

Set Aside Order

108 F.T.C.

IN THE MATTER OF

UNITED BRANDS COMPANY

SET ASIDE ORDER IN REGARD TO ALLEGED VIOLATION OF SEC. 5 OF THE
FEDERAL TRADE COMMISSION ACT AND SEC. 7 OF THE CLAYTON ACT*Docket 8835. Order, May 14, 1974—Set Aside Order, July 29, 1986*

The Federal Trade Commission has set aside a 1974 order (83 F.T.C. 1614) that required respondent to file special reports with the FTC about the company's access to land commercially suitable for lettuce cultivation. The Commission ruled that any competitive issues that might be raised do not exist since respondent is no longer in the lettuce business.

ORDER REOPENING AND SETTING ASIDE ORDER

REQUIRING FILING OF SPECIAL REPORT ISSUED ON MAY 14, 1974

By a petition filed on April 29, 1986, United Brands Company ("UBC") requests that the Commission reopen the proceeding in Docket No. 8835 and modify the Order Requiring Filing of Special Report issued by the Commission on May 14, 1974. Pursuant to Section 2.51 of the Commission's Rules of Practice, UBC's petition was placed on the public record for comment. No comments were received.

Upon consideration of UBC's petition and supporting materials, and other relevant information, the Commission now finds that changed conditions of fact and the public interest warrant reopening the proceeding and setting aside the Order Requiring Filing of Special Report. The record demonstrates that the competitive concerns the order intended to address no longer exist and termination of the order to relieve UBC of compliance costs is in the public interest.

Accordingly,

It is ordered, That this matter be, and hereby is, reopened and that the Commission's Order Requiring Filing of Special Report be, and hereby is, set aside.

IN THE MATTER OF
BLUE LUSTRE HOME CARE PRODUCTS, INC.

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

Docket C-3195. Complaint, Aug. 1, 1986—Decision, Aug. 1, 1986

This consent order requires, among other things, an Indianapolis, Ind. manufacturer and marketer of chemical products and equipment for home and car care, to cease making unsubstantiated efficacy claims for "Rinsenvac 5", a carpet cleaning fluid sold to retailers in connection with the sale of rental do-it-yourself carpet cleaning machines.

Appearances

For the Commission: *Toby M. Levin and Joel C. Winston.*

For the respondent: *John R. Thornburgh, Ice, Miller, Donadio & Ryan, Indianapolis, Ind.*

COMPLAINT

The Federal Trade Commission, having reason to believe that Blue Lustre Home Care Products, Inc., a corporation, ("Blue Lustre" or "respondent") has violated the provisions 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, alleges:

PARAGRAPH 1. Blue Lustre is an Indiana corporation, with its offices and principal place of business at 7950 Castleway Drive, Indianapolis, Indiana.

PAR. 2. Respondent manufactures, advertises, offers for sale, and sells chemical products and equipment for the home and car care markets, including Rinsenvac 5 carpet cleaning product.

PAR. 3: The acts and practices of respondent alleged in this complaint have been in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act.

PAR. 4: Typical of respondent's advertisements for Rinsenvac 5, but not necessarily all-inclusive thereof, are attached hereto as Exhibits A through D. The aforesaid advertisements contain the following statements:

(a) Independent laboratory tests of detergent effectiveness (ASTM D 3050-75) proved