

express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act, including 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" (12 U.S.C. 1843). 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.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than September 9, 1996.

A. Federal Reserve Bank of New York (Christopher J. McCurdy, Senior Vice President) 33 Liberty Street, New York, New York 10045:

1. Bayerische Vereinsbank AG, Munich, Germany; to engage *de novo* through its subsidiary, VB Structured Finance Inc., New York, New York, in commercial finance activities, including project finance, trade finance, acquisition finance, real estate loans, debtor in possession financing, and the provision of liquidity lines to asset-backed commercial paper conduits, pursuant to § 225.25(b)(1) of the Board's Regulation Y.

B. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. Joseph Thomas McLane, as conservator for Jerry F. McLane, Poplar Bluff, Missouri; to acquire an additional 43.40 percent, for a total of 43.42 percent, of the voting shares of Midwest Bancshares, Inc., Poplar Bluff, Missouri, and thereby indirectly acquire Carter County State Bank, Van Buren, Missouri, First Midwest Bank of Dexter, Dexter, Missouri, First Midwest Bank of Chaffee, and First Midwest Bank of Piedmont, Piedmont, Missouri.

Board of Governors of the Federal Reserve System, August 20, 1996.

Jennifer J. Johnson

Deputy Secretary of the Board

[FR Doc. 96-21645 Filed 8-23-96; 8:45 am]

BILLING CODE 6210-01-F

FEDERAL TRADE COMMISSION

Notice of Proposed Information Collection Requests

AGENCY: Federal Trade Commission.

ACTION: Proposed collection; comment request.

SUMMARY: The proposed information collection requirements described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The FTC is soliciting public comments on proposed extensions of Paperwork Reduction Act clearance for information collection requirements contained in twelve rules issued or enforced by the Commission. These OMB clearances expire on December 31, 1996. The FTC proposes that OMB extend its approvals through December 31, 1999.

DATES: Comments due: October 25, 1996.

ADDRESSES: Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 3228, Washington, D.C. 20503, ATTN: Desk Officer for the Federal Trade Commission, and to Elaine W. Crockett, Office of the General Counsel, Federal Trade Commission, Washington, D.C. 20580, (202) 326-2453.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the proposed information requirements should be addressed to Elaine W. Crockett at the address listed above.

SUPPLEMENTARY INFORMATION: The FTC will submit the proposed information collections to OMB for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended). The purpose of this Notice is to solicit comments from members of the public and affected agencies concerning the proposed collections of information to: (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility, (2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used, (3) Enhance the quality, utility, and clarity of the information to be collected, and (4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated,

electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

The FTC attempts to minimize the burden of collections of information on the public whenever possible. In this regard it should be noted that the great majority of the disclosure requirements discussed below entail burdens associated with statutorily required disclosure provisions. For example, the Truth-in-Lending, Textile Act, and Fair Packaging Regulations all involve large burden estimates, totaling approximately 69 million burden hours. Much of this burden reflects statutory provisions that require the disclosure of such basic consumer information as the annual percentage interest rate charged on loans, the composition of clothing and other textile items, and the size and content of packaged products. While the burden imposed on any individual party is often quite small (sometimes measured in seconds), the number of affected parties is often very high (sometimes measured in millions), and the total burden is therefore large. See e.g., the Regulations implementing the Equal Credit Opportunity Act, the Electronic Fund Transfer Act, and the Consumer Leasing Act.

The great majority of the recordkeeping and reporting provisions discussed below entail burdens that are necessary for the enforcement of the regulation and/or statute. In some instances, these recordkeeping requirements are statutorily mandated. See, e.g. the regulations implementing the Fur Products Labeling Act. In most instances, the regulated entities keep these records in the normal course of business, and thus these recordkeeping requirements do not impose an additional "burden" on members of the public. See 5 C.F.R. § 1320.3(b)(2) (burden hours exclude effort that would be expended regardless of any regulatory requirement).

1. Collection Title: The Games of Chance Rule, 16 C.F.R. Part 419

OMB Control Number: 3084-0067.

