

IN THE MATTER OF  
McDONALD'S CORPORATION, ET AL.—DOCKET C-1897  
D'ARCY ADVERTISING COMPANY, ET AL.—DOCKET  
C-1898

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

*Complaints, April 12, 1971—Dismissal order, June 5, 1973.*

Order reopening proceedings, vacating and setting aside orders to cease and desist, 78 F.T.C. 606 and 616 (36 F.R. 11,289 and 11,284) and dismissing proceedings against a major chain of hamburger restaurants and its advertising agency which charged them with unfair methods of competition and unfair and deceptive acts and practices in their use of a "sweepstakes" sales promotion device.

SEPARATE CONCURRING STATEMENT OF COMMISSIONERS PAUL RAND  
DIXON AND MARY GARDINER JONES

Although we dissented from the Commission's dismissal of the complaint in *D. L. Blair Corp.*, we agree that because there is an identity of interest in the two matters before us and *D. L. Blair Corp.*, fairness requires that the order be set aside as to respondents herein. We therefore, concur that the proceedings herein be vacated and set aside, and that the proceedings be dismissed.

ORDER REOPENING PROCEEDINGS, SETTING ASIDE CEASE AND DESIST  
ORDERS AND RULING ON PETITION TO STAY

McDonald's Corporation and McDonald's System, Inc., by a petition filed on March 26, 1973, and D'Arcy-MacManus & Masius, Inc., successor to D'Arcy Advertising Company by a petition filed on March 29, 1973, request, pursuant to Rule 3.72(b)(2) of the

MCDONALD'S CORP., ET AL., D'ARCY ADVERTISING CO., ET AL. 1779

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Order

3. Notify the Commission at least thirty (30) days prior to any proposed change in the corporation such as dissolution. assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries, or any other change in the corporation which may affect compliance obligations arising out of this order.

4. Retain all receipts required to be obtained by this order