

3. Furnishing to others any means or instrumentalities whereby the purchasing public may be misled as to the retail prices of respondents' products.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

IN THE MATTER OF

GRAND CAILLOU PACKING COMPANY, INC., ET AL.,
TRADING AS THE PEELERS COMPANY

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

Docket 7887. Complaint, May 13, 1960—Decision, Mar. 27, 1967

Order modifying an earlier order dated June 4, 1964, 65 F.T.C. 799, in compliance with a decision of the Court of Appeals, Fifth Circuit, dated Sept. 13, 1966, 366 F. 2d 117, in connection with the sale and lease of patented shrimp-processing machinery, by omitting the prohibition of sales to domestic shrimp processors on the same terms afforded foreign processors, and affirming the prohibition against discriminatory rental terms to domestic processors.

MODIFIED ORDER TO CEASE AND DESIST

Respondents having filed in the United States Court of Appeals for the Fifth Circuit a petition to review and set aside the order to cease and desist issued herein on June 4, 1964 [65 F.T.C. 799]; and the court on September 13, 1966 [8 S. & D. 343], having rendered its decision and on December 15, 1966, having entered its final decree affirming and enforcing paragraph one (1) of said order to cease and desist but setting aside paragraph two (2); and the time allowed for filing a petition for certiorari having expired and no such petition having been filed;

Now therefore, it is hereby ordered, That the aforesaid order to cease and desist be, and it hereby is, modified in accordance with the said final decree of the court of appeals to read as follows:

It is ordered, That the respondents, Emile M. Lapeyre, Fernand S. Lapeyre, James M. Lapeyre, Felix H. Lapeyre, and Emile M. Lapeyre, Jr., individually, as copartners trading and doing business as The Peelers Company, and as representatives of all of the partners in The Peelers Company, and their agents, representatives, and employees, directly or indirectly, through any existing or succeeding corporation, partnership, sole proprietorship, or other device, in connection with the distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of any shrimp peeling, cleaning and separating machinery or improvements thereto now or hereafter controlled by respondents, do forthwith cease and desist from:

Discriminating between lessees of such machinery by charging higher rental or use rates to any lessee than are charged to any other lessee.

For the purposes of this proceeding, lease or rental terms which result in any lessee paying a higher rate than the rate charged any other lessee for use of respondents' machines for the same period of time or through the same number of mechanical revolutions or operations shall be deemed discriminatory.

It is further ordered, That respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist contained herein.

IN THE MATTER OF

ATD CATALOGS, INC., ET AL.

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