

MISCELLANEOUS PROCEEDINGS

IN THE MATTER OF

THE AMERICAN CRAYON COMPANY

REPORT OF THE FEDERAL TRADE COMMISSION UPON ITS INVESTIGATION OF
ALLEGED VIOLATION OF ITS ORDER TO CEASE AND DESIST

Docket 4142. Report and Conclusion, April 29, 1953

Report of the Commission based on the evidence adduced before its hearing examiner during the investigation of said matter, directed by it, including in such consideration of the evidence all of the offers of proof and evidence stricken from the record by said examiner, and his report, the proposed report submitted by both counsel, and the record in the matter; and its conclusion that respondent's practice, as described in Paragraphs 1 through 9 of the Commission's report, constituted a violation of Paragraphs 4 and 5 and of the last unnumbered prohibition of the Commission's order to cease and desist, as set forth in said report below and as originally reported in 32 F. T. C. 306 at page 314.

Said practice consisted in the granting by respondent, in connection with the interstate sale of crayons, chalk, paint sets, and educational supplies, of a 10% discount to its "educational promotional distributors" as compensation for services and facilities furnished by said purchasers in connection with the handling for sale, sale, and offering for sale of respondent's said products, while not making any discount available on proportionally equal terms to other of its customers which were in competition in the resale of said products with said favored customers, and it was the Commission's conclusion that such acts and practices, which it concluded violated its said order, had been engaged in by respondent for several years and were still continuing without any indication of being terminated during the course of the investigation in question and constituted serious and substantial violations of the order involved.

The Commission further concluded that certain acts and practices of respondent as set out in Paragraph 10 of its report did not constitute any substantial violation of its order to cease and desist in the matter.

Mr. Webster Ballinger, hearing examiner.

Mr. James S. Kelaher and *Mr. James I. Rooney* for the Commission.
Flynn, Py & Druse, of Sandusky, Ohio, and *Marshall, Melhorn, Block & Belt*, of Toledo, Ohio, for respondent.

THE PROCEEDINGS

On September 21, 1951, the Federal Trade Commission directed that an investigation be conducted to determine whether The American Crayon Company, its officers, directors, representatives, agents and employees have violated an order of the Commission issued on December 31, 1940, directing them, in connection with the offering for sale, sale and distribution of crayons, chalk, paint sets, educational supplies and allied products, to cease and desist from engaging in certain discriminatory pricing practices. A hearing examiner of the Commission was duly designated to preside at hearings to be conducted for that purpose. Said hearing examiner was empowered, for the conduct of the hearings, with all of the functions of a hearing examiner as provided by the Commission's Rules of Practice in the same manner as though the hearings were to be conducted pursuant to formal complaint, and it was directed that he, in lieu of rendering an initial decision at the conclusion of the taking of testimony and reception of evidence, certify the record to the Commission, together with his report on the evidence.

Pursuant to and in accordance with said order, hearings were held at which evidence was adduced and received before said hearing examiner and such evidence was duly recorded and filed in the office of the Commission. The reception of evidence was terminated on May 22, 1952, and thereafter counsel supporting contentions that the order to cease and desist has been violated and counsel for the respondent each submitted to the hearing examiner a proposed report upon the investigation, and the hearing examiner subsequently submitted his report upon the investigation.

The Commission, having duly considered the evidence adduced during the investigation herein, including all of the offers of proof and evidence stricken from the record by the hearing examiner, the report of the hearing examiner, the proposed reports submitted by both counsel, and the record herein, and being now fully advised in the premises, makes this its report upon the investigation of the alleged violation of the order to cease and desist.

THE ORDER

The order to cease and desist issued herein on December 31, 1940, is as follows:

It is ordered that respondent, The American Crayon Company, a corporation, its officers, directors, representatives, agents and employees, in connection with the offering for sale, sale and distribution of

crayons, chalk, paint sets, educational supplies and allied products in interstate commerce for use or resale, do forthwith cease and desist:

(1) from selling such commodities of like grade and quality to competing purchasers at uniform prices and granting varying discounts therefrom in the manner and under the circumstances found in Paragraph 4 of the aforesaid findings as to the facts and conclusions;

(2) from continuing or resuming the discriminations in price referred to and described in Paragraph 4 of the Commission's findings as to the facts herein;

(3) from otherwise discriminating in price between purchasers of crayons, chalk, paint sets, educational supplies and allied products of like grade and quality, in a manner and degree substantially similar to the manner and degree of the discriminations referred to in Paragraph 4 of the Commission's findings as to the facts herein, and in any other manner resulting in price discriminations substantially equal in amount to such discriminations, except as permitted by Section 2 of the Clayton Act as amended;

(4) from granting or allowing compensation to any customer of the respondent of an amount equal to ten per cent of the respondent's net billing prices of the products sold by such customer, for services or facilities furnished by or through such customer in connection with the handling, sale or offering for sale of respondent's products, unless such payments are made available on proportionally equal terms to all buyers from the respondent who are competitors of such customers;

(5) from granting or allowing compensation of an amount equal to five per cent of the respondent's net billing prices of products sold by such customer, for services or facilities furnished by or through such customer in connection with the handling, sale or offering for sale of respondent's products, unless such payments are made available on proportionally equal terms to all buyers from the respondent who are competitors of such customer.

It is further ordered, That the respondent, The American Crayon Company, a corporation, its officers, directors, representatives, agents and employees, in connection with the sale and distribution of crayons, chalk, paint sets, educational supplies and allied products, do forthwith cease and desist from granting or allowing to any customer of the respondent any compensation for services or facilities furnished by or through such customer in connection with the handling, sale or offering for sale of respondent's products, unless such payments are made available on proportionally equal terms to all buyers from the respondent who are competitors of such customer.

REPORT ON THE FACTS

ACTS AND PRACTICES RELATING TO PARAGRAPHS 4 AND 5 AND TO THE LAST
UNNUMBERED PROHIBITION OF THE ORDER TO CEASE AND DESIST

PARAGRAPH 1. American Crayon Company, respondent herein, is engaged in the manufacture and nationwide distribution of crayons, chalk, water colors and allied products (R. 4). Its principal office and place of business is located in Sandusky, Ohio (Com. Ex. 2).

PAR. 2. Gordon E. James, Director of respondent's General Sales Division, testified that his company sells its products both to wholesalers and retailers, that among its wholesale customers are approximately 3,500 accounts classified as "Jobbers" and 94 accounts classified as Educational Promotional Distributors, that both of these classes of wholesale accounts are furnished the same price lists by respondent, and that the same prices, regular trade discounts and cash discounts are made equally available by respondent to all such accounts (Com. Ex. 2; R. 6-17).

PAR. 3. Grant A. Waddle, Director of respondent's Sales Promotion and Merchandising, testified that in addition to its regular trade and cash discounts respondent allows a ten percent "Sales Service Discount" on certain of its school supply items which are to be resold to educational institutions, to those of its accounts which it classifies as "Educational Promotional Distributors" (Com. Exs. 6 and 7; R. 32-37, 40). He stated that this sales service discount was paid to such accounts for performing in the school field the services as set out in its form letter granting such a classification (Com. Ex. 7; R. 32-33, 44-46). Said form letter reads as follows:

We are pleased to advise you that inasmuch as you comply with all of the requirements necessary in order to be considered as an Educational Promotional Distributor, you are entitled to our Sales Service Discount of 10% from our regularly published prices and on those items specifically considered as representative items of our line for the field of sales promotion that your good firm covers.

The items covered in this arrangement are attached.

This Sales Service Discount is being allowed because of your willingness, desire and ability to perform the following services for us:

1. Carrying complete stock of all demand items, including a representative stock of our merchandise.
2. Employing salesmen who are engaged in the regular solicitations of business from large educational institutions.
3. Issuing and distributing a catalog including therein items of our manufacture.

4. Actively demonstrating with samples and displays to the ultimate consumer groups and to educational meetings and conventions the merits of our merchandise.

5. Regularly quoting to and servicing educational institutions for their requirements and complying with our requests that you quote on such business; also reporting on competitive conditions in your territory.

6. Maintaining a stock of samples and sales literature sufficient to properly service all inquiries in your territory from your particular class of accounts.

as expressed in your letters and upon the recommendation of our representative.

This arrangement shall remain in effect only so long as you substantially perform the special services listed above, and may also be terminated by either party giving the other sixty days written notice of the desire to terminate. (Com. Ex. 7.)

A list of the 94 customers of respondent who have entered into this arrangement and who receive the described ten percent Sales Service Discount is set out in the record as Commission's Exhibit 8.

PAR. 4. Mr. Waddle testified that notice of the existence of this ten percent sales service discount was contained in respondent's price list for only two years after the issuance of the Commission's order to cease and desist herein, namely 1941 and 1942 (Com. Ex. 1; R. 47-48). He admitted that since that time notice in writing of the existence of this discount has been given by respondent only by means of a form letter sent only to those customers requesting information and to those customers recommended for classification as Educational Promotional Distributors by respondent's fieldmen (Com. Ex. 6; R. 35-36, 47-48). He further admitted that such written notice has not been sent to all of respondent's school supply accounts, since 1942 (R. 36, 47-48). He further testified that respondent's salesmen were instructed to give information to any account making an inquiry or which the salesman felt was qualified to receive the discount (R. 67-68, 237-238). He testified that the existence of this discount was generally known to the trade and that in his best judgment it was known to all school supply houses (R. 59-60, 232).

PAR. 5. Mr. Thoren, owner of the Gateway Paper & Supply Co., Beloit, Wisconsin, testified that his company has been engaged in the school supply business since August 1, 1944, that it purchases art supplies (i. e., crayons, water colors and allied items) from respondent; that two of its salesmen, who call only on school accounts, sell respondent's and Binney & Smith art supplies in addition to paper and general supplies; that it competes with several of the companies

listed by respondent as its Educational Promotional Distributors and who receive the above-described ten percent sales service discount; and that among such favored competitors were Favor Ruhl & Company, Chicago, Illinois, and Fond du Lac School Supply Company, Fond du Lac, Wisconsin (R. 107-8, 118-119). He further testified that his company had never been offered and had never received said sales service discount (R. 108-9). He testified that he requested said discount of respondent's representative, Mr. Merrill Ward, in 1950; that he offered to do what was required in order to receive said discount; that Mr. Ward thought he was entitled to it as well as some of the accounts that enjoyed it; and that Mr. Ward suggested he write to Mr. Grant Waddle, respondent's official who had the authority to grant such discounts (R. 109-110).

In a series of letters written between November 22, 1950, and March 27, 1951, Mr. Thoren informed Mr. Waddle that he had gone over respondent's requirements for receiving the ten percent sales service discount with Mr. Ward and that both felt his company was entitled to the said discount (Resp. Ex. 2A, B, E and G). Mr. Waddle's replies, in addition to explaining the requirements for receiving said discount, stated that usually such arrangements can only be made for firms whose major business is direct sales to educational institutions and that Mr. Ward would explain in more detail (Resp. Ex. 2C and F). Mr. Thoren was given no further explanation of why his request was not granted (R. 109).

PAR. 6. Mr. Thoren further testified that his company, Gateway Paper & Supply Co., has been in the school supply business since August 1, 1944 (R. 107); that he personally has been in that business for over twenty years (R. 113); that two of his salesmen spend their full time calling on school accounts (R. 118); and that said salesmen contact approximately 1,500 schools located in Wisconsin, Michigan, Iowa, Illinois, Missouri and Indiana (R. 113). He testified that his company publishes and distributes to public and parochial schools in its trade area its catalog of school papers, equipment and supplies (R. 111). This catalog lists with illustrations and descriptive material certain of respondent's items for which there is the largest demand (Com. Ex. 10). Mr. Thoren further testified that his company vigorously tried for the business of educational institutions for which formal bids are required during the years 1947 through 1949. Having discovered that its bids on respondent's products were not competitive, it has not submitted bids on such products since that time (R. 112).

PAR. 7. The record contains a copy of respondent's letter of November 18, 1942, to Favor Ruhl & Company, Inc., and of respondent's

letter of December 16, 1948, to Fond du Lac School Supply Company, in the form quoted in Paragraph 3 hereof, granting them the ten percent sales service discount and setting out the requirements therefor (Com. Exs. 9 and 11). Frank J. Peters, General Manager of Favor Ruhl & Company, and Henry F. Wetter, President of Fond du Lac School Supply Company, both testified that their companies have received said discounts in accordance with the terms of this arrangement since the date of receipt of said letters (R. 84-85, 126-127). Mr. Peters testified that the Chicago branch of his company sells school supplies throughout the entire United States and that it has ten salesmen soliciting such business (R. 82, 100). Mr. Wetter testified that his company sells school supplies throughout the entire State of Wisconsin and that it has four salesmen engaged in soliciting such business (R. 125, 130).

PAR. 8. In rebuttal respondent's Director of Sales Promotion, Mr. Waddle, testified that upon receipt of the letters from Mr. Thoren requesting the ten percent sales service discount for the Gateway Paper & Supply Co., he made an investigation to determine if that company was qualified for the said discount (R. 259-260). He further testified that the investigation disclosed that said company was not effectively promoting the sale of respondent's products to educational institutions as it had too few salesmen for the area covered (R. 266-7); that it did not list a representative line of respondent's products in its catalog (R. 268); that it did not actively display respondent's items at educational meetings and conventions (R. 272); that it did not report to respondent on competitive conditions (R. 273), but that it did carry a representative stock of respondent's merchandise (R. 265-266). He, therefore, concluded that said company was not performing the services required for receiving the sales service discount and further concluded that a company attempting to cover 1,500 schools with two salesmen in the manner attempted by said company could not effectively promote and sell respondent's products (R. 273-274).

In further rebuttal respondent called the president of Allied, Inc., and the manager of the equipment and supply division of Blackwell Wielandy Company, both of which companies were classified by respondent as Educational Promotional Distributors.

Both testified that their companies specialized in selling to schools, described their sales promotional efforts for respondent's products, and stated that they employed fifteen and eight salesmen, respectively, in this field, and that they covered a limited sales area (R. 134-174, 286-302). They further testified that in their opinion it would be impossible for two salesmen to effectively service the schools in an area

as large as that covered by Gateway Paper & Supply Company (R. 162-163, 309).

PAR. 9. Based upon the above-cited evidence, the Commission is of the opinion that the record shows that the Gateway Paper & Supply Co. has shown its willingness, desire and ability to perform the services required by respondent of its competitors, Favor Ruhl Company, Inc., and Fond du Lac School Supply Company, for receiving the ten percent sales service discount as specifically set out in the terms of their agreement, and that by refusing to grant the same discount to the Gateway Paper & Supply Co. under these circumstances, respondent has failed to make that discount available to it upon proportionally equal terms. The fact that Gateway Paper and Supply Co. is not presently furnishing the services to respondent without compensation is not controlling. Nor is the fact that certain purchasers furnish services in excess of those required. Respondent has clearly set out in writing the services required of Favor Ruhl & Company, Inc., and Fond du Lac School Supply Company for said sales service discount. The Gateway Paper & Supply Co. has shown its willingness, desire and ability to perform those services.

Furthermore, based upon the admission of respondent's Director of Sales Promotion and Merchandising, Mr. Waddle, that respondent has not supplied information as to its sales service discount to all of its school supply account purchasers (R. 36), and his further admission that usually arrangements for such discount can only be made for firms whose major business is direct sales to educational institutions (Resp. Ex. 2F), the Commission concludes that respondent as a regular practice does not make its sales service discount available on any basis to certain of its purchasers which to some extent resell its products directly to educational institutions.

ACTS AND PRACTICES RELATING TO PARAGRAPHS 1, 2 AND 3 OF THE ORDER
TO CEASE AND DESIST

PAR. 10. Favor Ruhl & Company, Inc., and Fond du Lac School Supply Company received the ten percent sales service discount on products purchased from respondent which they in fact resold in the regular trade channels (R. 85-87, 127). The evidence indicates, however, that allowing this discount on products so resold was contrary to respondent's policy that it be allowed only on products actually resold to educational institutions (R. 40-42, 46-47, 51-53, Resp. Ex. 2F). Also, it is indicated that the amount of products so resold was not substantial (R. 85-87, 129). Respondent, upon being informed during this investigation of this practice, has taken action to prevent its reoccurrence (R. 251-254).

CONCLUSION

Respondent's practice, as described in Paragraphs 1 through 9 hereinabove, of granting in connection with the interstate sale of crayons, chalk, paint sets and educational supplies a ten percent discount to its "Educational Promotional Distributors" as compensation for services and facilities furnished by said purchasers in connection with the handling for sale, sale and offering for sale of respondent's said products while not making any discount available on proportionally equal terms to other of its customers which are in competition in the resale of said products with said favored customers, constitutes a violation of Paragraphs 4 and 5 and of the last unnumbered prohibition of the order to cease and desist herein.

These acts and practices, concluded to violate said order, have been engaged in by respondent for several years and were still continuing without any indication of being terminated during the course of this investigation. They constitute serious and substantial violations of said order of the Commission.

The Commission further concludes that the acts and practices of respondent as set out hereinabove in Paragraph 10 do not constitute any substantial violation of its order to cease and desist herein.

Mr. Howrey not participating.

TRADE PRACTICE CONFERENCE SUMMARY

During the period covered by this volume, July 1, 1952, through June 30, 1953, five sets of rules, including two revisions, were approved, as was a new "Push Money" rule.¹

NEW AND REVISED RULES

These rules, together with their citations to Title 16—Commercial Practices—in the 1953 Supplement of the Code of Federal Regulations, in which they are set out in full as originally promulgated through the Federal Register, are as follows as identified by the industry involved, to wit:

Hearing Aid Industry, which had suffered from "bait" advertising, false and misleading guarantees, deceptive claims as to visibility of the product when worn, failure to disclose the use of used parts, and deceptive claims as to acceptance or approval by medical authorities, and in the case of which the twenty-three Group I rules and four Group II rules promulgated for the industry constituted a revision and extension of and supplemented those promulgated by the Commission on Dec. 30, 1944 (*16 CFR, 1953 Supp., Sec. 214.0 to Sec. 214.104*);

Cedar Chest Manufacturing Industry, which had suffered from false and misleading guarantees, deceptive substitution of products, commercial bribery, and price discrimination, and in the case of which

¹The nature of the trade practice conference, criteria considered by the Commission in authorizing a conference, rule administration, and various other activities in connection with the Commission's trade practice conference work during the period concerned are set forth in the Commission's 1953 Annual Report in Chapter Six, and copies of the individual sets of trade practice rules as heretofore promulgated by the Commission for different industries may be had on request.

Said chapter (Industry Cooperation, pp. 37-42) describes, in connection with voluntary adherence to law, the trade practice conference, and also the stipulation procedure as carried out through separate stipulation agreements entered into with various separate businesses, e. g., this volume, at p. 1587.

Referring to the trade practice conference in some of its more general aspects, the Annual Report there states:

"Trade practice rules are helpful standards for complying with the laws that bear on them. They provide orderly abandonment of unfair or deceptive practices in an entire industry without giving unfair competitive advantage to any individual member or group. The Commission maintains continuing and cooperative liaison with industry to help it achieve voluntary compliance and prevention of the inception of bad practices. When trade practice rules are published, industry members are informed of the legal requirements applicable to their particular trade or business. Unwitting violations are thus substantially reduced."

the nineteen Group I rules and two Group II rules constituted a revision of those promulgated for that industry on May 12, 1933, and included numerous changes clarifying applicable requirements of laws administered by the Commission (*16 CFR, 1953 Supp., Sec. 217.0 to Sec. 217.102*);

Portrait Photographic Industry, in the case of which the nineteen Group I rules prohibit deception of consumers by such terms as "Oil Painting," "Gold Tone," "Platinum," "Etching," and "Silk" in describing portraits offered for sale, and condemn also deceptive pricing practices and sale of products through the use of lottery or game of chance (*16 CFR, 1953 Supp., Sec. 215.0 to Sec. 215.19*);

Industrial Bag and Cover Industry, in the case of which the sixteen Group I rules deal, among other things, with such practices as misrepresentation and misbranding of products, misrepresentation as to character of business, misrepresenting products as conforming to standards, substitution of products, false and misleading price quotations, defamation of competitors or false disparagement of their products, and commercial bribery (*16 CFR, 1953 Supp., Sec. 213.0 to Sec. 213.103*); and

Millinery Industry, in the case of which the eight Group I rules deal, among other things, with such practices as "deception as to origin of wool felt and fur felt hats and hat bodies (with labeling requirements specified)," "deceptive concealment of fact that hat bodies, hats, or components thereof are not new," "use of fictitious price," and "false invoicing" (*16 CFR, 1953 Supp., Sec. 216.0 to Sec. 216.103*).

