

IN THE MATTER OF

DETROIT AUTO DEALERS ASSOCIATION, INC., ET AL.

Docket 9189. Interlocutory Order, Nov. 27, 1985

ORDER

Administrative Law Judge Timony has certified, pursuant to Rules 3.22(a) and 3.15(a)(1), complaint counsel's motion to dismiss the complaint as to respondent Warren E. Avis. It appears that Mr. Avis has had no meaningful connection with the conduct at issue in this case. Although Mr. Avis is an absentee owner of respondent Avis Ford, Inc., he did not act as Chairman and Treasurer of the firm, as complaint counsel previously believed. Accordingly, it is not in the public interest to continue these proceedings as to Mr. Avis. The motion is granted.

It is so ordered.

Complaint

106 F.T.C.

IN THE MATTER OF

LARRY BROG

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

Docket C-3174. Complaint, Dec. 3, 1985—Decision, Dec. 3, 1985

This consent order requires a former chief executive officer of a Salt Lake City, Utah manufacturer and distributor of a dry milk substitute, among other things, to cease making any representations concerning the health benefits or expected shelf life for "Meadow Fresh White", a powdered, dairy-based milk substitute, or other food products, without reliable and competent substantiation. Also, respondent is prohibited from excluding some distributors in computing "average" distributor earnings without proper disclosures concerning the method of computation.

Appearances

For the Commission: *Lawrence M. Hodapp.*

For the respondents: *Cheryl I. Jolley, Anderson & Holland, Salt Lake City, Utah.*

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 Larry Brog, individually and as a former officer of Meadow Fresh Farms, Inc., hereinafter sometimes referred to as respondent, has violated the provisions of said Act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues its complaint stating its charges in that respect as follows:

PARAGRAPH 1. Meadow Fresh Farms, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of Utah with its office and principal place of business located in Salt Lake City, Utah.

Respondent Larry Brog was formerly Chief Executive Officer of said corporation. He, among others, formulated, directed and controlled the acts and practices of said corporation, including the acts and practices hereinafter set forth. His address was the same as that of said corporation.