TRANSACTIONS GRANTED EARLY TERMINATION BETWEEN 3–17–97 AND 3–28–97—Continued

| Name of acquiring person, name of acquired person, name of acquired entity | PMN No. | Date terminated |
|---|---|---|
| Calpine Corporation, Enron Corporation, Enron/Dominion Cogen Corporation | 97–1586 | 03/28/97 |
| Cox Enterprises, Inc., El Dorado Communications, Inc., El Dorado Communications, Inc. | 97–1592 | 03/28/97 |
| Deseret Management Corporation, Westinghouse Electric Corporation, Group W Broadcasting, Inc. | 97–1594 | 03/28/97 |
| Mr. Keith Rupert Murdoch, The News Corporation Limited, an Australian company, The News Corporation Limited, an Australian company | 97–1595 | 03/28/97 |
| Reliance Steel & Aluminum Co., Nashville Steel Corporation, AMI Metals, Inc. | 97–1596 | 03/28/97 |
| Frank M. Late, David E. Culiver, Firebird Investments, Inc.; Culiver Infiniti, Inc. | 97–1597 | 03/28/97 |
| Clear Channel Communications, Philip D. Marella, Pinnacle Broadcasting Company, Inc. | 97–1610 | 03/28/97 |
| Granite Construction Incorporated, TIC Holdings, Inc., TIC Holdings, Inc. | 97–1614 | 03/28/97 |
| Just For Feet, Inc., Bruce E. and Emily A. Mommsen, Imperial Acquisition Corporation | 97–1615 | 03/28/97 |
| United Auto Group, Inc., Gary W. Hanna, Gary Hanna Nissan, Inc. | 97–1618 | 03/28/97 |

**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. 97–8796 Filed 4–4–97; 8:45 am]

**BILLING CODE 6750–01–M**

## FEDERAL TRADE COMMISSION

**[File No. 962–3224]**

## 2943174 Canada Inc., Also d/b/a United Research Center, Inc.; 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, the Quebec-based company and its president from making health benefits, performance, or efficacy claims regarding the ''Svelt-PATCH'' or any other drug or device unless, at the time the representation is made, the respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation, and from misrepresenting the existence, contents, validity, results, conclusions, or interpretations of any test or study. In addition, the proposed consent agreement would require the respondents to pay $375,000 in consumer redress or disgorgement.

**DATES:** Comments must be received on or before June 6, 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:** Michael Bloom or Ronald Waldman, Federal Trade Commission, New York Regional Office, 150 William St, 13th Floor, New York, N.Y. 10038–2603, (212) 264–1201 or 264–1242.

**SUPPLEMENTARY INFORMATION:** Pursuant to Section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46 and Section 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 complaint. an electronic copy of the full text of the consent agreement package can be obtained from the FTC Home page (for March 25, 1997), 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 Section 4.9(b)(6)(ii) of the Commission's Rules of Practice (16 CFR 4.9(b)(6)(ii)).

### Analysis of Proposed Consent Order

The Federal Trade Commission has accepted, subject to final approval, an agreement to a proposed Consent Order (''proposed order'') from 2943174 Canada Inc., also doing business as United Research Center, Inc., and its principal, Patrice Runner.

The proposed order has been placed on the public record for sixty (60) days for receipt 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 or make final the agreement's proposed order.

This matter concerns print advertisements for proposed respondents' Svelt-PATCH, a purported weight loss product The Commission's complaint alleges that proposed respondents engaged in deceptive advertising in violation of Sections 5 and 12 of the FTC Act by making unsubstantiated claims that: (1) Svelt-PATCH controls appetite; (2) Svelt-PATCH significantly increases human metabolism; (3) Svelt-PATCH significantly reduces body fat; (4) Svelt-PATCH causes significant weight loss; (5) Svelt-PATCH causes long-term or permanent weight loss; and (6) Svelt-PATCH lowers serum cholesterol levels.

The complaint further alleges that proposed respondents made a false claim that clinical evidence proves that Svelt-PATCH causes users to lose weight.

The proposed order contains provisions designed to remedy the violations charged and to prevent proposed respondents from engaging in similar acts in the future.