NEW STANDARD "PUSH MONEY" RULE FOR INCLUSION IN TRADE PRACTICE RULES

As set forth in a Commission release dated June 23, 1953—

The Federal Trade Commission approved and adopted a standard "push money" rule which will be included in future trade practice rules where the need of any rule of this character is felt. This standard rule was adopted for purposes of clarification and consistency and should provide a clear guide to business concerns using this sales device. The former push money rules which have been incorporated in trade practice rules in the past will be superseded by the new standard rule in the event revisions of such rules are undertaken. As a practical matter, the provisions of the standard rule will be used in connection with the administration of all such rules. The principal difference between the new rule and the old rules is that the element of putative deception of the customer has been eliminated. However, the standard rule makes clear that push money payments can only

be made with the knowledge and consent of the sales person's employer, usually the retail store. The form of the standard rule is as follows:

"Rule—Push Money.

It is an unfair trade practice for any industry member to pay or contract to pay anything of value to a sales person employed by a customer of the industry member, as compensation for, or as an inducement to obtain, special or greater effort or service on the part of the sales person in promoting the resale of products supplied by the industry member to the customer—

(1) When the agreement or understanding under which the payment or payments are made or are to be made is without the knowledge and consent of the sales person's employer; or

(2) When the terms and conditions of the agreement or understanding are such that any benefit to the sales person or customer is dependent on lottery or chance; or

(3) When any provision of the agreement or understanding requires or contemplates practices or a course of conduct unduly and intentionally hampering sales of products of competitors of an industry member; or

(4) When, because of the terms and conditions of the understanding or agreement, including its duration, or the attendant circumstances, the effect may be to substantially lessen competition or tend to create a monopoly; or

(5) When similar payments are not accorded to salespersons of competing customers on proportionally equal terms in compliance with Sec. 2 (d) and (e) of the Clayton Act.

(NOTE.—Payments made by an industry member to a salesperson of a customer under any agreement or understanding that all or any part of such payments is to be transferred by the salesperson to the customer, or is to result in a corresponding decrease in the salesperson's salary, are not to be considered within the purview of this Rule —, but are to be considered as subject to the requirements and provisions of Sec. 2 (a) of the Clayton Act.

TABLE OF COMMODITIES ¹

DECISIONS AND ORDERS

	Page
Abridgments of books.....	220, 76C
"Admiral" sewing machines.....	198, 1002
Advertising.....	1173
Advertising or merchandising "pass books".....	1575
Animal feed products.....	99
Animal feeds.....	87, 99, 108, 983
Animal medicinal preparations.....	1576
Annual supplements.....	1567
Anti-freeze.....	545
"Aquella" cementitious water paint.....	1394
"Arch-Rest" shoes.....	56
"Arrid" cosmetic product.....	1424
"Artex" drug preparation.....	1376
Arthritis preparation.....	263, 566
"Auto-Lite" ignition points.....	1198
Automobile springs.....	914
Automotive ignition points.....	1198
Automotive wheel discs and other parts.....	1161
Battery preparation, "Ever-Charge".....	1553
Batts or battings, wool.....	1306
Belts, chain.....	1583
Billfolds.....	1555
Billing machines, fanfold.....	1123
Binoculars.....	497
Biologicals.....	1583
Blankets, "wool".....	1118
Bookcases.....	1567
Book cloth.....	1427
Books.....	1567
Books, medical.....	1560
Books, pocket-sized.....	220, 760
"Bostwick" insecticides.....	1230
Breast supports.....	1437
Briar pipes.....	1568
Brooms, blind-made.....	1584
"Brown-Cell Matrix Disc".....	990
Brushed rayon fabrics.....	1336
Brushes, "Static-Master".....	229
Bulldozers and bullgraders.....	1583

¹ Commodities involved in dismissing or vacating orders are indicated by italicizing the page reference. For table of commodities in stipulations embraced in instant volume, see p. 1820.

DECISIONS AND ORDERS

	Page
Cabinets.....	745
"Calcium Pantothenate Capsules".....	1566
"Camel's hair" sweaters.....	77, 131, 317
Cameras.....	781
Canvas tarpaulins.....	1551
Carbon roll bracket plates.....	1123
Castings, metal.....	1583
"Celparux" medicinal preparation.....	296
Cementitious paint.....	1394
Chain and chain products.....	1041
Chain belts.....	1583
Chinaware, vitrified, hotel.....	1571
Christian education, correspondence course in.....	1
Chucks, industrial.....	1463
Cigarette chests.....	981
Cigarettes.....	703, 1553
Cigarettes, "tax-free".....	1577
Citrus fruit juice products.....	37
"Civil Service" training courses.....	1138
Clocks, watchman's.....	1012
Clothes, men's.....	1569
Coats, girls.....	117
Coats, ladies'.....	908, 1132, 1156, 1251
Collection cards and letters.....	1552
Collection postcards, etc.....	509
Combustion units.....	1583
"Conklin" pens.....	1561
Conveying and elevating machinery.....	1583
Cooking utensils.....	1583
Cordage.....	1312
Corn by-products.....	983
Corn meal.....	983
Correspondence courses in—	
Christian education.....	1
"Civil Service".....	1138
Radio and television.....	1022
Subjects of higher learning.....	1558
Teacher training.....	1
Theology.....	1, 1558
Cosmetic product: "Arrid".....	1424
Cosmetics.....	1540, 1562, 1563, 1564, 1565, 1583
Courses in higher learning.....	1558
Cranes.....	1583
Crystals, lighting glass, imported.....	1475
"Cushion-Flex" shoes.....	56
"Degrees".....	1558
"Delco-Remy" ignition points.....	1198
Delinquent debt, collection cards and letters.....	509, 1552
Dental devices, corrective.....	487
Dentifrices.....	1583

TABLE OF COMMODITIES

1815

DECISIONS AND ORDERS

	Page
Deodorant, "Arrid"-----	1424
Detergents-----	1583
Device, radioactive-----	229
Diabetic preparation-----	296
Diathermy device-----	535
Dictionaries-----	1567
Diesel power units-----	1583
Digester tankage for animals-----	87
Dinnerware-----	1571
Directories, classified-----	1173
Dirt-moving machinery-----	1583
Display letters, plastic-ceramic-----	1560
"Dolcin" medicinal preparation-----	566
"Donald Duck" citrus fruit juice products-----	37
"Doubleday's Encyclopedia"-----	1567
Draglines-----	1583
Dredges, floating-----	1583
Dresses, rayon-----	1278
"Drew Arch-Rest" and "Cushion-Flex" shoes-----	56
"Dr. Hiss Balanced Shoes"-----	67
Drills, oil well and water well-----	1583
Drug preparations-----	1376
"Durium" pen points-----	1557
Earth-moving machinery-----	1583
Eczema preparations and treatment-----	1520
Electrotypes-----	366
Elevating and conveying machinery-----	1583
Encyclopedias-----	1567
Medical and general-----	1560
Supplements-----	1358
Enlargements, photographic-----	456
"Eureka" sewing machines-----	1450
"Ever-Charge" battery preparation-----	1553
Excavating machinery-----	1583
Extension service and encyclopedias-----	1358
Fabrics:	
Inflammable brushed rayon-----	697, 1336
Rayon-----	754
Rayon and acetate-----	1190
Wool-----	1269
Wool jersey-----	1336
Fanfold billing machines-----	1123
Farm tractors and other machinery-----	1583
Feeds, animal-----	87, 99, 108, 983
Filing cabinets-----	745
Fish, canned-----	205
Flour-----	205
"Fluffium" soil conditioner-----	1576
Food products-----	205
Frozen-----	1495

DECISIONS AND ORDERS

	Page
"Ford" ignition points.....	1198
Forgings.....	1583
Fountain pens.....	17, 781, 1555, 1561
"14 K" pen points.....	1557, 1561
Frames, picture.....	456
Freezers.....	1284
"French" perfumes and toilet waters.....	466
"Frigid-O-Bg" anti-freeze preparation.....	545
"Frommes Method" hair and scalp treatments.....	630
Frozen food products.....	1495
Frozen food purchasing plan.....	1284
Fruit, canned and dried.....	205
Fruit juice products, citrus.....	37
Fuel Oil.....	1182
Fur, mink.....	160
"Funk & Wagnall's Practical Standard Dictionary".....	1567
"Garlicaps", medicinal preparation.....	1566
Gasoline.....	923
Gasoline additive.....	652
Glass crystals, etc.....	1475
Glass for frames, convex.....	456
Glycerin.....	1583
"Gold"-containing perfumes.....	466
"Good Luck Oleomargarine".....	1575
Greetings cards.....	440
Hair and scalp preparations.....	586, 630, 1540, 1578
Harvesting equipment.....	1583
Hearing aid device.....	1410
"Heath England" fabrics.....	1269
Hog medicinal preparations.....	1576
Home-study course in radio and television.....	1022
Hotel accommodations, transportation, etc.....	1566
Hotel ware, vitrified china.....	1571
Household articles, blind-made.....	1584
Household medicinal products.....	1583
Housewares.....	1583
Ice cream cones.....	1568
Identification tags.....	1555
Ignition points.....	1198
"Imdrin" medicinal preparation.....	263
Industrial chucks.....	1463
Inflammable rayon fabrics.....	697
Inflammable sweaters.....	77, 131, 317
Insecticides.....	769, 1230
"Ironized Yeast Tablets".....	1562
Japanese sewing machines and sewing machine heads.....	181,
	198, 1002, 1257, 1297, 1323, 1344, 1351, 1450
Jar games.....	238
Jewelry.....	17, 27, 325
Juices, frozen.....	1495

TABLE OF COMMODITIES

1817

DECISIONS AND ORDERS

	Page
"K-C" brand meat and bone animal feed, etc.....	87
Kerosene.....	1182
Knives.....	17
Laboratory chemicals.....	1583
Ladies' coats..... 908, 1132, 1156,	1251
Lead pigments.....	791
Leather goods, blind-made.....	1584
Leg ulcer or sores preparations and treatment.....	1520
"Liepe" medicinal preparations.....	1520
"Life Guard" animal feed products.....	99
Lighting glass products.....	1475
"Liver, Iron and B ₁ Capsules".....	1566
Lottery devices..... 17, 27, 123, 190, 238, 325, 781,	981
"Lubrizol" automotive gasoline additives.....	652
"Lynch's Short-Wave Diathermy".....	535
Machinery :	
Construction.....	1583
Dirt-moving.....	1583
Electrical.....	1583
Elevating and conveying.....	1583
Excavating.....	1583
Processing.....	1583
Textile.....	1583
Magazine subscriptions.....	214
"Majestic" sewing machines.....	198
"Manila" rope and cordage.....	1312
"Master" animal medicinal preparations.....	1576
Matrices.....	366
Medicinal preparations..... 1365, 1376, 1520, 1540,	1566
Animal.....	1576
"Celparux".....	296
"Dolcin".....	566
"Imdrin".....	263
"Nutri-Vac".....	1556
"Sunway Vitamin Capsules".....	553
"Mentor" pocket-sized books.....	220
Merchandising or advertising "pass books".....	1575
Mineral and vitamin preparation, "NHA Complex".....	601
Mineral preparation, "Thorkon".....	613
Mink fur.....	160
"Miracle Hearing Aid".....	1410
Mops, blind-made.....	1584
Motors.....	1583
Musical vanity chests.....	248
Name plates.....	1555
"Nature Library, The".....	1567
"New Century Dictionary, The".....	1567
New Standard Encyclopedia and Loose-Leaf Service.....	1358
"NHA Complex" food preparation.....	601
Novelties..... 17, 27, 325	

DECISIONS AND ORDERS

	Page
"Nu-Power" automotive gasoline additive.....	652
"Nutri-Vac" medicinal preparation.....	1556
Oil, fuel.....	1182
Oil well drills.....	1588
Oleomargarine.....	1575
Orthodontic supplies, equipment, etc.....	487
Paint, cementitious.....	1394
"Pall Mall" cigarettes.....	1553
"Park-O-Type" pens.....	1561
"Pass books," advertising or merchandising.....	1575
Pen and pencil sets.....	1557, 1559, 1561
Pencils, lead.....	734, 1560, 1567
Pencils, mechanical.....	1561
Pen points.....	1557, 1561
Perfumes.....	466, 1583
"Pernet" silver polish.....	1418
Petroleum products.....	923, 1182
Pharmaceutical chemicals.....	1583
Philip Morris cigarettes.....	703
Photographic enlargements.....	679
Photographs, enlarged.....	456
Pianos, "repossessed".....	287
Pigments, lead.....	791
Pipes, briar.....	1568
Plastic-ceramic display letters.....	1560
Ploughs, ballast and spread.....	1583
Polonium, devices containing.....	229
Poultry medicinal preparations.....	1576
Power-controlled units.....	1583
Probes or wands, "Static-Master".....	229
Prophylactics.....	1554, 1555
"Proviso" brand feeds and concentrates.....	87
"Pruvo" medicinal preparation.....	1365
Pumps.....	1583
Punchboards.....	17, 27, 123, 190, 238 325, 981
Push cards.....	17, 27, 123, 190, 238, 325, 781
Radioactive devices.....	229
Radio and television correspondence and home-study courses.....	1022
Radio clocks.....	781
Radios.....	781
Rayon.....	754
Rayon and acetate fabrics.....	1190
Rayon fabrics, inflammable brushed.....	697, 1336
Rayon sweaters, brushed.....	131
Reprints, pocket-sized.....	220, 760
Reupholstering materials and service.....	670
Rheumatism drug preparations.....	263, 566, 1376
Roach and insect spray.....	769
Rope.....	1312
Rugs, blind-made.....	1584

TABLE OF COMMODITIES

1819

DECISIONS AND ORDERS

	Page
Salt, table.....	138
Scalp and hair preparations.....	1540
Scrapers.....	1583
"17 Jewel Chronograph" watch.....	1221
Sewing machines and sewing machine heads.....	181, 198, 1002, 1257, 1297, 1323, 1344, 1351, 1450
Sewing machines, factory-rebuilt.....	1111
Shaving preparations.....	1583
"Sheffield" silver-plated hollow ware.....	354
Shoes, "orthopedic".....	67, 525
Shoes, "orthopedic" and "health".....	56
"Signet" pocket-sized books.....	220
Silver-plated ware, "Sheffield".....	354
Silver polish.....	1418
"Skip-tracer" post cards, form letters, etc.....	509
Soaps.....	1583
Soil conditioner.....	990, 1576
"Spencer Supports", breast.....	1437
Spindle games.....	238
Springs, automobile.....	914
"Static-Master" brushes and wands or probes.....	229
Stereotypes.....	366
Storage cabinets.....	745
Subscriptions, magazine.....	214
"Suffield London" fabrics.....	1269
Sugar.....	205
Sunglasses.....	497
"Sunway Vitamin Capsules" medicinal preparation.....	553
Surgical instruments.....	1583
Surgical instruments, supplies and equipment.....	334
Sweaters, inflammable.....	77, 131, 317
Talcum powder.....	1583
Tarpaulins.....	1551
"Tax-free" cigarettes.....	1577
Teacher training, correspondence course in.....	1
Tee shirts.....	497
Television and radio correspondence and home-study courses.....	1022
Textile machinery and supplies.....	1583
Theology, correspondence course in.....	1
"Thorkon" vitamin and mineral preparation.....	613
Toilet preparations.....	1540, 1583
Toiletries, men's.....	1583
Toilet waters.....	466
Tractors and tractor equipment.....	1583
Transmission equipment, power.....	1583
Transportation, hotel accommodations, etc.....	1566
"Tuxedo Animal Feeds".....	108
"2-Way Roach and Insect Spray".....	769
Ulcer preparations and treatment, leg.....	1520
Upholstery materials.....	1508

STIPULATIONS

	Page
Vanity chests, musical.....	248
Varicose ulcer preparations and treatment.....	1520
Vegetables, canned.....	205
"Victory Vitamins".....	1566
Vitamin and mineral preparation, "NHA Complex".....	601
"Vitamin" preparations.....	1556, 1566
"Sunway Vitamin Capsules".....	553
"Thorkon".....	613
Vitrified chinaware.....	1571
"Watham" pen and pencil sets.....	1559, 1561
Watches.....	17, 27, 325, 476, 1221
Watchman's clocks.....	1012
Weldments.....	1583
Well drills.....	1583
"Wheat Germ Oil—Rich in Vitamin 'E'".....	1566
Wheel discs, automotive.....	1161
"Wildroot" hair preparations.....	1578
Windshield wipers and parts, vacuum-operated.....	1033
Wipers, windshield, vacuum-operated.....	1033
Wool products.....	117, 908, 1118, 1132, 1156, 1251, 1269
Batts or battings.....	1306
Jersey fabrics.....	1336
Ladies' coats.....	1132, 1156
"World Progress" encyclopedia and loose-leaf service.....	1358
Year books.....	1567

STIPULATIONS

"Academy Award Watches".....	1603
Address-Memo books.....	1615 (8412)
Alcohol, medicine for relieving effects of overindulgence in.....	1622 (8426)
"Amitone" medicinal preparation.....	1642 (8466)
"Anturat" rodenticide.....	1610 (8401)
Arch support.....	1630
Asthma Compound and Cigarettes.....	1588
Athlete's foot, medicinal preparation for.....	1597 (8376)
"Automatic Insect Control" device.....	1605 (8388)
Automobile polish.....	1614 (8409)
Automobile springs, rebuilt.....	1626 (8434), 1627 (8436), 1632, 1635 (8451), 1640 (8461)
Bacterins for live stock and poultry.....	1620 (8420)
Batting, woolen.....	1643
"Bauer's Shoes".....	1618 (8418)
"Beam Silver Polish 'N Plate".....	1629 (8439)
"Beau-T-Form Maternity Garment" device.....	1591 (8299)
Bedboards.....	1615 (8411)
Belt, health supporter.....	1650
"B-Thin", reducing preparation.....	1629 (8438)
Beverage concentrate, imitation grape.....	1608 (8395)
Bibles, etc. "Heart-Shield".....	1641 (8464)

TABLE OF COMMODITIES

1821

STIPULATIONS		Page
Binoculars.....		1598
Japanese.....	1644	(8469)
Birth-spacing device.....	1612 (8405), 1623	(8428)
"Bodyguard Health Supporter Belt".....		1650
Booklet, "How To Select Binoculars".....		1598
Booklets, health.....		1638 (8456)
Books.....		1635 (8450)
Books, metal covered religious.....		1641 (8464)
"Bragg" supplemental food products.....		1634 (8448)
Bread, "Silver Loaf".....		1595 (8306)
Bread, "Star's" reducing.....		1592 (8301)
Bronze colored baby shoes.....	1642	(8465), 1647
Brushes, toy water color.....		1607 (8393)
"B-Thin", reducing preparation.....		1629 (8438)
Bulbs or bulblets.....		1599
Burial vaults.....		1607 (8392)
"C. A. Haines Shoes".....		1618 (8418)
Calf food.....		1604 (8387)
"Calotabs" medicinal preparation.....		1593 (8303)
"Campho-Phenique" medicinal preparation.....		1635 (8449)
"Cattle and Sheep Vis-Vita" feed supplement.....		1616 (8314)
"Certified" diamond rings.....		1613 (8408)
Chairs, "Contour".....		1633 (8446)
"Cheer" synthetic detergent.....		1601 (8381)
"Chevalier Health Supporter Belt".....		1650
"Chexit", livestock medicine.....		1649 (8477)
Christmas tree ornaments, plastic icicle.....		1639 (8459)
Cleanser, skin.....		1627 (8435)
Coffee, "Instant G. Washington's".....		1609 (8396)
Coffee, "Nescafe", instant.....		1609 (8397)
Cold wave preparation.....		1610 (8402)
"Con-O-Lite" and "Con-O-Crypt" burial vaults.....		1607 (8392)
"Contour Chair Lounge" chair.....		1633 (8446)
"Cooltan", cosmetic preparation.....		1595 (8307)
Cosmetic preparations.....	1595 (8307), 1597	(8311), 1605 (8389), 1619, 1627
Cotton fabrics, "swissdown".....		1610 (8400)
Cough drops, Luden's.....		1641 (8463)
Creme, "Dornol".....		1597 (8311)
"C-2223", rheumatism treatment.....		1587
Cutlery.....		1614 (8410)
"DAVOL 'Anti-Colic' NURSER".....		1636 (8453)
Denture adhesives.....		1621 (8423)
Denture cushions.....		1616 (8415)
Deodorant.....		1619
Deodorant pads.....		1631 (8443)
Deodorant, "Stopette Spray".....		1602 (8384)
Detergents, synthetic.....	1601 (8381), 1602	(8382, 8383)
Detergent, synthetic, "FAB".....		1601 (8380)
Device, birth-spacing.....	1612 (8405), 1623	(8428)
Device, health or medical.....		1611
Device, "Maternity Garment".....		1591 (8299)

