article to be import-sensitive in the context of the GSP; and a statement of whether the person making the request has filed or is filing for other forms of relief under the Trade Act or any other provision of law.

(6) Any other material relevant to the request.

(7) The Chairman of the TPSC may request additional information or clarifications from persons submitting requests.

(b) (1) In considering whether to recommend the designation of additional articles as eligible for the GSP, or the withdrawal, suspension, or limitation of the duty-free treatment accorded to eligible articles under the GSP, the TPSC, the TPRG, or the TPC shall review relevant economic factors indicating the economic effect that such action would have, including the effect upon United States producers of like or directly competitive articles and upon consumers.

(2) If, on the basis of a review described in (1), the appropriate interagency committee considers that the article is or would be import-sensitive in the context of the GSP, then:

(i) If the article has not been designated already as eligible for the GSP, it shall not be recommended for such designation, or it may be recommended for such designation with limits upon the duty-free treatment accorded under the GSP which assure that the article will not be import-sensitive in the context of the GSP; or

(ii) If the article has been designated already as an article eligible for the GSP, it shall be recommended that the duty-free treatment under the GSP shall be withdrawn, suspended, or limited so as to assure that the article no longer is import-sensitive in the context of the GSP.

§ 2007.2 Adequacy of request.

If the request does not conform substantially to the requirements set forth above, the Chairman of the TPSC may return the communication to the person who submitted it, with a written statement of the reasons why it was found not to conform, or he may determine that there is sufficient information on which to proceed.

§ 2007.3 Publication regarding requests.

Whenever a request is received that conforms to these regulations or that is accepted pursuant to section 2007.2, the Chairman of the TPSC shall publish in the FEDERAL REGISTER a statement of the fact that the request has been received, the TSUS item number or numbers of the article or articles covered by the request, the name of the party submitting the request, and an invitation for all interested parties to submit their views to the TPSC.

§ 2007.4 Action following receipt of requests.

(a) The TPSC shall review requests submitted and accepted under this Part. Requests may be accumulated in order to permit a number of such requests to be reviewed at the same time. Requests which indicate the existence of unusual circumstances warranting an immediate review may be reviewed separately. Reviews of pending requests shall be conducted at least once each six months.

(b) In conducting reviews, the TPSC may hold public hearings, or utilize advice of the U.S. International Trade Commission (pursuant to sections 503 and 131 of the Trade Act, or pursuant to a request under 19 U.S.C. 1332(g)), whenever such hearings, or advice is required by law or is deemed by the Special Representative or the Deputy Special Representative to be in the public interest.

(c) The TPSC shall report the results of its review to the Deputy Special Representative and the Special Representative, who may convene the appropriate committees, which may include the TPC, with a view to the possible recommendation of action to the President.

(d) Whenever following a review, there is to be no change in the status of an article with respect to the GSP, the party submitting a request with respect to such article, shall be so notified, and a statement of the decision shall be published in the FEDERAL REGISTER.

§ 2007.5 Written briefs and oral testimony.

Sections 2003.2 and 2003.4 of these regulations shall be applicable to the submission of any written briefs or requests to present oral testimony in connection with a review under this Part.

§ 2007.6 Information open to public inspection.

With the exception of information subject to § 2007.8, an interested person may, upon request, inspect at the office of the TPSC:

(a) Any written request, brief, or similar submission of information made pursuant to this Subpart; and

(b) Any stenographic record of any public hearing which may be held pursuant to this Subpart.

§ 2007.7 Information exempt from public inspection.

(a) The Chairman of the TPSC shall exempt from public inspection information submitted in confidence, if he determines that the disclosure of such information is not required by law.

(b) A party requesting that the Chairman of the TPSC exempt from public inspection information submitted in writing shall clearly mark each page "Submitted in Confidence" at the top, and shall submit a non-confidential summary of the confidential information. Such person shall also provide the Chairman of the TPSC with a written explanation of why the material should be so protected.

(c) The Chairman of the TPSC may deny a request that he exempt from public inspection any particular information, if he determines such information is not entitled to exemption under law. In the event of such a denial, the information will be returned to the person who submitted it, with a statement of the reasons for the denial.

§ 2007.8 Other reviews of article eligibilities.

(a) As soon after the beginning of each calendar year as relevant trade data for the preceding calendar year is available, the TPSC shall consider modifications of the GSP that may be required by section 504(c) of the Trade Act.