Description of the collection of information and proposed use: The Rule establishes both recordkeeping and disclosure requirements for food and gasoline retailers in conducting and advertising games of chance. The Rule requires that games promoters retain records showing compliance with certain provisions, and identify winners, prizes, and number of game pieces. The recordkeeping requirements assist in the enforcement of the Rule.

The Rule also requires that game promoters disclose the odds-of-winning and other prize information in broadcast and print advertisements. Promoters must also post a winners' list, containing the names and addresses of winners, the prizes won, and the number of game pieces. The disclosure requirements assist customers in determining both the likelihood of winning prizes and the legitimacy of the game.

Estimate of information collection burden: 8,250 total burden hours.

Recordkeeping: Approximately 30 independent firms contract to conduct an average of 50 promotions per year at an average burden per respondent of 150 hours for a total recordkeeping burden of 4,500 hours.

Disclosures: Approximately 30 game promoters conduct an average of 50 games per year at an average burden per promotion of 2.5 hours for a total disclosure burden of 3,750 hours.

2. Title: Regulations Promulgated Under the Equal Credit Opportunity Act, 15 U.S.C. § 1691 et seq. ("ECOA"), ("Regulation B")

Control Number: 3084-0087.

Description of the collection of information and proposed use: The ECOA prohibits discrimination in the extension of credit on the basis of sex, marital status, race, color, religion, national origin, age, derivation of income from a public assistance program, or good faith exercise of any right under the Consumer Credit Protection Act. Regulation B, 12 C.F.R. Part 202, promulgated by the Board of Governors of the Federal Reserve System, implements the ECOA. Among other things, section 202.12 of Regulation B requires creditors to retain records relating to consumer credit applications for 25 months, and records of business credit applications for 12 months. Section 202.13 of Regulation B requires creditors that receive mortgage credit applications to record the applicant's race or national origin, sex, marital status, and age. These requirements assist in enforcement of the Act and implementing Regulation.

Regulation B also has two primary disclosure provisions, both of which are statutorily required. First, creditors are required to provide applicants with information about adverse credit actions. 15 U.S.C. § 1691(d). Second, creditors are required to provide notification to mortgage credit applicants concerning appraisal reports. 15 U.S.C. § 1691(e). These disclosure requirements assist consumers in understanding their rights under the

ECOA. They also assist the Commission in detecting unlawful discrimination.

Estimate of information collection burden: 14,400,000 total burden hours.

Recordkeeping: The FTC estimates that Regulation B's recordkeeping requirements affect 1 million credit firms at an average burden of 1 hour per firm per year, for a total estimated burden of 1,000,000 hours. The FTC estimates that approximately 4,000 creditors are subject to the requirement to collect information about race/national origin, sex, age, and marital status and that approximately 4 million credit applications are affected. Because Regulation B contains a model form that creditors may use to collect the information, staff estimates that the burden associated with this recordkeeping requirement is no more than one minute for each application for a burden total of 66,700 hours.

Disclosures: The disclosures are all specifically mandated by the ECOA. Approximately 1 million creditors are subject to the requirement to provide notice of adverse credit action and 200 million accounts are covered by this requirement. Because the Regulation provides model forms for these notices, the burden of providing notice of adverse action is estimated to be 4 minutes for each application, for a burden total of 13.3 million hours.

The other disclosure requirement under Regulation B involves providing appraisal reports to consumers. The FTC estimates that 4,000 creditors and 4 million mortgage credit applications are subject to this requirement. Because creditors have the option to include the required notice on other forms that would be provided to the consumer during the ordinary course of business, the additional burden of making this disclosure is estimated to be 15 seconds for each application, for a total burden estimate of 16,666 hours.

3. Title: Regulations Promulgated Under the Electronic Fund Transfer Act, 15 U.S.C. § 1693 et seq. ("EFTA"), ("Regulation E")

Control Number: 3084-0085.

Description of the collection of information and proposed use: The EFTA requires accurate disclosure of the costs, terms and rights relating to electronic fund transfer (EFT) services to consumers. Regulation E, promulgated by the Board of Governors of the Federal Reserve System, implements the EFTA. Among other things, section 205.13 of Regulation E requires entities subject to the EFTA to retain evidence of compliance with the regulation for two years. These requirements assist in the enforcement

of the Act and implementing regulations. The FTC is the enforcing agency for the EFTA and Regulation E as to all entities providing EFT services except those (such as federally chartered or insured depository institutions) that are subject to the regulatory authority of another federal agency.

