

It is ordered, That respondents' motion filed June 3, 1964, be, and it hereby is, denied.

IN THE MATTER OF
SINKRAM INCORPORATED, ET AL.

Docket 8490. Order, July 9, 1964

Order denying respondents' request that they be permitted to use certain scientific writings as the basis for further examination of certain expert witnesses.

ORDER DENYING RESPONDENTS' REQUEST FOR REOPENING OF PROCEEDING

Counsel for the respondents, by letter dated June 19, 1964, having requested the Commission to reopen this proceeding and modify its order issued February 28, 1964 [64 F.T.C. 1243], so as to permit the respondents to use certain scientific writings as a basis for the further cross-examination of a number of expert witnesses who testified in support of the complaint; and

The Commission having treated said letter as a petition to reopen the proceeding filed pursuant to § 3.28 of the current Rules of Practice, and having noted that the facts and circumstances mentioned by counsel for the respondents were all previously considered and disposed of in the opinion accompanying the Commission's order of February 28, 1964 [64 F.T.C. 1243, 1270]:

It is ordered, That the request contained in the aforesaid letter be, and it hereby is, denied.

Commissioner MacIntyre not concurring.

IN THE MATTER OF
CHAS. PFIZER & CO., INC.

Docket 7780. Order, July 10, 1964

Order directing reargument of case on the single question of whether the 1962 amendments to the Federal Food, Drug, and Cosmetic Act cover the practices alleged in the complaint.

ORDER DIRECTING REARGUMENT

The Commission has determined that the appeal in this case should be reargued, such reargument to be limited, however, to the following single question: whether the Drug Amendments of 1962 (76 Stat. 780) to the Federal Food, Drug, and Cosmetic Act, and/or any regulations issued under such amendments by the Secretary of Health, Education, and Welfare cover the acts and practices alleged in the complaint. Accordingly,

It is ordered, That (1) complaint counsel and respondent shall each file within forty-five (45) days of receipt of this order a supplemental brief; (2) the Secretary of the Commission shall set the matter down for oral argument; and (3) the General Counsel of the Department of Health, Education, and Welfare is invited to submit a brief setting forth the Department's views on the question presented and, if he desires, to participate in the oral argument.

IN THE MATTER OF
FRITO-LAY, INC.

Docket 8606. Order, July 13, 1964

Order remanding to hearing examiner the issue of the admission of the truth of statements in certain documents submitted by respondent.

ORDER REMANDING PROCEEDINGS TO THE HEARING EXAMINER FOR
FURTHER CONSIDERATION

The Commission has before it an application by respondent for leave to file an interlocutory appeal from a ruling of the hearing examiner. During the course of the pretrial proceedings, complaint counsel served upon respondent a request for the admission of the authenticity of a large number of documents and in addition a request for the admission of the truth of all statements contained in certain of them. Respondent filed an objection to the requests in their entirety, contending that they are unreasonable, unduly burdensome, harassing, and inconsistent with the purpose and spirit of Section 3.13 of the