

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
CORNING GLASS WORKS

Docket 8874. Interlocutory Order and Statement, March 22, 1973.

Denial of motion by National Small Business Association, Inc., for intervention, but with opportunity to file brief *amicus curiae* within the period up to five days prior to oral argument before the Commission.

DISSENTING STATEMENT

BY JONES, *Commissioner*:

Again the Commission has denied a petition for intervention by members of the public asserting a vital interest in the outcome of an adjudication pending before the Commission.

The petitioner here is the National Small Business Association, Inc., representing some 45,000 "individuals, firms and corporations drawn from all elements of the small business community." Petitioner asserts that its members are vitally affected by Fair Trade Laws and hence in the outcome of the pending adjudication which involves a construction of the McGuire Act.

It seems to me that petitioner has asserted here a broad policy interest in the issues involved in this case and are claiming that their members could be seriously injured and aggrieved by the Commission's action in the instant case.

I am convinced that both the law and sound administrative policy compels us to grant their intervention petition. I dissent from the Commission's refusal to permit their limited intervention request.

ORDER DENYING MOTION TO INTERVENE

This matter is before the Commission upon the motion for leave to intervene filed March 14, 1973, by the National Small

Complaint

Business Association, Inc., on the ground that the legal rights and remedies, and the economic opportunities for a substantial portion of its some 45,000 members will be substantially and adversely affected should the relief or any part thereof as requested in the complaint be granted by the Commission.

The captioned matter is presently on the Commission's own docket upon complaint counsel's petition for review of the initial decision dated December 27, 1972, and oral argument has been scheduled for April 19, 1973, with final briefs being due in accordance with the Commission's Rules of Practice and Procedure. The Commission having considered these circumstances as well as other relevant matters raised in movant's request has determined that the motion should be denied. However, if movant so desires it may within the period up to five (5) days prior to the oral argument file with the Commission a brief *amicus curiae*. Movant will also be granted 15 minutes in which to present oral argument. Accordingly,

It is ordered, That the motion for leave to intervene by the National Small Business Association, Inc., in the captioned proceeding be, and it hereby is, denied.

Commissioner Jones dissenting and filing a dissenting statement.

IN THE MATTER OF
CARPETOWNE, INC., ET AL.

CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED
VIOLATION OF THE FEDERAL TRADE COMMISSION AND THE
TEXTILE FIBER PRODUCTS IDENTIFICATION ACTS

Docket C-2368. Complaint, Mar. 26, 1973—Decision, Mar. 26, 1973.

Consent order requiring a Salt Lake City, Utah, retailer of rugs, carpets, and floor coverings, among other things to cease misbranding and falsely advertising its textile fiber products.