

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act, including whether the acquisition of the nonbanking company can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices" (12 U.S.C. 1843). Any request for a hearing must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal. Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than February 10, 1997.

A. Federal Reserve Bank of Atlanta (Zane R. Kelley, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. Cumberland Bancorp, Inc., Carthage, Tennessee; to acquire 100 percent of the voting shares of First Federal Bancshares, Inc., Memphis, Tennessee, and thereby indirectly acquire First Federal Bank, FSB, Memphis, Tennessee, and First Federal Bank, FSB, Nashville, Tennessee. These institutions will convert to bank charters.

B. Federal Reserve Bank of Minneapolis (Karen L. Grandstrand, Vice President) 250 Marquette Avenue, Minneapolis, Minnesota 55480:

1. Norwest Corporation, Minneapolis, Minnesota; to acquire 100 percent of the voting shares of Farmers National Bancorp, Inc., Geneseo, Illinois, and thereby indirectly acquire Farmers National Bank of Geneseo, Geneseo, Illinois.

Board of Governors of the Federal Reserve System, January 13, 1997.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 97-1183 Filed 1-16-97; 8:45 am]

BILLING CODE 6210-01-F

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: Board of Governors of the Federal Reserve System.

TIME AND DATE: 10:00 a.m., Wednesday, January 22, 1997.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets, N.W., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
2. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204. You may call (202) 452-3207, beginning at approximately 5 p.m. two business days before this meeting, for a recorded announcement of bank and bank holding company applications scheduled for the meeting.

Dated: January 15, 1997.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 97-1342 Filed 1-15-97; 11:25 am]

BILLING CODE 6210-01-M

FEDERAL TRADE COMMISSION

Revised Jurisdictional Thresholds for Section 8 of the Clayton Act

AGENCY: Federal Trade Commission.

ACTION: Notice.

SUMMARY: The Federal Trade Commission announces the revised thresholds for interlocking directorates required by the 1990 amendment of section 8 of the Clayton Act. Section 8

prohibits, with certain exceptions, one person from serving as a director or officer of two competing corporations if two thresholds are met. Competitor corporations are covered by section 8 if each one has capital, surplus, and undivided profits aggregating more than \$10,000,000, with the exception that no corporation is covered if the competitive sales of either corporation are less than \$1,000,000. Section 8(a)(5) requires the Federal Trade Commission to revise those thresholds annually, based on the change in gross national product. The new thresholds, which take effect immediately, are \$13,813,000 for section 8(a)(1), and \$1,381,300 for section 8(a)(2)(A).

EFFECTIVE DATE: January 17, 1997.

FOR FURTHER INFORMATION CONTACT: James Mongoven, Bureau of Competition, Office of Policy and Evaluation, (202) 326-2879.

(Authority: 15 U.S.C. § 19(a)(5))

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 97-1237 Filed 1-16-97; 8:45 am]

BILLING CODE 6750-01-M

Granting of Request for Early Termination of the Waiting Period Under the Premerger Notification Rules

Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Federal Trade Commission and the Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the Federal Register.

The following transactions were granted early termination of the waiting period provided by law and the premerger notification rules. The grants were made by the Federal Trade Commission and the Assistant Attorney General for the Antitrust Division of the Department of Justice. Neither agency intends to take any action with respect to these proposed acquisitions during the applicable waiting period.

