

Order denying motion to intervene and request for oral argument by National Association of Food Chains for purpose of requesting stay of proceedings and re-examination of Trade Regulation Rule Governing Retail Food Store Advertising and Marketing Practices.

Appearances

For the Commission: *Joel P. Bennett, Michael McCarey, and Rosalind D. Lazarus.*

For the respondent: *Collier, Shannan, Rill, & Edwards*, Wash., D.C.

ORDER DENYING MOTION TO INTERVENE

The National Association of Food Chains has filed a "Motion to Intervene For Purpose of Requesting Stay of Proceedings and Reexamination of Trade Regulation Rule," received Feb. 6, 1974. To the extent that petitioner seeks through its motion to participate as a party in the instant adjudicative proceeding, its motion must be denied.¹ As members of the public who may be affected by the "Trade Regulation Rule Governing Retail Food Store Advertising and Marketing Practices," petitioners have a perfect right to petition the Commission to reexamine that rule. They have, by separate request, done so, and the Commission has considered their request. However, the possibility that an adjudicative proceeding will result in an interpretation of a law or regulation which may be applicable as a legal precedent to others not accused in the adjudicative proceeding, cannot be grounds for intervention in that proceeding by all who may possibly be affected in this way by it.

Where parties have been allowed to intervene in adjudicative proceedings, it has generally been because some important interest of the petitioner would be affected by the *order* which might be issued in the proceeding. That is clearly not the case here.²

The Commission also has determined that oral argument is unnecessary for a determination of the issues in this matter. Therefore,

It is ordered, That petitioner's motion to intervene and its request for oral argument thereupon be, and they hereby are, denied.

IN THE MATTER OF

ST. JOE MINERALS CORPORATION

CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF SECTION 7 OF THE CLAYTON ACT

Docket 8892. Complaint, June 29, 1972—Decision, Mar. 11, 1974

Consent order requiring a New York City producer of lead and zinc, among other things to cease acquiring, without prior Commission approval, any corporations engaged in