

IN THE MATTER OF

ABC VENDING CORPORATION, ET AL.

MODIFYING ORDER IN REGARD TO ALLEGED VIOLATION OF SEC. 5
OF THE FEDERAL TRADE COMMISSION ACT

Docket 7652. Order, Oct. 22, 1964—Modifying Order, Jan. 28, 1982

This order reopens the proceeding and modifies the Commission's order issued on October 22, 1964, 66 F.T.C. 1019, by deleting Paragraph VIII from the order, which limited the amount of time respondents could contract for exclusive concessionary rights at movie theaters.

ORDER MODIFYING CEASE AND DESIST ORDER
ISSUED OCTOBER 22, 1964

The Federal Trade Commission having considered the September 22, 1981 petition of Ogden Food Service Corporation (successor to ABC Vending Corporation) to reopen this matter and to set aside or, in the alternative, modify the consent order to cease and desist issued by the Commission on October 22, 1964, and having determined that changed conditions of fact warrant reopening and modification of the order,

It is ordered, That this matter be, and it hereby is reopened and that Paragraph VIII of the Commission's order be and it is hereby deleted.

Complaint

99 F.T.C.

IN THE MATTER OF

D'ARCY-MACMANUS & MASIUS, INC.

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF
SEC. 5 AND 12 OF THE FEDERAL TRADE COMMISSION ACT*Docket C-3083. Complaint, Feb. 12, 1982—Decision, Feb. 12, 1982*

This consent order requires a St. Louis, Missouri advertiser, among other things, to cease disseminating advertisements for any denture product, toothache drop or gel, which contain representations that contradict or negate the health, safety or efficacy statements appearing on the product's label. Any claims regarding the duration of use of such products trigger a disclosure of any labeling warning. The order further requires that any representation that Snug Denture Cushions can be worn "for weeks" or any other period of time, must be accompanied by a statement that denture cushions should only be used "temporarily, until a dentist can be seen."

Appearances

For the Commission: *Leslie E. Rossen.*

For the respondent: *Stuart L. Friedel, Davis & Gilbert, New York City.*

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act and by virtue of the authority vested in it by said Act, the Federal Trade Commission, having reason to believe that D'Arcy-MacManus & Masius, Inc. ("D'Arcy-MacManus"), a corporation, hereinafter referred to as respondent, has violated the provisions of the Federal Trade Commission Act, and that a proceeding with respect to such violations would be in the public interest, hereby issues its complaint, setting forth its charges as follows:

PARAGRAPH 1. D'Arcy-MacManus is a corporation organized, existing, and doing business under and by virtue of the laws of the State of Delaware, with its principal office and place of business located at One Memorial Drive, St. Louis, Missouri.

PAR. 2. Respondent D'Arcy-MacManus is now and has been an advertising agency of Mentholum. It has, in the past, and is now engaged in the preparation for publication, dissemination and distribution of advertising materials, including but not limited to the advertising referred to herein to promote the sale of Snug Denture Cushions.

PAR. 3. In the course and conduct of its business, respondent has