The ASC is publishing new Section 3.13 to conform with 5 U.S.C. 552(a)(1)(C), which requires the publication of agency rules of operation in the **Federal Register**. The notice and publication requirements of 5 U.S.C. 553 do not apply to the adoption of Section 3.13 because it is a ''rule of agency organization, procedure, or practice'' exempt from the public notice and comment process under 5 U.S.C. 553(b)(3)(A).

Based on the foregoing, the ASC adopts new Section 3.13 of the Rules of Operation, as follows, effective immediately:

Rules of Operation

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Article III—Members of the Subcommittee

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Section 3.13. Transaction of Business by Circulation of Written Items. Any other provision of these Rules to the contrary notwithstanding, business may be conducted by the Subcommittee by the circulation of written items to all members. The Secretary [the Executive Director], in consultation with the Chairperson: (1) Shall determine whether items qualify for this expedited voting method because they are routine, recurring or previously discussed at an ASC meeting; and (2) shall specify a deadline for the receipt of members' responses. Qualifying items may be transmitted in paper or electronic format. The Secretary (or the Secretary's designee) shall confirm each member's actual receipt of items, and the response period shall be measured from the day of actual receipt. Members may vote in one of three ways: approve, disapprove or veto.

The matter shall be approved or disapproved by a majority vote of the members participating in the voting process, so long as the voting members comprise a quorum, as generally defined in Section 3.08(a). A vote to veto will cause the matter to be placed on the agenda of the next scheduled ASC meeting, as governed by Section 3.09. The disposition of each written item circulated for vote, including the vote of each member, shall be recorded in the minutes of the Subcommittee.

* * * * *

By the Appraisal Subcommittee.

Dated: August 21, 1997.

Herbert S. Yolles,

Chairman.

[FR Doc. 97–22966 Filed 8–27–97; 8:45 am]

BILLING CODE 6201–01–M

FEDERAL MARITIME COMMISSION

Notice of Agreement(s) Filed

The Commission hereby gives notice of the filing of the following agreement(s) under the Shipping Act of 1984.

Interested parties can review or obtain copies of agreements at the Washington, DC offices of the Commission, 800 North Capitol Street N.W., Room 962. Interested parties may submit comments on an agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, on or before September 8, 1997.

Agreement No.: 202–011456–022.
Title: South Europe American Conference (''SEAC'').
Parties:
DSR Senator Lines GmbH
Evergreen Marine Corporation (Taiwan) Ltd.
''Italia'' di Navigazione, S.p.A.
A.P. Moller-Maersk Line
P&O Nedlloyd B.V.
P&O Nedlloyd Limited
Sea-Land Service, Inc.
Zim Israel Navigation Company, Ltd.
Synopsis: The proposed modification would authorize the parties to continue to discuss, exchange information and agree upon matters relating to the performance of existing SEAC service contracts subsequent to the dissolution of the Conference. The parties have requested expedited review.

Agreement No.: 202–011576–001.
Title: South American Independent Lines Association.
Parties:
Interocean Lines, Inc.
Seaboard Marine, Ltd.
Trinity Shipping Line, S.A.
Synopsis: The proposed amendment would permit the Agreement parties to discuss and agree with other members of the West Coast of South America Discussion Agreement (FMC Agreement No. 203–011426) on the terms and conditions of service contracts and to aggregate the volume of cargo shipped under their respective contracts.

Agreement No.: 202–011587.
Title: United States South Europe Conference.
Parties:
A. P. Moller-Maersk Line
P&O Nedlloyd B.V.
P&O Nedlloyd Limited
Sea-Land Service, Inc.
Synopsis: The proposed Agreement would permit the parties to discuss and agree upon rates, rules, charges, and practices for the transportation of cargo in the trade between United States Atlantic and Gulf Coast ports, and inland points served by those ports, and ports in Italy, Spain and Portugal, and Mediterranean French ports and inland points in Europe served by such ports. The parties have requested expedited review.

