

IN THE MATTER OF
CROWN CENTRAL PETROLEUM CORPORATION

Docket 8851. Order, March 25, 1975.

Denial of respondent's petition for reconsideration and modification of final order.

Appearances

For the Commission: *Fauster J. Vittone* and *Jean F. Greene*.

For the respondents: *James H. Kelley, Bergson, Borkland, Margolis & Adler*, Wash., D.C.

ORDER DENYING PETITION FOR RECONSIDERATION AND
MODIFICATION OF FINAL ORDER.

Respondent has moved that the Commission modify its final order in this matter by striking the phrase "or any other product" from the preamble of the order and by deleting or modifying Paragraph 1(d) of the order which requires respondent to cease and desist from representing that any gasoline or gasoline additive product has "any other quality, performance ability or other characteristic" unless the representation is true and has been substantiated by competent scientific tests. Counsel supporting the complaint have filed an answer opposing the requested modifications.

Respondent's request that the order be modified is denied. Despite the "or any other product" recitation in the preamble, the remaining

text of the order requires substantiation for only two classes of claims: (1) those that deal with ability of a Crown product to reduce motor vehicle exhaust, and (2) claims regarding a "quality, performance ability or other characteristic" of a gasoline or gasoline additive product. Requiring supporting scientific tests for these two categories of claims is reasonably related to the violation found. Respondent's avowed concern that it will have to conduct scientific tests before mentioning even the "price" or "availability" of its gasoline in advertisements is misplaced. References to price and availability of its products are not quality or performance "characteristics" under the order.

It is ordered, That the aforesaid petition be, and it hereby is, denied.