STIPULATIONS		Page
Devices, insecticidal.....	1605	(8388)
Devices, Scott foot.....	1646	(8473)
"Diamond Point" fountain pen points.....	1625	(8432)
Diamond rings, certified.....	1613	(8408)
"Diamothyst" synthetic jewelry insets.....	1609	(8398)
Dog shampoo.....	1608	(8394)
"Dornel" cosmetics.....	1597	(8311)
Dr. Guild's Green Mountain Asthma Compound.....		1588
"Dr. Heath's" denture adhesives.....	1621	(8423)
"Dr. Townsend's Own Formula, Vitamins and Minerals".....	1626	(8433)
Drug product (<i>See Medicinal</i>).....	1597	(8310)
"Dura-Starch" rosin plasticizer.....	1596	(8309)
"Electro-Scope" device.....		1611
"Engraved" address-memo books.....	1615	(8412)
Evaporated skimmed milk.....	1613	(8407)
Fabrics, dotted swiss.....	1610	(8400)
"FAB", synthetic detergent.....	1601	(8380)
Feed supplements, animal.....	1616	(8414)
"Fire-Resistant" Christmas-tree ornaments.....	1639	(8459)
Fire resistant paint.....	1612	(8404)
"5-Day Deodorant Pads".....	1631	(8443)
Floor coating preparation, "Okura", formerly "Rub-R-Kote".....		1590
"Fly-Master Automatic Insect Control", device.....	1605	(8388)
Food, calf.....	1604	(8387)
Foot devices.....	1646	(8473)
"Foot Preserver Shoes".....	1645	(8471)
"Forecaster", birth-spacing device.....	1612	(8405)
Fountain pens and mechanical pencils.....	1624	(8429)
Fountain pen points.....	1625	(1631, 1632), 1636 (8452)
"14 Kt. Gold-Plated" fountain pen points.....	1624	(8430), 1625 (8431), 1636 (8452)
"Gallusin" medicinal preparation.....	1640	(8462)
"Gems", synthetic jewelry insets.....	1612	(8406)
"Gemstones" glass insets for costume jewelry.....	1605	(8389)
Glass insets for costume jewelry.....	1605	(8389)
"Glitter Super Glaze" automobile polish.....	1614	(8409)
"Good Luck Margarine".....	1631	(8441)
"Grape No. 7" and "Grape Vin-Vie" beverage concentrate.....	1608	(8395)
Hair and scalp preparations.....	1619,	1648
Hair coloring preparation.....	1622	(8424)
Hair conditioner, "Sulfur-8".....	1594	(8305)
Hair dye preparation.....	1606	(8390)
Hair preparation, "Long Aid".....	1592	(8300)
Hair remover, "Kree Radiomatic".....	1606	(8391)
"Hand Looped Knits" sweaters.....	1604	(8386)
"Hawthorn-Mellody Yogurt".....	1593	(8302)
Health booklets.....	1638	(8456)
Health device.....	1591	(8299), 1611
Health food.....	1593	(8302)
Health shoes.....	1618	(8418)
"Health" shoes, "Kali-sten-iks Madam-ettes".....	1596	(8308)

STIPULATIONS	Page
"Heart-Shield New Testament", etc.....	1641 (8464)
"Hist-O-Plus" medicinal preparation.....	1646 (8472)
"Hog, Calf and Poultry Vis-Vita" feed supplement.....	1616 (8414)
"Holland" bulbs.....	1599 (8378)
"Hum" synthetic detergent.....	1602 (8383)
"Immunité" cold wave product.....	1610 (8402)
Infant's nursing unit.....	1636 (8453)
Insecticidal devices.....	1605 (8388)
Insecticides.....	1608 (8394), 1648 (8476)
Instant coffee, Nescafe.....	1609 (8397)
"Instant G. Washington's Coffee".....	1609 (8396)
"Iridium Tipped" fountain pen points.....	1624 (8429), 1625 (8431, 8432)
Japanese binoculars.....	1644 (8469)
Japanese mechanical pencils.....	1615 (8413)
Japanese toy water-color brushes.....	1607 (8393)
Jewelry insets, synthetic.....	1609 (8398), 1612 (8406), 1618 (8417), 1624 (8430), 1633 (8445).
"Johannes Gems", synthetic jewelry insets.....	1624 (8430)
"Juel" cosmetics.....	1619 (8419)
"Kali-sten-iks" shoes.....	1596 (8308)
"Kenya Gems", synthetic jewelry insets.....	1633 (8445)
"Kimberlite Gems", synthetic insets.....	1612 (8406)
"Kim Evaporated Skimmed Milk".....	1613 (8407)
"K-9' Amazing Dog Shampoo".....	1608 (8394)
Knives, kitchen.....	1614 (8410)
"Kree Radiomatic" hair remover.....	1606 (8391)
Ladies' knitted sweaters.....	1604 (8386)
"Lanacane", skin preparation.....	1639 (8460)
"Larvex", mothproofing preparation.....	1621 (8422)
Leather goods.....	1639 (8458)
Leather topped tables.....	1631 (8442)
"Liquinet", wave setting lotion.....	1609 (8399)
"Little Yankee Shoes".....	1617
Livestock bacterin.....	1620 (8420)
Livestock medicine, "Chexit".....	1649 (8477)
"Long Aid", hair preparation.....	1592 (8300)
"Luden's Menthol Cough Drops".....	1641 (8463)
"Maternity Garment" device.....	1591 (8299)
"MCP" insecticides.....	1648 (8476)
Mechanical pencils.....	1615 (8413)
Medical devices.....	1591 (8299), 1611
Medicinal preparations.....	1587, 1588, 1589, 1593 (8303), 1594 (8304), 1597 (8310, 8376), 1622 (8426), 1623 (8427), 1626 (8433), 1634 (8447), 1635 (8449), 1640 (8462), 1641 (8463), 1642 (8466), 1646 (8472).
Cattle.....	1620 (8420)
Livestock.....	1649 (8477)
Poultry.....	1620 (8420)
Medicine for tobacco habit.....	1623 (8427)
Men's and boys' wool sport jackets.....	1628

STIPULATIONS		Page
Metal cleaner and polish.....	1629	(8439)
Milk, evaporated skimmed.....	1613	(8407)
Mothproofing preparation.....	1621	(8422)
"Mrs. Day's Ideal Baby Shoes".....	1637	(8454)
"Natcol", hair dye.....	1606	(8390)
"Nescafe" instant coffee.....	1609	(8397)
"Nestle Colortint".....	1622	(8425)
"New Foot Ease Arch".....	1630	
"No-To-Bac", medicinal preparation.....	1623	(8427)
Nurser, infant's.....	1636	(8453)
"Okura", floor coating preparation.....	1590	
Oleomargarine "Good Luck".....	1631	(8441)
"Orthopedic" shoes.....	1596 (8308), 1617, 1618 (8418), 1637 (8454), 1645	
"Oscar" watches.....	1603	
Paint products and supplies.....	1612	(8404)
Paint, rust preventive.....	1649	(8478)
"Parasma", drug preparation.....	1597	(8310)
Pencils, mechanical.....	1615	(8413)
Pen points and pen and pencil sets.....	1636	(8452)
Photographs and photographic frames.....	1620	(8421)
Piece goods, woolen.....	1600	
"Plicote Fire Stop" paint.....	1612	(8404)
Polish, automobile.....	1614	(8409)
Poultry bacterin.....	1620	(8420)
Poultry feed supplement.....	1616	(8414)
"Predictor" birth spacing device.....	1623	(8428)
"Prilex Silver Plater".....	1637	(8455)
"Raw Vegetable Juices" health booklets.....	1638	(8456)
"Rayette" preparations.....	1648	(8475)
Rebuilt automobile springs.....	1626 (8434), 1627 (8436), 1632, 1635 (8451), 1640 (8461)	
"Reducing" bread.....	1592	(8301)
Reducing preparation.....	1629	(8438)
Reducing product.....	1638	(8457)
Rheumatism treatment.....	1587	
Rings, certified diamond.....	1613	(8408)
"Robeson 'Frozen Heat' Shur-Edge Knives".....	1614	(8410)
Rodenticides, "Warfare" and "Anturat".....	1610	(8401)
Rosin plasticizer.....	1596	(8309)
Rub-Ine.....	1589	
"Rub-R-Kote," floor coating preparation.....	1590	
Rugs, wool.....	1642	(8467)
Rust preventive paint.....	1649	(8478)
"Rustrem", rust preventive paint.....	1649	(8478)
Scalp conditioner, "Sulfur-S".....	1594	(8305)
Scalp preparation, "SulfoDandrug".....	1591	(8298)
School of instruction in electrical epilation.....	1606	(8391)
"Scope Medicated Skin Formula".....	1627	(8435)
Scott's foot devices.....	1646	(8473)
Shampoo.....	1619	

TABLE OF COMMODITIES

1825

STIPULATIONS	Page
Shampoo, "K-O"-----	1608 (8394)
"Silver Loaf Bread"-----	1595 (8306)
Silver polish-----	1637 (8455)
Shoes:	
Baby "Foot Formers"-----	1637 (8454)
Bronze-colored baby-----	1642 (8465), 1647
Children's orthopedic-----	1617
"Kali-sten-iks", etc-----	1596 (8308)
Orthopedic-----	1618 (8418), 1645
Skin detergent, "Dornol"-----	1597 (8311)
Skin preparations:	
"Lanacane"-----	1639 (8460)
"Scope"-----	1627 (8435)
"Thyoquent"-----	1644 (8470)
"Viderm"-----	1622 (8424)
"Sleep-Eze", medicinal preparation-----	1634 (8447)
"Snug Denture Cushions"-----	1616 (8415)
"Sobertabs", medicinal preparation-----	1622 (8426)
Sport jackets, men's and boy's, wool-----	1628
Starching preparation-----	1596 (8309)
"Star's Bread", reducing-----	1592 (8301)
"Stones", synthetic jewelry insets-----	1612 (8406)
"Stopette Spray Deodorant"-----	1602 (8384)
"SulfoDandrug", scalp preparation-----	1591 (8298)
"Sulfur-8 Hair and Scalp Conditioner"-----	1594 (8305)
Sun tan cream-----	1595 (8307)
Supplemental food products-----	1634 (8448)
"Surf", synthetic detergent-----	1602 (8382)
Sweaters, ladies' knitted-----	1604 (8386)
"Swissdown" dotted swiss fabrics-----	1610 (8400)
Synthetic rutile jewelry insets-----	1609 (8398), 1612 (8406), 1618 (8417), 1624 (8430), 1633 (8445)
Tables, leather-topped-----	1631 (8442)
"Tanner" table tops-----	1631 (8442)
Telescopes-----	1598
"Texas Ranger" leather goods-----	1639 (8458)
"Thyoquent", skin preparation-----	1644 (8470)
"Tide", synthetic detergent-----	1601 (8381)
Tobacco habit, medicine for-----	1623 (8427)
Toy water color brushes-----	1607 (8393)
"Tri Calf Food"-----	1604 (8387)
"T-X", medicinal preparation-----	1597 (8376)
Vaults, burial-----	1607 (8392)
"Velvet-eez Shoes"-----	1645 (8471)
"Viderm", skin preparation-----	1622 (8424)
"Vis-Vita", animal feed supplement-----	1616 (8414)
Vitamin preparation-----	1626 (8433)
"Vitrex", weight reducing product-----	1638 (8457)
Wadding, woolen-----	1643
"Warfare" rodenticide-----	1610 (8401)

STIPULATIONS

	Page
Watches.....	1603
Water color brushes, toy.....	1607 (8393)
Wave-setting lotion.....	1609 (8399)
"Woolcraft" rugs.....	1642 (8467)
Woolen piece goods.....	1600 (8379)
Wool products:	
Batting and wadding.....	1643
Rugs.....	1642 (8467)
Sport jackets.....	1628
Yogurt, "Hawthorn-Melody".....	1593 (8302)
"Zero-10", medicinal preparation.....	1594 (8304)

INDEX ¹

DECISIONS AND ORDERS

	Page
Abandonment or discontinuance of practice: <i>See also</i> , in general, Charges of complaint dismissed; Complaints dismissed, etc.	
As no defense, <i>per se</i> against issuance of desist order.....	1161
As not ground for dismissal in view of continuance of other equally unlawful	138
Before complaint: cease and desist order required in public interest, notwithstanding	1
If in good faith, with no intent to resume.....	220, 1578
If partial only, and permanence doubtful.....	1161
Practices abandoned, revised or modified.....	1556, 1558, 1559, 1560, 1566, 1576, 1578
Voluntary, as no guarantee of nonresumption under circumstances....	525
Accredited school, misrepresenting correspondence school as. (<i>See Advertising falsely, etc.</i> ; <i>Misrepresenting business, etc.</i>).....	1
Acquiring restrictive, exclusive and monopolistic control:	
Through—	
Acquiring competitive stocks and assets.....	791
Controlling, by contracts and arrangements, major portion of production	791
Inducing price uniformity on part of small competitors.....	791
Maintaining, cooperatively, price uniformity.....	791
Acquisitions: Commission's authority and duty if dangerously monopolistic.....	791
Acts, isolated: as confirming alleged specific misrepresentation.....	670
"Admiral": as well and favorably known corporate and product name..	198, 1002, 1323
Advertisements: meaning of, examiner sustained as to.....	566
Advertising agreements, cooperative customer: discriminating in allowances in payment for. (<i>See Discriminating, etc.</i>).....	1578
Advertising allowances: discriminating in price through. (<i>See Discriminating, etc.</i>).....	440
Advertising and display services, discriminating in price through allowances for. (<i>See Discriminating, etc.</i>).....	138
Advertising circulars and display cards: supplying false and misleading. (<i>See Furnishing means, etc.</i>).....	1568
Advertising copy or mats, supplying misleading. (<i>See Furnishing means, etc.</i>)	630

¹ Covering practices and matters involved in Commission orders. For index for commodities, *see* Table of Commodities. Reference to matters involved in vacating or dismissing orders are indicated by italics.

DECISIONS AND ORDERS		Page
Advertising falsely or misleadingly: (<i>See also</i> False and misleading advertising)		
As to—		
Ailments and symptoms.....	1437, 1520, 1556, 1562, 1566	
Air Force surplus.....		497
Business status, advantages or connections—		
Connections or arrangements with others—		
Civil Service and government.....	1138, 1566	
Radio and television industry.....		1022
Correspondence and commercial school being—		
College or university.....	1, 1558	
Divinity school.....		1
Dealer being—		
Manufacturer.....	1297, 1323, 1450, 1561	
Foreign branches.....		1561
History.....		1508
Identity.....	734, 745, 1257, 1561	
Individual or private business as—		
Educational institution.....		1022
Nature and organization of business.....	1284, 1560	
Personnel or staff.....	586, 630, 990, 1138, 1560	
Plant and equipment—		
Laboratory.....		1022
Qualifications and abilities.....	586, 1520	
Reputation, success or standing.....	1, 1022	
Retail mail-order concern being—		
Nation-wide wholesalers.....		1555
Size and extent.....		1450
Stock as factory surplus.....		1221
Time in business.....		1576
Comparative data or merits.....	67, 566, 586, 652, 679, 703, 734, 1230, 1365, 1553, 1576	
Competitors and their products.....	1230, 1575, 1576	
Composition of product.....	466, 553, 601, 613, 652, 769, 1418, 1555, 1559, 1560, 1561	
Effect of reply.....		679
Free goods or service.....	248, 466, 670, 679, 734, 1138, 1221, 1284, 1450, 1555, 1559, 1560, 1575	
Gold seal award.....		1450
Government approval.....		1230
Government surplus.....		497
Guarantees... 181, 497, 670, 1111, 1323, 1450, 1508, 1555, 1559, 1561, 1575		
History of product or offering.....	263, 287, 497, 586, 1221, 1365, 1560	
Individual attention.....		1520
Indorsement or approval of product—		
Army, Navy and Marine Corps.....		497
Better Business Bureau.....		1138
Doctors.....		1410
Educational authorities.....		1567
Radio and television industries.....		1022
Jobs and employment.....		1022, 1138

DECISIONS AND ORDERS

Advertising falsely or misleadingly—Continued

As to—Continued

	Page
Manufacture or preparation of product—	
Factory rebuilt.....	1111
Maker.....	1555, 1559, 1561
Orthopedic or health.....	56, 67, 525
Quality and workmanship.....	670, 679
Specifications or standards conformance.....	497
“Tailor-made”.....	1569
Nature of product or service.....	1022, 1365, 1559, 1560, 1575
Opportunities in product or service.....	1022, 1284
Prices—	
“Bait”.....	1257
Cost or expense coverage only.....	1575
Exaggerated, fictitious, as regular....	248, 287, 497, 745, 1257, 1450
Forced or sacrifice sales.....	287
Product or quantity covered.....	670
Retail as wholesale.....	1221
Usual as reduced or special.....	287, 1257, 1555, 1559, 1560
Qualities, properties, or results of product—	
Auxiliary, improving and supplementary.....	652, 990, 1410, 1437
Cosmetic, toilet or beautifying.....	1540
Deodorant.....	1424
Durability.....	1410, 1559, 1561
Educational and training.....	1022
Functional effectiveness or operation.....	67, 466, 545, 652, 652, 769, 1230, 1394, 1410, 1553, 1576
Insecticidal.....	769, 1230
Medicinal, therapeutic, remedial or healthful.....	56, 67, 263, 296, 525, 535, 553, 566, 586, 601, 613, 630, 1365, 1376, 1410, 1437, 1520, 1540, 1553, 1556, 1562, 1566, 1576
Preventive or protective.....	56, 67, 525, 553, 652, 703, 990, 1376, 1437, 1576
Mothproofing.....	1230
Nonmagnetic.....	1221
Restoring.....	1437
Shock resistant.....	1221
Waterproof or waterproofing.....	1221, 1394
Quality of product.....	670, 679, 1221, 1555, 1561
Repossessions.....	287
Safety of product.....	229, 545, 566, 769, 1230, 1230, 1365, 1418, 1424
Sample, offer or order conformance.....	679, 1257, 1450, 1508, 1575
Scientific or other relevant facts.....	67, 229, 287, 466, 553, 601, 652, 703, 769, 1138, 1230, 1284, 1376, 1437, 1520, 1562, 1566
Source or origin of product—	
Maker.....	198, 1002, 1257, 1323, 1450, 1555, 1559, 1560, 1561
Place—	
Domestic product being imported.....	1568
Foreign or imported product or parts as domestic.....	198, 354, 466, 703, 1002, 1257, 1323, 1568
Special or limited offers.....	287, 466, 1221, 1257, 1508, 1559, 1560

