts upon which their pricing and savings claims and representa-

tions are based. As hereinbefore found, respondents have falsely advertised certain fur products by representing that the prices

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connection with the introduction or the manufacture for introduction into commerce, or the sale, advertising, or offering for sale, transportation or distribution in commerce, of fur products, or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation or distribution of fur products which have been