

STATE OF MAINE

KENNEBEC, SS.

BOEKAMP, INC.,
A corporation,
8221 Arjons Drive
San Diego, CA 92126

*
*
*
*
*
*

ASSURANCE OF DISCONTINUANCE

Pursuant to the Unfair Trade Practices statute, Title 5 M.R.S.A. Section 206 et seq., the Attorney General has initiated an investigation of certain acts and practices of Boekamp, Inc., a California corporation. The acts and practices under investigation involved claims that the Boekamp Quartz Energy Saver produced "free" heat, produced twice as much heat as other heaters, and saved energy. In addition, the Attorney General investigated the failure of Boekamp, Inc. to substantiate its claims concerning the Quartz Energy Saver and to possess or rely upon fully documented laboratory or scientific tests at the time a representation or advertisement was first disseminated.

It now appears that Boekamp, Inc. is willing to enter into an agreement with the Attorney General of the State of Maine. Pursuant to Title 5 M.R.S.A. Section 210, and without admission as to any issue of law or fact or finding of guilt in a criminal proceeding, Boekamp, Inc., by its duly authorized officer Konrad Boekamp, President of said corporation and its attorney, assures that it will discontinue:

1. Representing, directly or by implication, that:

1981

✓c

- (a) the Quartz Energy Saver Heater is more efficient or produces more heat than other electric heaters of similar wattage;
- (b) the Quartz Energy Saver Heater provides "free" heat;
- (c) the Quartz Energy Saver Heater saves energy or is an energy saver;
- (d) the Quartz Energy Saver Heater evenly distributes heat throughout a typical room; and
- (e) the quartz tubes contained in the Quartz Energy Saver Heater increase the amount of heat generated by the Quartz Energy Saver Heater.

If the Federal Trade Commission modifies its order to permit Boekamp, Inc. to make the statements in subparagraphs (a) and (c) above, the Attorney General agrees to modify subparagraphs (a) and (c) of this Assurance upon receipt of a letter requesting a modification of this Assurance from Boekamp, Inc. and a certified copy of the Federal Trade Commission's revised order.

2. Making any representation, directly or by implication, relating to the performance or potential of the Quartz Energy Saver Heater or any other product unless such representation is true, and at the time of making such representation, the representation is substantiated in writing by competent and reliable scientific tests.

3. Making any representation, directly or by implication, concerning the energy consumption of or the cost of energy consumed by the Quartz Energy Saver Heater or any other covered product as that term is defined in 42 U.S.C. §§ 6291 and 6292 unless the representation is substantiated by tests conducted on the product in accordance with test procedures set forth under 42 U.S.C. § 6293 as amended and the results of such tests are clearly and conspicuously disclosed in close conjunction with the representation.

4. Using the term "energy saver," or any other words or phrases of similar meaning, to name or designate the Quartz Energy Saver Heater.

A TRUE COPY:
ATTEST

BOEKAMP, INC.

Pearl Valerie Page By: *Konrad Boekamp*
P. VALERIE PAGE KONRAD BOEKAMP
President

The foregoing instrument was acknowledged before me this 21st day of May, 1981, by Konrad Boekamp, President of Boekamp, Inc., on behalf of the corporation.

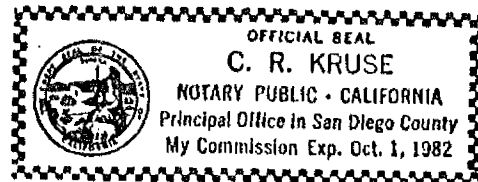
C. R. Kruse

NOTARY PUBLIC

Accepted by:

Rae Ann French
RAE ANN FRENCH

Assistant Attorney General
Consumer and Antitrust Division
State House Station #6
Augusta, ME 04333
(207) 289-3717



REC'D AND FILED

JUN 5 1981

P. VALERIE PAGE