DECISIONS AND ORDERS

Advertising falsely or misleadingly—Continued

As to—Continued	Page
Specifications or standards conformance—	
Allied Powers.....	497
Armed Services.....	497
Bureau of Standards.....	497
Success, use or standing of product.....	1394, 1576
Terms and conditions.....	287, 553, 652, 670, 1022, 1284, 1394
Testimonials.....	613, 652, 990, 1394, 1520, 1562
Tests and investigations.....	734, 1450
Undertakings, in general.....	703, 1508
Unique nature or advantages of product.....	1230, 1394, 1560
Value of product.....	679, 1221, 1575
Advertising, discriminating in allowances for customer. (<i>See Discriminating, etc.</i>).....	1578
Advertising mediums of competitors, concertedly and coercively blocking, to monopolize purchase and sale. (<i>See Aiding, etc.; Cutting off competitors' access, etc.; Cutting off competitors' or others' supplies, etc.</i>).....	487
Advertising representations: appraised <i>re</i> contention preparation offered only as affording relief from symptoms and not cure, remedy or treatment for basic condition or ailment.....	263
Advertising space in trade medium, limiting concertedly access to, to monopolize trade. (<i>See Combining, etc.; Cutting off, etc.</i>).....	334
Aiding, assisting and abetting unfair or unlawful act or practice:	
Through—	
Action in aid of monopolistic undertakings.....	1475
Assisting in monopolizing purchase and sale—	
Through—	
Cutting off competitors advertising contacts or otherwise..	487
Using trade association.....	487
Furnishing or selling lottery devices.....	17, 27, 123, 190, 238, 248, 325, 781, 981
Ailments and symptoms, misrepresenting as to. <i>See Advertising, etc.</i>	
Allocating and dividing markets. (<i>See Coercing, etc.; Combining, etc.; Cutting off, etc.</i>).....	1577
Allowances or payments for services or facilities, discriminating in. <i>See Discriminating, etc.</i>	
"Alter ego", misrepresenting as to. (<i>See Assuming, etc.; Misrepresenting business, etc.; Misrepresenting directly, etc.</i>).....	1567
Appeals from initial decisions. <i>See Initial decisions.</i>	
Appropriating results of competitors' labor, ingenuity, or expense:	
Through—	
Arranging retail display of competitors' products as own.....	440
Process and product employed.....	1560
Appropriating trade-name or mark wrongfully:	
Through—	
Selling, thus marked, products or parts.....	1198, 1257
Approval or indorsement, claiming falsely. <i>See Advertising, etc.; Claiming, etc.</i>	
Armed Services, misrepresenting products as surplus of. (<i>See Advertising, etc.</i>).....	497
"Arthritis": Connotation and treatment.....	263, 566, 1365, 1376

DECISIONS AND ORDERS

	Page
Assets and stocks, acquiring competitive, as part of monopolistic program. (See Acquiring restrictive, etc.).....	791
Association, educational: Misrepresenting private business as. (See Advertising, etc.; Assuming, etc.; Misrepresenting business, etc.).....	1022
Assuming or using misleading trade or corporate name:	
As to—	
Civil Service Commission connection.....	1138
Collection agency being—	
Correspondence school.....	1138
“Dispatch Forwarding System”.....	509
“Federal Deposit System”.....	509
Commercial, private as charitable enterprise.....	1584
Concealed subsidiary or “alter ego”.....	1567
Connections and arrangements with others—	
Government.....	509, 1138, 1566
Radio and television industry.....	1022
Correspondence school being—	
College or university.....	1, 1558
Dealer being—	
Manufacturer.....	123
Identity of seller.....	1552, 1559, 1567
Individual or private business being—	
Educational institution.....	1022
Qualities or properties of product—	
Auxiliary, improving and supplementary.....	1410
Functional effectiveness or operation.....	1410, 1553
Medicinal, therapeutic, remedial and healthful.....	1410
Retail mail-order concern being—	
Nation-wide wholesalers.....	1555
Retail merchandising chain's business being—	
Bonding.....	1552
Estates, heirs, and inheritances.....	1552
Government employment.....	1552
Source or origin—	
Place.....	354
Attorney examiner: Testimony <i>re</i> price-fixing insufficient to sustain finding of.....	1568
Auction outlets, boycotting, to control marketing practices. (See Coercing, etc.; Combining, etc.; Cutting off competitors, etc.).....	160
Auxiliary or improving properties of product, misrepresenting as to. See Advertising, etc.; Assuming, etc.; Misbranding, etc.; Using misleading, etc.	
Awards, gold seal, misrepresenting as to. (See Advertising, etc.).....	1450
Bankruptcy of corporate respondent: as involved in dismissal of complaint.....	1576
Bankruptcy proceedings: considerations pertaining to respondent's and issuance of desist order.....	545
Basic price lists based on cost study averages—	
As not involving unlawful concert.....	1571
Basing-point and zone-pricing-system conspiracies compared.....	791

DECISIONS AND ORDERS

	Page
Basing-point system: employing as price-fixing instrumentality. (<i>See</i> Combining, etc.; Selling and quoting, etc.)-----	1041
Basing-point, using, in arriving at delivered charges. (<i>See</i> Combining, etc.; Selling, etc.)-----	1427
Battery industry, storage: effect of zone delivered price, and quantity discounts on-----	791
Beautifying, cosmetic, or toilet qualities of product, misrepresenting as to. (<i>See</i> Advertising, etc.)	
"Beauty counselors," discriminating through. (<i>See</i> Discriminating, etc.) (footnote)-----	1564
Better Business Bureau, misrepresenting as to indorsement by. (<i>See</i> Claiming, etc.; Misrepresenting directly, etc.)-----	1138
Blind workers: misrepresenting commercial business as eleemosynary or charitable enterprise for benefit of. (<i>See</i> Assuming, etc.; Misrepresenting business, etc.; Misrepresenting directly, etc.)-----	1584
Bonding business, misrepresenting, deceptive collection scheme as. (<i>See</i> Assuming, etc.; Misrepresenting business status, etc.)-----	1552
Bonuses or "push money," paying to salesmen of customer dealers. (<i>See</i> Subsidizing salesmen) (footnotes)-----	1562, 1564
Book, abridgment: considerations involved in nondeceptive publication and offer of-----	220, 760
Book title, using misleading. (<i>See</i> Using misleading, etc.)-----	220, 760
Boycott, use of to control marketing practices. (<i>See</i> Coercing, etc.; Combining, etc.; Cutting off competitors, etc.)-----	160
Brand or product name, using misleading. <i>See</i> Using misleading, etc.	
Brands or labels, using misleading. <i>See</i> Misbranding, etc.	
British Isles: public preference for fabrics imported from-----	1269
Brokerage payments and acceptances, making or accepting, in violation of Sec. 2 (c) of Clayton Act. <i>See</i> Discriminating, etc.	
Bureau of Standards:	
Expert testimony and tests weighed-----	652
Misrepresenting product as conforming to specifications or standards of. (<i>See</i> Advertising, etc.)-----	497
Tests underlying evidence weighed against-----	1394
Business and markets, enforcing allocation of. (<i>See</i> Coercing, etc.; Combining, etc.; Cutting off, etc.; Restraining and monopolizing trade.)-----	1577
Business, discontinuance of, as basis for dismissing complaint-----	1553
Business opportunities, misrepresenting as to. (<i>See</i> Advertising, etc.; Offering, etc.)-----	1022
Business receipts and financial backing: As involved in dismissal of complaint where trivial-----	1558
Business status, advantages, or connections, misrepresenting as to. <i>See</i> Advertising, etc.; Assuming, etc.; Misrepresenting business, etc.; Misrepresenting directly, etc.	
Buyers: unlawful payment to or receipt by, of brokerage payments. <i>See</i> Discriminating, etc.	
Camel's hair: Public understanding of-----	77, 131, 317
Canvas cover industry, trade practice conference rules for: observance of as basis for dismissal of complaint-----	1551

DECISIONS AND ORDERS		Page
Cartage, local, as not justifying quantity differentials. (<i>See Discriminating, etc.</i>)	-----	791
Cautionary labels, notices and enclosures, adequacy of	-----	229
Cease and desist orders:		
As required by public interest notwithstanding conformance to trade practice conference rules	-----	1278
Factors involved in propriety of and inclusion of respondents in (opinion)	-----	1578
Inclusion of corporations, if steps looking to dissolution, rejected in favor of individual respondents	-----	781
Inclusion of individual respondents, in addition to corporate, as indicated	-----	1002
Inclusion of officers, etc., in individual capacity: Commission power	-----	296
Lack of sufficient public interest to warrant issuance. (<i>See also Complaints dismissed</i>)	-----	1584
Parties to, if in conspiracy cases, in some instances not engaged in interstate commerce	-----	366
Relief and remedies by, in general—		
As subject to modification on proper showing	-----	791
Commission power to frame broad and effective	-----	791
Duty of Commission to ascertain and provide effective	-----	791
Equity scope (dissenting opinion)	-----	791, 1041
Substitution of sharp and healthy competition for lethargy	-----	791
Zone-delivered price-matching systems	-----	791
Scope—		
As not too broad	-----	466
As properly limiting medicinal representations to temporary and partial relief	-----	263
Whether too broad—		
Use of word "free" (dissenting opinion)	-----	248
Chain store or other customers' promotional sales advertising; discriminating in allowances or payments for. (<i>See Discriminating, etc.</i>)	-----	1578
Chain store system, discriminating in favor of. (<i>See Discriminating in price, etc.</i>)	-----	37
Chain stores: as customer-purchasers under discriminatory schedules. (<i>See Discriminating in price, etc.</i>)	-----	476
Chamber of Commerce, misrepresenting as to indorsement by. (<i>See Claiming, etc.; Misrepresenting directly, etc.</i>)	-----	1138
Charges and price differentials, discriminating in price in violation of Sec. 2, Clayton Act, through. <i>See Discriminating, etc.</i>		
Charges, fixing concertedly. <i>See Combining, etc.</i>		
Charges of complaint not sustained, or dismissed: <i>See also Specific practices.</i>		
Abandonment of practice	-----	220, 679, 760, 1576
Bankruptcy and liquidation of corporate respondent, etc	-----	1576
Bonuses or "push money" to salesmen (footnotes)	-----	1562, 1564
Correspondence school being divinity school	-----	1
Delivered-price systems not clearly established as violation of Sec. 2 (a) of the Clayton Act	-----	1041
Disclosure of foreign origin	-----	1111

DECISIONS AND ORDERS

	Page
Charges of complaint not sustained, or dismissed—Continued	
Discriminating in price, in general.....	1123, 1161
Dissolution of corporate respondents.....	781
Evidence insufficient or lacking; in general.....	1, 138,
220, 566, 652, 679, 734, 745, 760, 990, 1111, 1123, 1161, 1230, 1269, 1323, 1351	
Guarantee.....	1111
“Hidden” demonstrators (footnotes).....	1562, 1563, 1564
Insecticidal qualities.....	1230
Issue not raised.....	1111
Practices short-lived and isolated.....	1575
Public interest lacking.....	1351
Purchaser not damaged.....	1111
Quantity, trade and other discounts: as not violation of Sec. 2 (a)	
Clayton Act.....	1583
Respondents not involved.....	1
Safety.....	1230
Service on party in interest not accomplished.....	1575
Stipulation and agreement to cease and desist.....	1552
Trade custom <i>re</i> marking reclaimed materials.....	1312
Trade practice conference rules; observance as basis for.....	1551
Charitable enterprise, misrepresenting commercial business as. (<i>See</i>	
Assuming, etc.; Misrepresenting business, etc.; Misrepresenting directly,	
etc.).....	1584
Children, necessity of disclosure <i>re</i> devices dangerous to.....	229
Civil Service Commission connections, misrepresenting as to. (<i>See</i> Adver-	
tising, etc.; Assuming, etc.; Misrepresenting business, etc.; Misrepre-	
sented directly, etc.).....	1138
Claiming or using indorsements or testimonials falsely or misleadingly:	
As to or from—	
Army, Navy, and Marine Corps.....	497
Better Business Bureau.....	1138
Chamber of Commerce.....	1138
Competent and impartial testing organization.....	1450
Doctors.....	1410
Educational authorities.....	1567
English royal family through using misleadingly coat of arms.....	1553
Radio and television industry.....	1022
Users in general.....	613, 652, 679, 990, 1394, 1520, 1562
Clayton Act: <i>See, re</i> , specific alleged violations of Secs. 2, 3, and 8, Dis-	
criminating, etc.; Dealing on exclusive and tying basis; and, Interlocking	
directorships unlawfully.	
Clayton Act cases:	
Settlement by trade practice procedures as not imposing same com-	
pulsion on Commission’s discretion to dismiss as on hearing	
examiner (opinion).....	1578
Coat of arms, using misleadingly. (<i>See</i> Claiming, etc.; Misbranding, etc.)..	1553
Code of Fair Competition for Lead Pigments Industry—	
As opportunity to revise pricing practices far beyond sanction of	
N. I. R. A.....	791

DECISIONS AND ORDERS		Page
Coercing and intimidating:		
Advertising mediums or contacts of competitors—		
By boycott or otherwise—		
To cut off competitors' access to customers.....	487	
Competitors or potential competitors—		
By threatening to invoke or compel disciplinary action by their suppliers—		
To—		
Agree to division of markets and business.....	1577	
Limit operations to noncompetitive activity.....	1577	
Customers—		
By fictitious collection agency—		
To—		
Make demanded payment.....	1567	
Make purchase.....	679	
Sellers and suppliers—		
By boycott or otherwise—		
To—		
Discipline recalcitrant competitors or potential competitors	1577	
Limit distribution to member distributors.....	1475	
Modify trade or marketing methods.....	160	
Refuse supplies to competitors or potential competitors...	1577	
Collection agency, fictitious: enforcing payments through. (<i>See</i> Coercing, etc.; Enforcing dealings, etc.).....	1567	
College, misrepresenting correspondence school as. (<i>See</i> Advertising, etc.; Assuming, etc.; Misrepresenting business, etc.).....	1, 1558	
Combinations and conspiracies: <i>See also</i> Combining, etc.		
If in some cases parties to, not engaged in interstate commerce....	366	
Combining or conspiring:		
To—		
Bring about and enforce resale price maintenance—		
Through—		
Exchange and trade-in allowances.....	1033	
Franchise agreements.....	1033	
Price lists and catalogs.....	1033	
Control marketing practices—		
Through—		
Boycott and coercion.....	160	
Fix prices and hinder competition—		
Through—		
Basing-point systems.....	1041	
Basic price lists, as cost established.....	1571	
Common carrier transportation or freight charges.....	1041	
Eliminating—		
Guarantee against price decline.....	791	
Quantity discounts.....	1427	
Enhancing prices uniformly.....	1568	
Exchanging price information.....	366, 1041	

DECISIONS AND ORDERS

Combining or conspiring—Continued	
To—Continued	
Fix prices, etc.—Continued	
Through—Continued	
Fixing and maintaining—	Page
Delivered charges.....	1427
Premium charges.....	1427
Prices, discounts, terms and conditions.....	366, 1427
Freight-equalization delivered-price system.....	1041
Investigations and checks.....	1041
Patent license agreements and arrangements.....	1041
Price leadership.....	791, 1041
Promoting resale price maintenance.....	334, 1033
Selling concertedly on—	
Consignment basis, with suggested resale prices.....	791
Delivered price zone basis.....	791
Standard scales.....	366
Standardizing products.....	791
Trade association action.....	334, 366
Uniform quantity differentials.....	791
Zone-delivered price system.....	791
Monopolize importation and sale—	
Through—	
Competitive price arrangements with foreign export agency.....	1475
Exclusive-dealing arrangement with foreign government authorities.....	1475
Limiting import association membership and exclusive agreement with foreign government authorities.....	1475
Trade association instrumentality.....	1475
Monopolize purchase, sale and distribution—	
Through—	
Controlling distributive outlets or media.....	334
Cutting off competitors' advertising contacts.....	487
Denying access to advertising in trade association medium.....	334
Discriminating between members and non-members of trade association.....	334
Limiting association membership to competitively acceptable members.....	334
Trade association action.....	334, 487
Restrain or monopolize trade—	
Through—	
Allocating and dividing markets and business.....	1577
Coercing and intimidating suppliers of competitors.....	1577
Cutting off competitors' supplies.....	1577
Enforcing, coercively, allocation of markets and business.....	1577
Commercial enterprise, misrepresenting as eleemosynary. (<i>See</i> Assuming, etc.; Misrepresenting business, etc.; Misrepresenting directly, etc.).....	1584
Commercial practices, combining to modify. (<i>See</i> Combining, etc.; Cutting off, etc.).....	160

DECISIONS AND ORDERS

	Page
Commission: Reopening of proceeding by—results weighed.....	296
Commission powers:	
As to—	
Relief and remedies.....	791
Commission records: Official notice taken by hearing examiner.....	525
Common carrier freight charges; as price-fixing aid. (<i>See Combining, etc.</i>)	1041
Comparative data or merits of product, misrepresenting as to. <i>See Advertising, etc.</i> ; Misbranding etc.	
Competition:	
As affected by small differences in cost of acquiring product in jobbing or distributing business.....	1161
As existing in case of single dealer in reclaimed product.....	1312
Establishment of, as based on selected trading areas.....	1161
In price, as but one form of.....	1161
Meeting in good faith. <i>See Good faith, meeting competition in.</i>	
Substantial lessening of, in price discrimination case—	
As between buyers—	
As established.....	1161
As between sellers—	
As not established.....	1161
Competitive industry: As self-disciplined and dynamic.....	791
Competitive products, misrepresenting or disparaging. <i>See Advertising, etc.</i> ; Disparaging, etc.	
Competitors:	
Appropriating results of ingenuity, labor or expense of. (<i>See Appropriating, etc.</i>).....	440
Cutting off access of, to customers or market. (<i>See Cutting off, etc.</i>)..	440
Goods or products of—	
Altering or obscuring trade-marks and trade names of.....	440
Arranging display, in retail outlets, as own.....	440
Misrepresenting as to. <i>See Advertising, etc.</i> ; Disparaging, etc.	
Passing off own product as that of. (<i>See Furnishing means, etc.</i>)	1560
Removing from retail outlets. (<i>See Cutting off, etc.</i> ; Interfering, etc.).....	440
Simulating. (<i>See Simulating, etc.</i>).....	1173
Competitors, small: inducing price uniformity on part of, as part of monopolistic program. (<i>See Acquiring restrictive, etc.</i>).....	791
Complaint; adequacy of, <i>re</i> implications of challenged representations and non-user of specific word.....	525
Complaints: Charges of dismissed in part. <i>See Charges of complaint, etc.</i>	
Complaints dismissed by reason of:	
Abandonment of practice under circumstances.....	1553, 1556, 1558, 1559, 1560, 1566, 1568, 1578
Adequate corrective disclosure.....	1569
Business no longer conducted by respondent.....	1566
Corrective action taken or accomplished.....	1566, 1583
Court vacating order.....	1567
Dealer's reliance upon representations of suppliers, against which Commission action taken.....	1555

DECISIONS AND ORDERS

Complaints dismissed by reason of—Continued	Page
Death of respondent.....	1557
Dissolution of corporation.....	1557
Evidence insufficient or lacking.....	1554, 1555, 1556, 1568, 1571, 1577
Long delay, etc.....	1558, 1560, 1561, 1562, 1567
New corporation chartered.....	1566
Objectives of desist order cooperatively accomplished.....	1578
Post Office Department action.....	1553
Private controversy.....	1560
Public interest not established.....	1584
Question not presented by complaint.....	1569
Respondents no longer dealing in product.....	1555
Stipulation and agreement to cease and desist.....	1551, 1552, 1575
Trade Practice Conference Rules—	
Discontinuance of practices preceding effective date of.....	1578
Interpretation of statute incorporated in... 1562, 1563, 1564, 1565,	1578
Observance after promulgation.....	1551
Respondent's action in subscribing to and abiding by.....	1578
Composition of product:	
Deceptive failure to reveal. <i>See</i> Neglecting, etc.	
Misbranding in violation of Wool Products Labeling Act. <i>See</i> Misbranding, etc.; Neglecting, etc.	
Misrepresenting generally. <i>See</i> Advertising, etc.; Misbranding, etc.	
Concealed subsidiary, misrepresenting through. (<i>See</i> Advertising, etc.; Assuming, etc., Misrepresenting business, etc.; Misrepresenting directly, etc.).....	734, 745, 1567
Concealing or obliterating law-required or informative markings:	
Through—	
Manufacturers' name on products.....	1012
Processing foreign parts without affirmative disclosure.....	181, 198, 1257, 1297, 1344, 1351, 1450
Conditions and terms, misrepresenting as to. <i>See</i> Advertising, etc.; Misrepresenting directly, etc.; Offering, etc.	
Connections and arrangements with others, misrepresenting as to. <i>See</i> Advertising, etc.; Assuming, etc.; Misrepresenting business, etc.	
Conscious price parallelism: Powers of Commission <i>re.</i> (dissenting opinion).....	791, 1041
Consent stipulation and agreement:	
As basis for dismissal of complaint.....	1552
Consignment basis, selling concertedly on, to fix prices. (<i>See</i> Combining, etc.).....	791
Conspiracy:	
Basing-point and zone-pricing systems compared.....	791
Establishment of unlawful, absent evidence of categorical agreement. (opinions).....	791
Participation by some, in various, but not all, acts pursuant to, as not ground for dismissal.....	1041
Patent license agreements and arrangements—as tied to and properly included within broader, and not moot by reason of prior termination.....	1041