Regulation E contains several disclosure requirements relating to the terms and conditions of electronic fund transfer services. For example, among other disclosures, Regulation E requires financial institutions to (1) make initial disclosures to a customer about the terms and conditions of electronic fund transfer accounts; (2) deliver written notices concerning changes in certain terms or conditions in the customer's account; and (3) send periodic statements to customers concerning any account to or from which electronic fund transfers can be made. The disclosure requirements of Regulation E assist consumers in assessing the costs and terms of EFT services. The vast majority of Regulation E's disclosure requirements are expressly mandated by the EFTA. See, e.g., consumer liability for unauthorized use, 15 U.S.C. § 1693g; initial disclosures, 15 U.S.C. § 1693c(a); and documentation of transfers and receipts.

Estimate of information collection burden: 20,500,000 total burden hours.

Recordkeeping: The FTC estimates that Regulation E's recordkeeping requirements affect 500,000 firms that offer EFT services to consumers at an average annual burden of 1 hour per firm, for a total recordkeeping estimate of 500,000 hours.

Disclosures: Regulation E also contains a wide variety of disclosure requirements, which are more difficult to quantify. The number of regulated entities and the estimated amount of time necessary to comply with each requirement varies widely according to the specific provisions of each requirement, and the number of entities and the number of transactions affected by these requirements cannot readily be ascertained. Also, in recent years a large number of additional entities subject to Regulation E have entered the market.

As stated above, the FTC estimates that approximately 500,000 firms offer EFT services to consumers. However, the average burden hours relating to disclosures vary significantly according to the type of transaction involved and related disclosures. For example, EFT initial account disclosures are sent to approximately 1 million new accounts per year at an average burden of 1 second per account, whereas investigations and resolutions of account errors average 10 minutes per

complaint per year. Although this figure is difficult to quantify, the FTC estimates that the total burden estimate relating to disclosures is approximately 20,000,000 hours.

4. Title: Regulations Promulgated Under the Consumer Leasing Act, 15 U.S.C. § 1667 et seq., ("CLA"). ("Regulation M")

Control Number: 3084-0086.

Description of the collection of information and proposed use: The CLA requires accurate disclosure of the costs and terms of leases to consumers. Regulation M, promulgated by the Board of Governors of the Federal Reserve System, implements the CLA. Section 213.6 of Regulation M requires lessors to retain evidence of compliance with the regulation (other than advertising requirements) for two years after the date disclosures are required to be made. These requirements assist in enforcement of the Act and implementing regulations. The FTC is the enforcing agency for the Consumer Leasing Act as to all lessors except those (such as federally chartered or insured depository institutions) that are subject to the regulatory authority of another federal agency.

Regulation M imposes disclosure requirements on all types of lessors, including leasing companies, finance companies, auto dealers, and some furniture, appliance, radio and television dealers. The written disclosures required by Regulation M are specifically required by the CLA. See 15 U.S.C. 1667a. Similarly, the advertising disclosures required by Regulation M are also specifically required by the CLA. See 15 U.S.C. 1667c. These disclosures assist consumers in understanding the terms of leases prior to entering into a lease agreement.

Estimate of information collection burden: 533,400 total burden hours.

Recordkeeping: The FTC estimates that 100,000 firms leasing products to consumers are affected by Regulation M's recordkeeping requirements at an average burden of 1 hour per year, for a total recordkeeping burden of 100,000 hours.

Disclosures: The burden relating to disclosure requirements has increased significantly in recent years because the number of consumer automobile leases (the largest category of consumer leases) has grown dramatically and the current burden estimate reflects this growth. The FTC estimates that approximately 2,500,000 lease transactions are subject to the written disclosure requirements and that providing the required disclosures takes an average of 10

minutes per lease for a total burden related to lease transactions of 416,700 hours. With respect to lease advertising disclosures, most (although certainly not all) lease promotions offer automobile transactions. The FTC estimates that approximately 1 million lease advertisements per year are affected by the Rule at 1 minute per advertisement for a total burden related to lease advertisements of 16,666 burden hours.

