

Commissioner Kern not participating and Commissioner MacIntyre dissenting in H. P. Hood & Sons, Inc., docket 6425, not participating in the other cases.

IN THE MATTER OF

R. C. MYRICK ET AL. TRADING AS CAREY SURGICAL
APPLIANCE CO., ETC.

ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE FEDERAL
TRADE COMMISSION ACT

Docket 7806. Complaint, Mar. 3, 1960—Decision, May 24, 1962

Order requiring an individual with offices in Los Angeles and San Francisco, Calif., engaged in selling hernia trusses both in his offices and on the road, to cease making a variety of false claims for his said devices in advertising in newspapers, as in the order below set forth.

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, and by virtue of the authority vested in it by said Act, the Federal Trade Commission, having reason to believe that R. C. Myrick, an individual trading as Carey Surgical Appliance Co. and Allied Surgical Appliance Co., and Dorothy M. Myrick, an individual, hereinafter referred to as respondents, have violated the provisions of said Act, and it appearing to the Commission that a proceeding by it in respect

1274

Complaint

Inc., H. P. Hood & Sons, Inc., directly or through their subsidiaries, have engaged in the practice of granting loans or sums of money to frozen dairy products retailers upon the condition that the recipients will deal exclusively with said respondents, or their subsidiaries, and while, as aforesaid, this record will not support a finding that these practices have produced the requisite degree of competitive injury to support an order to cease and desist, nevertheless, the Commission, under such circumstances, should safeguard the public interest by continuing close scrutiny of respondents' operations with a view toward reopening or taking such other action as may be warranted.

It is ordered, That the appeal of counsel supporting the complaints be, and it hereby is, denied.

It is further ordered, That the complaints be, and they hereby are, dismissed.

Commissioner Kern not participating and Commissioner MacIntyre dissenting in H. P. Hood & Sons, Inc., docket 6425, not participating in the other cases.