TRANSACTIONS GRANTED EARLY TERMINATION BETWEEN: 120996 AND 122096

Name of acquiring person, name of acquired person, name of acquired entity	PMN No.	Date terminated
Gerald F. Cerce, BEC Group, Inc., Foster Grant Group, L.P., et al	97-0424	12/09/96
New York Life Insurance Company, John W. Titus, Snowstate Restaurant Corp. & Franklin Restaurant Corp	97-0477	12/09/96
Hollingsworth & Vose Company, Exide Corporation, Evanite Fiber Corporation	97-0495	12/09/96
Gespa S.A., Tarmac PLC, Tarmac Minerals, Inc	97-0508	12/09/96
HA-LO Industries, Inc., Linden D. Nelson, Creative Concepts In Advertising, Inc	97-0533	12/09/96
Linden D. Nelson, HA-LO Industries, Inc., HA-LO Industries, Inc	97-0535	12/09/96
Union Bank of Switzerland, Ernst Ohnell, Communications Supply Corporation	97-0539	12/09/96
Universal Outdoor Holdings, Inc., Merrill Lynch Capital Appreciation Partnership, B-XXVII, Revere Holding Corp	97-0540	12/09/96
Seacor Holdings, Inc., Waveland Marine Service, Inc., Waveland Marine Service, Inc	97-0542	12/09/96
Bob Marbut, Gannett Co., Inc., Combined Communications Corporation of Oklahoma, Inc	97-0544	12/09/96
The Horne Family Voting Trust, Rosecliff Ames Partners, Ames Holdings, Inc	97-0547	12/09/96
CAT Limited (a Bermuda company) Enterprise Reinsurance Corporation, Enterprise Reinsurance Corporation	97-0550	12/09/96
John L. Morris, Mako Marine International, Inc., Mako Marine International, Inc	97-0551	12/09/96
General Electric Company, Enterprise Reinsurance Corporation, Enterprise Reinsurance Corporation	97-0552	12/09/96
Central Parking Corporation, SLC Holdings, L.L.C., Civic Parking, L.L.C	97-0554	12/09/96
Menasha Corporation, Poly Hi Solidur, Inc. (Newco), Poly Hi Solidur, Inc. (Newco)	97-0555	12/09/96
Golder, Thoma, Cressey, Rauner Fund IV, L.P., Kwik Wash Laundries, Inc., Kwik Wash Laundries, Inc	97-0560	12/09/96
Performance Contracting Group, Inc., National Service Industries, Inc., North Bros., Inc	97-0564	12/09/96
The Progressive Corporation, Midland Financial Group, Inc., Midland Financial Group, Inc	97-0565	12/09/96
Louis J. Appell Residuary Trust, Bridge Associates II, WHMA(AM) and WHMA(FM)	97-0567	12/09/96
Metropolitan Life Insurance Company, Aldrich, Eastman, & Waltch, Inc Aldrich, Eastman, & Waltch, Inc.,	97-0569	12/09/96
Joaquin Viso and Olga Lizardi (Husband and Wife), SmithKline Beecham plc, SB Pharmco Puerto Rico, Inc	97-0571	12/09/96
Gulf South Medical Supply, Inc., North American Fund II, L.P., Gateway HealthCare Corporation	97-0573	12/09/96
Insurance Partners, L.P., Superior National Insurance Group, Inc., Superior National Insurance Group, Inc.	97-0574	12/09/96
Crestar Financial Corporation, Great Western Financial Corporation, Great Western Bank	97-0575	12/09/96
The Deaconess Associations, Inc., Mark Waters, Elk Valley Professional Affiliates, Inc	97-0584	12/09/96
Union Bank of Switzerland, Metrocall, Inc., Metrocall, Inc	97-0600	12/09/96
Reilly Family Limited Partnership, Outdoor Advertising Company, Outdoor East, L.P	97-0158	12/10/96
Kellogg Company, Philip Morris Companies, Inc., Kraft Foods, Inc	97-0476	12/10/96
Pearson PLC, The Seagram Company Ltd. (a Canadian company), The Putnam Berkley Group, Inc	97-0519	12/10/96
Philip Environmental Inc., Luntz Corporation, Luntz Corporation	97-0538	12/10/96
MCN Corporation, Main Pass Gas Gathering Company, Main Pass Gas Gathering Company	97-0576	12/10/96
