

Modifying Order

99 F.T.C.

IN THE MATTER OF

HERCULES INCORPORATED, ET AL.

MODIFYING ORDER IN REGARD TO ALLEGED VIOLATION OF SEC. 7  
OF THE CLAYTON ACT*Docket C-1794. Final Order, Sept. 23, 1970—Modified Order, Apr. 8, 1982.*

This order reopens the proceeding and modifies the Commission's order issued on September 23, 1970, 77 F.T.C. 1242, 35 F.R. 16366, by deleting Paragraphs IV and VIII from the order, so as to allow the company to acquire domestic rope producers without prior Commission approval and to relieve respondent of the obligation of notifying the Commission of any change in the corporate organization.

## ORDER REOPENING PROCEEDING AND MODIFYING ORDER

By petition filed December 1, 1981, respondent Columbian Rope Company ("Columbian") requests, pursuant to Section 5(b) of the Federal Trade Commission Act (15 U.S.C. 45(b)), that Paragraph IV and VIII of the Commission's Order issued in this matter on September 23, 1970, be modified so that Columbian no longer requires the Commission's prior approval to acquire, directly or indirectly, the whole or any part of the stock, share capital or assets of any company involved in the manufacture and sale of rope in the United States. Columbian also sought to delete the only other order provision binding Columbian, Paragraph VIII, which requires notice of changes in corporate organization.

Pursuant to Section 2.51 of the Commission's Rules of Practice and Procedure, the petition was placed on the public record for thirty days. No comments were received.

Upon consideration of the petition and its supporting materials the Commission finds that elimination of Paragraphs IV and VIII is in the public interest.

Accordingly, *it is ordered*, that the proceeding be, and it hereby is, reopened for the purpose of modifying the Order entered therein;

*It is further ordered*, That the Paragraph IV and Paragraph VIII shall terminate upon service of this order.

IN THE MATTER OF  
MASTIC CORPORATION

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF  
SEC. 5 OF THE FEDERAL TRADE COMMISSION ACT

*Docket C-3086. Complaint, April 12, 1982—Final Order, April 12, 1982*

This consent order requires Mastic Corporation, a manufacturer and seller of residential vinyl siding products, among other things, to cease paying for or disseminating any advertisement for vinyl siding that contains an energy related claim. The order requires the firm to distribute a copy of the order to all personnel engaged in the promotion of vinyl siding. Mastic Corporation is required to provide its distributors and retailers with a copy of the order together with a letter explaining its provisions.

*Appearances*

For the Commission: *Steven H. Meyer and Michael Dershowitz.*

For the respondent: *Daniel D. Nayer, Wilmer, Cutler & Pickering, Washington, D.C.*

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, and by virtue of the authority vested in it by that Act, the Federal Trade Commission, having reason to believe that Mastic Corporation, a corporation, hereinafter sometimes referred to as respondent, has violated the provisions of Section 5 of the Federal Trade Commission Act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues this complaint, stating its charges in that respect as follows:

PARAGRAPH 1. Respondent Mastic is a corporation organized, existing, and doing business under and by virtue of the laws of the State of Indiana, with its principal office and place of business located at 131 South Taylor St., South Bend, Indiana.

PAR. 2. Respondent is now, and for some time past, has been engaged in the manufacture, advertising, promotion, offering for sale, sale and distribution of residential vinyl siding products.

PAR. 3. In the course and conduct of its business, respondent now causes, and for some time past has caused, its residential vinyl siding products, when sold, to be shipped from its manufacturing plants in South Bend, Indiana and Stuarts Draft, Virginia to its distributors and retailers in various States of the United States. For the purpose