matter. A provision has therefore been added to Rule 4.7(f) which provides for disclosure of such a communication at the Commission's discretion and under such restrictions as it may deem appropriate. Any disclosures will, of course, be subject to statutory or other legal restrictions governing confidential commercial or other information.

In addition, the exemption of current Rule 4.7(f)(1) can be read to exclude from the prohibitions of Rule 4.7(b) a communication occasioned by and concerning the "conduct or disposition" of an "adjudicative proceeding." This reading of the exemption conflicts with sections 554(d) and 557(d) of the APA. Accordingly, the exemption has been reworded so as to make clear that it applies only to communications involving a nonadjudicative matter, such as the initiation, conduct, or disposition of an investigation, the issuance of a complaint, or the initiation of a rulemaking or other proceeding.

Finally, the exemption of current Rule 4.7(f)(4) can be read to apply to the disposition of a consent settlement under Rule 3.25 only when the settlement is "executed by some but not all respondents." The exemption is, in fact, meant to cover any Rule 3.25 consent settlement, whether it involves some or all of the respondents or some or all of the charges set forth in a complaint. The rule is revised to reflect that intention.

List of Subjects in 16 CFR Part 4

Administrative practice and procedure.

PART 4—[AMENDED]

In consideration of the foregoing, 16 CFR Part 4 is amended as follows:

1. The authority for Part 4 continues to read as follows:

Authority: Sec. 6(g), 38 Stat. 721 (15 U.S.C. 46); 80 Stat. 383, as amended (5 U.S.C. 552).

2. Section 4.7(f) is revised to read as follows:

§ 4.7 Ex parte communications.

* * * * *

(f) The prohibitions of paragraph (b) of this section do not apply to a communication occasioned by and concerning a nonadjudicative function of the Commission, including such functions as the initiation, conduct, or disposition of a separate investigation, the issuance of a complaint, or the initiation of a rulemaking or other proceeding, whether or not it involves a party already in an adjudicative proceeding; a proceeding outside the scope of § 3.2, including a matter in state or federal court or before another governmental agency; a nonadjudicative function of the Commission, including but not limited to an obligation under § 4.11 or a communication with Congress; or the disposition of a consent settlement under § 3.25 concerning some or all of the charges involved in a complaint and executed by some or all respondents. The Commission, at its discretion and under such restrictions as it may deem appropriate, may disclose to the public or to respondent(s) in a pending adjudicative proceeding a communication made exempt by this paragraph from the prohibitions of paragraph (b) of this section, however, when the Commission determines that the interests of justice would be served by the disclosure. The prohibitions of paragraph (b) of this section also do not apply to a communication between any member of the Commission, the Administrative Law Judge, or any other employee who is or who reasonably may be expected to be involved in the decisional process, and any employee who has been directed by the Commission or requested by an individual Commissioner or Administrative Law Judge to assist in the decision of the adjudicative proceeding. Such employee shall not, however, have performed an investigative or prosecuting function in that or a factually related proceeding.

By direction of the Commission, dated October 7, 1986.

Emily H. Rock,

Secretary.

[FR Doc. 86-23332 Filed 10-15-86; 8:45 am]

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16 CFR Part 13

[Docket No. C-3197]

Independent Insurance Agents of America, Inc.; 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, among other things, prohibits a New York City-based insurance agent association from encouraging its members to refuse to deal with companies based on the companies' sales policies.

DATE: Complaint and Order issued August 25, 1986.[1]

FOR FURTHER INFORMATION CONTACT: FTC/L-501, James C. Egan, Jr., Washington, DC 20580 (202) 254-6024.

SUPPLEMENTARY INFORMATION: On Monday, June 9, 1986, there was published in the **Federal Register**, 51 FR 20835, a proposed consent agreement with analysis In the Matter of Independent Insurance Agents of America, Inc., 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.

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.

The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows: Subpart—Aiding, Assisting and Abetting Unfair or Unlawful Act or Practice: § 13.290 Aiding, assisting and abetting unfair act or practice. Subpart—Coercing and Intimidating: § 13.367 Members. Subpart—Combining or Conspiring: § 13.384 Combining or conspiring; S 13.405 To discriminate unfairly or restrictively in general

List of Subjects in 16 CFR Part 13

Insurance agents, Trade practices.

(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)

Emily H. Rock,

Secretary.

[FR Doc 86-23348 Filed 10-15-86; 8:45 am]

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16 CFR Part 13

[Docket No. 9174]

Warner Communications, Inc., et al. and Polygram Records, Inc., et al.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Consent orders.

SUMMARY: In settlement of alleged violations of Federal law prohibiting unfair acts and practices and unfair

[1] Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H-130, 6th St. and Pa. Ave., NW., Washington, DC 20580.