Paul Fred Ricart, Jr., Robert A. Layman, Jr., Bobby Layman Chevrolet, Inc	97-0578	12/10/96
Weatern Resources, Inc., Westinghouse Electric Corporation, Westinghouse Security Systems, Inc	97-0588	12/10/96
Tencor Instruments, Uniphase Corporation, Ultrapointe Corporation	97-0590	12/10/96
Proffitt's, Inc., G.R. Herberger's Inc., G.R. Herberger's, Inc	97-0591	12/10/96
Claneil Enterprises, Inc., Scandipharm, Inc., Scandipharm, Inc	97-0592	12/10/96
Bruckmann, Rosser, Sherrill & Co., L.P., Specialty Foods Acquisition Corporation, Specialty Foods Acquisition Corporation	97-0596	12/10/96
IMCO Recycling, Inc., EnviroSource, Inc., IMSAMET, Inc	97-0603	12/10/96
Caritas Christi, Daughters of Charity National Health System, Inc., Carney Hospital, et al	97-0604	12/10/96
Rhett Calvin Ricart, Robert A. Layman, Jr., Bobby Layman Chevrolet, Inc.	97-0608	12/10/96
American International Group, Inc., CH-Twenty, Inc., CH-Twenty, Inc	97-0614	12/10/96
Hyundai Electronics Industries Co., Ltd., General Wireless, Inc., General Wireless, Inc	97-0620	12/10/96
Linde AG, The Pro-Quip Corporation, The Pro-Quipp Corporation	97-0624	12/10/96
McCown De Leeuw & Co. III, Unilever NV, Conopco Inc	97-0628	12/10/96
MBNA Corporation, First Western BanCorp, Inc., First Western Bank, N.A. and First Western Bank, f.s.b	97-0629	12/10/96
Dimeling, Schreiber & Park, Burlington Motor Holdings, Inc., a Debtor-in-possession, Burlington Motor Holdings, Inc	97-0636	12/10/96
Phillip Frost, M.D., BBI Healthcare Corporation, BBI Healthcare Corporation	97-0421	12/11/96
Jane Hsaio, Ph.D., BBI Healthcare Corporation, BBI Healthcare Corporation	97-0422	12/11/96
Robert E. Martini, BBI Healthcare Corporation, BBI Healthcare Corporation	97-0433	12/11/96
Bergen Brunswig Corporation, IVAX Corporation, IVAX Corporation	97-0441	12/11/96
IVAX Corporation, Bergen Brunswig Corporation, Bergen Brunswig Corporation	97-0442	12/11/96
Textron, Inc., Klockner-Werke, AG, Kautex North America, Inc. & Kautex Corporation	97-0515	12/11/96
Hellman & Friedman Capital Partners II, L.P., Franklin Resources, Inc, Franklin Resources, Inc	97-0563	12/11/96
General Electric Company, NEFF Corporation, NEFF Corporation	97-0470	12/12/96
Rosen's Diversified, Inc., Paul J. Weiss, Skylark Meats, Inc and Mid-America Transportation, Inc	97-0496	12/12/96
Rosen's Diversified, Inc., Reynold G. Hochstein, Skylark Meats, Inc and Mid-America Transportation, Inc	97-0498	12/12/96
Saint Barnabas Corporation, Trico Health Care, Inc., West Hudson Hospital Association; West Hudson Foundation	97-0514	12/12/96
Warren A. Hood, Jr., U.S. Industries, Inc., QPF Corporation	97-0516	12/12/96
PhyCor, Inc., Straub Clinic & Hospital, Inc., Straub Clinic & Hospital, Inc	97-0530	12/12/96
Ralph Milo, Cooperative Tradeka Corporation, C.G. America Corporation	97-0536	12/12/96
Gannett, Co., Inc., Bob Marbut, Argyle Television, Inc	97-0543	12/12/96
Philip Environmental, Inc., Pechiney S.A., PPC (ISW), Inc	97-0582	12/12/96
STERIS Corporation, Bristol-Myers Squibb Company, E.R. Squibb & Sons, Inc	97-0593	12/12/96
J.W. Childs Equity Partners, L.P., Central Tractor Farm & Country, Inc., Central Tractor Farm & Country, Inc	97-0619	12/12/96
Bell Industries, Inc., Milgray Electronics, Inc., Milgray Electronics, Inc	97-0642	12/12/96
The Clorox Company, McKesson Corporation, Armor All Products Corporation	97-0644	12/12/96

