

be had before a hearing examiner of the Federal Trade Commission, on the charges set forth in this complaint, at which time and place you will have the right under said Act to appear and show cause why an order should not be entered requiring you to cease and desist from the violations of law charged in this complaint.

You are notified that the opportunity is afforded you to file with the Commission an answer to this complaint on or before the thirtieth (30th) day after service of it upon you. An answer in which the allegations of the complaint are contested shall contain a concise statement of the facts constituting each ground of defense; and specific admission, denial, or explanation of each fact alleged in the complaint or, if you are without knowledge thereof, a statement to that effect. Allegations of the complaint not thus answered shall be deemed to have been admitted.

If you elect not to contest the allegations of fact set forth in the complaint, the answer shall consist of a statement that you admit all of the material allegations to be true. Such an answer shall constitute a waiver of hearings as to the facts alleged in the complaint, and together with the complaint will provide a record basis on which the hearing examiner shall file an initial decision containing appropriate findings and conclusions and an appropriate order disposing of the proceeding. In such answer you may, however, reserve the right to submit proposed findings and conclusions and the right to appeal the initial decision to the Commission under Section 3.22 of the Commission's Rules of Practice for Adjudicative Proceedings.

Failure to answer within the time above provided shall be deemed to constitute a waiver of your right to appear and contest the allegations of the complaints and shall authorize the hearing examiner, without further notice to you, to find the facts to be as alleged in the complaint and to enter an initial decision containing such findings, appropriate conclusions and order.

The following is the form of order which the Commission has reason to believe should issue if the facts are found to be as alleged in the complaint:

It is ordered that respondents Vent-Air Contact Lens Laboratories, Inc., a corporation, and its officers, and Lawrence Lewison, Marvin Shore, and Shirley Lewison individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of contact lenses, do forthwith cease and desist from:

1. Disseminating, or causing the dissemination of, any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents directly or by implication that:

(1) Their Vent-Air contact lenses are a new or recent discovery or development.

(2) An examination, preparation and fitting of contact lenses to the optical prescription of a prospective purchaser of contact lenses is made without any cost or obligation on the part of said prospective purchasers; or that prospective purchasers may adequately try or use the contact lenses on a trial basis before purchasing the lenses.

(3) Services and repairs on the contact lenses are available without cost at all of respondents' owned and/or franchised offices to purchasers of respondents' contact lenses.

(4) Any of their contact lenses are guaranteed or that purchasers of contact lenses are guaranteed any services or repairs on their contact lenses without clear and conspicuous disclosure of:

(a) the full nature and the extent of the guarantee, and

(b) all material conditions or limitations in the guarantee which are imposed by the guarantor, and

(c) the manner in which the guarantor will perform thereunder.

(5) The services performed by respondents for purchasers of their contact lenses are exclusive with, or available only from respondents.

II. Disseminating, or causing the dissemination of, any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which misrepresents the number of offices owned or operated, the number of offices where service can be