denied.

Commissioner MacIntyre not participating.

THE CROWN CORK & SEAL COMPANY, INC.

Docket 8687. Order, Mar. 3, 1967

Order directing General Counsel of FTC to take appropriate action to enforce replies to issued subpoenas.

ORDER DIRECTING ENFORCEMENT OF SUBPOENAS DUCES TECUM

The hearing examiner at the instance of respondent herein having on October 11, 1966, issued subpoenas to Continental Can Company, Inc., National Can Corporation and American Can Company requiring the production of certain information and material necessary to respondent's defense to the charges contained in the Commission's complaint of May 31, 1966, and

The Commission on January 13, 1967 [p. 1610 herein], having denied the appeal of Continental Can Company, Inc., from the hearing examiner's denial of motion to quash said subpoena duces tecum, and National Can Corporation and American Can Company having stipulated with respondent to make returns to the extent required of Continental Can Company, Inc., and

The hearing examiner on January 26, 1967, having ordered that returns be made on February 20, 1967, by Continental Can Company, Inc., National Can Corporation and American Can Company on the above-mentioned subpoenas, and

The hearing examiner on February 24, 1967, having certified to the Commission that Continental Can Company, Inc., National

Can Corporation and American Can Company having failed to comply with his order of January 26, 1967, are in default of making return upon the above-mentioned subpoenas, and

The Commission being of the opinion that the hearing examiner acted properly in refusing to extend to Continental, National and American as a condition precedent to their compliance with the above-mentioned subpoenas a prior commitment to place *in camera* whatever records supplied by them in response to the above-mentioned subpoenas are hereinafter offered in evidence,

It is ordered, That the General Council of the Federal Trade Commission be, and he hereby is, directed to immediately take appropriate steps looking toward the enforcement of said subpoenas.