TRANSACTIONS GRANTED EARLY TERMINATION BETWEEN: 120996 AND 122096—Continued

Name of acquiring person, name of acquired person, name of acquired entity	PMN No.	Date terminated
Golder, Thoma, Cressey, Rauner Fund, IV, L.P., Brim Inc., Brim Inc	97-0531	12/13/96
Atlantic Richfield Company, Mobil Corporation, Mobil Alaska Pipeline Company	97-0545	12/13/96
DI Industries, Loews Corporation, Diamond M. Onshore, Inc	97-0556	12/13/96
Atlantic Equity Partners, L.P., Quality Foods, L.P., Quality Foods, L.P	97-0558	12/13/96
Burger Bros., Inc., Holiday Companies, Holiday Sports, Inc. and Holiday Stationstores, Inc	97-0562	12/13/96
Front Royal, Inc., Trirock Limited Partnership, Rockwood Casualty Insurance Co	97-0566	12/13/96
Dynatech Corp., Texlon Corporation, Itronix Corporation	97-0581	12/13/96
PIC Insurance Group, Inc., Front Royal Inc., Front Royal Inc	97-0606	12/13/96
Front Royal, Inc., PIC Insurance Group, Inc., Rockwood Casualty Insurance Company	97-0611	12/13/96
Orgill, Inc., Beacon Holding Corporation, Beacon Holding Corporation	97-0615	12/13/96
ING Groep, N.V., TransCare Corporation, TransCare Corporation	97-0633	12/13/96
Primark Corporation, Bowne & Co., Inc., Baseline Financial Services, Inc	97-0634	12/13/96
Nabors Industries, Inc., ADCOR-Nicklos Drilling Company, ADCOR-Nicklos Drilling Company	97-0639	12/13/96
VEBA AG, Burris Chemical, Inc., Burris Chemical, Inc	97-0641	12/13/96
Republic Industries, Inc., R. Todd Neilson, Chapter 11 Trustee, New-Val Ford Inc., Val-New Lincoln Mercury Inc	97-0659	12/13/96
Suiza Foods Corporation, James N. Bahan, Model Dairy, Inc	97-0413	12/14/96
Suiza Foods Corporation, Thomas E. Bahan, Model Dairy, Inc	97-0420	12/14/96
Jitney-Jungle Stores of America, Inc., McCarty-Holman Co., Inc., McCarty-Holman Co., Inc	97-0831	12/16/96
HIG Investment Group, L.P., Ronald L. Koonsman, National Cellular, Inc.; Telephone Warehouse, Inc	97-0694	12/16/96
JPE, Inc., Pebra GmbH Paul Braun I.K. (a German company), Pebra Inc	97-0462	12/17/96
Teleport Communications Group, Inc., Ralph J. Roberts, Comcast CAP of Philadelphia, Inc	97-0548	12/17/96
Orkla, A.S., Frank W. Kulesza, PolyOrganix, Inc	97-0580	12/17/96
First Reserve Fund VII, Limited Partnership, Teleo Ventures, Inc., Teleo Ventures, Inc	97-0597	12/17/96
Laidlaw Inc., Robert Ramsey, SW General, Inc	97-0618	12/17/96
Ciba-Geigy Ltd., Sandoz Ltd., Sandoz Ltd	96-1399	12/17/96
Sandoz Ltd., Ciba-Geigy Ltd., Ciba-Geigy Ltd	96-1402	12/17/96
Torstar Corporation, Sumner M. Redstone, American Teaching Aids, Inc	97-0630	12/17/96
Carlo Salvi, Gensia, Inc., Gensia, Inc	97-0635	12/17/96
Brooks Fiber Properties, Inc., World-Net Access, Inc., World-Net Access, Inc	97-0643	12/17/96
Calgon Carbon Corporation, Florida Progress Corporation, Advanced Separation Technologies, Inc	97-0646	12/17/96
BASF AG, Sandoz Ltd., a Swiss company, Sandoz Agro, Inc	97-0647	12/17/96
Baxter International Inc., Immuno International AG, Immuno International AG	96-2926	12/18/96
