

Opinion of the Court.

FEDERAL TRADE COMMISSION v. CARTER
PRODUCTS, INC.

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE NINTH CIRCUIT.

No. 114. Decided October 12, 1953.

The judgment of the Court of Appeals setting aside a cease and desist order of the Federal Trade Commission is vacated, and the cause is remanded to the Court of Appeals with directions to reinstate its prior judgment after amending it so as specifically to authorize the Commission to open this proceeding for further evidence and a new order consistent with the opinion of the Court of Appeals.

201 F. 2d 446, judgment vacated and cause remanded.

Acting Solicitor General Stern and William T. Kelley
for petitioner.

William L. Hanaway for respondent.

PER CURIAM.

Certiorari is granted and the judgment of the Court of Appeals is vacated. The cause is remanded to the Court of Appeals with directions to reinstate its prior judgment and order after amending it so that it specifically authorizes the Federal Trade Commission to open this proceeding for further evidence and a new order consistent with the Court of Appeals opinion herein. Cf. *Reilly v. Pinkus*, 338 U. S. 269, 277; *Labor Board v. Donnelly Garment Co.*, 330 U. S. 219, 224-228.

MR. JUSTICE DOUGLAS dissents.

THE CHIEF JUSTICE took no part in the consideration or decision of this case.