5. Title: Regulations Promulgated Under the Truth-in-Lending Act, 15 U.S.C. § 1601 et seq. ("TILA"). ("Regulation Z")

Control Number: 3084-0088.

Description of collection of information and proposed use: The TILA was enacted to foster comparison credit shopping and informed credit decisionmaking by requiring accurate disclosure of the costs and terms of credit to consumers. Regulation Z, promulgated by the Board of Governors of the Federal Reserve System, implements the TILA. Among other things, section 226.25 of Regulation Z requires creditors to retain evidence of compliance with the regulation (other than the advertising requirements) for two years after the date disclosures are required to be made or other action is required to be taken. These requirements assist in enforcement of the Act and implementing regulations. The FTC enforces the TILA as to all creditors except those (such as federally chartered or insured depository institutions) that are subject to the regulatory authority of another federal agency.

Regulation Z requires creditors to calculate and disclose terms that apply to both open-end credit (e.g., revolving credit or credit lines) and closed-end credit (e.g., installment financing). Regulation Z imposes disclosure requirements on all types of creditors in connection with consumer credit, including mortgage companies, finance companies, retailers, and credit card issuers, to ensure that consumers are fully apprised of the terms of financing prior to consummation of the transaction and, in some instances, during the loan term. It also imposes advertising disclosure requirements on advertisers of consumer credit. Among other things, Regulation Z also establishes billing error resolution procedures and limits consumer liability for the unauthorized use of credit cards. The vast majority of Regulation Z's disclosure requirements are expressly mandated by the TILA. See, e.g., open-end initial disclosures, 15 U.S.C. § 1637(a); and open-end

periodic disclosures, 15 U.S.C. § 1637(b). In most instances, the disclosure and other requirements of Regulation Z form the basis both for administrative enforcement of the TILA by the FTC and other agencies and for private rights of action by private litigants.

Estimate of Collection of information burden: 41,600,000 total burden hours.

Recordkeeping and Disclosures: In recent years Congress has amended the TILA to include additional requirements. In addition, the various types of credit accounts affected by the Regulation have greatly increased. Because Regulation Z contains a wide variety of requirements, it is extremely difficult to quantify the number of entities and the number of transactions affected by these requirements. Further, the number of regulated entities and the estimated amount of time necessary to comply with each requirement varies widely according to the specific provisions of each requirement. For example, businesses place approximately 200,000 open-end home equity line of credit advertisements per year at an average burden of 5 minutes per advertisement. On the other hand, 4 million residential loan originations are made per year at 10 minutes per loan. These figures are difficult to quantify; however, the FTC estimates Regulation Z's recordkeeping requirements to be approximately 1,000,000 hours and Regulation Z's disclosure requirements to be 40,600,000 burden hours.

6. Title: Regulations Under the Textile Fiber Products Identification Act, 15 U.S.C. § 70 et seq. ("Textile Act")

Control Number: 3084-0047.

Description of the collection of information and proposed use: The Textile Act prohibits misbranding and false advertising of textile fiber products. The Textile Act Regulations, 16 C.F.R. § 303, which implement the Textile Act, require accurate disclosure of material product information in a standardized format. Many of these disclosures are required by the Textile Act. See 15 U.S.C. 70(b). The disclosure requirements assist consumers in making informed purchasing decisions.

The Regulations also require manufacturers and marketers who substitute labels (e.g., resellers) to maintain records, invoices, and other documents that reflect the bases relied upon in making fiber content and country of origin disclosures. These recordkeeping requirements are specifically mandated by the Textile Act. See 15 U.S.C. 70d. The recordkeeping requirements assist the

Commission in enforcing the Regulations.

The Regulations also contain a petition procedure for requesting the establishment of generic names for textile fibers. The information submitted is used by the FTC to determine whether the petition should be granted.

Estimate of information collection burden: 15,500,000 total burden hours.

