

any substantially similar treatment are successful in maintaining their inch or weight loss.

Part II prohibits the proposed respondents from representing that any body wrapping treatment causes inch loss, does so quickly and easily or without diet or exercise, or causes inch loss at any specific part of the body, unless the claim is true and substantiated by competent and reliable scientific evidence. In addition, Part II requires the proposed respondents to disclose in conjunction with any such representation that the inch loss is temporary and that there is no weight loss, unless they can substantiate otherwise.

Part III.A requires proposed respondents to disclose, in conjunction with any representation about the safety of their body wrap treatment that body wrapping may be dangerous to the health of people with heart disease, high or low blood pressure, or diabetes. Under the proposed order, this disclosure must be clear and prominent, which is defined as being understandable in both the audio and visual portions of a television ad, as being in an understandable cadence in a radio ad, and as being in at least twelve point type in a sufficiently noticeable location in a print ad.

Part III.B requires that, prior to purchase, proposed respondents give each prospective purchaser of its body wrapping treatment the following warning:

**CAUTION:** If you suffer from heart disease, high or low blood pressure, or diabetes, you should consult your physician before using this treatment to determine whether it is dangerous to your health.

The warning must be included in a brochure describing the treatment (in which case it must be printed in bold, ten point type within a two point rule), or, if the brochure is discontinued, on a five by eight inch card (in twelve point type). Under Part III.C the proposed respondents must also display in the reception area of its facilities a sign with the same warning printed in one-inch high letters.

Part IV requires proposed respondents to disclose that diet or exercise is required to lose weight in connection with any representation about the effect of a treatment, program, product, or service on weight or body size, unless they have competent and reliable evidence to the contrary. Like the safety disclosure, this disclosure must also be clear and prominent as defined in the order.

Part V addresses proposed respondents' deceptive use of consumer testimonials. It prohibits misrepresentations in advertising for weight control or reduction treatments, programs, products, and services to the effect that any endorsement constitutes the typical and ordinary experience of members of the public who use the advertised treatment, program, product, or service.

Part VI.A-C contains fencing-in provisions that require proposed respondents to have prior substantiation for claims that any treatment, program, product, or service provides any benefit in terms of weight loss or weight maintenance or has an effect on cellulite or body measurements. Under Part VI.D proposed respondents are required to have substantiation for claims about the safety of weight loss or body shaping treatments, programs, products, or services.

Parts VII and VIII contain safe harbors for claims that are permitted on the labeling of foods and drugs under the applicable regulations of the Food and Drug Administration. The remaining provisions of the order are standard compliance provisions. Part IX requires the corporate respondents to provide copies of the order to relevant personnel. Part X requires the proposed respondents to keep records about covered claims for five years. Under Part XI, the corporate respondents are required to notify the Commission of certain changes in structure, and Part XII requires the individual respondent to notify the Commission of changes in his employment for the next five years. Finally, Part XIII of the proposed order obligates the respondents to file appropriate compliance reports.

The purpose of this analysis is to facilitate public comment on the proposed order, and it is not intended 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. 95-8858 Filed 4-10-95; 8:45 am]

BILLING CODE 6750-01-M

[Dkt. C-3561]

**Gorayeb Seminars, Inc., et al.; 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 prohibits, among other things, two New Jersey-based companies and their officers from making any representation about the relative or absolute performance or efficacy of any smoking cessation or weight loss program, unless they possess and rely upon competent and reliable scientific evidence to substantiate the representation.

**DATES:** Complaint and Order issued March 3, 1995<sup>1</sup>.

**FOR FURTHER INFORMATION CONTACT:** Matthew Daynard, FTC/H-200, Washington, DC. 20580. (202) 326-3291.

**SUPPLEMENTARY INFORMATION:** On Friday, August 5, 1994, there was published in the **Federal Register**, 59 FR 40032, a proposed consent agreement with analysis In the Matter of Gorayeb Seminars, Inc., et al., 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 the order.

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

(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)

**Donald S. Clark,**

*Secretary.*

[FR Doc. 95-8859 Filed 4-10-95; 8:45 am]

BILLING CODE 6750-01-M

[Dkt. C-3565]

**IVAX Corp.; 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 permits, among other things, IVAX, a Florida corporation, to acquire Zenith Laboratories, except for Zenith's rights to market or sell extended release generic verapamil under Zenith's exclusive distribution agreement with G.D. Searle & Co. Respondent is also

<sup>1</sup> Copies of the complaint and the Decision and Order are available from the Commission's Public Reference Branch, H-130, 6th Street & Pennsylvania Avenue, NW., Washington, DC 20580.

required, for ten years, to obtain Commission approval before acquiring any stock in any entity that manufactures, or is an exclusive distributor for another manufacturer of, extended release generic verapamil in the United States.

**DATES:** Complaint and Order issued March 27, 1995.<sup>1</sup>

**FOR FURTHER INFORMATION CONTACT:** Melissa Heydenreich, FTC/S-2224, Washington, DC 20580, (202) 326-2543.

**SUPPLEMENTARY INFORMATION:** On Thursday, January 5, 1995, there was published in the **Federal Register**, 60 FR 1782, a proposed consent agreement with analysis in the Matter of IVAX 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 the 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 an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

(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)

**Donald S. Clark,**

*Secretary.*

[FR Doc. 95-8860 Filed 4-10-95; 8:45 am]

BILLING CODE 6750-01-M

[File No. 931-0134]

### **Korean Video Stores, et al.; Proposed Consent Agreement With Analysis to Aid Public Comment**

**AGENCY:** Federal Trade Commission.

**ACTION:** Proposed Consent Agreement.

**SUMMARY:** In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent agreement, accepted subject to final Commission approval, would prohibit, among other things, a Maryland based video store association and its members from entering into any agreement to raise or fix prices in the retail video tape rental business; and would require its members to display an announcement of the settlement in their respective stores and to publish the text of the corrective posters in three Korean-language newspapers in the Washington, DC area.

