

Funding, Calabasas, California, a 50.1 percent voting interest in Premier Partners-James R. Gary Realtors, Woodland Hills, California (a joint venture), and thereby engage in originating, funding, and servicing residential mortgage loans on a retail basis, pursuant to § 225.25(b)(1) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, November 8, 1995.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 95-28269 Filed 11-15-95; 8:45 am]

BILLING CODE 6210-01-F

U.S. Trust Corporation; Notice of Application to Engage *de novo* in Permissible Nonbanking Activities

The company listed in this notice has filed an application under § 225.23(a)(1) of the Board's Regulation Y (12 CFR 225.23(a)(1)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to commence or to engage *de novo*, either directly or through a subsidiary, in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of

Governors not later than November 28, 1995.

A. Federal Reserve Bank of New York (William L. Rutledge, Senior Vice President) 33 Liberty Street, New York, New York 10045:

1. *U.S. Trust Corporation*, New York, New York; to engage *de novo* through its subsidiary, U.S. Trust Company of New Jersey, Princeton, New Jersey, in tax planning and tax preparation services for individuals, businesses and non-profit organizations, pursuant to § 225.25(b)(21) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, November 8, 1995.

Jennifer J. Johnson,

Deputy Secretary of the Board.

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FEDERAL TRADE COMMISSION

Automotive Fuel Ratings, Certification and Posting

AGENCY: Federal Trade Commission.

ACTION: Grant of partial exemption from the Commission's Fuel Rating Rule.

SUMMARY: The Commission has granted the petition of Gilbarco, Inc. ("Gilbarco"), a manufacturer of gasoline dispensers, on behalf of several major oil companies, requesting permission to post octane ratings by use of octane labels that differ from certain of the specifications contained in the Commission's Automotive Fuel Ratings, Certification and Posting Rule ("the Rule"). Pursuant to Rule 1.26 of the Commission's Rules of Practice, the Commission grants, for good cause, the requested relief without a notice and comment period because the Commission finds that such a procedure is unnecessary to protect the public interest in this case. The Commission previously has granted similar requests without notice and comment procedures.¹

EFFECTIVE DATE: November 16, 1995.

FOR FURTHER INFORMATION CONTACT: Thomas D. Massie, Attorney, Division of Enforcement, Federal Trade Commission, Washington, DC 20580, (202) 326-2982.

SUPPLEMENTARY INFORMATION: On March 30, 1979, the Commission published the Octane Posting and Certification Rule in the Federal Register. 44 FR 19160 (1979). The Rule established procedures

¹ See Octane Rule exemptions granted to Gilbarco, 53 FR 29277 (1988); to Exxon Corporation, 54 FR 14072 (1989); and to Dresser Industries, Inc., 56 FR 26821 (1991).

for determining, certifying and posting, by means of a label on the fuel dispenser, the octane rating of automotive gasoline intended for sale to consumers. Pursuant to section 15.01 of the Energy Policy Act of 1992, 106 Stat. 2776, the Rule has been amended to include requirements for disclosing the automotive fuel rating of liquid alternative fuels, 58 FR 41372 (1993). The amended Rule became effective October 25, 1993.

Section 306.10 of the Rule provides that retailers must post at least one octane rating label on each face of each gasoline dispenser. Retailers who sell two or more kinds of gasoline with different octane ratings from a single dispenser must post separate octane rating labels for each kind of gasoline one each face of the dispenser. Labels must be placed conspicuously on the dispenser so as to be in full view of consumers and as near as reasonably practical to the price per gallon of gasoline.

Section 306.12 of the Rule detail specifications for the labels. Labels must be 3 inches wide by 2½ inches long, and Helvetica type must be used for all text except the octane rating number, which must be in Franklin Gothic type. Type size for the text and numbers is specified, and the type and border must be process black on a process yellow background. The line "MINIMUM OCTANE RATING" must be in 12 point Helvetica bold, all capitals, with letter space set at 12½ points. The line "(R+M)/2 METHOD" must be in 10 point Helvetica bold, all capitals, with letter space set at 10½ points. The octane number must be in 96 point Franklin Gothic Condensed, with ¼ inch spacing between the numbers. Section 306.12(d) of the Rule further states that no marks or information other than that called for by the Rule may appear on the label.

On August 3, 1988, the Commission granted Gilbarco a partial exemption to the Rule with respect to the same multi-blend gasoline dispensers that are the subject of this partial exemption. 53 FR 29277 (1988). There the Commission allowed Gilbarco to use an octane label that was 3 inches wide and 2.3 inches long that would be inserted inside plastic gasoline selection switches. The Commission also allowed Gilbarco to place the word "PRESS", in 16 point Helvetica type, beneath the octane number on the label.

Gilbarco's experience with the plastic gasoline selection switches has shown that the plastics which is prone to cracking or hazing over after prolonged exposure to gasoline vapors, reducing the clarity of the octane label. Gilbarco

hypothesizes that consumers are using the metal nozzle tip of the dispenser hose to depress the selection switch and the repeated impact of the metal nozzle tip damages the protective coating on the switch. As a solution to this problem, Gilbarco has developed a metal replacement switch. The metal replacement switch has the same external dimensions as the plastic switch and avoids the need for special sheet metal replacement panels, new graphics, and changes to the internal mechanisms of the dispensers.