DECISIONS AND ORDERS

	Page
Content of product:	
Deceptively failing to reveal. (<i>See</i> Neglecting, etc.)-----	220, 760
Misrepresenting as to. (<i>See</i> Advertising, etc.)-----	769
Control, monopolistic: acquiring. (<i>See</i> Acquiring restrictive, etc.)-----	791
Cooperative buying organizations, discriminating in favor of. (<i>See</i> Discriminating, etc.)-----	1161
Cooperative corrective action: as involved in dismissal of complaint. (<i>See</i> Complaints dismissed, etc.)-----	1578
Cooperative customer advertising agreements: discriminating in allowances or payment for. (<i>See</i> Discriminating, etc.)-----	1578
Corporate or trade name, using misleading. <i>See</i> Assuming, etc.	
Corporate respondents: Charges of complaint dismissed as to, by reason of dissolution. (<i>See</i> Charges of complaint, etc.)-----	781
Correspondence school, misrepresenting as:	
Accredited: (<i>See</i> Advertising, etc.; Misrepresenting business, etc.)_	1
College or university. (<i>See</i> Advertising, etc.; Assuming or using, etc.; Misrepresenting business, etc.)-----	1, 1558
Cosmetic, toilet, or beautifying qualities of product, misrepresenting as to. <i>See</i> Advertising, etc.	
Cost differences: Importance of small, in acquisition of product, in jobbing or distributing business-----	1161
Cost justification: As defense to price discrimination charge under Sec. 2 (a) Clayton Act-----	138, 923
Cost studies and basic price lists: As not involving unlawful concert-----	1571
Counter and window displays, discriminating in allowances or payments for. (<i>See</i> Discriminating, etc.)-----	1578
Counterfeit products or parts: Selling as genuine. (<i>See</i> Appropriating trade-mark, etc.; Furnishing, etc.; Passing off)-----	1198
Coverage for extras, misrepresenting as to. (<i>See</i> Misrepresenting directly, etc.; Misrepresenting prices)-----	1567
Credit company, enforcing payments wrongfully through pseudo. (<i>See</i> Enforcing dealings, etc.)-----	734, 745
Cumulative quantity discounts, discriminating in price through. (<i>See</i> Discriminating in price, etc.)-----	87, 99, 108
Cure, remedy or treatment. <i>See</i> Remedy, cure or treatment.	
Custom, retail: <i>Re</i> disclosure to inquiring consumers, of manufacturer of product otherwise unidentified-----	354
Customer allowances or payments for services or facilities, discriminating in. <i>See</i> Discriminating, etc.	
Customers:	
Coercing to purchase. (<i>See</i> Coercing, etc.)-----	679
Cutting off or limiting competitors' access to. (<i>See</i> Cutting off, etc.)--	334
Discriminating through services to or allowances therefor. (<i>See</i> Discriminating in price, etc.)-----	440
Customer connection: Falsely implying prior. (<i>See</i> Misrepresenting business, etc.; Misrepresenting directly, etc.; Offering, etc.; Securing orders, etc.)-----	1012, 1173

DECISIONS AND ORDERS

	Page
"Cut-throat" competition: So-called, as often plain price competition-----	791
Cutting off competitors' access to customers or market:	
Through—	
Coercing advertising mediums-----	487
Denying full access to advertising space-----	334
Interfering with distributive outlets-----	334, 440
Removing competitive products from retail outlets-----	440
Cutting off competitors' supplies or service:	
Through—	
Advertising mediums-----	487
Auction outlets-----	160
Exclusive-dealing arrangements with foreign sources-----	1475
Dealer being manufacturer, misrepresenting as to. <i>See</i> Advertising, etc.; Assuming, etc.; Misrepresenting business, etc.; Misrepresenting directly, etc.	
"Dealer Patronage Dividend Contract", discriminating in price through. (<i>See</i> Discriminating in price, etc.)-----	87
"Dealer Profit Selling Plan", discriminating in price through. (<i>See</i> Dis- criminating in price, etc.)-----	99
Dealing on exclusive and tying basis:	
In violation of Sec. 3, Clayton Act—	
Through—	
Agreement that purchaser lessee not deal in goods of com- petitors-----	1123, 1182
Selling on condition that—	
Purchaser shall not deal in any product of competi- tor-----	1554, 1555
Wholesale customers shall not sell respondent's products to other than retail drug stores-----	1554, 1555
In violation of Sec. 5, Federal Trade Commission Act—	
Through—	
Representing that users of devices leased or sold on condition that lessee or purchaser shall not use same with product of competitors are obligated to buy product exclusively from lessor or seller-----	1123
Dealings or payments, enforcing wrongfully. <i>See</i> Enforcing, etc.	
Deception and misrepresentation, furnishing means, of. <i>See</i> Furnishing, etc.	
Decisions, initial. <i>See</i> Initial decisions.	
Decline in price: eliminating concerted guarantee against. (<i>See</i> Com- bining, etc.)-----	791
Degrees, academic:	
Defined-----	1
Misrepresenting as to. (<i>See</i> Advertising, etc.; Misrepresenting busi- ness, etc.)-----	1558
Offering falsely or misleadingly. (<i>See</i> Offering unfair, etc.)-----	1
Delay: Excessive, as ground for court order vacating without prejudice, and dismissal of complaint. (<i>See</i> Complaints dismissed)-----	1567

DECISIONS AND ORDERS		Page
Delaying or withholding corrections, adjustments or action owed:		
Through—		
Failing to forward paid subscriptions.....	214	
Substituting other product for that ordered.....	214	
Delivered price systems:		
Basing point and zone compared.....	791	
Discriminating in price through zone. (<i>See Discriminating, etc.</i>).....	791	
Employing, as price-fixing instrumentality. (<i>See Combining, etc.;</i> <i>Selling and quoting, etc.</i>).....	791, 1041	
Zone: as rigged price-matching scheme (opinion).....	791	
Demand or business opportunities, misrepresenting as to. <i>See Advertising, etc.; Offering, etc.</i>		
Demonstrator service, discriminating in furnishing of. (<i>See Discriminating, etc.</i>).....	1562, 1563, 1564, 1565	
Demonstrators, placing deceptively among customer dealers' store personnel. (<i>See Furnishing means, etc.</i>).....	1562, 1563, 1564	
Deodorant qualities of product, misrepresenting as to. (<i>See Advertising, etc.</i>).....	1424	
Diabetes and diabetic conditions: Considerations involved in offer and sale of alleged remedy for.....	296	
Diathermy device: danger in use of.....	535	
Diethylene glycol and glycerine tests: Difficulties inherent in comparative, <i>re</i> cigarette smoke qualities.....	703	
Differentials, price: discriminating in price through, in violation of Sec. 2, Clayton Act. <i>See Discriminating, etc.</i>		
Diplomas, misrepresenting as to. (<i>See Advertising, etc.; Misrepresenting business, etc.</i>).....	1558	
Directorships, interlocking unlawfully. <i>See Interlocking, etc.</i>		
Disclosure:		
Adequacy of required, considered.....	229	
Adequate corrective, as ground for dismissal of complaint. <i>See Complaints dismissed</i>	1569	
Deceptive failure to make material. <i>See Neglecting, etc.</i>		
Factors considered in public interest and respondent's as to specific requirement of.....	220, 760	
Disclosure of reclaimed materials:		
At bottom of tag of instructions, as not sufficient notice.....	1312	
Duty of reproprocessors to make, despite wide knowledge in trade.....	1312	
Discontinuance of practice. <i>See also Abandonment of practice.</i>		
Immaterial and no defense in false advertising proceeding.....	1230	
Discounts:		
Fixing concertedly. <i>See Combining, etc.</i>		
Quantity, discriminating in price through cumulative. (<i>See Discriminating, etc.</i>).....	1463	
Quantity, trade and regional: as justified by container costs, or without substantial competitive effect. (<i>See Discriminating, etc.</i>).....	791	
Discovery:		
Misrepresenting product as new. (<i>See Advertising, etc.</i>).....	263	
Whether medicinal preparation properly characterized as.....	263	

DECISIONS AND ORDERS

	Page
Discriminating in price, etc.:	
In violation of Sec. 2, Clayton Act—	
Through—	
Allowances or payments for services and facilities 2 (d)—	
Advertising and display.....	138, 440, 1578
Cooperative customer newspaper advertising agree- ments	1578
"Local Feature Service Agreement".....	138
"Push money".....	1578
Brokerage payments and acceptances, 2 (c)—	
Buyers' corporate or other agents.....	1495
Direct buyers.....	205
Charges and price differentials generally, 2 (a).....	983
Chain store system.....	37, 476
Cooperative buying organizations.....	1161
Cumulative quantity discounts.....	87, 99, 108, 138, 476, 1463
"Dealer Patronage Dividend Contract".....	87
"Dealer Profit Selling Plan".....	99
Delivered-price systems.....	791, 791, 1583
Functional, "jobber" or distributive classification.....	923
Mail-order houses.....	476
Quantity differentials.....	791, 791
Quantity discounts.....	87, 99, 108, 138, 791
Quantity, trade and regional discounts.....	1583
As justified by container costs, or without substan- tial competitive effect.....	791
"Tuxedo volume rebate schedule".....	108
Furnishing or contributing to services or facilities of customer, 2 (e)—	
Demonstrator service (footnotes).....	1562, 1563, 1564, 1565
Display cabinet fixtures.....	440
"Give-away promotions", "20% promotions" and "beauty counselors" (footnote).....	1564
"Return for credit" service.....	440
Whether justified under statute—	
Costs	923
Good faith meeting of competition.....	923, 1161
Discriminatory prices:	
<i>See also</i> , Discriminating in price, etc.	
Defense against alleged unlawful—	
As made to meet competition not sustained.....	923, 1161
Injury under, establishment of—	
Financial losses: showing of actual as unnecessary.....	1161
If discriminatory discount not used to reduce suggested resale prices.....	1161
Presumption from, as between competing bidders.....	1161
Intent of Congress to protect merchant from injury by, on any goods...	1161

DECISIONS AND ORDERS

	Page
Dismissal of cases or charges: <i>See also</i> Charges of complaint; Complaints dismissed.	
Clayton Act cases—policy <i>re</i> settlement by trade practice procedures as not imposing same compulsion on Commission as on hearing examiner (opinion)-----	1578
Disparaging or misrepresenting competitors or their products:	
Products—	
As to—	
Performance-----	1230
Qualities or properties-----	1576
Quality-----	1575
Safety-----	1230
“Dispatch Forwarding System”, misrepresenting collection agency as. (<i>See</i> Assuming, etc.)-----	509
Display cards and advertising circulars, supplying false and misleading. (<i>See</i> Furnishing, etc.)-----	1568
Display facilities and services; discriminating through. <i>See</i> Discriminating, etc.	
Dissenting opinions. <i>See</i> Opinions.	
Dissolution: charges of complaint dismissed as to <i>corporate</i> respondents, by reason of. (<i>See</i> Charges of complaint, etc.)-----	781
Distributive channels or media, combining to control, to restrain and monopolize trade. (<i>See</i> Combining, etc.)-----	334
Distributive classification: discriminating in price through. (<i>See</i> Discriminating, etc.)-----	923
Dividing and allocating markets. (<i>See</i> Coercing, etc.; Combining, etc.; Cutting off, etc.)-----	1577
Doctors' indorsement or approval of product, claiming falsely. (<i>See</i> Advertising, etc.; Claiming, etc.)-----	1410
Domestic product:	
Public preference for over foreign-----	181, 198, 1002, 1269, 1297, 1323, 1450
Public understanding of article as, if lacking foreign marking-----	1257
Representing imported as. <i>See</i> Advertising, etc.; Concealing, etc.; Misbranding, etc.; Neglecting, etc.; Using misleading trade, etc.	
Durability or permanence of product, misrepresenting as to. (<i>See</i> Advertising, etc.)-----	1410
Eczema: Nature and treatment-----	1520
Educational:	
Association, misrepresenting private business as. (<i>See</i> Advertising, etc.; Assuming, etc.; Misrepresenting business, etc.)-----	1022
Authorities, falsely claiming indorsements of. (<i>See</i> Claiming, etc.; Misrepresenting directly, etc.)-----	1567
Qualities of product or service, misrepresenting as to. (<i>See</i> Advertising, etc.)-----	1022
Eleemosynary or charitable enterprise, misrepresenting commercial business as. (<i>See</i> Assuming, etc.; Misrepresenting business, etc.; Misrepresenting directly, etc.)-----	1584
Employment activity: misrepresenting deceptive collection scheme as Government. (<i>See</i> Assuming, etc.; Misrepresenting business, etc.)-----	1552

DECISIONS AND ORDERS		Page
Employment service, misrepresenting as to. (<i>See</i> Advertising, etc.; Offering, etc.)-----		1022
Enforcing dealings or payments wrongfully:		
Through—		
Claiming for unordered shipments-----		1358
Fictitious collection agency or credit company-----	734, 745,	1567
English royal family, claiming indorsement or approval of falsely. (<i>See</i> Claiming, etc.; Misbranding, etc.)-----		1553
English silver-plated ware, preference for-----		354
Estates service, misrepresenting deceptive collection scheme as. (<i>See</i> Assuming, etc.; Misrepresenting business, etc.)-----		1552
"Eureka": As well and favorably known brand or product name-----		1450
Evidence: <i>See also</i> Expert testimony; Proof; Testimony.		
Lack of, or of sufficient, as involved in dismissal of—		
Charges of complaints. <i>See</i> Charges of complaint, etc.		
Complaints. <i>See</i> Complaints dismissed.		
Letters of deceased official as-----		1041
Medicinal preparation, as to—weighed and considered-----		296
Survey offered in- probative and ex- culpatory value of certain, appraised <i>re</i> meaning of challenged advertising representations----		263
Examiner:		
Initial decisions of. <i>See</i> Initial decisions.		
Commission policy <i>re</i> settlement of Clayton Act cases by trade practice procedures as not imposing same compulsion on Commission's discretion to dismiss as on hearing examiner (opinion)-----		1578
Not sustained as to—		
Cost basic price lists, as involving unlawful price-fixing-----		1571
Sustained as to—		
Evidence <i>re</i> price-fixing insufficient-----		1568
Findings -----		263
Meaning of advertisement-----		566
Procedural rulings-----		566
Scope of desist order-----		263, 466
"Tailor-made clothes" as not necessarily made to measure-----		1569
Sustained in part-----		509
Exclusive-dealing arrangements with foreign authorities, as means of monopolizing import. (<i>See</i> Coercing, etc.; Combining, etc.; Cutting off, etc.)-----		1475
Expert testimony: Bureau of Standards tests and expert testimony weighed against contra-----		652
Extent and size of business, misrepresenting. <i>See</i> Advertising, etc.; Misrepresenting business, etc.		
Facilities and services, discriminating in price through allowances or payments for. <i>See</i> Discriminating, etc.		
Factory-rebuilt machines:		
Public preference <i>re</i> -----		1041
Public understanding of term-----		1041
Factory surplus, misrepresenting stock as. (<i>See</i> Advertising, etc.; Misrepresenting business, etc.)-----		1221

DECISIONS AND ORDERS	Page
Faculty, misrepresenting as to. (<i>See</i> Advertising, etc.; Misrepresenting business, etc.)-----	1558
Failing deceptively to make material disclosure. <i>See</i> Neglecting, etc.	
Fair Competition, Code of, for Lead Pigments Industry: As opportunity to revise pricing practices far beyond sanction of N. I. R. A.-----	791
False and misleading advertising: <i>See also</i> Advertising, etc.	
If product offered generally for unspecified conditions pertaining to ailment of value for two only-----	296
"Federal Deposit System," misrepresenting collection agency as. (<i>See</i> Assuming, etc.)-----	509
Federal Trade Commission Act: As preventive of monopoly-----	791
Feet: Considerations pertaining to treatment of-----	525
Fictitious collection agency, misrepresenting through. (<i>See</i> Assuming, etc.; Misrepresenting business, etc.)-----	1138
Financial losses, actual: Proof of not necessary to establish injury to unfavored purchaser in price discrimination case-----	1161
Fixing prices concertedly. <i>See</i> Combining, etc.	
Flammability of product, failing to disclose. (<i>See</i> Neglecting, etc.)-----	1278
Foot abnormalities <i>re</i> orthopedic and stock shoes-----	56, 67
Forced or sacrifice sales, misrepresenting as to. (<i>See</i> Advertising, etc.; Misrepresenting directly, etc.; Misrepresenting prices, etc.; Offering unfair, etc.)-----	287, 1257
Foreign branches, misrepresenting as to. (<i>See</i> Advertising, etc.)-----	1561
Foreign factory, misrepresenting as to. (<i>See</i> Misrepresenting business, etc.; Misbranding, etc.)-----	1553
Foreign government, exclusive-dealing arrangements with, to monopolize import. (<i>See</i> Coercing, etc.; Combining, etc.; Cutting off competitors', etc.)-----	1475
Foreign products or parts:	
Custom of marking as to origin-----	181, 198, 1002
Deceptive failure to disclose. (<i>See</i> Neglecting, etc.)-----	1450
Misrepresenting domestic as. (<i>See</i> Misbranding, etc.)-----	1269
Public preference for domestic over-----	1450
Public understanding as to origin of, absent disclosure-----	181, 198, 1002, 1257, 1297, 1323, 1344, 1351, 1450
Representing as domestic. (<i>See</i> Advertising, etc.; Concealing, etc.; Misbranding, etc.; Neglecting, etc.; Using misleading trade, etc.)-----	181, 198, 1002
Foreign source or origin of product:	
Concealing or obliterating, etc. <i>See</i> Concealing, etc.	
Failing to reveal. <i>See</i> Neglecting, etc.	
Misrepresenting as to. <i>See</i> Advertising, etc.; Assuming, etc.; Misbranding, etc.	
Franchise agreements: as incident to price-fixing undertakings. (<i>See</i> Combining, etc.; Maintaining resale prices)-----	1033
"Free":	
Misrepresenting product falsely as. (<i>See</i> Advertising, etc.; Offering, etc.)-----	1221
Prohibition as too broad—Dissent-----	248, 734

DECISIONS AND ORDERS

	Page
Free goods or services, misrepresenting as to. <i>See</i> Advertising, etc.; Misrepresenting directly, etc.; Offering, etc.	
Freight-equalization delivered-price systems, employing, as price-fixing instrumentality. (<i>See</i> Combining, etc.; Selling and quoting, etc.)-----	1041
Freight or shipping costs: Average; as failing to justify discrimination in border territories, in zone-delivered price system-----	791
Freight or transportation charges; common carrier, collecting and circulating as price-fixing aid. (<i>See</i> Combining, etc.)-----	1041
Freight: Rail, but not cartage, as justifying quantity differentials. (<i>See</i> Discriminating, etc.)-----	791
Functional effectiveness or operation of product, misrepresenting as to. <i>See</i> Advertising, etc.; Misbranding, etc.	
Functional, "jobber" or distributive classification or treatment, discriminating in price through. (<i>See</i> Discriminating, etc.)-----	923
Furnishing means and instrumentalities of misrepresentation and deception:	
Through—	
Passing off product as competitors'-----	1560
Selling dealers counterfeit parts-----	1198
Supplying and placing deceptively, among customer dealers' store personnel, demonstrators (footnotes)-----	1562, 1563, 1564
Supplying false and misleading—	
Advertising copy for recipients' use-----	630
Cards and tags attached to sample swatches and finished materials-----	1190
Display cards and advertising circulars to trade-----	1568
"Lifetime guarantee"-----	1557, 1561
Gambling, using in merchandising. <i>See</i> Using or selling, etc.	
"Give-away" and "20%" promotions with "beauty counselors", discriminating through. (<i>See</i> Discriminating, etc.)-----	1564
Gold: Effect in perfumes and toilet waters-----	466
Gold plated, misrepresenting product as (<i>See</i> Misbranding)-----	1555
Gold seal awards, misrepresenting as to. (<i>See</i> Advertising, etc.; Offering, etc.)-----	1450
Good faith, meeting competition in:	
As justification under Sec. 2(b), Clayton Act-----	138, 923, 1161
Criteria and burden of proof (dissenting opinions)-----	923
Goods or products of competitors, interfering or tampering with. (<i>See</i> Appropriating results, etc.; Cutting off competitors, etc.; Interfering with competitors, etc.)-----	440
Government approval of product, misrepresenting as to. <i>See</i> Advertising, etc.	
Government authorities and sources, foreign: Exclusive-dealing arrangements with, to monopolize import. (<i>See</i> Coercing, etc.; Combining, etc.; Cutting off, etc.)-----	1475
Government bids:	
Patent license agreements and arrangements <i>re</i> , as price-fixing measure. (<i>See</i> Combining, etc.)-----	1041
Selling and quoting on systematic price-matching bases-----	1041