<sup>1</sup> Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H-130, 6th Street & Pennsylvania Avenue, NW., Washington, DC 20580.

**DATES:** Comments must be received on or before June 12, 1995.

**ADDRESSES:** Comments should be directed to: FTC/Office of the Secretary, Room 159, 6th St. and Pa. Ave., NW., Washington, DC 20580.

**FOR FURTHER INFORMATION CONTACT:** Joseph G. Krauss, FTC/H-324, Washington, DC 20580. (202) 326-2713.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46 and § 2.34 of the Commission's rules of practice (16 CFR 2.34), notice is hereby given that the following consent agreement containing a consent order to cease and desist, have been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of sixty (60) days. Public comment is invited. Such comments or views will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with § 4.9(b)(6)(ii) of the Commission's rules of practice (16 CFR 4.9(b)(6)(ii)).

In the Matter of: Korean Video Stores Association of Maryland, an unincorporated association,

Chang Hyun Cho, individually and trading and doing business as Hana Video;

Bong Soo Ha, individually and trading and doing business as Video Town;

Yoo Kwan Jun, individually and trading and doing business as Harford Video;

Dae Yong Kang, individually and trading and doing business as Daenamoo Video;

Yong Hoon Kang, individually and trading and doing business as Lotte Gifts Store;

Mi La Kim, individually and trading and doing business as Koryo Video;

Ki Sik Kim, individually and trading and doing business as Video Center;

Suk C. Kim, individually and trading and doing business as Nalee Video;

Ju Young Lee, individually and trading and doing business as Young Video;

Kyeong Hae Lee, individually and trading and doing business as Korean Corner;

Chang Jin Park, individually and trading and doing business as Samsung Video;

Mi Hwa Park, individually and trading and doing business as Sarangbang Video;

Young Min Ro, individually and trading and doing business as Hanyang Video;

Chae Sul Song, individually and trading and doing business as Lucky Gifts;

Tae Eung Yu, individually and trading and doing business as Hyundai Video; and

Seung Man Yun, individually and trading and doing business as Gaymi Video; File No. 931-0134.

### **Agreement Containing Consent Order**

The Federal Trade Commission ("Commission"), having initiated an investigation of certain acts and practices of the Korean Video Stores Association of Maryland, Chang Hyun Cho, Bong Soo Ha, Yoo Kwan Jun, Dae

Young Kang, Yong Hoon Kang, Mi La Kim, Ki Sik Kim, Suk C. Kim, Ju Young Lee, Kyeong Hae Lee, Chang Jin Park, Mi Hwa Park, Young Min Ro, Chae Sul Song, Tae Eung Yu, and Seung Man Yun, and it now appearing that the Korean Video Stores Association of Maryland, Chang Hyun Cho, Bong Soo Ha, Yu Kwan Jeon, Dae Yong Kang, Yong Hoon Kang, Mi La Kim, Ki Sik Kim, Suk C. Kim, Ju Young Lee, Kyeong Hae Lee, Chang Jin Park, Mi Hwa Park, Young Min Ro, Chae Sul Song, Tae Eung Yu, and Seung Man Yun, hereinafter sometimes referred to as "proposed Respondents," are willing to enter into an agreement containing an Order to cease and desist from certain acts and providing for other relief,

It is hereby agreed by and between the proposed Respondents and counsel for the Commission that:

1. Proposed Respondent Korean Video Stores Association of Maryland is an unincorporated trade association. Its mailing address is c/o Nalee Video, 13-G Aquahart Plaza, Glen Burnie, MD 21061.

Proposed Respondent Chang Hyun Cho is an individual trading and doing business as Hana Video, 220 N. Crain Highway, Glen Burnie, MD 21061.

Proposed Respondent Bong Soo Ha is an individual trading and doing business as Video Town, 2092 Veirs Mill Road, Rockville, MD 20581.

Proposed Respondent Yu Kwan Jeon is an individual trading and doing business as Harford Video, 8904 Harford Road, Baltimore, MD 21234.

Proposed Respondent Dae Yong Kang is an individual trading and doing as Daenamoo Video, 5722 York Road, Baltimore, MD 21212.

Proposed Respondent Yong Hoon Kang is an individual trading and doing business as Lotte Gifts Store, 2201 N. Charles Street, Baltimore, MD 21218.

Proposed Respondent Mi La Kim is an individual trading and doing business as Koryo Video, 10820-G Rhode Island Avenue, Beltsville, MD 20705.

Proposed Respondent Ki Sik Kim is an individual trading and doing business as Video Center, 29 W. North Avenue, Baltimore, MD 21201.

Proposed Respondent Suk C. Kim is an individual trading and doing business as Nalee Video, 13-G Aquahart Plaza, Glen Burnie, MD 21061.

Proposed Respondent Ju Young Lee is an individual trading and doing business as Young Video, 11790 Parklawn Drive, Rockville, MD 20852.

Proposed Respondent Kyeong Hae Lee is an individual trading and doing business as Korean Corner, 12207 Veirs Mill Road, Wheaton, MD 20906.