Paragraph I of the proposed order prohibits proposed respondents from claiming that Svelt-PATCH or any other product or program: (1) controls appetite; (2) increases human metabolism; (3) reduces body fat; (4) causes weight loss; (5) causes long-term or permanent weight loss; and (6) reduces cholesterol; (7) provides any weight loss, fat loss, weight regulation, weight control, or weight maintenance benefit, unless, at the time the

representation is made, proposed respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation.

Paragraph II of the proposed order prohibits proposed respondents from making any representation for Svelt-PATCH, or any other drug or device, about the health benefits, performance, or efficacy of such product unless, at the time the representation is made, proposed respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation.

Paragraph III of the proposed order prohibits proposed respondents from misrepresenting the existence, contents, validity, results, conclusions, or interpretations of any test, study, or study.

Paragraphs IV of the proposed order provides that nothing in this order shall prohibit proposed respondents from making any representation permitted by the Food and Drug Administration.

Paragraph V of the proposed order requires proposed respondents to pay three hundred and seventy-five thousand dollars ($375,000) in consumer redress, or if consumer redress is impracticable or unwarranted, said money shall be payable to the United States Treasury.

Paragraph VI of the proposed order contains recordkeeping requirements for materials that substantiate, qualify, or contradict covered claims and requires the proposed respondents to keep and maintain all advertisements and promotional materials containing any representation covered by the proposed order. In addition, paragraph VII requires distribution of a copy of the consent decree to current and future officers and agents. Further, paragraph VIII provides for Commission notification upon a change in the corporate respondent. Paragraph IX requires proposed respondent Patrice Runner to notify the respondents when he discontinues his current business or employment and of his affiliation with certain new businesses or employment. The proposed order also requires the filing of a compliance report (Paragraph X).

Finally, paragraph XI of the proposed order provides for the termination of the order after twenty years under certain circumstances.

The purpose of this analysis is to facilitate public comment on the proposed 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. 97–8801 Filed 4–4–97; 8:45 am]

BILLING CODE 6750–01–M

## FEDERAL TRADE COMMISSION

**[File No. 912–3220]**

## Dean Distributors, Inc., et al., d/b/a Advanced Health Systems, Cambridge Direct Sales, and Medibase; 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 require, among other things, the California-based companies, which market low calorie and very low calorie diet (VLCD) programs, to possess a reasonable basis for any future claims regarding weight loss or weight loss maintenance, and to clearly and prominently disclose in any representation regarding the safety of respondent's VLCD diet programs that physician monitoring is required to minimize the potential for health risks, namely development of gallbladder disease.

**DATES:** Comments must be received on or before June 6, 1997.

**ADDRESSES:** Comments should be directed to: FTC/Office of Secretary, Room 159, 6th St. and Pa. Ave., NW., Washington, DC 20580.

**FOR FURTHER INFORMATION CONTACT:** Walter Gross or J. Reilly Dolan, FTC/H–200, Washington, DC 20580. (202) 326–3319 or 326–3292.

**SUPPLEMENTARY INFORMATION:** Pursuant to Section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46 and Section 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 complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home page (for March 25, 1997), 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, NW., Washington, DC 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 Section 4.9(b)(6)(ii) of the Commission's Rules of Practice (16 CFR 4.9(b)(6)(ii)).

### Analysis of Proposed Consent Order

The Federal Trade Commission has accepted an agreement to a proposed consent order from Dean Distributors, Inc., a corporation doing business as advanced Health Care Systems, Cambridge Direct Sales and Medibase. Proposed respondent markets low calorie and very low calorie diet programs through a multi-level distribution system and directly to independent physicians.

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 will decide whether it should withdraw from the agreement or make final the agreement's proposed order.

The Commission has alleged that proposed respondent has made false and unsubstantiated claims in its advertising, promotional and sales materials that are likely to mislead consumers as to: (1) the likelihood of success in achieving and maintaining weight reduction; and (2) the health risk associated with rapid weight loss. Proposed respondent has represented, through consumer endorsements, that its diet programs produce successful results. The consumers featured in these testimonials purportedly achieved remarkable success in reaching a desired weight, and in changing their appearance. Through these consumer endorsements, proposed respondent has represented that he success achieved by such consumers in reaching their weight loss goal reflects the typical or ordinary experiences of participants of respondent's weight loss programs. The Commission has alleged that proposed respondent had failed to substantiate the claim that the weight loss success experienced by persons featured in these testimonial advertisements is representative of what consumers will generally achieve with the products.