Recordkeeping: The FTC estimates that approximately 30,000 textile firms retain required records at an average burden of 43 hours per year, for a total recordkeeping burden of 1,290,000 hours. *Disclosures:* The FTC also estimates that approximately 40,000 textile firms make disclosures for 9,300,000,000 covered products at an average burden of 5.5 seconds per item, for a total disclosure burden of 14,208,000 hours. *Petitions:*

Approximately 1 textile firm submits 1 petition per year at an average burden of 50 hours.

7. Title: Regulations Under the Wool Products Labeling Act, 5 U.S.C. § 68 et seq. ("Wool Act")

Control Number: 3084-0047.

Description of the collection of information and proposed use: The Wool Act prohibits misbranding of wool products. The Wool Act Regulations, 16 CFR § 300, require accurate disclosure of material information about wool products, including fiber content and country of origin disclosures. Many of these disclosures are mandated by the Wool Act. See 15 U.S.C. § 68b. The disclosure requirements assist consumers in making informed purchasing decisions.

The Regulations also require manufacturers and other marketers of covered products to maintain records that support both claims made on labels and invoices and savings representations. These recordkeeping requirements are specifically mandated by the Wool Act, see 15 U.S.C. § 68d, and assist the Commission in enforcing the Regulations.

The Regulations also contain a procedure for filing a petition concerning whether or not representations of the fiber content of a class of articles are commonly made, or whether or not the textile content of certain products is insignificant or inconsequential. The information submitted is used by the FTC to determine whether the petition should be granted.

Estimate of information collection burden: 2,291,000 total burden hours.

Recordkeeping: The FTC estimates that approximately 15,000 wool firms retain records at an average burden of

12.73 hours per firm, for a total recordkeeping burden of 191,000 hours. *Disclosures:* Approximately 20,000 wool firms make disclosures on 1,375,000,000 covered products at an average burden of 5.5 seconds per item, for a total disclosure burden of approximately 2,100,000 hours. *Petitions:*

Approximately 1 wool firm submits 1 petition per year at an average burden of 50 hours.

8. Title: Regulations Under the Fur Products Labeling Act, 15 U.S.C. § 69 et seq. ("Fur Act")

Control Number: 3084-0047.

Description of the collection of information and proposed use: The Fur Act prohibits misbranding and false advertising of fur products. The Fur Products Regulations, 16 CFR § 301, which implement the Fur Products Labeling Act, require accurate disclosure of material information about fur products, including the fur content and the country of origin. Many of these disclosures are mandated by the Fur Act. See 15 U.S.C. § 69b. The disclosure requirements assist consumers in making informed purchasing decisions.

The Regulations also require manufacturers and dealers in fur products to retain records to support claims made on labels and to support representations made in advertisements. The recordkeeping requirements are specifically mandated by the Fur Act, see 15 U.S.C. § 69e, and assist the Commission in enforcing the Regulations.

The Regulations also provide a procedure for exemption from certain disclosure provisions under the Act.

Estimate of Information Collection Burden: 137,600 total burden hours.

Recordkeeping: The burden associated with the rule's general recordkeeping requirements is estimated to be 15 to 30 minutes per week for retailers and 1 hour per week for manufacturers. With an allowance for the specific recordkeeping requirements associated with exempted products and price savings claims, the total recordkeeping burden associated with the rules is estimated to be approximately 59,000 hours.

Disclosures: The FTC estimates that approximately 600 fur products manufacturers make an average of 2,000 garments per year. In addition, approximately 1,000 retailers will substitute labels for 500 fur garments apiece. Preparation of a label for each garment will take an average of 2 minutes per garment for a total labeling burden of 57,000 hours annually. Because invoices will be generated in the normal course of business, the

additional time needed to comply with the rule's invoice disclosure requirement should be minimal and is estimated to be 30 seconds per garment, or an industry total of approximately 14,000 hours. The FTC also estimates that the advertising disclosure requirement in the rule imposes an average burden of 1 hour per year for each of the approximately 7,500 fur retailers in the nation, for an estimated burden of 7,500 hours.

Petitions: Over the past decade, the FTC has received no petitions for an exemption under the Fur Act provisions. Nonetheless, the FTC is estimating this yearly burden to be approximately 50 hours.