(b) The TPSC may, on its own motion, conduct reviews for the possible designation of additional articles as eligible for the GSP, or the possible withdrawal, suspension, or limitation of duty-free treatment accorded under the GSP.

(c) The TPSC shall report the results of reviews conducted pursuant to paragraphs (a) and (b) above to the TPRG and the TPC, and the Special Representative as Chairman of the TPC shall recommend to the President any action that is considered to be required or warranted. Action required to comply with the provisions of section 504(c) shall be taken not later than 60 days after the close of each calendar year.

(d) The STR shall prepare any documents that are necessary to carry out action recommended under this Part.

FREDERICK B. DENT,
Special Representative for Trade Negotiations.

[FR Doc.75-35169 Filed 12-30-75;8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

PART 3—RULES OF PRACTICE FOR ADJUDICATIVE PROCEEDINGS

PART 4—MISCELLANEOUS RULES

Miscellaneous Amendments

The Commission announces amendments to Parts 3 and 4 of Subchapter A of Chapter 1 of Title 16 of the Code of Federal Regulations which will (1) eliminate the requirement of service of a complaint for purposes of determining when an adjudicative proceeding commences, and (2) provide for substituted service upon the attorney for a party of any document pertaining to a proceeding other than a complaint. The amendments are set forth below.

1. Section 3.11(a) is amended to read as follows:

§ 3.11 Commencement of proceedings.

(a) *Complaint.* Except as provided in § 3.13, an adjudicative proceeding is commenced by the issuance of a complaint by the Commission.

* * * * *

2. Section 44.(a)(3) is added and (c)(3) is deleted and (c)(4) is renumbered as (c)(3) to read as follows:

§ 4.4 Service.

(a) *By the Commission.* * * *

(3) When a party has appeared in a proceeding by an attorney, service on that individual of any document pertaining to the proceeding other than a complaint shall be deemed service upon the party. However, service of those docu-

ments specified in paragraph (1) shall first be attempted in accordance with the provision of subparagraphs (i), (ii), and (iii).

The above amendments are effective December 31, 1975.

(Sec. 6, 38 Stat. 721 (15 U.S.C. 46), 80 Stat. 383, as amended, 81 Stat. 54 (5 U.S.C. 552))

By direction of the Commission dated December 2, 1975.

VIRGINIA M. HARDING,
Acting Secretary.

[FR Doc.75-35229 Filed 12-30-75;8:45 am]

[Docket 9005]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Cargill, Incorporated

(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)

In the Matter of Cargill, Incorporated, a corporation.

Order dismissing complaint issued against a Minneapolis, Minn., well-diversified, closely-held corporation challenging its acquisition of stock in Missouri Portland Cement Company, Inc. Respondent divested its interest in Missouri Portland, Aug. 28, 1975.

The order granting motion to dismiss complaint, is as follows: [1]

This matter is before us upon the administrative law judge's certification of respondent's motion to dismiss the complaint in view of respondent's divestiture of its interest in the Missouri Portland Cement Company, Inc. (Missouri Portland), on August 28, 1975.

Upon consideration of the matter, the Commission has determined that further proceedings challenging respondent's acquisition of stock in Missouri Portland would not be in the public interest. Accordingly,

It is ordered, That the complaint in this matter be, and it hereby is, dismissed.

Commissioner Dixon not participating, and Commissioner Hanford dissenting.

The order granting motion to dismiss complaint was issued by the Commission December 2, 1975.

VIRGINIA M. HARDING,
Acting Secretary.

[FR Doc.75-35206 Filed 12-30-75;8:45 am]

[Docket 8888-6]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Koscot Interplanetary, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.10 Advertising falsely or misleadingly; 13.10-1 Availability of merchandise and/or facilities; § 13.15 Business status, advantages or connections; 13.15-5 Advertising and promotional services; 13.15-20 Business methods and policies; § 13.50 Dealer or seller assistance; § 13.55 Demand, business or other opportunities; § 13.60 Earnings and profits; § 13.142 Operation; § 13.143 Opportunities; § 13.160 Promotional sales plans; § 13.195 Safety; 13.195-30 Investment; § 13.250 Success, use or standing; § 13.280 Unique nature or advantages; § 13.285 Value. Subpart—Coercing and intimidating: § 13.358 Distributors. Subpart—Combining or conspiring: § 13.388 To control allocations and solicitation of customers; § 13.395 To control marketing practices and conditions; § 13.430 To enhance, maintain or unify prices; § 13.450 To limit distribution or dealing to regular, established or acceptable channels or classes. Subpart—Corrective actions and/or requirements: § 13.533 Corrective actions and/or requirements; 13.533-20 Disclosures; 13.533-55 Refunds, rebates and/or credits. Subpart—Delaying or withholding corrections, adjustments or action owed: § 13.675 Delaying or withholding corrections, adjustments or action owed.