DECISIONS AND ORDERS

	Page
Government connection, misrepresenting as to. <i>See</i> Advertising, etc.; Assuming, etc.; Misrepresenting business, etc.; Misrepresenting directly, etc.; Offering, etc.	
Government employment agency, misrepresenting deceptive collection scheme and business as. (<i>See</i> Assuming, etc.; Misrepresenting business, etc.)-----	1552
Government standards of specifications, misrepresenting as to conformance to. (<i>See</i> Misrepresenting directly, etc.)-----	1567
Government surplus:	
Misrepresenting goods as. (<i>See</i> Advertising, etc.)-----	497
Preference for-----	497
Guarantee against price decline, eliminating concerted. (<i>See</i> Combining, etc.)-----	791
Guarantees: Misrepresenting as to. <i>See</i> Advertising, etc.; Offering, etc.	
Hand tailored, misrepresenting product as being. (<i>See</i> Misbranding, etc.)-	317
Healthful qualities of product, misrepresenting. <i>See</i> Medicinal, etc.	
Health or orthopedic manufacture of product, misrepresenting. (<i>See</i> Advertising, etc.; Misbranding, etc.; Using misleading, etc.)-----	56, 67, 525
Health shoes, medical and public understanding-----	56, 67
Hearing examiner. <i>See</i> Examiner.	
Heirs, locating: misrepresenting deceptive collection scheme as. (<i>See</i> Assuming, etc.; Misrepresenting business, etc.)-----	1552
History of business, misrepresenting. <i>See</i> Advertising, etc.; Misrepresenting business, etc.	
History of product, misrepresenting as to. <i>See</i> Advertising, etc.; Misrepresenting directly, etc.	
Identity of business, misrepresenting or concealing. (<i>See</i> Assuming, etc.; Misrepresenting business, etc.)-----	1552
Identity of concealed subsidiary, misrepresenting as to. (<i>See</i> Advertising, etc.; Misrepresenting business, etc.)-----	734, 745
Identity of product:	
Deceptively failing to reveal. (<i>See</i> Neglecting, etc.)-----	220, 760
Misrepresenting as to. (<i>See</i> Misbranding, etc.; Neglecting, etc.; Using misleading, etc.)-----	220, 760
Identity of seller: Misrepresenting as to. (<i>See</i> Assuming, etc., Misrepresenting business, etc.; Misrepresenting directly, etc.)-----	1173, 1257, 1567
Importation of product, combining to control and monopolize. (<i>See</i> Coercing, etc.; Combining, etc.; Cutting off, etc.)-----	1475
Imported products or parts:	
Failing to reveal origin of. (<i>See</i> Neglecting, etc.)	
Misrepresenting domestic as. <i>See</i> Advertising, etc.; Misbranding, etc.; Using misleading, etc.	
Representing as domestic. <i>See</i> Advertising, etc.; Concealing, etc.; Misbranding, etc.; Neglecting, etc.; Using misleading, etc.	
Individual's special selection, misrepresenting as to. (<i>See</i> Misrepresenting directly, etc.; Offering, etc.)	
Indorsement, approval or testimonials, misrepresenting as to. <i>See</i> Advertising, etc.; Claiming, etc.; Misbranding, etc.; Misrepresenting directly, etc.; Offering, etc.	

DECISIONS AND ORDERS

	Page
Inflammability:	
Deceptive non-disclosure as to. (<i>See</i> Neglecting, etc.)-----	77, 131, 317, 697, 1278, 1336
Of brushed rayon, criteria as to-----	77, 317, 697
Inheritance service, misrepresenting deceptive collection scheme as. (<i>See</i> Assuming, etc.; Misrepresenting business, etc.)-----	1552
Initial decisions, appeals from:	
Examiner sustained-----	263
Advertisements' meaning-----	566
Cease and desist order as not too broad-----	466
Cost studies and basic price lists as not involving unlawful price fixing-----	1571
Evidence <i>re</i> price-fixing insufficient-----	1568
Procedural rulings-----	566
"Tailor-made clothes" as not necessarily made to measure-----	1569
Sustained in part-----	509
Insecticidal qualities of product, misrepresenting as to. (<i>See</i> Advertising, etc.)-----	769, 1230, 1230
Intent: Immaterial and no defense in false advertising proceeding-----	1230
Interfering with competitors' products:	
Through—	
Altering and interfering with trade-marks and names-----	440
Arranging display, in retail outlets, of competitors', as own-----	440
Concealing or obliterating manufacturers' name from products--	1021
Removing from retail outlets-----	440
Interlocking directorships unlawfully:	
Through—	
Serving competing corporations-----	1583
Interstate commerce:	
If parties to combination and conspiracy in some cases, not engaged in--	366
Orthodontic profession as involving-----	487
Isolated acts: as confirming alleged specific misrepresentation-----	670
"Jobber"; functional or distributive classification or treatment, discrimi- nating in price through. (<i>See</i> Discriminating, etc.)-----	923
Jobbing businesses: Importance of small profit margins in certain-----	1161
Jobs and employment, misrepresenting as to. <i>See</i> Advertising, etc.; Offering, etc.	
Labels or brands, using misleading. <i>See</i> Misbranding, etc.	
Laboratory, misrepresenting operation of. (<i>See</i> Advertising, etc.; Mis- representing business, etc.)-----	990, 1022
Lead Pigments Industry, Code of Fair Competition for: As opportunity to revise pricing practices far beyond sanction of N. I. R. A-----	791
Legal effect of non-reply, misrepresenting as to. (<i>See</i> Advertising, etc.)--	679
Leg ulcers: nature and treatment-----	1520
Letters of deceased official: as evidential-----	1041
License agreements, patent. (<i>See</i> Patent license agreements and arrange- ments)-----	1041
"Lifetime guarantee," misrepresenting as to. (<i>See</i> Advertising, etc.; Furnishing, etc.; Offering unfair, etc.)-----	1221, 1557, 1561

DECISIONS AND ORDERS

	Page
Limited offers, misrepresenting as to. <i>See</i> Offering, etc.	
Litigation: Public interest in ending, as involved in dismissal of complaint without prejudice.....	1560
"Local Feature Service Agreement," discriminating in price through allowances for. (<i>See</i> Discriminating, etc.).....	138
Long-established concerns: Public preference for products manufactured by	1323
Lottery devices:	
Selling in commerce. (<i>See</i> Aiding, etc.; Using or selling, etc.).....	17, 27, 123, 190, 233, 325, 981
Supplying in merchandising. (<i>See</i> Aiding, etc.; Using or selling, etc.).....	17, 27, 248, 325, 781, 981
"Lucky draw" chance, misrepresenting as to. (<i>See</i> Misrepresenting directly, etc.; Offering unfair, etc.).....	456
Made-to-measure clothes: As not exclusively implied by words "tailor-made".....	1569
Maginot Line: Advertising successful use of product on.....	1394
Mail order concern, retail: Misrepresenting as nationwide wholesalers. (<i>See</i> Advertising, etc.; Assuming, etc.; Misrepresenting business, etc.)..	1555
Mail order houses, discriminating in price through differentials to. (<i>See</i> Discriminating, etc.).....	476
Maintaining resale prices:	
Through—	
Dealer franchise agreements.....	1033
Distribution of price lists and catalogs.....	1033
Exchange and trade-in allowances.....	1033
"Majestic": As well and favorably known corporate and product name..	198, 1257
Maker of product:	
Deceptive failure to reveal. <i>See</i> Neglecting, etc. Misrepresenting as to. <i>See</i> Advertising, etc.; Appropriating, etc.; Assuming, etc.; Misbranding, etc.; Passing off; Using misleading, etc.	
"Manila": understanding of term.....	1312
Manufacture or preparation of product, misrepresenting as to. <i>See</i> Advertising, etc.; Assuming, etc.; Misbranding, etc.; Using misleading, etc.	
Manufacturer:	
Misrepresenting dealer as. <i>See</i> Advertising, etc.; Misrepresenting business, etc.; Misrepresenting directly, etc.	
Public preference for dealing directly with.....	123, 1323
Manufacturer's operations, misrepresenting as to. (<i>See</i> Concealing, etc.; Misrepresenting business, etc.; Misrepresenting directly, etc.).....	1012
Market, cutting off or limiting customers' access to. <i>See</i> Cutting off, etc.	
Markets and business, enforcing allocation of. (<i>See</i> Coercing, etc.; Combining, etc.; Cutting off, etc.).....	1577
Marketing or trade methods and practices, controlling concertedly. (<i>See</i> Coercing, etc.; Combining, etc.; Cutting off competitors, etc.).....	160
Marking: <i>See also</i> , in general, Misbranding, etc.	
As to reclaimed materials: Allegation of trade custom not sustained..	1312
Law-required or informative: Concealing or obliterating. (<i>See</i> Concealing, etc.).....	1297

DECISIONS AND ORDERS		Page
Massage: Application and meaning of word considered.....		525
Medicinal preparation; evidence <i>re</i> misrepresentation of—		
Financial gain or loss as not in point.....		296
Offer of product by drug houses and physicians.....		296
Medicinal, therapeutic, remedial, and healthful qualities or properties of product, misrepresenting. <i>See</i> Advertising, etc.; Assuming, etc.; Misbranding, etc.; Using misleading, etc.		
Mineral deficiencies; Misrepresenting impliedly frequency of symptoms or conditions due to.....		613
Misbranding or mislabeling:		
As to—		
Business status—		
Foreign plant.....		1553
Comparative data or merits of product.....		67, 652
Composition of product.....	77, 131, 317, 652, 1190, 1269, 1557, 1561	
Wool Products Labeling Act.....		117,
	908, 1118, 1132, 1156, 1251, 1269, 1306, 1336	
Identity of product.....		220, 760
Indorsement or approval—		
English royal family.....		1553
Manufacture or preparation of product.....		56,
	67, 317, 525, 1555, 1557, 1561, 1569	
Gold plated.....		1555
Hand tailoring.....		317
Orthopedic or health.....		56, 67, 525
"Tailor-made".....		1569
Old or used product being new.....		220, 760, 1312
Prices.....		1561
Qualities, properties, or results of product—		
Auxiliary, improving and supplementary.....		652, 990
Functional effectiveness or operation.....	67, 525, 545, 652, 652	
Medicinal, therapeutic, remedial and healthful.....		56, 67, 525
Preventive or protective.....		56, 67, 525, 652
Safety.....		545
Scientific or other relevant facts.....		67
Size of product.....		1551
Source or origin of product—		
Maker or seller....	198, 1002, 1198, 1257, 1323, 1450, 1555, 1559, 1561	
Wool Products Labeling Act.....		117, 908
	1118, 1132, 1156, 1251, 1306, 1336	
Place—		
Domestic product or parts being imported... 466, 703, 1269, 1568		
Foreign or imported product or parts being domestic... 198, 354, 1002, 1257, 1323, 1553, 1568		
Misrepresentation and deception, furnishing means, etc. of. <i>See</i> Furnishing, etc.		
Misrepresentation:		
As established in specific case by acts even though isolated.....		670
As implied in representations employed.....		525

DECISIONS AND ORDERS

	Page
Misrepresenting business status, advantages or connections:	
As to—	
Collection agency or creditor being—	
“Dispatch Forwarding System”.....	509
“Federal Deposit System”.....	509
“Research Bureau” locating heirs, etc.....	1552
Commercial as charitable enterprise.....	1584
Concealed interest or “alter ego”.....	734, 745, 1138, 1567
Connections or arrangements with others—	
Agents or representatives.....	1567
Civil Service Commission.....	1138
Customer connection.....	1021, 1173
Government connection.....	509, 1138, 1566
Radio and television industry.....	1022
Correspondence or residence school being—	
College or university.....	1, 1558
Dealer being—	
Manufacturer.....	123, 1297, 1323, 1450, 1561
History of business.....	1508
Identity of business.....	734, 745, 1173, 1257, 1552, 1559, 1561, 1567
Manufacturer’s operations.....	1012
Laboratory.....	990
Nature.....	1560, 1584
Operations as surveys.....	214, 1560
Organization.....	1284
Personnel or staff.....	586, 630, 990, 1138, 1560, 1567
Plant and equipment—	
Foreign factory.....	1553
Private business as educational association.....	1022
Qualifications and abilities.....	1520
Reputation, success or standing.....	1, 1022
Academic degrees.....	1
Retail mail order concern being nation-wide wholesalers.....	1555
Seller operating laboratory.....	1022
Size and extent of business.....	1450, 1567
Stock as factory surplus.....	1221
Time in business.....	1576
Misrepresenting directly or orally by self or representatives:	
As to—	
Business status, advantages or connections—	
Collection agency or creditor being—	
“Dispatch Forwarding System”.....	509
“Federal Deposit System”.....	509
Commercial as charitable enterprise.....	1584
Concealed interest or “alter ego”.....	1567
Connections or arrangements with others—	
Agents or representatives.....	1567
Customer connection.....	1012, 1173
Government.....	509, 1138
Dealer being manufacturer.....	123, 1297

DECISIONS AND ORDERS

	Page
Misrepresenting directly or orally by self or representatives—Continued	
As to—Continued	
Business status, advantages or connections—Continued	
Identity of business.....	1173, 1567
Manufacturer's operations.....	1012
Size and extent.....	1567
Free goods.....	1284, 1358, 1567
Government standards or specifications.....	1567
History of product or offering.....	287
Individual's special selection.....	1358
Indorsements or approval—	
Better Business Bureau.....	1138
Chamber of Commerce.....	1138
Educational authorities.....	1567
Jobs and employment.....	1138
Operations as surveys.....	214
Opportunities in product or service.....	1138, 1284
Organization.....	1284
Prices—	
Coverage for extras.....	1358, 1567
Exaggerated as regular and customary.....	287
Forced or sacrifice sales.....	287
Usual as reduced, special etc.....	287, 456, 1559, 1567
Repossessed products.....	287
Sample, offer or order conformance.....	456, 1567
Scientific or other relevant facts.....	287, 1012, 1138, 1284, 1567
Special or limited offers.....	287, 1012, 1358
"Lucky draw" chance.....	456
Success, use or standing of product.....	1567
Terms and conditions.....	287, 1173, 1284, 1358
Misrepresenting prices:	
As to—	
Cost coverage only.....	1575
Coverage or extras.....	1358, 1567
Exaggerated, fictitious being regular and customary.....	248, 287, 497, 745, 1257, 1450, 1559, 1561
Forced or sacrifice sales.....	287, 1257
Retail being wholesale.....	1221, 1559
Special discount.....	1012
Usual being special, reduced, etc.....	287, 456, 1221, 1257, 1555, 1560, 1567
Money-back guarantee or refund, misrepresenting as to. (<i>See Advertising, etc.; Offering, etc.</i>).....	1575
Monopolistic acquisitions and arrangements: power and duty of Commission to cope with (opinion).....	791
Monopolistic control, acquiring restrictive and exclusive. (<i>See Acquiring restrictive, etc.</i>).....	791
Monopolize, concerted action to. <i>See Combining, etc.</i>	
Monopoly: Prevention of, as primary object of F. T. C. Act.....	791
Moot: patent license agreements and arrangements as not, by reason of prior termination, but as tied to broader conspiracy.....	1041

DECISIONS AND ORDERS

	Page
<i>Morton Salt</i> case: Discontinuance of practice following Supreme Court decision as not justifying complaint's dismissal in view of continuance of other practice equally unlawful under.....	138
Mothproofing qualities of product, misrepresenting as to. (See Advertising, etc.).....	1230
Names: See also Corporate or trade names, Trade or product names.	
Public preference for products with well-known.....	131, 1257
National Bureau of Standards. See Bureau of Standards.	
"National Credit Service Co.", misrepresenting bona fide nature and connections of. (See Advertising, etc., Misrepresenting business, etc.)..	734, 745
National Industrial Recovery Act: Code of Competition for Lead Pigments Industry under; as opportunity to revise pricing practices far beyond sanction of.....	791
National Silver Co. (Samuel E. Bernstein), decision of, re sale of domestic silverware as "Sheffield", as considered in cease and desist order.....	354
Nature of business, misrepresenting as to. See Assuming, etc.; Misrepresenting business, etc.; Misrepresenting directly, etc.	
Nature of product or service, misrepresenting as to. See Advertising, etc.; Offering, etc.	
Neglecting, unfairly or deceptively, to make material disclosure:	
As to—	
Composition of product.....	131, 1190
Rayon	754, 1269, 1278
Wool Products Labeling Act.....	117,
908, 1118, 1132, 1156, 1251, 1269, 1306, 1336	
Content of product.....	220, 760
Identity of product.....	220, 760
New appearing product being old.....	220, 760, 1312
Nonstandard character of product.....	456
Rebuilt product including old or used parts.....	914
Safety of product, in general.....	229, 535, 566, 1410, 1418
Inflammability	77, 131, 317, 697, 1278, 1336
Scientific or other relevant facts.....	229, 1562
Source or origin of product—	
Maker or seller—	
Wool Products Labeling Act.....	117,
908, 1118, 1132, 1156, 1251, 1306, 1336	
Place—	
Foreign or imported product or parts as not domestic....	181,
198, 1002, 1111, 1257, 1297, 1323, 1344, 1351, 1450	
Neuritis: pains associated with and home diathermy treatment of.....	535
New and used materials: Difficulty of public in distinguishing.....	1312
New materials: Public preference for products composed of.....	1312
New:	
Failing to disclose new appearing product as old or used. See Neglecting, etc.	
Representing old or used product as. See Misbranding, etc.; Using misleading, etc.	
Nonmagnetic qualities of product, misrepresenting as to. (See Advertising, etc.)	1221

DECISIONS AND ORDERS		Page
Nonstandard character of product, failing to disclose. (<i>See</i> Neglecting, etc.)	-----	456
Offer, holding out, not in good faith. (<i>See</i> Advertising, etc.; Offering etc.)	-----	1257, 1450, 1508
Offer, order, or sample conformance, misrepresenting as to. <i>See</i> Advertising, etc.; Misrepresenting directly, etc.; Offering, etc.		
Offering unfair, improper or deceptive inducements to purchase or deal:		
Through representing or offering, falsely or misleadingly—		
Academic degrees	-----	1
Customer connection	-----	1012, 1173
Forced sale and price concessions	-----	181, 1257
Free goods or service	-----	248, 466, 670, 697, 703, 734, 1138, 1221, 1284, 1358, 1450, 1555, 1559, 1560, 1575
Guarantee	-----	181, 670, 1111, 1221, 1323, 1450, 1508, 1555, 1557, 1561, 1575
Individual's special selection or situation	-----	1358, 1567
Jobs and employment	-----	1022, 1138
"Lucky draw" chance	-----	456
Opportunities in product or service	-----	1022, 1138, 1284
Sample, offer or order conformance	-----	214, 456, 679, 1257, 1450, 1503, 1567, 1575
Scientific or other revelant facts	-----	287, 1284
Special or limited offers	-----	287, 456, 466, 1012, 1221, 1257, 1358, 1503, 1559, 1560
Terms and conditions, in general	-----	287, 553, 670, 1022, 1173, 1284, 1358, 1552
Skip tracer schemes	-----	509, 1552
Undertakings, in general	-----	703, 1508
Official notice: Of Commission's records by hearing examiner	-----	525
Old or rebuilt product:		
Failing to reveal new appearing as. <i>See</i> Neglecting, etc.		
Misrepresenting as new. <i>See</i> Misbranding, etc.; Passing off; Using misleading, etc.		
Opinions, Commission:		
Cease and desist limitations <i>re</i> use of word "temporary" in offer of medicinal preparation	-----	263
Clayton Act cases—policy <i>re</i> settlement by trade practice procedures as not imposing same compulsion on Commission as on hearing examiner	-----	1578
Conspiracy: establishment of unlawful, lacking evidence of categorical agreement	-----	791
Cost studies and basic price lists: as not involving unlawful concert, on facts	-----	1571
Delivered-price zoning system as systematic price-matching undertaking	-----	791
Joinder of corporate officers, etc. in addition to corporate respondents	-----	296
Monopolistic agreements and arrangements, power and duty of Commission to cope with	-----	791
Rigged and systematic price-matching practices—prohibition of continuance of, severally	-----	791

DECISIONS AND ORDERS

	Page
Opinions, Commission—Continued	
Therapeutic qualities of medicinal preparation for arthritis, rheumatism, etc.-----	263
Trade practice conference conformance as proper basis for dismissal of 2 (d) Clayton Act case.-----	1578
Dissenting—	
Good faith meeting of competition as justification under Sec. 2 (b) Clayton Act—	
Criteria and burden of proof.-----	923
Intentional matching of competitor's lower price as legitimate under -----	923
Implied conspiracy doctrine—non-conspiratorial, but conscious parallelism -----	791, 1041
Injunctive powers of Commission under Sec. 5-----	791, 1041
N. R. A. supplemental code and related action-----	791
Prohibitions <i>re</i> word "free" as too broad.-----	248
Opportunities in product or service, misrepresenting as to. <i>See</i> Advertising, etc.; Misrepresenting business, etc.; Misrepresenting directly, etc.; Offering unfair, etc.	
Orders or subscriptions—	
Failing to forward after receiving payment therefor. (<i>See</i> Delaying, etc.) -----	214
Soliciting and receiving payment without authority. (<i>See</i> Securing orders, etc.)-----	214
Orders, securing deceptively. <i>See</i> Securing, etc.	
Organization and operation of business, misrepresenting as to. <i>See</i> Advertising, etc.; Misrepresenting business status, etc.	
Origin or source of product, misrepresenting as to. <i>See</i> Source or origin.	
"Orthodontia" defined-----	487
Orthodontic profession: As involving interstate commerce-----	487
Orthopedic or health manufacture of product, misrepresenting. (<i>See</i> Advertising, etc.; Misbranding, etc.; Using misleading, etc.)-----	56, 67, 525
Orthopedic shoes; medical and public understanding of-----	56, 67
Paint industry, mixed: effect of zone delivered price and quantity discounts on-----	791
Passing off:	
Through—	
Selling—	
Counterfeit products or parts as genuine-----	1198
Rebuilt product as new-----	914
Using—	
Brand names of well-known concerns-----	1323
Patent license agreements and arrangements:	
As tied to and properly included within broader conspiracy and not moot by reason of prior termination-----	1041
Using to fix prices. (<i>See</i> Combining, etc.)-----	1041
Payments for unordered goods, seeking wrongfully to enforce. (<i>See</i> Enforcing, etc.)-----	734, 745, 1358
Payments or allowances for services or facilities, discriminating in. <i>See</i> Discriminating, etc.	