9. Title: The "900" Number Rule, 16 CFR Part 308

Control Number: 3084-0102

Description of the collection of information and proposed use: The 900 Number Rule establishes requirements for advertising and operating pay-per-call services. The Rule also establishes procedures for billing and collecting charges for these services. The primary purpose of the Rule is to assist in preventing unfair and deceptive acts or practices by ensuring that consumers are informed of cost and other material information prior to calling 900 numbers; to provide consumers with adequate billing information subsequent to calling 900 numbers; and to establish a mechanism for disputing charges for 900 number calls. The advertising, preamble, and billing statement disclosures are specifically mandated by the Telephone Disclosure and Dispute Resolution Act. 15 U.S.C. § 5701 et seq ("TDDRA"). The TDDRA also requires the rules under the billing dispute resolution portion of the Rule to be substantially similar to the requirements imposed under the Truth-in-Lending Act and Fair Credit Billing Acts. 15 U.S.C. § 5721(a)(2).

In addition, any common carrier who provides telecommunication services to a provider of pay-per-call services is required to provide the Commission with financial information and other records relating to the arrangement. This requirement assists in the enforcement of the Rule by permitting the Commission to obtain information from telephone companies that provide transmission services to 900 number providers.

Estimate of information collection burden: 3,241,200 total burden hours.

Recordkeeping/Reporting: The FTC estimates that approximately 25 common carriers make records available to the Commission at an average burden

of 5 hours per submission, for a total reporting burden of 125 hours.

Disclosures: As directed by statute, the 900 Number Rule requires certain disclosures to be made in advertisements for 900 numbers. Specifically, every advertisement for a 900 number must contain a disclosure of the cost of the telephone call. Other types of 900 number advertisements (those directed primarily to individuals under 18, sweepstakes ads, and federal programs ads) must contain additional disclosures. The FTC estimates that each disclosure mandated by the Rule requires 1 hour of compliance time. Of 60,000 advertisements (20,000 information providers × 3 services/ads for each), approximately 30% are advertisements for sweepstakes or federal programs, and approximately 50% are directed to individuals under the age of 18. Thus, it would take 110,000 burden hours (60,000 (cost) + 20,000 (sweepstakes/federal programs) + 30,000 (parental permission) to comply with all of the advertising disclosures contained in the Rule.

The FTC estimates that approximately 60,000 pay-per-call services are required to make disclosures in the preamble at an average burden of 10 hours for each preamble, for a total burden estimate of 600,000 hours.

In addition, the 900 Number Rule requires information providers to ensure that disclosures appear on each billing statement. The FTC estimates that approximately 2,000 of 20,000 information providers will conduct monitoring of billing statements at an average burden estimate of 12 hours per provider, for a total burden estimate of 24,000 hours.

Pursuant to the statute, the Rule also requires that information providers ensure that certain disclosures appear on each billing statement that contains a charge for a call to a 900 number. The FTC estimates that approximately 50,000,000 calls are made to pay-per-call services each year; of those calls, approximately 5% result in charges about which consumers call to complain and which constitute "billing errors" as defined by the Rule. While the time it takes to respond to each alleged billing error will vary according to the type of complaint and the ease with which it can be resolved, staff estimates that, on average, a billing entity will spend 1 hour resolving each alleged billing error. Accordingly, the compliance burden would be 2,500,000 hours (5% of 50,000,000 × 1 hour for each billing error) to comply with the dispute resolution requirements contained in the rule.

Billing entities are also required to notify pay-per-call customers in writing, at least annually, of their rights and obligations with respect to pay-per-call service charges. The FTC estimates that it will take 7,000 hours for billing entities to notify pay-per-call customers in writing, at least annually, of their rights and obligations with respect to pay-per-call service charges (1400 billing entities × 5 hours to review and revise disclosure each year), for a total burden estimate of 7,000 hours.

Based on these figures, the total yearly burden of the 900 Number Rule is approximately 3,241,125 hours (125 reporting hours + 3,241,000 disclosure hours).

10. Title: The Care Labeling Rule, 16 CFR Part 423

Control Number: 3084-0103.

