

The proposed complaint alleges that this conduct had the following purpose, tendency, and capacity to result in the following effects:

- A. Restraining competition among physicians in Pittsylvania County and Danville, Virginia;
- B. Depriving consumers in Pittsylvania County and Danville, Virginia, of the benefits of competition among physicians;
- C. Fixing or increasing the prices that are paid for physician services in Pittsylvania County and Danville, Virginia;
- D. Fixing the terms and conditions upon which physicians in Pittsylvania County and Danville, Virginia, would deal with third-party payors, including, but not limited to, terms and conditions of cost containment, and thereby raising the price to consumers of insurance coverage issued by third-party payors; and
- E. Depriving consumers in Pittsylvania County and Danville, Virginia, of the benefits of managed care.

Finally, the proposed complaint alleges that the above actions of PGI and the PGI Directors constitute unfair methods of competition, in violation of section 5 of the Federal Trade Commission Act, 15 U.S.C. 45.

The Proposed Consent Order

The proposed consent order would prohibit PGI and the PGI Directors from engaging in, or attempting to engage in, any combination, conspiracy, agreement, or understanding, with or among any physician(s) to negotiate, deal, or refuse to deal with a payor, or to determine any terms, conditions, or requirements upon which physicians deal with a payor, including, but not limited to, terms of reimbursement or of cost containment.

The proposed consent order would also prohibit PGI and the PGI Directors from encouraging, advising, pressuring, inducing, or attempting to induce any physician to (1) refuse to deal with a payor, or (2) deal with a payor on terms collectively determined by physicians, including such terms as terms of reimbursement or terms of cost containment.

The proposed consent order specifically permits the following:

- 1. Physicians who practice together as partners or employees in the same professional business entity collectively determining the fees to be charged for services rendered by that professional business entity, or collectively determining other terms on which that professional business entity deals with payors. (For purposes of this consent

order, "professional business entity" means professional corporation, professional partnership, and professional limited liability company.)

- 2. Physicians who participate in the same integrated joint venture collectively determining the fees to be charged for services rendered by that integrated joint venture or collectively determining other terms on which that integrated joint venture deals with payors. (For purposes of the proposed consent order, "integrated joint venture" means a joint arrangement to provide health care services in which all physicians participating in the venture who would otherwise be competitors (1) pool their capital to finance the venture, by themselves or together with others, and (2) share a substantial risk of loss from their participation in the venture.)

- 3. The exercise of rights permitted under the First Amendment to the United States Constitution to petition any federal or state government executive agency or legislative body concerning legislation, rules, or procedures, or to participate in any federal or state administrative or judicial proceeding.

- 4. Physicians participating at the request of a payor in utilization review activities organized and controlled by the payor insofar as such participation continues only at the sufferance of the payor.

The proposed consent order would require PGI to dissolve itself within 120 days after the date on which the proposed order becomes final. PGI Directors are to take all actions necessary to effect dissolution of PGI as required by the proposed consent order.

The proposed consent order would also require PGI to distribute copies of the proposed complaint and proposed order to past and present members of PGI and each payor who, at any time since February 18, 1986, has communicated any desire, willingness, or interest in contracting for physician services with PGI or with any of the PGI Directors. Each of the PGI Directors is to deliver to PGI a list of payors from whom he has received such a communication.

The order would require PGI and the PGI Directors to (1) file compliance reports with the Commission, (2) notify the Commission of certain proposed changes in PGI or the PGI Directors that may affect their compliance with the order, and (3) permit representatives of the Commission to have access to documents in the possession or under the control of PGI or the PGI Directors relating to any matters contained in the order and to interview the officers,

directors, or employees of PGI and the employees of the PGI Directors.

The proposed consent order would terminate 20 years after the date it is issued.

PGI and the PGI Directors agreed to the proposed consent order for settlement purposes only, and their agreement to the order does not constitute an admission by them that the law has been violated as alleged in the proposed complaint.

Donald S. Clark,

Secretary.

[FR Doc. 95-11553 Filed 5-10-95; 8:45 am]

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[Dkt. 6699]

Pittsburgh Plate Glass Co., Prohibited Trade Practices and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Set aside order.

SUMMARY: This order reopens a 1957 consent order—which prohibited the respondent from discriminating in price between competing purchasers by charging auto manufacturers less for automotive safety glass than it charged glass distributors and glass dealers—and sets aside the consent order pursuant to the Commission's Sunset Policy Statement, under which the Commission presumes that the public interest requires terminating competition orders that are more than 20 years old.

DATES: Consent order issued April 19, 1957. Set aside order issued April 4, 1995.

FOR FURTHER INFORMATION CONTACT: Daniel Ducore, FTC/S-2115, Washington, DC 20580. (202) 326-2526.

SUPPLEMENTARY INFORMATION: In the Matter of Pittsburgh Plate Glass Company. The prohibited trade practices and/or corrective actions are removed as indicated.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 2, 49 Stat. 1526; 15 U.S.C. 13)

In the matter of Pittsburgh Plate Glass Company, a corporation. Docket No. 6699.