Sisters of Mercy of the Amer., Regional Comm. Cincinnati, The Sisters of the Humility of Mary, Humility of Mary Health Care System	97-0483	12/18/96
Dr. Ing. h.c. F. Porsche AG, PPF Holding AG, PPF Holding AG	97-0549	12/18/96
Federal Express Corporation, UAL Corporation, United Air Lines, Inc. (Used DC10 Aircraft)	97-0653	12/18/96
Dovenmuehle Mortgage Company, L.P., Royal Bank of Scotland Group plc, Citizens Financial Group, Inc	97-0658	12/18/96
National Data Corporation, Blue Cross & Blue Shield of Virginia, Health Communication Services, Inc.; Health Communication	97-0660	12/18/96
Tessenderlo Chemie S.A., CI Holdings Corp., Chelsea Industries, Inc., Chelfab, Inc	97-0661	12/18/96
EQUUS II Incorporated, BankAmerica Corporation, Sun Sportswear, Inc	97-0668	12/18/96
OMI Corp., Wilco AS, Wilomi, Inc	97-0669	12/18/96
OMI Corp., Awilco ASA, Wilomi, Inc	97-0670	12/18/96
Watsco, Inc., Inter-City Products Corporation (a Canadian company), Inter-City Products Corporation (USA), CDS Holdings Inc	97-0671	12/18/96
Alco Standard Corporation, Thomas E. Wallace, Mon-Wal, Inc	97-0672	12/18/96
BMI-MI, Inc., Lobdell Holdings, Inc., Lobdell Holdings, Inc	97-0675	12/18/96
Pioneer Financial Services, Inc., Secura Insurance, Secura Life Insurance Company	97-0676	12/18/96
Heidelberger Zement AG, Cimenteries C.B.R. S.A., Cimenteries C.B.R. S.A	97-0677	12/18/96
The Greenbrier Companies, The Greenbrier Companies, Greenbrier Transportation Limited Partnership	97-0683	12/18/96
Bayer AG, Pharmacia & Upjohn, Inc., Oxford Veterinary Laboratories, Inc	97-0435	12/19/96
MCN Corporation, Lyondell Petrochemical Company, Lyondell Petrochemical Company	97-0466	12/19/96
John Rutledge Partners II, L.P., H&C Holding Corporation, H&C Holding Corporation	97-0583	12/19/96
BankAmerica Corporation, EXOR Group, Duo-Tang, Inc	97-0708	12/19/96
Hicks, Muse, Tate & Furst Equity Fund III, L.P., Jupiter/Smith TV Investors of Michigan, L.P., Jupiter/Smith TV Investors of Michigan, L.P	97-0503	12/20/96
Hicks, Muse, Tate & Furst Equity Fund III, L.P., Jupiter/Smith TV Investors of Rochester, L.P., Jupiter/Smith TV Investors of Rochester, L.P	97-0504	12/20/96
Hicks, Muse, Tate & Furst Equity Fund III, L.P., Jupiter/Smith TV Investors of Salinas/Monterey, L.P., Jupiter/Smith TV Investors of Salinas/Monterey, L.P	97-0505	12/20/96
Barry Baker, Sinclair Broadcast Group, Inc., Sinclair Broadcast Group, Inc	97-0513	12/20/96
Boston Ventures Limited Partnership IV, Sinclair Broadcast Group, Inc., Sinclair Broadcast Group, Inc	97-0521	12/20/96
Boston Ventures Limited Partnership IVA, Sinclair Broadcasting Group, Inc., Sinclair Broadcasting Group, Inc	97-0522	12/20/96
WinStar Communications, Inc., WinStar Communications, Inc., Milliwave Limited Partnership	97-0553	12/20/96
Global DirectMail Corp., Paul G. Mandel, Alliance Peripheral Systems, Inc	97-0640	12/20/96
Ira Leon Rennert, Costain Group PLC, a British company, Costain Coal, Inc	97-0681	12/20/96
Connective Therapeutics, Inc., SmithKline Beecham plc, SmithKline Beecham Corporation, SmithKline Beecham	97-0688	12/20/96

