

IN THE MATTER OF

NEW YORK COFFEE AND SUGAR EXCHANGE, INC., ET AL.

VACATING ORDER IN REGARD TO ALLEGED VIOLATION OF SEC. 5 OF THE
FEDERAL TRADE COMMISSION ACT*Docket 6235. Consent Order, April 1, 1955—Vacating Order, Oct. 18, 1983*

The Federal Trade Commission has reopened this proceeding and vacated its order issued on April 1, 1955 (51 F.T.C. 859), in light of the Commodity Futures Trading Commission's exclusive jurisdiction over respondents' activities.

ORDER VACATING CEASE AND DESIST ORDER ISSUED ON APRIL 1, 1955

On April 1, 1955, [51 F.T.C. 859] the Federal Trade Commission, pursuant to Section 5 of the Federal Trade Commission Act, as amended, issued the consent order in this case against the New York Coffee and Sugar Exchange, Inc., et al., (now known as the Coffee, Sugar and Cocoa Exchange), prohibiting, among other things, the use of certain restrictive contracts for trading in coffee futures.

Since enactment of the Commodity Futures Trading Commission Act, in 1974, 7 U.S.C. 1 *et seq.*, the Exchange's activities have come under the exclusive jurisdiction of the Commodity Futures Trading Commission ("CFTC"). Because the conduct covered by the Commission's order is now specifically regulated by the CFTC, the Commission has determined that it would be in the public interest to vacate its order in Docket No. 6235.

On August 1, 1983, the Commission issued an order to show cause why the order in Docket No. 6235 should not be vacated. The proposed action was accepted by the respondents.

Accordingly,

It is ordered, That this matter be, and it hereby is, reopened and that the order in Docket No. 6235 be vacated.

IN THE MATTER OF

HUGHES TOOL COMPANY, ET AL.

Docket 9138. Interlocutory Order, Oct. 18, 1983

ORDER

Upon final acceptance and issuance of consent agreements with corporate respondents Hughes Tool Company and Big Three Industries, Inc., in this matter, and upon determination that resumption of this adjudicatory proceeding with respect to individual respondent Ben F. Love alone is unnecessary to protect the public interest,

It is ordered, That the complaint is dismissed as to respondent Ben F. Love.