filed by counsel supporting the complaint; and

The Commission, for reasons stated in its accompanying opinion, having determined that said motion should have been considered and ruled upon by the hearing examiner:

It is ordered, That the aforesaid motion be, and it hereby is, remanded to the hearing examiner for such ruling.

THE FIRESTONE TIRE & RUBBER COMPANY ET AL.

Docket 6487. Order, May 26, 1961

Order denying motions for modification of desist order of Mar. 9, 1961, 58 F.T.C. 371 and stay of effective date until issuance of final order in *The B. F. Goodrich Co.*, Docket 6485, or challenge by the Commission of the use of the sales commission method of distribution by other marketers of TBA products.

Each of the respondents having filed two separate motions which request that the order issued by the Commission in this proceeding on March 9, 1961, be modified and limited and that its effective date be suspended or stayed pending issuance of final order in the *Goodrich* matter, Docket 6485, or, in the alternative, institution by the Commission of additional proceedings challenging the use of the sales commission method of distribution by other marketers of TBA products; and

The respondents having requested in their motions for modification that the order to cease and desist be limited so as to proscribe only the continuance of the sales commission agreement between them in reference to the distribution of the respondent Firestone's TBA products, but the Commission having found, among other things, in its decision that the record fully established that the respondents' use of the sales commission method of distribution for TBA products had resulted in far-reaching anti-competitive effects among manufacturers and distributors of TBA products and constituted unfair methods of competition and unfair acts and practices in commerce, and the Commission having further validly determined that the appropriate remedy to be applied was to prohibit like use of such distributional method by the respondent Fire-

stone in conjunction with any other marketing oil company and by the respondent Shell in conjunction with other distributors of TBA products; and

The Commission having further considered the respondents' motions to modify or suspend the effective date of the order, but the Commission when rendering its decision in this proceeding having determined that the public interest would be best served by issuance of order requiring that the unlawful methods and practices found be terminated and discontinued forthwith, and the Commission being of the view that its decision in that respect had sound basis in law and public policy:

It is ordered, That the respondents' motions be, and they hereby are, denied.

Commissioner Elman not participating.

LESLIE SALT CO.

Docket 8220. Order, May 29, 1961