Although the external dimensions of the metal and plastic switches are the same, the design of the metal will require a slightly smaller octane label than that authorized for the plastic switch. The new label will sit in a depression or well on the face of the switch. Gilbarco proposes using an octane label that is 2.74 inches wide by 1.80 inches long, as opposed to the 3.00 inches wide by 2.30 inches long that is currently authorized. The type size of the octane number will be slightly smaller than the Rule requires.

The Commission has reviewed mock-ups of the metal replacement and the plastic switches and the proposed

octane label and has decided that the proposed labeling scheme is adequate to meet the Rule's posting objective in that it provides clear and conspicuous disclosure of all information required by the Rule. In addition the partial exemption allows Gilbarco to implement the most economical repair for its selectors switch problem without adversely affecting the public interest. Therefore, the Commission is granting Gilbarco permission to use its proposed labeling system on its multi-blend dispensers, provided that Gilbarco also complies with the Rule's octane label specifications in all other respects.

By direction of the Commission.
 Donald S. Clark,
Secretary.
 [FR Doc. 95-28340 Filed 11-15-95; 8:45 am]
BILLING CODE 6750-01-M

Granting of Request for Early Termination of the Waiting Period Under the Premerger Notification Rules

Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the

Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Federal Trade Commission and the Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the Federal Register.

The following transactions were granted early termination of the waiting period provided by law and the premerger notification rules. The grants were made by the Federal Trade Commission and the Assistant Attorney General for the Antitrust Division of the Department of Justice. Neither agency intends to take any action with respect to these proposed acquisitions during the applicable waiting period.

TRANSACTIONS GRANTED EARLY TERMINATION BETWEEN: 101095 AND 102095

Name of Acquiring Person, Name of Acquired Person, Name of Acquired entity	PMN No.	Date terminated
OrNda HealthCorp, Alan B. Miller, Universal Health Services, Inc	95-2613	10/10/95
Smiths Industries plc (a British corporation), Level 1 Technologies, Inc., Level 1 Technologies, Inc	95-2663	10/10/95
Tele-Communications, Inc., DMX, Inc., DMX, Inc	95-2685	10/10/95
Media General, Inc., Thomas E. Worrell, Jr., Worrell Enterprises, Inc., Antibes, Inc., Ivy Leasing C	95-2695	10/10/95
Citicorp, Burlington Northern Santa Fe Corporation, Burlington Northern Railroad Company	95-2740	10/10/95
North American Life Assurance Company (a Canadian Co.), The Manufacturers Life Insurance Company, The Manufacturers Life Insurance Company	95-2744	10/10/95
The Manufacturers Life Insurance Company, North American Life Assurance Company, North American Life Assurance Company	95-2745	10/10/95
Florida Progress Corporation, The Mutual Life Assurance Company of Canada, Continental Western Life Insurance Company	95-2752	10/10/95
Crown Crafts, Inc., The Red Calliope & Associates, Inc., The Red Calliope & Associates, Inc	95-2771	10/10/95
Nations Healthcare, Inc., Dr. H.C. Paul Sacher, Roche Professional Service Centers Inc	95-2779	10/10/95
Anheuser-Busch Companies, Inc., Herman Stock Trust Dated December 12, 1986, Bay Enterprises, Inc	95-2787	10/10/95
INDRESCO Inc., John O. Harry, Corrosion Technology Inc	95-2792	10/10/95
Tenneco Inc., Mid-Michigan Container Corp., Mid-Michigan Container Corp	95-2799	10/10/95
Insignia Financial Group, Inc., NPI Property Management Corporation, NPI Property Management Corporation & Assets	95-2815	10/10/95
Larry Addington, Addington Resources, Inc., Addington Mining, Inc	95-2307	10/12/95
Columbia/HCA Healthcare Corporation, Mid-America Hospitals, Inc., DHAL NEWCORP	95-2677	10/12/95
KCS Energy, Inc., David L. Hamilton, Natural Gas Processing Co	95-2681	10/12/95
DMX, Inc., Tele-Communications, Inc., TCI-Euromusic, Inc	95-2686	10/12/95
North Shore Health System, HIP Hospital, Inc., d.b.a. LaGuardia Hospital, HIP Hospital, Inc., d.b.a. LaGuardia Hospital	95-2696	10/12/95
North Shore Health System, HIP Hospital of Long Island Inc. d/b/a Syosset Comm Hosp, HIP Hospital of Long Island Inc. d/b/a Syosset Comm Hosp	95-2697	10/12/95
The Hain Food Group, Inc., Wilhelm Doerenkamp Foundation, The Estee Corporation	95-2703	10/12/95
Rush-Presbyterian—St. Luke's Medical Center, Illinois Masonic Medical Center, Illinois Masonic Medical Center	95-2729	10/12/95
The Bank of New York Company, Inc., NationsBank Corporation, NationsBank Corporation	95-2732	10/12/95
National Data Corporation, Meridian Bancorp, Inc., Meridian Bank	95-2742	10/12/95
Steven Dinetz, Trefoil Communications, Inc., Trefoil Communications, Inc	95-2743	10/12/95
Baxter International Inc., Baxter International Inc., Nextran	95-2757	10/12/95
Bay Networks, Inc., Xylogics, Inc., Xylogics, Inc	95-2762	10/12/95
Grand Casinos, Inc., Grand Gaming Corp., Grand Gaming Corp	95-2775	10/12/95
Grand Casinos, Inc., Gaming Corporation of America, Gaming Corporation of America	95-2778	10/12/95