DECISIONS AND ORDERS

	Page
Payments or dealings, enforcing wrongfully. <i>See</i> Enforcing, etc.	
Performance of competitors product, misrepresenting as to. (<i>See</i> Disparaging, etc.)	1230
Personnel or staff, misrepresenting as to. <i>See</i> Advertising, etc.; Misrepresenting business, etc.	
Place of origin of product, misrepresenting as to. (<i>See</i> Advertising, etc.; Misbranding, etc.; Using misleading trade, etc.)	
Plant, misrepresenting as to. (<i>See</i> Advertising, etc.; Misrepresenting business, etc.)	1558
Post Office Department: Affidavit of discontinuance, as basis for dismissing complaint	1173, 1553
Practice: Cumulative effect and impact of, as involved in appraisal of deceptive character	354
Preference, public:	
Articles manufactured by well-known concerns	1257
Domestic over foreign products	1257, 1297
Fabrics imported from British Isles	1269
"Prescription Laboratory": implication of	1520
Preventive or protective qualities of product, misrepresenting as to. <i>See</i> Advertising, etc.; Misbranding, etc.	
Price, charging in excess of product's established, by agent. (<i>See</i> Securing orders, etc.)	214
Price competition:	
As but one form of competition	1161
"Cut-throat" as often plain, unvarnished	791
Of market place, as usually fair, particularly to consumers	791
Price identity, competitive significance	791
Price decline: eliminating concerted guarantee against. (<i>See</i> Combining, etc.)	791
Price discrimination. <i>See also</i> Discriminating in price, etc. Competitive effect of appreciable differences, as involved in sale of brand-name watches	476
Price-fixing: through use of standard scales of prices, units, etc. (<i>See</i> Combining, etc.)	366
Price identity: As possible result of competitive or noncompetitive situations	791
Price leader: patent license agreements and arrangements with, <i>re</i> Government bids. (<i>See</i> Combining, etc.)	1041
Price leadership: Concerted use of, as price-fixing instrumentality. (<i>See</i> Combining, etc.)	791, 1041
Price lists:	
Based on cost study averages as not involving unlawful concert, on facts	1571
Enforcing resale price maintenance through distribution of. (<i>See</i> Combining, etc.; Maintaining resale prices)	1033
Price-matching: Intentional, of competitor's lower price, as legitimate under Sec. 2(b), Clayton Act. (Dissenting opinion)	923
Price-matching bases:	
Selling and quoting on systematic—	
As resulting in high degree of uniformity in Government bids	1041
In general. (<i>See</i> Selling and quoting, etc.)	791, 1041

DECISIONS AND ORDERS

	Page
Price parallelism :	
As involved in selling and quoting on systematic price-matching basis. (See Selling and quoting, etc.)-----	791
Conscious: powers of Commission <i>re</i> (Dissenting opinion)-----	791, 1041
Price pattern: As result of many business experiences and compromises over period of years-----	791
Price uniformity :	
Inducing, on part of small competitors, as part of monopolistic pro- gram-----	791
Maintaining cooperatively, as part of monopolistic program. (See Acquiring restrictive, etc.)-----	791
Prices :	
Combining to fix and stabilize. See Combining, etc.	
Misrepresenting. See Advertising, etc.; Assuming, etc.; Misrepre- sented directly, etc.; Misrepresenting prices; Offering, etc.	
Principle, new: misrepresenting product as based on or involving. (See Advertising, etc.)-----	1394
Private business, misrepresenting as educational association. (See Adver- tising, etc.; Assuming, etc.; Misrepresenting business, etc.)-----	1022
Private controversy and private rights: Vindication of latter alone as not sufficient to supply finding of public interest-----	1560
"Private treaty sales", combining to eliminate. (See Coercing, etc.; Com- bining, etc.; Cutting off competitors, etc.)-----	160
Procedural rulings, examiner sustained as to-----	566
Process, appropriating competitors'. (See Appropriating, etc.)-----	1560
Product, appropriating competitors'. (See Appropriating, etc.)-----	1560
Product, brand or trade name, using misleading. See Advertising, etc.; Misbranding, etc.; Using misleading, etc.	
Production: controlling major portion of, as part of monopolistic program. (See Acquiring restrictive, etc.)-----	791
Profit margins: Importance of small, in jobbers' business-----	1161
Promotional sales advertising by chain store or other customer, discrimi- nating in allowances or payments for. (See Discriminating, etc.)-----	1578
Promotions, "give-away" and "20%", with "beauty counselors", discrimi- nating through. (See Discriminating, etc.) (footnote)-----	1564
Proof: challenged failure to sustain complaint considered-----	525
Specific misrepresentation as established by isolated acts-----	670
Properties or qualities of product. See Qualities, etc.	
Public interest:	
As requiring desist order notwithstanding conformance to trade prac- tice conference rules-----	1278
In ending litigation as involved in dismissal of complaint without prejudice. (See Complaints dismissed.)-----	1560
Lack of sufficient:	
As basis for dismissal of charges. See Charges of complaint, etc.)-----	1351
To warrant issuance of cease and desist order. (See also Com- plaints dismissed.)-----	1584
Private controversy and private rights—	
Vindication of latter alone as not sufficient to support finding of—	1560

DECISIONS AND ORDERS

	Page
Public preference. <i>See</i> Preference, public.	
"Push Money":	
Discriminating in payments or allowances for. (<i>See</i> Discriminating, etc.)-----	1578
Paying to salesmen of customer dealers. (<i>See</i> Subsidizing salesmen) (footnotes)-----	1562, 1564
Qualities, properties, or results of product, misrepresenting. <i>See</i> Advertising, etc.; Assuming, etc.; Misbranding, etc.; Neglecting, etc.; Using misleading, etc.	
Quality of competitors' product, misrepresenting as to. (<i>See</i> Advertising, etc.; Disparaging, etc.)-----	1575
Quality of product, misrepresenting. <i>See</i> Advertising, etc.	
Quantity discounts:	
Competitive effect of cumulative-----	476
Discriminating in price through. (<i>See</i> Discriminating in price, etc.)-----	87, 99, 108, 138, 791, 1463
Eliminating concertedly. (<i>See</i> Combining, etc.)-----	1427
Radioactive ingredients: necessity of disclosure of potential danger-----	229
Radio industry: Claiming falsely indorsement or approval of. (<i>See</i> Advertising, etc.; Claiming, etc.)-----	1022
Rail freight: as justifying quantity differentials. (<i>See</i> Discriminating, etc.)-----	791
Ratios, discriminating generally without systematic. (<i>See</i> Discriminating, etc.)-----	983
Rayon:	
Inflammability of brushed rayon-----	77, 131, 317, 697
Similarity to wool and other natural fibers-----	77, 131, 317, 697, 754, 1190, 1272, 1336
Rebuilt or old product:	
Failing deceptively to reveal fact of. (<i>See</i> Neglecting, etc.)-----	914
Misrepresenting as new. (<i>See</i> Misbranding, etc.; Passing off.)-----	914
Reclaimed materials:	
Allegation of complaint not sustained as to trade custom of marking-----	1312
Merchandise composed of, understood as new, lacking adequate disclosure-----	1312
Refund or money-back guarantees, misrepresenting as to. (<i>See</i> Advertising, etc.; Offering, etc.)-----	1575
Regal Knitwear Co. v. N. L. R. B., 325 U. S. 9, and other cases, considered <i>re</i> Commission power to include officers, etc., in individual capacity in orders <i>re</i> Reynolds Tobacco decision-----	296
Relief and remedies by cease and desist orders. <i>See</i> Cease and desist orders.	
Remedial qualities of product, misrepresenting. <i>See</i> Medicinal, etc.	
Remedy, cure or treatment: Advertising representations appraised <i>re</i> contention medicinal preparation not offered as, but only for, relief from symptoms-----	263
Repossessed products, misrepresenting as to. (<i>See</i> Advertising, etc.; Misrepresenting directly, etc.)-----	287
Reprocessors: Fact of being widely known as such in trade, as not relieving of duty to make full disclosure-----	1312

DECISIONS AND ORDERS		Page
Reputation of business or organization, misrepresenting as to. (<i>See</i> Misrepresenting business, etc.)	-----	1
Resale price maintenance:		
Combining to promote and enforce, to restrain and monopolize trade. (<i>See</i> Combining, etc.)	-----	334
Observing and enforcing. (<i>See</i> Combining, etc.; Maintaining resale prices)	-----	1033
Resale prices, maintaining. <i>See</i> Maintaining, etc.		
Resale prices suggested:		
If discount challenged under Robinson-Patman Act not used to reduce suggested	-----	1161
With concerted consignment selling. (<i>See</i> Combining, etc.)	-----	791
Respondents: Inclusion of individual, in addition to corporate, in cease and desist order, as indicated	-----	296, 1002
Restorative qualities of product, misrepresenting as to. (<i>See</i> Advertising, etc.)	-----	1437
Retail mail-order concern, misrepresenting as nation-wide wholesalers. (<i>See</i> Advertising, etc.; Assuming, etc.; Misrepresenting business, etc.)	-----	1555
"Return for credit" service, discriminating in price in furnishing to customers. (<i>See</i> Discriminating in price, etc.)	-----	440
Reynolds Tobacco Co. v. F. T. C., and other cases, considered <i>re</i> Commission power to include officers, etc., in individual capacity in orders against corporate respondent	-----	296
"Rheumatism": connotation and treatment	-----	263, 566, 1365, 1376
Rigged and systematic price-matching practices: prohibition of continuance of, severally. (opinion)	-----	791
Robinson-Patman Act, discriminating in price, etc., in violation of. <i>See</i> Discriminating, etc.		
Sacrifice or forced sales, misrepresenting as to. (<i>See</i> Advertising, etc.; Misrepresenting prices; Offering, etc.)	-----	1257
Safety of competitor's product, misrepresenting as to. (<i>See</i> Disparaging, etc.)	-----	1230
Safety of product:		
Failing deceptively to make disclosure as to lack of. <i>See</i> Neglecting, etc.		
Misrepresenting as to. <i>See</i> Advertising, etc.; Misbranding, etc.; Neglecting, etc.		
Salesmen of customer dealers, paying bonuses or "push money" to. (<i>See</i> Subsidizing salesmen) (footnotes)	-----	1562, 1564
Salesmen or representatives, subsidizing. <i>See</i> Subsidizing, etc.		
Sample, offer, or order conformance, misrepresenting as to. <i>See</i> Advertising, etc.; Misrepresenting directly, etc.; Offering, etc.		
Samuel E. Bernstein, Inc., etc., decision of, <i>re</i> sale of domestic silverware as Sheffield, as considered in cease and desist order	-----	354
Scientific and other relevant facts:		
Deceptive failure to disclose as to. <i>See</i> Neglecting, etc.		
Misrepresenting as to. <i>See</i> Advertising, etc.; Misbranding, etc.; Misrepresenting business, etc.; Offering, etc.		
<i>Sebrone Co. et al. v. F. T. C.</i> , and other cases, <i>re</i> Commission power to include officers, etc., in individual capacity in orders against corporate respondent	-----	296

DECISIONS AND ORDERS		Page
Secondary meaning: Whether new and different established for "orthopedic"-----		56, 67
Securing orders misleadingly or improperly:		
Through—		
Charging more than public product's regularly established and contemplated price-----		214
Implying prior customer connection-----		1173
Soliciting and receiving payment—		
For product where delivery uncertain-----		214
Without authority-----		214
Seller of product, misrepresenting as to. <i>See</i> Misbranding, etc.; Neglecting, etc.		
Selling and quoting on systematic price-matching basis:		
Through—		
Basing-point systems-----	1041,	1427
Continuing, severally, pricing practices concertedly established--		791
Freight-equalization delivered-price system-----		1041
Zone-delivered price system-----		1041
Seminary, misrepresenting commercial, correspondence, residence school as. (<i>See</i> Advertising, etc.; Assuming, etc.; Misrepresenting business, etc.)-----		1558
Service on real party in interest: failure to accomplish, as involved in dismissal of complaint-----		1575
Services or facilities, discriminating in price through allowances for. <i>See</i> Discriminating, etc.		
"Sheffield" silver:		
Considerations involved in domestic use of word for hallmark-----		354
Public preference for-----		354
Shipping, for payment demand, goods in excess of or without order:		
Through—		
Orders not bona fide-----	745,	1358
Shipping or freight costs: Average, over a dozen or more states, as failing to justify discrimination between customers in border territories in zone-delivered price system-----		791
Shock-resistant qualities of product, misrepresenting as to. (<i>See</i> Advertising, etc.)-----		1221
Shoes, orthopedic and health: medical and public understanding of-----		56, 67
Silk: Reputation and standing of-----		754
Simulating product of competitor:		
As to—		
Advertising matter-----		1173
Hallmark-----	354,	1557
"Singer": As well and favorably known trade or brand name-----		1323
Size and extent of business, misrepresenting. <i>See</i> Misrepresenting business, etc.; Misrepresenting directly, etc.		
Size of product, misrepresenting as to. <i>See</i> Misbranding, etc.		
Skip-tracer schemes, misrepresenting business terms and conditions through. (<i>See</i> Offering unfair, etc.)-----		509
Small storage battery and paint manufacturers: Effect of zone-delivered price and quantity discounts on-----		791

DECISIONS AND ORDERS

	Page
Source or origin of product :	
Failing to reveal. <i>See</i> Neglecting, etc.	
Misbranding as to, in violation of Wool Products Labeling Act. <i>See</i> Misbranding, etc. ; Neglecting, etc.	
Misrepresenting as to. <i>See</i> Advertising, etc. ; Appropriating trade, etc. ; Assuming, etc. ; Misbranding, etc. ; Neglecting, etc. ; Passing off ; Using misleading, etc.	
Special or limited offers, misrepresenting as to. <i>See</i> Advertising, etc. ; Misrepresenting directly, etc. ; Misrepresenting prices ; Offering, etc.	
Specifications or standards conformance, falsely advertising products as meeting. (<i>See</i> Advertising, etc.)-----	497
Standardizing products, as aid in price-fixing program. (<i>See</i> Combining, etc.)-----	1041
Standard scales of prices, units, etc. ; price-fixing through use of. (<i>See</i> Combining, etc.)-----	366
Standing or success of business or service, misrepresenting as to. <i>See</i> Advertising, etc. ; Misrepresenting business, etc.	
Stipulation and agreement, etc. :	
As basis for dismissal of complaint-----	1552
Question of prior, as involved in subsequent formal proceeding-----	652
Stock : Misrepresenting as :	
Bought at forced or sacrifice sales. (<i>See</i> Advertising, etc. ; Misrepresenting business, etc.)-----	1257
Factory surplus. (<i>See</i> Advertising, etc. ; Misrepresenting business, etc.)-----	1221
Stocks and assets : Acquiring competitive, as part of monopolistic program. (<i>See</i> Acquiring restrictive, etc.)-----	791
Storage battery industry : Effect of zone delivered price and quantity discounts on-----	791
Store display and sales service agreements, charge of discriminating in price through, found not sustained-----	138
Subscriptions or orders ; failing to forward after receiving payment. (<i>See</i> Delaying, etc.)-----	214
Subsidizing salesmen :	
Through—	
Paying bonuses or “push money” to salesmen of customer dealers (footnotes)-----	1562, 1564
Substituting unordered product. (<i>See</i> Delaying, etc.)-----	214
Success or standing of business or service, misrepresenting as to. <i>See</i> Advertising, etc. ; Misrepresenting business, etc.	
Success, use, or standing of product, misrepresenting as to. <i>See</i> Advertising, etc. ; Misrepresenting directly, etc.	
Suppliers and sellers :	
Coercing, to control or modify trade or marketing methods or practices. (<i>See</i> Coercing, etc. ; Combining, etc. ; Cutting off competitors, etc.)-----	160
Monopolizing importation and sale through exclusive-dealing arrangements with foreign authorities. (<i>See</i> Coercing, etc. ; Combining, etc. ; Cutting off, etc.)-----	1475
Supplies, cutting off competitors'. (<i>See</i> Coercing, etc. ; Combining, etc. ; Cutting off, etc. ; Restraining and monopolizing trade)-----	1577

DECISIONS AND ORDERS		Page
Supplying false and misleading advertising copy for recipients' use. (<i>See</i> Furnishing means, etc.)-----		630
Surplus, misrepresenting goods as government. (<i>See</i> Advertising, etc.)--		497
Survey:		
Misrepresenting operations as. (<i>See</i> Misrepresenting business, etc. ; Misrepresenting directly, etc.)-----		214
Probative and exculpatory value of, appraised <i>re</i> meaning of chal- lenged advertising representations-----		263
Symptoms and ailments, misrepresenting as to. <i>See</i> Advertising, etc.		
Symptoms of vitamin deficiencies, impliedly misrepresenting frequency of--		613
"Tailor-made":		
As not necessarily meaning made to measurement-----		1569
Misrepresenting as to garments being. (<i>See</i> Advertising, etc. ; Mis- branding, etc.)-----		1569
Television industry:		
Claiming falsely indorsement or approval of. (<i>See</i> Advertising, etc. ; Claiming, etc.)-----		1022
Misrepresenting connection with. (<i>See</i> Advertising, etc. ; Misrepre- sented business, etc.)-----		1022
"Temporary," propriety of use of word in desist order <i>re</i> misleading representation of medicinal preparation-----		263
Terms and conditions:		
Combining to fix. (<i>See</i> Combining, etc.)		
Misrepresenting as to. <i>See</i> Advertising, etc. ; Misrepresenting directly, etc. ; Offering, etc.		
Testimonials, using deceptively. (<i>See</i> Advertising, etc. ; Claiming, etc.)--		613, 652, 990, 1394, 1520, 1562
Testimony:		
Attorney examiners', <i>re</i> price-fixing, insufficient to sustain finding of--		1568
Expert and lay, appraised <i>re</i> qualities of medicinal preparation-----		263
Expert medical: reviewed and appraised-----		296
Testing organization, claiming awards by competent and impartial. (<i>See</i> Advertising, etc. ; Claiming, etc.)-----		1450
Tests:		
Comparative, difficulties inherent in certain-----		703
Misrepresenting as to. <i>See</i> Advertising, etc. ; Offering, etc.		
Underlying evidence weighed against Bureau of Standards-----		1394
Therapeutic qualities or properties of product. <i>See</i> Medicinal qualities, etc.		
Time in business, misrepresenting as to. (<i>See</i> Advertising, etc. ; Misrepre- sented business, etc.)-----		1576
Title, misrepresenting product through undisclosed change of. (<i>See</i> Ne- glecting, etc. ; Using misleading, etc.)-----		220, 760
Toilet or cosmetic qualities of product, misrepresenting as to. <i>See</i> Adver- tising, etc.		
Trade association: Employing as instrumentality in aid of monopolistic and price-fixing undertakings. (<i>See</i> Aiding, etc. ; Combining, etc.)---		334, 366, 487, 1475
Trade custom of marking reclaimed materials ; allegations of complaint not sustained as to-----		1312
Trade-in allowances, fixing and enforcing. (<i>See</i> Combining, etc. ; Main- taining resale prices)-----		1033