Order Reopening Proceeding and Setting Aside Order

On December 9, 1994, PPG Industries, Inc., the successor to Pittsburgh Plate Glass Company, ("PPG"), filed a Petition to Reopen and Set Aside Consent Order ("Petition") in this matter. PPG requests that the Commission set aside the 1957 consent order in this matter pursuant to Rule 2.51 of the Commission's Rules of Practice, 16 CFR 2.51, and the Statement of Policy With Respect to Duration of Competition Orders and Statement of Intention to Solicit Public

Comment With Respect to Duration of Consumer Protection Orders, issued July 22, 1994, published at 59 FR 45,286-92 (Sept. 1, 1994) ("Sunset Policy Statement"). In the Petition, PPG affirmatively states that it has not engaged in any conduct violating the terms of the order. The Request was placed on the public record, and the thirty-day comment period expired on January 16, 1995. Two public comments were received.

The Commission in its July 22, 1994, Sunset Policy Statement said, in relevant part, that "effective immediately, the Commission will presume, in the context of petitions to reopen and modify existing orders, that the public interest requires setting aside orders in effect for more than twenty years."¹ The Commission's order in Docket No. 6699 was issued on April 19, 1995, and has been in effect for more than 37 years. Consistent with the Commission's July 22, 1994, Sunset Policy Statement, the presumption is that the order should be terminated. Nothing to overcome the presumption having been presented, the Commission has determined to reopen the proceeding and set aside the order in Docket No. 6699.

Accordingly, it is ordered that this matter be, and it hereby is, reopened;

It is further ordered that the Commission's order in Docket No. 6699 be, and it hereby is, set aside, as of the effective date of this order.

By the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 95-11551 Filed 5-10-95; 8:45 am]

BILLING CODE 6750-01-M

[Dkt. C-3571]

Reckitt & Colman plc; 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 acts and practices and unfair methods of competition, this consent order allows, among other things, Reckitt & Colman to acquire L&F Products Inc. with the required prior approval on the condition that it sells its own rug cleaning assets, within six months, to a Commission approved acquirer. If the divestiture is not completed on time, the consent order permits the Commission to appoint a trustee to complete the transaction. In addition, the consent order requires the respondent to obtain Commission approval, for ten years, before acquiring any interest in the carpet-deodorizer business in the United States.

DATES: Complaint and Order issued April 4, 1995.¹

FOR FURTHER INFORMATION CONTACT: Ann Malester, FTC/S-2224, Washington, DC 20580. (202) 326-2820.

SUPPLEMENTARY INFORMATION: On Friday, January 13, 1995, there was published in the **Federal Register**, 60 FR 3236, a proposed consent agreement with analysis in the Matter of Reckitt & Colman plc, 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. 95-11549 Filed 5-10-95; 8:45 am]

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[File No. 921 0117]

Reebok International Ltd., et al.; Proposed Consent Agreement With Analysis to Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent agreement, accepted subject to final Commission approval, would prohibit, among other things, a Massachusetts corporation and its subsidiary from fixing, controlling or maintaining the resale prices at which any dealer may advertise, promote, offer for sale or sell any Reebok or Rockport product. The Consent agreement also would prohibit, for a period of ten years, the respondents from enforcing or threatening suspension or termination of a dealer that sells or advertises a product below a resale price designed by Reebok or Rockport.

DATES: Comments must be received on or before July 10, 1995.

ADDRESSES: Comments should be directed to: FTC/Office of the Secretary,

Room 159, 6th St. and Pa. Ave., NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Alan Loughnan, New York Regional Office, Federal Trade Commission, 150 William St., Suite 1300, New York, NY 10038. (212) 264-0459.

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 following 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. 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)).

Commissioners: Janet D. Steiger, Chairman, Mary L. Azcuenaga, Roscoe B. Starek, III, Christine A. Varney

In the matter of Reebok International Ltd., and the Rockport Company, Inc., corporations File No. 921 0117

Agreement Containing Consent Order to Cease and Desist

The Federal Trade Commission having initiated an investigation of certain acts and practices of Reebok International Ltd. and The Rockport Company, Inc., a subsidiary of Reebok International Ltd., and it now appearing that Reebok International Ltd. and The Rockport Company, Inc., hereinafter sometimes referred to as proposed respondents, are willing to enter into an agreement containing an order to cease and desist from engaging in the acts and practices being investigated,

It is hereby agreed by and between Reebok International Ltd. and The Rockport Company, Inc., by their duly authorized officers, and their attorneys, and counsel for the Federal Trade Commission that:

1. Proposed respondents Reebok International Ltd. and The Rockport Company, Inc., a subsidiary of Reebok International Ltd., are corporations organized, existing and doing business under and by virtue of the laws of the State of Massachusetts. The mailing address and principal place of business of proposed respondent Reebok International Ltd. is: 100 Technology Center Drive, Stoughton, Massachusetts 02072. The mailing address and principal place of business of proposed respondent The Rockport Company, Inc.

¹ See Sunset Policy Statement, 59 Fed. Reg. at 45,289.

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.