

IN THE MATTER OF

DETROIT AUTO DEALERS ASSOCIATION, INC., ET AL.

Docket 9189. Interlocutory Order, August 30, 1993

ORDER

Counsel for the General Motors and Lincoln Mercury respondents have moved that the complaint against ten respondents be dismissed and that their names be removed from the order of February 22, 1989. The assets of the following eight dealerships have been sold, and their dealership franchises have been terminated: Porterfield Wilson Pontiac-GMC Truck, Inc., Packer Pontiac Company, Dexter Chevrolet Company, Walt Lazar Chevrolet, Inc., Crissman Cadillac, Inc., Roger Rinke Cadillac Company, Avon Lincoln Mercury, Inc., and Barnett Pontiac, Inc. Except for the assets of Roger Rinke Cadillac Company, which were sold to a related individual who is subject to the Commission's order, the sales were to unrelated buyers, and the sellers retained no interest in the assets or dealerships. Two individually named respondents, Harry C. Demorest and Roger A. Rinke, are deceased. Complaint counsel do not oppose the motion.

The Commission has considered the motion and determined to grant it. Accordingly,

It is ordered, That the complaint against Mr. Demorest, Mr. Rinke, Porterfield Wilson Pontiac-GMC Truck, Inc., Packer Pontiac Company, Dexter Chevrolet Company, Walt Lazar Chevrolet, Inc., Crissman Cadillac, Inc., Roger Rinke Cadillac Company, Avon Lincoln Mercury, Inc., and Barnett Pontiac, Inc. is hereby dismissed.

It is further ordered, That the order of February 22, 1989, of the Commission is hereby modified to delete their names.

Complaint

116 F.T.C.

IN THE MATTER OF

MONSANTO COMPANY

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF
SEC. 7 OF THE CLAYTON ACT AND SEC. 5 OF THE
FEDERAL TRADE COMMISSION ACT

Docket C-3458. Complaint, Sept. 1, 1993--Decision, Sept. 1, 1993

This consent order permits, among other things, a Missouri-based manufacturer of chemicals, including lawn and garden products, to acquire the Ortho Consumer Products Div. of Chevron Corp., and requires the respondent to divest certain assets to Commission-approved acquirers within one year. It also prohibits, among other things, Monsanto, for a period of 10 years, from acquiring, without prior Commission approval, an interest in any company engaged in the manufacture or formulation for sale in the U.S. of any non-selective herbicide for residential use.

Appearances

For the Commission: *Howard Morse* and *Allee A. Ramadhan*.

For the respondent: *Kenneth A. Letzler*, *Abe Krash* and *Richard A. Kleine*, in-house counsel, St. Louis, MO.

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 (Commission), having reason to believe that respondent Monsanto Company (Monsanto), a corporation, has agreed to acquire the assets of the Ortho Consumer Products Division of the Chevron Corporation (Chevron), in violation of Section 5 of the Federal Trade Commission Act, as amended, 15 U.S.C. 45, and that such acquisition, if consummated, would violate Section 7 of the Clayton Act, as amended, 15 U.S.C. 18, and Section 5 of the Federal Trade Commission Act, as amended, 15 U.S.C. 45, and it appearing to the Commission that a proceeding in respect thereof