

OFFICE OF PRICE ADMINISTRATION

IN REPLY REFER TO:
February 5, 1944

PANEL HEARING OF FEBRUARY 5, 1944

• Those present:

Messrs. Backstrom, Tucker, Gainty, Brause, Poth, Porter, Graham,
Reynolds, Ladin.

• Mesdames Dann, Brodigan, Kapriva, Burns

Also Messrs. Simonds, Harrison & Westerberg

Meeting began at 7:30. Cases to be heard were discussed for about ten minutes.

First case called: Mrs. James Dean, 199 Wooding St., Hamden, Conn.

First case was discussed thoroughly and the amount of the overcharge was estimated at \$104.50. Mrs. Jennie Dean was informed that she had violated an O.P.A. regulation. The refrigerator she sold should not have brought more than \$70.50. She was then told what the complainant can do. One of two things: either sue her for \$50 and court charges or three times the amount of the overcharge, which in this case amounts to \$313.50. Mrs. Dean stated that she had arrived at her selling price for the refrigerator after talking to the Gas Company where a clerk who told her to get just as much for the box as she could as they were very scarce, and that it ought to bring \$200.00. Mrs. Dean advertises in the paper. Mrs. McCarter answered her ad and insisted upon her holding the refrigerator for her. The transaction was apparently favorable with both parties. Approximately three weeks after the sale Mrs. McCarter informed Mrs. Dean that she had been overcharged. Mrs. Dean had informed Mrs. McCarter that she would be willing to refund the money and take back the box, but Mrs. McCarter had already disposed of her old box and would not accept that proposition. Mrs. Dean is still willing to take back the box. Mr. Reynolds suggested that Mrs. Dean be given time to think things over. The Board feels justified in telling Mrs. McCarter to bring suit.

The board discussed the case of Foley Drug Company next. They came to the conclusion that G.M.P.R. applies to the Foley Drug Company price of the thermos bottle. There was also a five minute discussion about the Meyer's case concerning the ice cream cone and the bacon sandwich. During discussion suggested that the Price Office have a form showing just how many complaints a violater has had, and if there are more than two for Hartford to take steps next. A few minute discussion followed on the new Aschenbrodel prices also.

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- Second case called: Mr. Winters, Proprietor
Meyer's Candy Shop
140 Temple St., New Haven

Mr. Harry Winters, manager, was questioned as to the prices of his food items and beverages. No ice cream price is listed on his menu, and has never been listed. Case of a double scoop a rare occasion. He also stated that a bacon sandwich had never been 40¢ but 35¢ at all times. Question arose as to the taking of a check, and Mr. Winters informed the board that people sitting at the fountain do not have checks. Mr. Winters suggested that the error might have arisen in the change. The customer might have been short changed and so thought the price of the bacon sandwich was 40¢. The board pointed out to Mr. Winters the rights of the complainant to sue if there is a violation, and suggested his clerks be informed of the prices. There was also a discussion of the difficulties arising with employees today in the restaurant business. The Panel decided that there was no apparent violation. Case closed.

The Panel then discussed the David Dean Smith case, which was the third case called. David Dean Smith
262 Elm Street
New Haven

Mr. Smith was called in and asked how he arrived at his ceiling prices on such articles as used radios. He stated that he tried to find the original price of the machine or of one comparable to it and then charged 75% of that price. This, he thought, was in accordance with information received from a digest of O.P.A. regulations issued by the Music Dealer's Association. The Liberty Music Shop carries more expensive radios than most shops and any overcharge was not deliberate. Mr. Smith offered to take back the machine and refund the money. He asked whether the price quoted by the Liberty Music Shop included a Garard changer and a sole leather carrying case. This will be ascertained before the complainant is advised of Mr. Smith's willingness in taking back the machine or refunding the money. Mr. Smith said that the changer and tone arms should be tied down for shipping and the machine carefully packed to prevent breakage.

The fourth case called was: Economy Liquor Store
Henry Calechman, Owner of four stores
Various suburbs of New Haven

Mr. Henry Calechman was introduced to the board and a discussion of his visit with Mr. Backstrom in the early part of December

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followed. At that time he had talked with Mr. Mead over the 'phone regarding the Christmas package. Mr. Calechman acts as owner and financial backer only and is not active in the liquor business. The managers have been told never to go over the ceiling prices and have been given copies of the regulations. The Christmas package was allowed and it was well understood that a split-up was to be allowed upon request. These packages were taken from the shelves by January 2nd. The managers deny ever having forced anyone to buy tie-in sales. The Board informed Mr. Calechman of the penalties involved if there is a violation, and asked him to inform his clerks in the different stores so that he would not be held personally responsible. In the opinion of the Panel there was no violation.

Fifth case called: Mr. Francis N. Foley, Owner
Foley Drug Co.
1227 Chapel St., New Haven

Mr. Foley, the owner, stated from his list that a pint Thermos bottle sold at \$1.19. He also had with him a list of his prices. He claims, and it was proven that the price filed for a pint Thermos Bottle was at \$1.19, and it was also listed at \$1.19 on his price list. The clerks in the store in copying the prices may have erroneously marked the bottle \$1.89, the price of one quart Thermos. Mr. Foley was very willing to make adjustment, which in this case consisted of a 70¢ refund; and he was also informed as to the penalties resulting from further violations. The same problem in employees exists in the drug business as in the restaurant business, and the error was partially attributed to this. A receipt for the 70¢ refund was given to Mr. Foley and the case was closed.

The Board then discussed the next case to be called which was that of the Hudson Drapery Co., and Mrs. D nn brought for the pillow cases which was a part of the Drapery Co.'s case. This case consisted of two separate complaints. That of a George Washington pattern Bates spread and a set of Madeira pillow cases.

The sixth case called: Mr. Ralph Sasson, owner
Hudson Drapery & Curtain Shop
815 Chapel St., New Haven

Mr. Ralph Sasson, owner and proprietor was present and it was found that the Bates spread was in accordance with O.P.A. regulations, in other words the selling price of \$24.98 was correct, although it had been found that other stores outside of New Haven had sold this item as low as \$19.95. He explained that in merchandise of this type

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- his mark-up was between 33% and 35%. G.M.P.R. applies in this case. The Board felt that Mr. Sassin's price was not out of line, and so there was no violation. Also in the case of the pillow cases, it was found that the markings on the box in which the pillow cases were was meant to read 100/1.39. This meant the 100 to be the code number of the cases and the 1.39 to be the selling price. This case proved to be another one in which the clerk might have mis-marked the merchandise, and so the Board considered that there really was no case registered because of insufficient evidence.

The seventh and last case to be called:

Mr. Abraham I. Gold, owner
192 Legion Ave.
New Haven

The complaint was thoroughly discussed with Mr. Gold, and he also had brought his bills pertaining to the chocolate pudding and the cheese. It was found that the case of these articles was solely based on the price paid to the wholesaler, and that there was no definite overcharge and thus no violation. Case closed.

The Board then opened a discussion of different questions arising with the retailers, as in the case of the bakery business. The cases for the next panel meeting were also talked over, and Mr. Harrison who was also present at the meeting voiced his criticism of the proceedings of the evening. The meeting adjourned at 11:40.