Subpart—Discriminating between customers: § 13.685 Discriminating between customers. Subpart—Discriminating in price under section 2, Clayton Act—Price discrimination under 2(a): § 13.730 Customer classification. § 13.785 Terms and conditions. Subpart—Failing to Maintain records: § 13.1051 Failing to maintain records; § 13.1051-20 Adequate. Subpart—Maintaining resale prices: § 13.1130 Contracts and agreements; § 13.1155 Price schedules and announcements. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1370 Business methods, policies, and practices; § 13.1397 Customer connection. —Goods: § 13.1572 Availability of advertised merchandise and/or facilities; § 13.1608 Dealer or seller assistance; § 13.1610 Demand for or business opportunities; § 13.1615 Earnings and profits; § 13.1730 Results; § 13.1755 Success, use, or standing; § 13.1770 Unique nature or advantages; § 13.1775 Value. —Promotional sales plans: § 13.1830 Promotional sales plans. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1889 Risk of loss; § 13.1892 Sales contract, right-to-cancel provision. Subpart—Offering unfair, improper and deceptive inducements to purchase or deal: § 13.1935 Earnings and profits; § 13.2015 Opportunities in product or service; § 13.2090 Undertakings, in general. Subpart—Securing agents or representatives by misrepresentation: § 13.2125 Demand for business opportunities; § 13.2130 Earnings; § 13.2148 Scientific or other relevant facts.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 2, 49 Stat. 1526; 15 U.S.C. 45, 13)

In the Matter of Koscot Interplanetary, Inc., Glenn W. Turner Enterprises, Inc., corporations, and Glenn W. Turner, Terrell Jones, Malcolm Julian, Ben Bunting, Michael Delaney, Hobart Wilder, and Raleigh P. Mann, individually and as former officers, officers or directors of said corporation(s).

Order requiring an Orlando, Fla., seller and distributor of cosmetics and cosmetic distributorships, among other things to cease using its open-ended, multilevel marketing plan; engaging in illegal pricefixing and price discrimination and imposing selling and purchasing restrictions on its distributors; and to cease making exaggerated earnings claims and other misrepresentations in an effort to recruit distributors.

The final order, including further order requiring report of compliance therewith, is as follows: [1]

FINAL ORDER

This matter having been heard by the Commission upon the cross-appeals of complaint counsel and respondents' counsel from the initial decision and upon briefs and oral argument in support thereof and opposition thereto, and the Commission, for the reasons stated in the accompanying Opinion, having granted the appeals in part:

It is ordered, That pages 1-65 of the initial decision of the administrative law judge be, and they hereby are, adopted as the Findings of Fact and Conclusions of Law of the Commission, with the following exceptions: Conclusion of Law 12, page 53; those portions of pages 53-65 ("Rationale of the Order") which are inconsistent with the Opinion of the Commission herein.

Other Findings of Fact and Conclusions of Law of the Commission are contained in the accompanying Opinion.

It is further ordered, That the following Order to cease and desist be, and it hereby is, entered:

ORDER

Definitions: For the purposes of this Order, the following definitions shall apply:

(a) The term "distributorship" means any continuing commercial relationship created by written agreement or by understanding in which:

(1) The participant is granted the right or is permitted to offer, sell, or distribute goods or commodities manufactured, processed, or distributed by the respondents; or (2) the participant is granted the right or is permitted to offer or sell services established, organized, approved, or directed by the respondents.

(b) "Participant" means any person to whom a distributorship is granted.

(c) "Person" means any individual, group, association, limited or general partnership, corporation, or any other business entity.

[1] Copies of the Complaint, and Order Granting Motion to Dismiss Complaint, filed with the original document.

[1] Copies of the Complaint, Opinion, Initial Decision, Final Order filed with the original document.