and without a reasonable basis that Nicotain enables smokers to stop smoking quickly and easily, and that it works through the same mechanism as a prescription smoking deterrent patch.

With respect to the advertising for both the weight loss pills and Nicotain, the Complaint alleges that proposed respondents falsely represented that consumer testimonials appearing in the ads reflect the typical or ordinary experience of members of the public who have used the products.

The proposed consent order ontains provisions designed to remedy the violations charged and to prevent the proposed respondent from engaging in similar acts in the future.

Part I of the proposed order prohibits proposed respondents from representing that MegaLoss, FormulaTrim, and MiracleTrim, or any other weight-loss product containing phenylpropanolamine as the active ingredient: (1) Causes or assists in causing rapid weight loss; (2) causes or assists in causing substantial weight loss without the need to exercise or reduce caloric intake; (3) is new or unique or contains a new or unique ingredient; (4) causes the burning of more body fat than certain strenuous exercise; or (5) contains an active ingredient that, prior to the sale of such product, was available only through doctors.

Part II requires the proposed respondents to disclose that diet or exercise are required to lose weight in connection with any representation about the effect of a weight-loss product on weight or body size, unless they have competent and reliable scientific evidence to the contrary. Part III prohibits proposed respondents from making the types of weight-loss, fat burning and smoking cessation claims alleged in the complaint to be false and unsubstantiated, unless the claims are true and substantiated by competent and reliable scientific evidence. Part IV prohibits proposed respondents from representing that Nicotain or any substantially similar product (a) will enable smokers to stop smoking easily, or (b) works through a mechanism substantially similar to a prescription smoking deterrent patch. Part V prohibits any misrepresentation concerning the nature or mechanism of operation of any smoking cessation product.

Part VI prohibits proposed respondents from misrepresenting that: (1) Any product or program is new or unique, or contains a new or unique ingredient; (2) consumers who order any product or program will receive a personal consultation from a physician or medically trained weight-loss counselor; or (3) the results claimed in consumer testimonials constitute the typical or ordinary experience of members of the public who use the advertised product or program.

Part VII of the proposed order requires proposed respondents to disclose, clearly and prominently, a material connection, where one exists, between any endorser and the proposed respondents.

Part VIII prohibits proposed respondents from misrepresenting the contents, validity, results, conclusions, or interpretations of any test or study. Part IX requires that proposed respondents have competent and reliable scientific evidence to substantiate the following categories of claims for any product or program: (1) Any representations regarding dangerous side effects, nervous jitters, insomnia, or any other adverse health effects; (2) any representations that the product or program burns, reduces, or diminishes body fat; and (3) any representations that the product or program will significantly shrink fat cells. Part X requires proposed respondents to possess scientific substantiation before making representations regarding the performance, benefits, efficacy, or safety of any weight-loss product, smoking deterrent or cessation product, food, food or dietary supplement, drug, or device.

Parts XI and XII contain safe harbors for claims that are permitted on the labeling of foods and drugs under the applicable FDA regulations.

Part XIII bans proposed respondents' practice of charging a consumer's credit card account of debiting a consumer's checking account in excess of the amount affirmatively authorized by the consumer. Under Part XIV, proposed respondents are prohibited from misrepresenting the terms of a money-back guarantee and from failing to provide a refund when a consumer has complied with the conditions stated in the advertisement for obtaining a refund. Part XV prohibits proposed respondents from failing to comply with the requirements of the Commission's Mail or Telephone Order Merchandise Rule, as amended, effective March 1, 1994.

Part XVI requires that as a condition of advertising, promoting, offering for sale, selling, or distributing any weight-loss product or smoking deterrent or cessation product, proposed respondent Santamaria either obtain a performance bond or establish an escrow account in the amount of $300,000.

