[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.

23843, a proposed consent agreement with analysis In the Matter of The Kroger Co., a corporation, 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.

Comments were received 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 its order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

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

Subpart—Advertising Falsely or Misleadingly: § 13.10 Advertising falsely or misleadingly; 13.10–1 Availability of merchandise and/or facilities; § 13.180 Quantity; 13.180–30 In stock; § 13.205 Scientific or other relevant facts. Subpart—Corrective Actions and/or Requirements: § 13.533 Corrective actions and/or requirements; 13.533–20 Disclosures; 13.533–25 Displays, in-house; 13.533–45 Maintain records. Subpart—Disseminating Advertisements: § 13.1043 Disseminating advertisements. Subpart — Misrepresenting Oneself and Goods—Goods: § 13.1572 Availability of advertised merchandise and/or facilities; § 13.1720 Quantity; § 13.1740 Scientific or other relevant facts. Subpart—Neglecting, Unfairly or Deceptively, to Make Material Disclosure: § 13.1895 Scientific or other relevant facts. Subpart—Offering Unfair, Improper and Deceptive Inducements to Purchase or Deal: § 13.2063 Scientific or other relevant facts.

(Sec. 6, 38 Stat. 721; (15 U.S.C. 46). Interprets or applies sec. 5, 38 Stat. 719, as amended; (15 U.S.C. 45).)

CAROL M. THOMAS,
Secretary.

[FR Doc.77-35634 Filed 12-14-77;8:45 am]

[6560-01]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER E—PESTICIDE PROGRAMS

[FRL 829-7; PP 5F1628, 5F1629/R140]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

4-Amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4-triazin-5(4H)-one

AGENCY: Office of Pesticide Programs, Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rules establishes tolerances for residues of the herbicide 4-amino - 6 - (1,1 - dimethylethyl) - 3 - (methylthio) - 1,2,4 - triazin - 5(4*H*) - one. The amendment to the regulations was requested by Mobay Chemical Corp. This rule establishes maximum permissible levels for residues of the subject herbicide on various raw agricultural commodities.

EFFECTIVE DATE: Effective on December 14, 1977.

FOR FURTHER INFORMATION CONTACT:

Mr. Robert Taylor, Product Manager (PM) 25, Registration Division (WH–567), Office of Pesticide Programs, EPA, 401 M Street SW., Washington, D.C. 202–426–2632.

SUPPLEMENTARY INFORMATION: On October 11, 1977, the EPA published a notice of proposed rulemaking in the FEDERAL REGISTER (42 FR 54842) in response to two pesticide petitions (PP 5F1628 and 5F1629) submitted to the Agency by Mobay Chemical Corp., P.O. Box 4913, Hawthorn Road, Kansas City, Mo. 64120. These petitions proposed that 40 CFR 180.332 be amended by the establishment of tolerances for combined residues of the herbicide 4-amino-6-(1,1-dimethylethyl) - 3 - (methylthio) - 1,2,3-triazin-5(4*H*)-one and its triazinone metabolites in or on the raw agricultural commodities alfalfa grass and sainfoin hay at 7 parts per million (ppm); green alfalfa, grass, and sainfoin at 2 ppm; wheat straw at 0.2 ppm; asparagus, wheat grain, sweet corn (kernels plus cob with husk removed), and corn grain at 0.05 ppm; meat, fat, and meat byproducts of cattle, goats, hogs, horses, poultry, and sheep at 0.7 ppm; corn forage and fodder at 0.1 ppm; and in milk at 0.05 ppm. No comments or requests for referral to an advisory committee were received in response to this notice of proposed rulemaking.

Subsequently, the petitioner amended PP 5F1628 by deleting the proposed tolerances of 0.2 ppm on wheat straw and 0.05 ppm on wheat grain.

It has been concluded, therefore, that the proposed amendment to 40 CFR 180.332 should be adopted as changed, and it has been determined that this regulation will protect the public health.

Any person adversely affected by this regulation may, on or before January 13, 1978, file written objections with the Hearing Clerk, EPA, Room 1019, East Tower, 401 M Street SW., Washington, D.C. 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed to be objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by the grounds legally sufficient to justify the relief sought.

Effective on December 14, 1977, Part 180, Subpart C, Section 180.332 is revised as set forth below.

(Sec. 408(d)(2), Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(d)(2).)

Dated: December 7, 1977.

EDWIN L. JOHNSON,
Deputy Assistant Administrator for Pesticide Programs.

That Part 180, Subpart C, § 180.332 is amended by (a) alphabetically inserting tolerances of 7 ppm on alfalfa, grass, and sainfoin hay; 2 ppm on green alfalfa, grass, and sainfoin; 0.1 ppm on corn fodder and forage; and 0.05 ppm on asparagus, fresh corn including sweet corn (kernels plus cob with husk removed), corn grain, and (b) increasing the established tolerances of 0.2 ppm in the meat, fat, and meat byproducts of cattle, goats, hogs, horses, poultry, and sheep to 0.7 ppm and 0.01 ppm in milk to 0.05 ppm, and (c) revising the section in its entirety to editorially restructure the section into an alphabetized columnar listing to read as follows.

§ 180.332 4-Amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4,-triazin-5(4*H*)-one; tolerances for residues.

Tolerances are established for combined residues of the herbicide 4-amino-6-(1,1-dimethylethyl) - 3 -(methylthio) - 1,2,4-triazin-6(4*H*)-one and its triazinone metabolites in or on the following raw agricultural commodities:

Commodity:	*Parts per million*
Alfalfa, green	2
Alfalfa, hay	7
Asparagus	.05
Cattle, fat	.7
Cattle, mbyp	.7
Cattle, meat	.7
Corn, fodder	.1
Corn, forage	.1
Corn, fresh (inc. sweet K+CWHR)	.05
Corn, grain (inc. popcorn)	.05
Eggs	.01
Goats, fat	.7
Goats, mbyp	.7
Goats, meat	.7
Grass	2
Grass, hay	7
Hogs, fat	.7
Hogs, mbyp	.7
Hogs, meat	.7
Horses, fat	.7
Horses, mbyp	.7
Horses, meat	.7
Milk	.05
Potatoes	.6
Poultry, fat	.7
Poultry, mbyp	.7
Poultry, meat	.7
Sainfoin	2
Sainfoin, hay	7
Sheep, fat	.7
Sheep, mbyp	.7
Sheep, meat	.7
Soybeans	.1
Sugarcane	.1

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[FR Doc.77-35689 Filed 12-13-77;8:45 am]

[4310-10]

Title 43—Public Lands: Interior

SUBTITLE A—OFFICE OF THE SECRETARY OF THE INTERIOR

PART 33—ALLOCATION OF DUTY-FREE WATCHES FROM THE VIRGIN ISLANDS, GUAM, AND AMERICAN SAMOA

NOTE.—Public Law 89-805 (19 U.S.C. 1202) authorizes the Secretary of the Interior and the Secretary of Commerce to issue joint regulations governing the allocation of duty-free quotas for watches and watch movements assembled in the Virgin Islands, Guam, and American Samoa. For the text