[6750-01]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

SUBCHAPTER A—PROCEDURES AND RULES OF PRACTICE

PART 4—MISCELLANEOUS RULES

Disclosure of Explanatory Material Prior to Open Commission Meetings

AGENCY: Federal Trade Commission.

ACTION: Final rule.

SUMMARY: This rule adds to the Commission's Sunshine Act rules a provision for the disclosure of explanatory material prior to each open Commission meeting, so that people who attend the meeting can understand the discussion more readily.

EFFECTIVE DATE: December 14, 1977.

FOR FURTHER INFORMATION CONTACT:

Jack Schwartz, Assistant to the General Counsel, Federal Trade Commission, Washington, D.C. 20580, 202-523-3615.

SUPPLEMENTARY INFORMATION: The Commission promulgated rules implementing the Government in the Sunshine Act, Pub. L. 94-409, at 42 FR 13533 (March 11, 1977). In its discussion accompanying those rules, the Commission noted its intention to make available before open meetings summaries of matters on the agenda in order to facilitate the public's understanding of open discussion. The Commission has now determined, as an exercise of its discretion, to set out a more general provision to effectuate that policy in the rules themselves. For each open agenda item, the Commissioner to whom the matter has been assigned for presentation has been delegated authority to make available, prior to the meeting, material sufficient to inform the public of the issues likely to be discussed at the meeting. The material, which may consist of a draft rule or other staff proposal, excerpts from a staff memorandum, or a summary, will be available in Room 130 of FTC Headquarters, the business day before the open meeting.

Accordingly, 16 CFR Chapter I is amended as follows:

By adding the following subparagraph (3) to § 4.15(b):

§ 4.15 Commission meetings.

* * * * *

(b) * * *

(3) The Commissioner to whom a matter has been assigned for presentation to the Commission shall have the authority to make available to the public, prior to consideration of that matter at an open meeting, material sufficient to inform the public of the issues likely to be discussed in connection with that matter.

By direction of the Commission dated October 26, 1977.

CAROL M. THOMAS,
Secretary.

[FR Doc.77-35636 Filed 12-14-77;8:45 am]

[6750-01]

[Docket No. C-2911]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Providers Benefit Co., Et Al.

AGENCY: Federal Trade Commission.

ACTION: Order to cease and desist.

SUMMARY: In settlement of alleged violations of Federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order, among other things, requires a Philadelphia, Pa. consumer credit corporation and its subsidiaries to cease failing to provide consumers, in connection with the extension of credit, such material and disclosures as are required by Federal Reserve Board regulations; and to cease misrepresenting or failing to inform customers of the optional nature of credit insurance. Further, the order requires firms to offer customers the opportunity to cancel such insurance and to make appropriate refunds as specified.

DATES: Complaint and order issued November 8, 1977.[1]

FOR FURTHER INFORMATION CONTACT:

Jack Dugan, Acting Director, New York Regional Office, Federal Trade Commission, 2243-EB Federal Bldg., 26 Federal Plaza, New York, N.Y. 10007, 212-264-1207.

SUPPLEMENTARY INFORMATION: On Wednesday, August 31, 1977, there was published in the FEDERAL REGISTER (42 FR 43864) a proposed consent agreement with analysis In the Matter of Providers Benefit Co., Provident Consumer Discount Co., Inc., and Provident Credit Corp., corporations, and Frederick I. Robinson and George Billings, individually and as an officer of Provident Consumer Discount Co., Inc. and Provident Credit Corp., 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 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 its order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

[1] Copies of the Complaint, and the Decision and Order, filed with the original document.

The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows:

Subpart—Corrective Actions and/or Requirements: § 13.533 Corrective actions and/or requirements; 13.533-20 Disclosures; 13.533-25 Displays, in-house; 13.533-37 Formal regulatory and/or statutory requirements; 13.533-45 Maintain records; 13.533-55 Refunds, rebates and/or credits. Subpart—Misrepresenting Oneself and Goods—Goods: § 13.1623 Formal regulatory and statutory requirements; 13.1623-95 Truth in Lending Act; § 13.1760 Terms and conditions; 13.1760-40 Insurance coverage; 13.1760-50 Sales contract—Prices: § 13.1823 Terms and conditions; 13.1823-20 Truth in Lending Act. Subpart—Neglecting, Unfairly or Deceptively, to Make Material Disclosure: § 13.1852 Formal regulatory and statutory requirements; 13.1852-75 Truth in Lending Act; § 13.1905 Terms and conditions; 13.1905-40 Insurance coverage; 13.1905-50 Sales contract; 13.1905-60 Truth in Lending Act. Subpart—Offering Unfair, Improper and Deceptive Inducements to Purchase or Deal: § 13.2080 Terms and conditions; 13.2080-40 Insurance coverage.

(Sec. 6, 38 Stat. 721; (15 U.S.C. 46). Interpret or apply sec. 5, 38 Stat. 719, as amended; 82 Stat. 146, 147; (15 U.S.C. 45, 1601, et seq.).)

CAROL M. THOMAS,
Secretary.

[FR Doc.77-35635 Filed 12-14-77;8:45 am]

[6750-01]

[Docket No. 9040]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Kroger Co.

AGENCY: Federal Trade Commission.

ACTION: Order to cease and desist.

SUMMARY: In settlement of alleged violations of Federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order, among other things, requires a Cincinnati, Ohio retail food store chain to make each of its advertised items readily available for sale to customers in its stores, to have advertised items correctly priced, and to sell those items at or below the advertised price. Further, the firm must post copies of advertisements and notices of the availability of "rainchecks" for unavailable items.

DATES: Complaint issued June 24, 1975. Order issued Nov. 11, 1977.[1]

FOR FURTHER INFORMATION CONTACT:

Richard C. Foster, Assistant Director of Marketing Practices, Bureau of Consumer Protection, Federal Trade Commission, 6th St. and Pennsylvania Ave. NW., Washington, D.C. 20580, 202-523-3355.

SUPPLEMENTARY INFORMATION: On Wednesday, May 11, 1977, there was published in the FEDERAL REGISTER 42 FR

[1] Copies of the Complaint and the Decision and Order filed with the original document.