TRANSACTIONS GRANTED EARLY TERMINATION BETWEEN: 120996 AND 122096—Continued

Name of acquiring person, name of acquired person, name of acquired entity	PMN No.	Date terminated
George L. Argyros, Specialty Foods Acquisition Corporation, WFB Holdings, Inc. and Specialty Foods Finance Corp	97-0700	12/20/96

FOR FURTHER INFORMATION CONTACT:

Sandra M. Peay or Parcellena P. Fielding Contact Representatives, Federal Trade Commission, Premerger Notification Office, Bureau of Competition, Room 303, Washington, DC 20580. (202) 326-3100.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 97-1236 Filed 1-16-97; 8:45 am]

BILLING CODE 6750-01-M

[File No. 942-3311]

Jeanette L. Douglass; Analysis to Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair or deceptive acts or practices and unfair methods of competition, this consent agreement, accepted subject to final Commission approval, would prohibit, among other things, Douglass, an officer of Computer Business Services, Inc. (CBSI), from misrepresenting the earnings or success rate of CBSI investors, the existence of a market for CBSI's products or services, and the amount of time it would take investors to recoup their investments. The order also bars Douglass from making any representation about the performance, benefits, efficacy, or success rate of any product or service unless she possesses reliable evidence to substantiate the claims. The agreement settles allegations that potential earnings and profit claims made by CBSI were false and misleading.

DATES: Comments must be received on or before March 18, 1997.

ADDRESSES: Comments should be directed to: FTC/Office of the Secretary, Room 159, 6th St. and Pa. Ave., N.W., Washington, D.C. 20580.

FOR FURTHER INFORMATION CONTACT:

C. Steven Baker, Federal Trade Commission, Chicago Regional Office, 55 East Monroe Street, Suite 1860, Chicago, IL 60603. (312) 353-8156.

Catherine R. Fuller, Federal Trade Commission, Chicago Regional Office,

55 East Monroe Street, Suite 1860, Chicago, IL 60603. (312) 353-5576.

SUPPLEMENTARY INFORMATION: Pursuant to section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46, and § 2.34 of the Commission's rules of practice (16 CFR 2.34), notice is hereby given that the above-captioned consent agreement containing a consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of sixty (60) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the accompanying complaint. An electronic copy of the full text of the consent agreement package can be obtained from the Commission Actions section of the FTC Home Page (for December 12, 1996), on the World Wide Web, at "http://www.ftc.gov/os/actions/htm." A paper copy can be obtained from the FTC Public Reference Room, Room H-130, Sixth Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580, either in person or by calling (202) 326-3627. Public comment is invited. Such comments or views will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with § 4.9(b)(6)(ii) of the Commission's rules of practice (16 CFR 4.9(b)(6)(ii)).

Analysis of Proposed Consent Order to Aid Public Comment

The Federal Trade Commission has accepted an agreement, subject to final approval, to a proposed consent order from respondent Jeanette L. Douglass.

The proposed consent order has been placed on the public record for sixty (60) days for reception of comments by interested persons. Comments received during this period will become part of the public record. After sixty (60) days, the Commission will again review the agreement and the comments received and will decide whether it should withdraw from the agreement and take other appropriate action or make final the agreement's proposed order.

This matter concerns earnings and success claims made regarding business ventures promoted by respondent. The Commission's complaint charges that respondent, in concert with Computer

Business Services, Inc. ("CBSI"), made false and unsubstantiated claims that consumers who purchase or use CBSI's business ventures ordinarily succeed and earn substantial income. In fact, the complaint alleges, the vast majority of consumers never even recoup their initial investment. The complaint also alleges that respondent falsely represented that endorsements appearing in CBSI's advertisements reflect the actual experiences of its customers and that those endorsements reflect the typical or ordinary experience of purchasers of CBSI's business ventures. Further, the complaint alleges that respondent represented that consumers can successfully utilize automatic telephone dialing systems to market their businesses but failed to disclose that federal law prohibits the use of such systems in the unattended mode to initiate a call to any residential telephone line in certain circumstances.

The proposed consent order contains provisions designed to remedy the violations charged and to prevent the respondent from engaging in similar acts and practices in the future. The proposed order extends to all business ventures and to all products or services that are part of any business venture.

Part I of the proposed consent order prohibits the respondent from misrepresenting the earnings or success of its purchasers, the existence of a market for the products or services promoted by respondent, or the amount of time within which a prospective purchaser can reasonably expect to recoup his or her investment. Part II of the proposed order prohibits the respondent from misrepresenting the performance, benefits, efficacy or success rate of any product or service that is a part of such business venture, unless at the time such representation is made the respondent possesses and relies upon competent and reliable evidence that substantiates the representation. Part III of the proposed order prohibits the respondent from misrepresenting that a user testimonial or endorsement is typical or ordinary and from using, publishing or referring to any user testimonial or endorsement unless respondent has good reason to believe that at the time of such use, publication or reference, the person or