Description of collection of information and proposed use: The Care Labeling Rule requires manufacturers and importers to attach a permanent care label to all covered textile clothing. Also, manufacturers and importers of piece goods used to make textile clothing must provide the same care information on the end of each bolt or roll of fabric. These labels disclose information about washing or dry cleaning the apparel or fabric. These requirements assist consumers in making purchasing decisions and in deciding what method to use to clean their apparel. Professional cleaners also use this information to clean apparel in a manner that avoids damage to the garment. The Rule also provides a procedure whereby a member of the industry may petition the Commission for an exemption for products that are claimed to be harmed in appearance by the requirement for a permanent label.

Estimate of information collection burden: 3,985,000 total burden hours.

Disclosures: The FTC estimates that approximately 25,000 apparel manufacturers and importers make disclosures at an average burden of approximately 159 hours per company per year, for a total burden estimate of approximately 3,985,000 hours.

Petitions: Only 1 petition, subsequently withdrawn, has been filed in recent years. Thus, an estimated 50 hours for preparing a petition has been incorporated into the total burden calculated for the disclosure requirements.

11. Title: Regulation Under the Fair Packaging and Labeling Act, 15 U.S.C. § 1450 ("FPLA")

Control Number: 3084-0110.

Description of collection of information and proposed use: The

FPLA was enacted to eliminate consumer deception concerning product size representations and package content information. The Regulations that implement the FPLA, 16 CFR § 500, establish requirements for the manner and form of labeling consumer commodities. Section 4 of the FPLA specifically requires packages or labels to be marked with: (1) a statement of identity, (2) a net quantity of contents disclosure, and (3) the name and place of business of a company that is responsible for the product.

Estimate of Information Collection Burden: 12,000,000 total burden hours.

Recordkeeping: Most of the records that manufacturers, packagers, distributors, and retailers of consumer commodities are required to retain would otherwise be kept in the normal course of business, and any hours that would constitute a "burden" under the Paperwork Reduction Act have been included in the figure established for disclosures.

Disclosures: The FTC estimates that approximately 1,200,000 manufacturers, packagers, distributors, and retailers of consumer commodities make disclosures, most of which are statutorily required, at an average burden of 10 hours per company, for a total disclosure burden of 12,000,000 hours.

12. Title: The Fuel Rating Rule, 16 CFR Part 306

Control Number: 3084-0068.

Description of collection of information and proposed use: The Fuel Rating Rule establishes standard procedures for determining, certifying and disclosing the octane rating of automotive gasoline and the automotive fuel rating of alternative liquid automotive fuel. These requirements are specifically mandated by the Petroleum Marketing Practices Act. See 15 U.S.C. § 2822(a)-(c). The fuel rating determination, certification, and labeling requirements establish a framework that provides consumers with reliable, comparable, and readily available information about the fuel ratings of similar types of fuel.

The Rule also requires refiners, producers, importers, distributors and retailers to retain records of delivery tickets, letters of certification or tests upon which automotive fuel ratings are based. The primary purpose of the Rule's recordkeeping requirements is to preserve evidence of automotive fuel rating certification for enforcement purposes.

Estimate of Information Collection Burden: 43,000 total burden hours.

Recordkeeping: The FTC estimates that approximately 190,000 automotive fuel industry members retain records at an average annual burden of 6 minutes per industry member, for a total recordkeeping burden of 19,000 hours.

Disclosures: The FTC also estimates that approximately 24,000 distributors make required disclosures at an average annual burden of 1 hour per industry member, for a total disclosure burden of 24,000 hours.

Benjamin I. Berman,
Acting Secretary.

[FR Doc. 96-21799 Filed 8-23-96; 8:45 am]

BILLING CODE 6750-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Docket No. 93N-0371]

Prescription Drug Information for Patients: Notice of Request for Collaboration to Develop an Action Plan

AGENCY: Department of Health and Human Services.

ACTION: Notice.

SUMMARY: The Department of Health and Human Services (the Department) is requesting that national organizations which have an interest in providing prescription drug information to patients collaborate to develop a long-range action plan for distributing useful written prescription information to 75 percent of individuals receiving new prescriptions by the year 2000, and to 95 percent of individuals receiving new prescriptions by the year 2006. This document also describes the mechanism that the Department is instituting to facilitate collaboration among national organizations. This action is being taken under certain provisions of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1997.

