

producer in Florida. Should the transaction not take place, CCL must sell the plant of Citadel Cement in Alabama within one year. CCL is also barred from acquiring any other cement manufacturing or distribution facilities in the general area for ten years.

ECC COMMISSION TAKES FIRST ACTION ON COMMUNITY CAR TRADE RESTRICTIONS

The Commission of the European Economic Communities issued an interim order in August that Ford of West Germany must resume its normal supplies of right hand drive cars to dealers in Europe. It is the first order to be issued in what is expected to be a complex struggle to remove widespread restrictions on automobile trade within the community. The EEC investigation was launched following a formal complaint by the Bureau of European Consumer Unions in May.

The effect of the order, unless its validity is unsuccessfully challenged, will be to enable British visitors from the U.K. and Ireland to buy right hand cars from dealers in West Germany where the prices are considerably lower than in their home countries. (See Canadian competition Policy Record, march, 1982, pages 16-17 for some of the background). The West German subsidiary of Ford has launched an appeal against the order to the European Court of Justice.

PUBLICATIONS NOTED

Ontario Law Reform Commission, Report on Class Actions, Ministry of the Attorney General, Toronto, 1982. This report, which is in three volumes and took some five years to complete, recommends a class action procedure for Ontario. The Chairman of the Commission, Derek Mendes Da Costa, has inserted a reservation about one very important part of the recommended procedure, namely the introduction of a modified contingency fee system to deal with the difficult problem of costs.

David M. Simon, Extraterritorial Service of Administrative Subpoenas; Federal Trade Commission v. Compagnie de Saint-Gobain-Pont-A-Mousson, Journal of Law and Policy in International Business, Vol. 13, No. 3, 1981. The author analyzes at some length a 1980 decision by the U.S. Court of Appeals for the District of Columbia which held that the Federal Trade Commission is not authorized by s. 9 of the FTC Act to serve subpoenas upon foreign nationals outside the United States by registered mail. According to the author, the decision appears to indicate that the only permissible method of extraterritorial service of compulsory process is through channels of international judicial cooperation. He points out that such cooperation may not be forthcoming where foreign nationals are under investigation.