Part XVII requires proposed respondents to maintain, for five (5) years, all materials that support, contradict, qualify, or call into question any representations they make which are covered by the proposed order. Part XVIII requires the proposed corporate respondents to distribute a copy of the order to current and future principals, officers, directors, and managers, as well as to any employees having sales, advertising, or policy responsibility with respect to the subject matter of the order. Under Part XIX of the proposed order, the proposed corporate respondents must notify the Federal Trade Commission at least thirty (30) days prior to certain proposed changes in their structures. Part XX requires that proposed respondent Santamaria, for a period of seven (7) years, notify the Commission of any change in his business or employment. Part XXI obliges proposed respondents to file compliance reports with the Commission.

The purpose of this analysis is to facilitate public comment on the proposed order, and it is not 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. 95–7634 Filed 3–28–95; 8:45 am]

BILLING CODE 6750–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Advisory Council; Notice of Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), announcement is made of the following National Advisory bodies scheduled to meet during the months of April/May 1995:

Name: HRSA AIDS Advisory Committee Clinical Issues Subcommittee.

Time: April 26, 1995, 10:00 a.m.–4:00 p.m.

Place: Grand Hyatt Washington Hotel, 1000 S Street NW., Washington, D.C. 20001.

The meeting is open to the public.

Purpose: To facilitate timely dissemination of information about new developments in clinical research, drug development, and policies on HIV diseases into language relevant for practicing caregivers supported by HRSA's HIV/AIDS programs.

Agenda: The meeting will include a discussion of the purpose of the subcommittee and the mechanisms for accomplishing its activities.

* * * * *

Name: HRSA AIDS Advisory Committee Evaluation Subcommittee.

Time: May 4, 1995, 10:00 a.m.–4:00 p.m.

Place: Ramada Bethesda Hotel, 8400 Wisconsin Avenue, Bethesda, MD 20814.

The meeting is open to the public.

Purpose: To review HRSA's evaluation activities in HIV and recommend new ones.

Agenda: This is the initial meeting of this subcommittee. The subcommittee and consultants will be provided an orientation on evaluation policies and programs.

For further information on the Subcommittee meetings, please contact A. Russell Gerber at (301) 443–4588.

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Name: HRSA AIDS Advisory Committee.

Time: May 16, 1995, 1:00 p.m.–5:00 p.m.; May 17, 1995, 8:30 a.m.–5:00 p.m.; May 18, 1995, 8:30 a.m.–2:00 p.m.

Place: Phillips Ballroom, Radisson-Barcelo Hotel, 2121 P Street NW., Washington, D.C. 20037.

The meeting is open to the public.

Purpose: The Committee advises the Secretary with respect to health professional education, patient care/health care delivery to HIV-infected individuals, and research relating to transmission, prevention and treatment of HIV infection.

Agenda: The topics to be discussed include the Relationship of Prevention to Care; AIDS Clinical Trial Group 076 Implementation Update; National Health Service Corps; Health Professions Training; Evaluation; and the Reauthorization of the Ryan White Comprehensive AIDS Resources and Emergency Act.

Anyone requiring information regarding the subject Committee should contact Judy Hagopian, AIDS Program Office, Health Resources and Services Administration, Room 14A–21, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, Telephone (301) 443–0866.

* * * * *

Name: Maternal and Child Health Research Grants Review Committee.

Date and Time: May 24–26, 1995, 9:00 a.m.

Place: Holiday Inn Crowne Plaza, Twinbrook Room, 1750 Rockville Pike, Rockville, Maryland 20852.

Open on May 24, 1995, 9:00 a.m.–10:00 a.m.

Closed for remainder of meeting.

Purpose: To review research grant applications in the program area of maternal and child health administered by the Maternal and Child Health Bureau.

Agenda: The open portion of the meeting will cover opening remarks by the Director, Division of Systems, Education and Science, Maternal and Child Health Bureau, who will report on program issues, congressional activities and other topics of interest to the field of maternal and child health. The meeting will be closed to the public on May 24 at 10:00 a.m. for the remainder of the meeting for the review of grant applications. The closing is in accordance with the provisions set forth in section 552b(c)(6), Title 5 U.S.C., and the Determination by the Acting Associate Administrator for Policy Coordination, Health Resources and Services Administration, pursuant to Public Law 92–463.