DATES: Submit written requests for participation in this process by September 3, 1996.

ADDRESSES: Submission of notice of desire to participate should be addressed to: Keystone Center, 1001 G Street, NW., Suite 430 West, Washington, DC. 20001.

FOR FURTHER INFORMATION CONTACT: Kevin S. Curtis, Keystone Center, 1001 G Street, NW., 430 West, Washington, DC., 20001, 202-783-0248 or via FAX 202-783-0328, or Internet KCurtis@Keystone.ORG; or Betty Palsgrove, (HFY-40), Office of Health Affairs, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD

20857, 301-443-1652, or via FAX 301-443-2446, or Internet Epalsgro@bangate.fda.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Under section 601 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1997 (Pub. L. 104-180) (The Appropriations Act), the Department is requesting the collaborative development and submission of an acceptable long-range, comprehensive action plan that will meet the goals for providing useful written prescription drug information to patients. This notice summarizes the Appropriations Act's requirements for the development and submission of the plan. It also describes a mechanism to facilitate development of a single unified plan.

A. Summary of the Appropriations Act

The Appropriations Act directs the Secretary of Health and Human Services (the Secretary) to request that national organizations representing health care professionals, consumer organizations, voluntary health agencies, the pharmaceutical industry, drug wholesalers, patient information data base companies, and other relevant parties collaborate to develop a long-range, comprehensive action plan. The goals of this long-range, comprehensive action plan are the distribution of useful written information to 75 percent of individuals receiving new prescriptions by the year 2000, and to 95 percent of individuals receiving new prescriptions by the year 2006.

The Appropriations Act identifies six elements that must be part of this plan: (1) Goal identification, (2) assessment of the effectiveness of current private-sector approaches to providing oral and written information, (3) development of guidelines for providing effective oral and written information, (4) inclusion of elements necessary for the transmittal of useful information (scientifically accurate, nonpromotional in tone and content, sufficiently specific and comprehensive, and presented in an understandable and legible format readily comprehensible to product users), (5) development of a mechanism for periodic assessment of information quality and frequency of provision, and (6) provision for compliance with State Board regulations.

If an acceptable long-range, comprehensive action plan is submitted to the Secretary not later than 120 days after the enactment of this Appropriations Act (i.e., by December 4,

1996), the Secretary will have no authority to implement FDA's proposed rule, Prescription Drug Product Labeling: Medication Guide Requirements (60 FR 44182, August 24, 1995). The Secretary is to, in good faith and after due consideration, accept, reject, or suggest modifications to the plan within 30 days of the plan's submission. If the Secretary takes no action on the plan within 30 days of its submission, the submitted plan commences within 60 days of its submission. The Appropriations Act also states that the Secretary may confer with and assist private parties in the development of this plan.

The Appropriations Act requires that, not later than January 1, 2001, the Secretary is to review the status of the private sector initiative. If the specified goals are not achieved, the limitation on the Secretary's authority to implement the proposed rule would not apply. At that juncture, the Department would seek public comment on other initiatives that could be carried out to meet the previously stated goals.

B. The Collaborative Process

The Appropriations Act specifies that the Department request a collaborative process to develop this plan, which would include a full range of representative national organizations. The Appropriations Act envisions the development of a single plan that would be submitted for review. However, the Appropriations Act does not specify a mechanism to ensure that a single plan be submitted, or how the Secretary should react if multiple plans are submitted. Thus, it is important to assure that a single unified plan representing the broad range of national organizations be submitted so that all parties interested in and responsible for the provision of patient information understand the goals and criteria for evaluating progress towards meeting these goals.

Numerous national organizations representing health care professionals, consumer organizations, voluntary health agencies, the pharmaceutical industry, drug wholesalers, patient drug information data base companies, and other relevant parties have an interest in patient information. Many of these organizations have commented on FDA's proposed rule or attended conferences or meetings hosted by FDA and others to discuss this topic. However, no one single organization fully represents all of the interests, views, and capabilities of all the relevant organizations. Therefore, in order to assure a broad and balanced collaborative process and to aid in the