DECISIONS AND ORDERS

	Page
Trade-marks or trade names of competitors, altering and obscuring. (<i>See</i> Interfering with competitors' products.....)	440
Trade-marks or trade names, appropriating wrongfully. <i>See</i> Appropriating, etc.; Misbranding, etc.; Using misleading, etc.	
Trade or corporate name, using misleading. <i>See</i> Assuming, etc.	
Trade or marketing methods and practices, controlling and modifying con- certedly. (<i>See</i> Coercing, etc.; Combining, etc.; Cutting off competitors, etc.)	160
Trade or product name, using misleading. <i>See</i> Advertising, etc.; Mis- branding, etc.; Using misleading, etc.	
Trade practice conference rules:	
Changed interpretation of statute involved in, and dismissal of other complaints under (opinion)	1578
Conformance to:	
As proper basis for dismissal of 2 (d) Clayton Act case (opinion) ..	1578
During certain period, as not obviating need for cease and desist order in public interest.....	1278
Discontinuance of practice preceding effective date of.....	1578
Observance of as basis for dismissal of complaint.....	1551
Participation in and abidance by, as alleged, not defense, under cir- cumstances, to charge of false advertising.....	1394
Respondent's subscribing to and abiding by as involved in dismissal of complaint.....	1578
Trade practice conference rules' interpretation: As basis for dismissal of complaint issued prior to.....	1562, 1563, 1564, 1565
Trade practice procedures:	
Settlement of Clayton Act cases by—	
Policy <i>re</i> , as not imposing same compulsion on Commission's discretion to dismiss as on hearing examiner (opinion).....	1578
Trading areas: Use of selected, as typical, in establishment of competition..	1161
Training value of service, misrepresenting as to. (<i>See</i> Advertising, etc.) ..	1022
Transportation or freight charges, common carrier: collecting and cir- culating as price-fixing aid. (<i>See</i> Combining, etc.).....	1041
Treatment, remedy or cure. <i>See</i> Remedy, cure or treatment.	
Turnover, slow: as not making small price discriminations unimportant..	1161
"Tuxedo volume rebate schedule", discriminating in price through. (<i>See</i> Discriminating in price, etc.).....	108
Undertakings in general, advertising falsely or misleadingly as to. <i>See</i> Advertising, etc.; Offering, etc.	
Unfair methods or practices, etc., involved in Commission's decisions, findings, and orders in this volume: <i>See</i> —	
Acquiring restrictive, exclusive and monopolistic control.	
Advertising falsely or misleadingly.	
Aiding, assisting, and abetting unfair or unlawful act or practice.	
Appropriating results of competitors' labor, ingenuity, or expense.	
Appropriating trade-name or mark wrongfully.	
Assuming or using misleading trade or corporate name.	
Claiming or using indorsements or testimonials falsely or misleadingly.	
Coercing and intimidating.	
Combining or conspiring.	

DECISIONS AND ORDERS

	Page
Unfair methods or practices, etc., involved in Commission's decisions, findings, and orders in this volume: <i>See</i> —Continued	
Concealing or obliterating law-required or informative markings.	
Cutting off competitors' access to customers or market.	
Cutting off competitors' supplies or service.	
Dealing on exclusive and tying basis.	
Delaying or withholding corrections, adjustments or action owed.	
Discriminating in price, etc.	
Disparaging or misrepresenting competitors or their products.	
Enforcing dealings or payments wrongfully.	
Furnishing means and instrumentalities of misrepresentation and deception.	
Interfering with competitors' products.	
Interlocking directorships unlawfully.	
Maintaining resale prices.	
Misbranding or mislabeling.	
Misrepresenting business status, advantages or connections.	
Misrepresenting directly or orally by self or representatives.	
Misrepresenting prices.	
Neglecting, unfairly or deceptively, to make material disclosure.	
Offering unfair, improper, or deceptive inducements to purchase or deal.	
Passing off.	
Securing orders misleadingly or improperly.	
Selling and quoting on systematic price-matching basis.	
Shipping, for payment demand, goods in excess of or without order.	
Simulating product of competitor.	
Subsidizing salesmen.	
Using misleading product name or title.	
Using, selling, or supplying lottery devices or schemes.	
Unique nature of product, misrepresenting as to. <i>See</i> Advertising, etc.	
“Universal”: As well and favorably known trade or product name.....	1257
University, misrepresenting commercial, private correspondence and residence school as. (<i>See</i> Advertising, etc.; Assuming etc.; Misrepresenting business, etc.).....	1558
Unordered goods, enforcing payments for. (<i>See</i> Enforcing, etc.; Misrepresenting directly, etc.).....	1358
Use, success or standing of product, misrepresenting as to. (<i>See</i> Advertising, etc.).....	1394, 1576
Using misleading product name or title:	
As to—	
Composition of product.....	77, 131, 317, 1190
Identity of product.....	220, 760
Manufacture or preparation of product.....	56, 67, 1111
Old or used product being new.....	220, 760, 1312
Qualities, properties or results of product—	
Auxiliary, improving and supplementary.....	1410, 1553
Functional effectiveness, operation, or scope.....	1410
Medicinal, therapeutic, remedial and healthful.....	1410

DECISIONS AND ORDERS

	Page
Using misleading product name or title—Continued	
As to—Continued	
Source or origin of product—	
Maker-----	198, 1002, 1198, 1257, 1323, 1450, 1555, 1559, 1561
Place—	
Domestic product being imported-----	466
Foreign or imported product or parts being domestic----	198,
	1002, 1257
Using, selling or supplying lottery devices or schemes:	
Selling lottery devices for merchandising--	17, 27, 123, 190, 198, 238, 325, 981
Supplying lottery devices for merchandising-----	248, 781, 981
Using lottery schemes in merchandising-----	17, 27, 325
Value of product, misrepresenting as to. <i>See</i> Advertising, etc.; Offering, etc.	
Varicose conditions: nature and treatment-----	1520
Vitamin deficiencies, misrepresenting symptoms or conditions due to--	553, 601, 613
Waterproofing qualities of product, misrepresenting. (<i>See</i> Advertising, etc.)-----	1394
Water seepage defined-----	1394
Well-known concerns: Public preference for articles manufactured by--	1257, 1323
Wholesale business, misrepresenting retail mail-order concern as. (<i>See</i> Advertising, etc.; Assuming, etc.; Misrepresenting business, etc.)-----	1555
Window and counter (displays, discriminating in allowances or payments for. (<i>See</i> Discriminating, etc.)-----	1578
Wool:	
Products of, as resembling rayon-----	77, 317, 697
Public esteem and confidence in, for wearing apparel-----	77, 131, 1336
Rayon product as resembling-----	131, 1190, 1336
Wool Products Labeling Act, misbranding under, in general. <i>See</i> Mis- branding, etc.; Neglecting, etc.	
“Worsted”: Meaning of term-----	1190
Zeiss, Karl: Reputation and preference for Zeiss-made products-----	497
Zone-delivered price basis and system:	
As not unlawful as to intra-zone competing customers, under Clayton Act: (<i>See</i> Discriminating in price)-----	791
Discriminating in price through. (<i>See</i> Discriminating in price.)-----	791
Employing, as price-fixing instrumentality. (<i>See</i> Combining, etc.; Selling and quoting, etc.)-----	791, 1041
Zone-pricing and basing-point conspiracies compared-----	1091

INDEX

STIPULATIONS

	Page
Advertising falsely or misleadingly:	
As to—	
Business status, advantages or connections—	
Bank references.....	1618 (8417)
Business being corporation.....	1598, 1611
Dealer being—	
Laboratory	1622 (8424)
Manufacturer.....	1598, 1611, 1645
History.....	1614 (8410), 1615 (8412)
Personnel or staff.....	1606 (8391), 1617, 1637 (8454), 1645
Private business being—	
Farmers Exchange.....	1649 (8477)
Time in business.....	1598
Certification of product.....	1613 (8408)
Comparative data or merits.....	1589, 1592 (8301), 1595 (8306, 8307), 1596 (8309), 1597 (8376), 1601 (8380, 8381), 1602 (8382, 8383), 1609 (8398, 8399), 1613 (8407), 1614 (8409), 1618 (8417), 1622 (8424), 1629 (8438, 8439), 1634 (8448), 1637 (8455), 1641 (8463)
Composition of product.....	1596 (8309), 1608 (8395), 1609 (8396), 1613 (8407), 1614 (8409), 1622 (8425), 1624 (8429), 1626 (8433), 1631 (8442), 1639 (8460), 1646 (8472), 1647, 1648 (8475)
Credit certificate values.....	1647
Earnings.....	1622 (8426)
Free goods.....	1599, 1619, 1620 (8421), 1621 (8423), 1635 (8450)
Government approval.....	1598, 1605 (8388)
Department of Agriculture.....	1608 (8394)
Government use.....	1598
Guarantees.....	1606 (8391), 1645, 1649 (8477)
History.....	1606 (8390), 1634 (8447), 1640 (8462)
Immaturity.....	1599
Individual testimonials.....	1593 (8302)
Indorsements or approval of product:	
Doctors.....	1638 (8457)
Experts and magazines.....	1624 (8430)
Obstetricians.....	1591 (8299)
Texas Rangers.....	1639 (8458)
U. S. Army.....	1605 (8388)
U. S. Department of Agriculture.....	1608 (8394)
Manufacture or preparation of product.....	1609 (8398), 1614 (8410), 1631 (8442), 1641 (8464), 1642 ((8465), 1644 (8469), 1647.
Built-in arch.....	1596 (8308)

STIPULATIONS

	Page
Advertising falsely or misleadingly—Continued	
As to—Continued	
Manufacture or preparation of product—Continued	
Coated.....	1598
“Custom Made”.....	1646 (8473)
“Engraved”.....	1615 (8412)
“14 Kt. Gold plated”.....	1624 (8429)
“Hand Looped”.....	1604 (8386)
Handmade.....	1645
“Iridium Tipped”.....	1624 (8429)
Maturity.....	1599
Merit awards.....	1603
Nature of product.....	1590,
1602 (8382), 1605 (8389), 1609 (8399), 1612 (8406), 1614 (8409),	
1616 (8414), 1618 (8417), 1622 (8425), 1624 (8430), 1629 (8438),	
1633 (8445), 1634 (8447, 8448), 1645, 1649 (8477).	
By depictions.....	1608 (8395)
Patents and patent applications..	1607 (8392), 1622 (8424), 1636 (8453)
Prices.....	1598, 1636 (8452)
Usual as reduced.....	1599, 1647
Qualities, properties or results of product—	
Antiseptic or germicidal.....	1597 (8311)
Auxiliary.....	1616 (8415)
Chemical resistant.....	1590
Composition.....	1587
Cosmetic.....	1610 (8402), 1619, 1648 (8475)
Deodorant.....	1602 (8384), 1619, 1631 (8443)
Durability.....	1590, 1598, 1614 (8410), 1647, 1649 (8478)
Economizing.....	1596 (8309), 1604 (8387)
Fire resistant.....	1639 (8459)
Functional effectiveness or operation.....	1589,
1591 (8299), 1595 (8307), 1597 (8376), 1601 (8380, 8381), 1602	
(8382, 8383), 1605 (8388), 1610 (8401, 8402), 1612, (8405), 1621	
(8422), 1623 (8428), 1629 (8439), 1637 (8455), 1638 (8457), 1648	
(8476), 1649 (8478), 1650.	
Healthful.....	1591 (8299)
Immunizing.....	1608 (8394)
Insecticidal.....	1648 (8476)
Medicinal, therapeutic, remedial and healthful.....	1587,
1588, 1589, 1591 (8298), 1592 (8300), 1593 (8302, 8303), 1594 (8304,	
8305), 1596 (8308), 1597 (8311, 8376), 1606 (8390), 1611, 1615	
(8411), 1616 (8414), 1619, 1620 (8420), 1622 (8424, 8426), 1623	
(8427), 1626 (8433), 1627 (8435), 1630, 1633 (8446), 1634 (8448),	
1635 (8449), 1637 (8454), 1639 (8460), 1640 (8462), 1641 (8463),	
1642 (8466), 1644 (8470), 1645, 1646 (8472, 8473), 1648 (8475),	
1650.	
Animal.....	1649 (8477)
Functional.....	1589
Orthopedic.....	1617, 1618 (8418)
Moisture proof.....	1598

STIPULATIONS

	Page
Advertising falsely or misleadingly—Continued	
As to—Continued	
Qualities, properties or results of product—Continued	
Mothproofing.....	1621 (8422)
Nutritive.....	1613 (8407), 1629 (8438)
Permanence.....	1614 (8410)
Preventive.....	1592 (8300),
1593 (8303), 1594 (8305), 1597 (8311), 1605 (8388), 1606	
(8390), 1610 (8402), 1614 (8409), 1616 (8414), 1617, 1618	
(8418), 1627 (8435), 1629 (8438), 1635 (8449), 1637 (8454),	
1646 (8473)	
“Fire Stop”.....	1612 (8404)
Productivity.....	1616 (8414)
Protective.....	1616 (8415), 1641 (8464), 1649 (8478)
Reducing.....	1592 (8301), 1629 (8438), 1638 (8457)
Renewing.....	1590, 1637 (8455)
Restoring.....	1614 (8409), 1616 (8414)
Rustproofing.....	1590
Quality of product.....	1599, 1618 (8417)
Reproductions.....	1624 (8430)
Results.....	1593 (8302), 1629 (8438)
By depictions.....	1591 (8299)
Safety of product.....	1590,
1602 (8384), 1606 (8391), 1610 (8401, 8402), 1612 (8404), 1631	
(8443), 1634 (8447), 1637 (8455)	
Scientific or other relevant facts.....	1595 (8306),
1609 (8398), 1616 (8414), 1618 (8417), 1624 (8430), 1626 (8433),	
1627 (8435), 1629 (8438), 1631 (8443), 1633 (8445), 1634 (8448),	
1638 (8456), 1647, 1649 (8477, 8478)	
Size of product—	
By depictions.....	1613 (8408)
Source or origin of product—	
Foreign being domestic.....	1598
Place—	
Foreign.....	1598, 1645
“Made in U. S. A.”, etc.....	1607 (8393)
Success, use, etc.....	1623 (8427)
Athletes.....	1593 (8302)
Terms and conditions.....	1647
Tests.....	1612 (8405), 1623 (8428), 1645
Unique nature of product.....	1591 (8299),
1595 (8307), 1597 (8376), 1606 (8391), 1622 (8424, 8426), 1630,	
1631 (8443), 1633 (8446), 1636 (8453)	
Value of product.....	1598
Weight of product.....	1607 (8392)
Assuming or using misleading trade or corporate name:	
As to—	
Dealer being—	
Laboratory.....	1622 (8424)
Manufacture or preparation of product.....	1642 (8465), 1647

STIPULATIONS		Page
Assuming or using misleading trade or corporate name—Continued		
As to—Continued		
Personnel or staff.....		1606 (8391)
Private business being—		
Farmers' Exchange.....		1649 (8477)
Source or origin of product—		
Place—		
Foreign.....		1599
Claiming or using indorsements or testimonials falsely or misleadingly:		
As to or from—		
Department of Agriculture.....		1608 (8394)
Doctors.....		1638 (8457)
Experts and magazines.....		1624 (8430)
Individual testimonials.....		1593 (8302)
Obstetricians.....		1591 (8299)
"Texas Ranger".....		1639 (8458)
U. S. Army.....		1605 (8388)
Disparaging or misrepresenting competitors or their products:		
Products: Quality.....		1631 (8441)
Misbranding or mislabeling:		
As to—		
Composition of product.....	1624 (8429), 1625 (8431, 8432), 1636 (8452)	
Wool Products Labeling Act.....	1600, 1628, 1642 (8467), 1643	
Domestic products being imported.....		1610 (8400)
Indorsements.....		1639 (8458)
Manufacture—		
"Diamond Point".....		1625 (8432)
"14 Kt. Gold Plated".....	1624 (8429), 1625 (8431), 1636 (8452)	
"Iridium Tipped".....	1624 (8429), 1625 (8431, 8432)	
Patents.....		1636 (8452)
Source or origin of product—		
Place—		
Foreign.....	1610 (8400), 1615 (8413)	
"Made in U. S. A.".....	1607 (8393), 1615 (8413)	
Misrepresenting business status, advantages or connections:		
As to—		
Bank references.....		1618 (8417)
Business being corporation.....		1611
Dealer being—		
Laboratory.....		1622 (8424)
Manufacturer.....		1611, 1645
History.....		1614 (8410), 1615 (8412)
Personnel or staff.....	1606 (8391), 1617, 1637 (8454), 1645	
Private business being—		
Farmers Exchange.....		1649 (8477)
Misrepresenting prices:		
As to—		
Exaggerated, fictitious being regular.....		1636 (8452)
Usual as reduced.....		1598, 1599

STIPULATIONS

	Page
Neglecting, unfairly or deceptively, to make material disclosure:	
As to—	
Composition.....	1609 (8396), 1622 (8425)
Wool Products Labeling Act.....	1600, 1628, 1642 (8467), 1643
Foreign product being domestic—	
Japanese.....	1598
Nature.....	1606 (8390)
New appearing product being old, rebuilt, or used.....	1626 (8434), 1627 (8436), 1632, 1635 (8451), 1640 (8461)
Quality.....	1599
Safety.....	1597 (8310), 1634 (8447), 1637 (8455)
Source or origin of product—	
Foreign.....	1615 (8413), 1644 (8469)
Offering unfair, improper or deceptive inducements to purchase or deal:	
Through representing or offering falsely or misleadingly—	
Credit certificate values.....	1647
Free goods.....	1599, 1619, 1620 (8421), 1621 (8423), 1635 (8450)
Guarantees.....	1606 (8391), 1649 (8477)
Terms and conditions.....	1647
Securing agents or representatives misleadingly:	
Through misrepresenting—	
Earnings.....	1622 (8426)
Substituting merchandise for that ordered.....	1599
Unfair methods of competition, etc., condemned in this volume. <i>See—</i>	
Advertising falsely or misleadingly.	
Assuming or using misleading trade or corporate name.	
Claiming or using indorsements or testimonials falsely or misleadingly.	
Disparaging or misrepresenting competitors or their products.	
Misbranding or mislabeling.	
Misrepresenting business status, advantages or connections.	
Misrepresenting prices.	
Neglecting, unfairly or deceptively, to make material disclosure.	
Offering unfair, improper, or deceptive inducements to purchase or deal.	
Securing agents or representatives misleadingly.	
Substituting merchandise for that ordered.	
Using misleading product name or title.	
Using misleading product name or title:	
As to—	
Academy awards.....	1603
Composition.....	1608 (8395), 1609 (8396, 8397), 1625 (8431, 8432), 1636 (8452)
Wool Products Labeling Act.....	1642 (8467)
Domestic product being imported.....	1610 (8400)
Indorsements—	
“Texas Rangers”.....	1639 (8458)
Manufacture.....	1631 (8442)
“Diamond Point”.....	1625 (8432)
“14 Kt. Gold Plated”.....	1625 (8431), 1636 (8452)
“Iridium Tipped”.....	1625 (8431, 8432)

STIPULATIONS		Page
Using misleading product name or title—Continued		
As to—Continued		
Merit awards—		
“Oscar”		1603
Nature	1605 (8389),	
	1609 (8398), 1612 (8406), 1618 (8417), 1624 (8430), 1633 (8445)	
Qualities—		
Medicinal		1646 (8473)
Source or origin of product—		
Place—		
Foreign		1610 (8400)