Anyone requiring information regarding the subject Council should contact Gontran Lamberty, D.P.H., Executive Secretary, Maternal and Child Health Research Grants Review Committee, Room 18A–55, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, Telephone (301) 443–2190.

Agenda Items are subject to change as priorities dictate.

Dated: March 24, 1995.

Jackie E. Baum,

Advisory Committee Management Officer, HRSA.

[FR Doc. 95–7704 Filed 3–28–95; 8:45 am]

BILLING CODE 4160–15–P

Social Security Administration

Privacy Act of 1974; Report of New Routine Use

AGENCY: Social Security Administration (SSA), Department of Health and Human Services (HHS).

ACTION: New routine use.

SUMMARY: In accordance with the Privacy Act (5 U.S.C. 552a(e)(4) and (11)), we are issuing public notice of our intent to establish a new routine use applicable to the Master Files of Social Security Number (SSN) Holders and SSN Applications, HHS/SSA/OSR, 09–60–0058. The proposed routine use will allow SSA to verify the personal identification information presented to State motor vehicle agencies (MVA) by individuals seeking drivers' licenses and identification cards. This verification service will assist those MVAs' efforts to determine whether the identification information used by individuals to obtain such documents is correct.

We invite public comment on this publication.

DATES: We filed a report of a new routine use with the Chairman, Committee on Government Reform and Oversight of the House of Representatives, the Chairman, Committee on Governmental Affairs of the Senate, and the Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget on March 8, 1995. The routine use will become effective as proposed, without further notice on May 8, 1995, unless we receive comments on or before that date that would result in a contrary determination.

ADDRESSES: Interested individuals may comment on this publication by writing to the SSA Privacy Officer, Social Security Administration, Room 3–A–6 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235. Comments may be faxed to (410) 966–0869. All comments received will be available for public inspection at that address by making arrangements with the contact person below.

FOR FURTHER INFORMATION CONTACT: Mrs. Alicia Matthews, Social Insurance Specialist, Office of Disclosure Policy, Social Security Administration, 3–D–1 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235, telephone 410–965–1723.

SUPPLEMENTARY INFORMATION:

A. Discussion of Proposed Routine Use

Under the national policy established by section 205(c)(2)(C)(i) of the Social Security Act (the Act) States are authorized to use the SSN in the administration of their drivers' license laws for the purpose of establishing the identity of individuals affected by such laws, and may require any individual affected by such laws to furnish to the States (or any agency having administrative responsibility for such laws) his or her SSN. Some MVAs use the SSN to establish the identity of individuals being issued drivers' licenses. Some MVAs also use the SSN to establish the identity of individuals being issued identification cards. Federal law does not specifically authorize the States' use of the SSN for the issuance of general identification cards.

Documents such as the driver's license and the State-issued identification card can be used to establish identity for Federal programs and State and local public assistance programs. The driver's license and identification card can also be used to establish identity for personal and commercial purposes, such as establishing credit and check cashing. State agencies which issue identification documents such as drivers' licenses and identification cards are likely points at which persons might attempt to use SSNs that were not assigned to them in schemes to deceive those agencies and obtain the desired documents. Section 208(a)(7) of the Act provides that any person who, with intent to deceive, represents that an SSN is the one that was assigned by the Secretary of HHS to him or her, when in fact it was not assigned to that person, is guilty of a felony, and upon conviction may be fined, imprisoned, or both.

SSA considers performing verification services for State MVAs as a legitimate function in the administration of the Act. Although the verification services are not specifically mentioned in section 205(c)(2)(C)(i) of the Act, they will assist States in using SSNs as authorized by that statute in administering their driver's license laws. In addition, such verification services will help the States detect and