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 organization named subscribes to the facts and opinions stated therein. Part IV of the proposed order requires respondent to disclose, in close proximity to any representation regarding the use or potential use of an automatic telephone dialing system, that federal law prohibits the use of an automatic telephone dialing system to initiate a telephone call to any residential telephone line using an artificial or prerecorded voice to transmit an unsolicited advertisement for commercial purposes without the prior express consent of the called party unless a live operator introduces the message.

The remaining parts of the proposed consent order require the respondent to maintain materials relied upon to substantiate claims covered by the order, to distribute copies of the order to each of its operating divisions and to certain company officials, to notify the Commission of any changes in corporate structure that might affect compliance with the Order, and to file one or more compliance reports.

The purpose of this analysis is to facilitate public comment on the proposed consent order. It is not intended to constitute an official interpretation of the agreement and proposed order or to modify in any way their terms.

Donald S. Clark,

Secretary.

[FR Doc. 97–1238 Filed 1–16–97; 8:45 am]

BILLING CODE 6750–01–M

[Dkt. C–3689]

Fresenius AG, et al.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Consent order.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair or deceptive acts or practices and unfair methods of competition, this consent order requires, among other things, the California-based subsidiary of Fresenius AG to divest its Lewisberry, Pennsylvania hemodialysis concentrate production facility to Di-Chem, Inc., of Maple Grove, Minnesota, or to another Commission-approved acquirer, if the Di-Chem deal falls through.

DATES: Complaint and Order issued October 15, 1996.[1]

FOR FURTHER INFORMATION CONTACT: Howard Morse, FTC/S–3627, Washington, DC 20580, (202) 326–2949.

SUPPLEMENTARY INFORMATION: On Thursday, August 1, 1996, there was published in the Federal Register, 61 FR 40220, a proposed consent agreement with analysis In the Matter of Fresenius AG, et al. for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of the order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to divest, as set forth in the proposed consent agreement, in disposition of this proceeding.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 45, 18)

Donald S. Clark,

Secretary.

[FR Doc. 97–1232 Filed 1–16–97; 8:45 am]

BILLING CODE 6750–01–M

[1] Copies of the Complaint, the Decision and Order, and Commissioner Starek's statement are available from the Commission's Public Reference Branch, H–130, 6th Street & Pennsylvania Avenue, NW., Washington, DC 20580.

[Dkt. C–3687]

Koninklijke Ahold nv, et al.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Consent Order.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair or deceptive acts or practices and unfair methods of competition, this consent order requires, among other things, a Georgia-based supermarket chain to divest a total of 30 supermarkets or supermarket properties, within 30 days, to Commission-approved acquirers. If the transactions are not completed as required, the Commission may appoint a trustee to divest the properties.

DATES: Complaint and Order issued September 30, 1996.[1]

FOR FURTHER INFORMATION CONTACT: Marimichael Skubel, Federal Trade Commission, 6th and Pennsylvania Avenue, NW., Room S–2105, Washington, DC 20580, (202) 326–2611.

SUPPLEMENTARY INFORMATION: On Thursday, July 25, 1996, there was published in the Federal Register, 61 FR 38741, a proposed consent agreement with analysis In the Matter of Koninklijke Ahold nv, et al., for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of the order.

Comments were filed and considered by the Commission. The Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to divest, as set forth in the proposed consent agreement, in disposition of this proceeding.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 45, 18)

Donald S. Clark,

Secretary.

[FR Doc. 97–1231 Filed 1–16–97; 8:45 am]

BILLING CODE 6750–01–M

[1] Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H–130, 6th Street & Pennsylvania Avenue, NW., Washington, DC 20580.

[Dkt. C–3678]

The Loewen Group Inc., et al.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Consent Order.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair or deceptive acts or practices and unfair methods of competition, this consent order requires, among other things, a Kentucky-based company to divest a funeral home in Castlewood, Virginia, within nine months, to a Commission-approved acquirer. If the transaction is not completed as required, the Commission may appoint a trustee to divest the property.

DATES: Complaint and Order issued July 29, 1996.[1]

FOR FURTHER INFORMATION CONTACT: Thomas Carter or Gary Kennedy, Dallas Regional Office, Federal Trade Commission, 1999 Bryan St., Suite 2150, Dallas, TX 75201. (214) 979–0907.

SUPPLEMENTARY INFORMATION: On Wednesday, May 22, 1996, there was published in the Federal Register, 61 FR 25672, a proposed consent agreement with analysis In the Matter of The Loewen Group Inc., et al., for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of the order.

[1] Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H–130, 6th Street & Pennsylvania Avenue, NW., Washington, DC. 20580.