Agreement No.: 224–200229–004.
Title: Manchester/Empire Freight Handling Agreement.
Parties:
Manchester Terminal Corporation
Empire Stevedoring (Houston) Inc.
Synopsis: This modification changes the name of the freight handling party from Empire Scott Stevedoring, Inc. to Empire Stevedoring (Houston) Inc.

By order of the Federal Maritime Commission.

Dated: August 22, 1997.

Ronald D. Murphy,

Assistant Secretary.

[FR Doc. 97–22853 Filed 8–27–97; 8:45 am]

BILLING CODE 6730–01–M

FEDERAL TRADE COMMISSION

[File No. 962–3279]

Mid-South PCM Group, P.C.; Eye and Vision Clinic, P.C.; International Computerized Orthokeratology Society, Inc.; J. Mason Hurt, O.D.; Analysis To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices or unfair methods of competition. The attached Analysis to Aid Public Comment describes both the allegations in the draft complaint that accompanies the consent agreement and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before October 27, 1997.

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: Christa Vecchi, Federal Trade Commission, H–200, 6th St. and Pa. Ave., NW., Washington, DC 20580. (202) 326–3166. Matthew Daynard, Federal Trade Commission, H–200, 6th St. and Pa. Ave., NW., Washington, DC 20580. (202) 326–3291.

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 above-captioned consent agreement containing a consent order to cease and desist, having 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. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the accompanying complaint. An electronic copy of the full text of the consent agreement package can be obtained from the Commission Actions section of the FTC Home Page (for August 21, 1997), on the World Wide Web, at ''http://www.ftc.gov/os/actions/htm.'' A paper copy can be obtained from the FTC Public Reference Room, Room H–130, Sixth Street and Pennsylvania Avenue NW., Washington, DC 20580, either in person or by calling (202) 326–3627. 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)).

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission has accepted, subject to final approval, an agreement to a proposed Consent Order (''proposed order'') from Mid-South PCM Group, P.C., Eye and Vision Clinic, P.C., the International Computerized Orthokeratology Society, Inc., and J. Mason Hurt, O.D., the sole owner and President of the corporations.

The proposed consent order has been placed on the public record for sixty (60) days for the reception of comments by interested persons. Comments received during this period will become part of the public record. After sixty (60) days, the Commission will again review the agreement and will decide whether it should withdraw from the agreement or make final the agreement's proposed order.

This matter concerns print, broadcast and Internet advertisement provided directly to consumers, and to optometrists for distribution under their own name to consumers, for proposed respondents' ''Precise Corneal Molding'' orthokeratology (''PCM ortho-k'') service. PCM ortho-k is an eye care service involving the use of a series of contact lenses purportedly to reshape the cornea gradually for the treatment of myopia, or nearsightedness (difficulty seeing at a distance), hyperopia, or farsightedness (difficulty seeing up close), and astigmatism (blurred vision).

The Commission's complaint charges that the proposed respondents engaged in deceptive advertising in violation of sections 5 and 12 of the FTC Act by making false and unsubstantiated claims that: (1) PCM ortho-k provides a cure for any refractive vision deficiency thereby permanently eliminating the need for all corrective eyewear, including eyeglasses and contact lenses; and (2) all people can achieve normal vision without eyeglasses or contact lenses on a permanent basis if they wear PCM ortho-k devices occasionally or at night.

The complaint further alleges that proposed respondents made false claims that: (1) PCM ortho-k has been approved by the Federal Aviation Administration and all branches of the United States military for use in correcting refractive vision deficiencies; (2) four named University studies prove that PCM ortho-k is safe and effective in correcting nearsightedness, farsightedness, and astigmatism; and (3) consumer testimonials for respondents' PCM ortho-k services reflect the typical or ordinary experience of members of the public who receive those services, which experience is that PCM ortho-k patients typically achieve 20/20 vision and no longer need corrective eyewear.

The complaint further alleges that proposed respondents made unsubstantiated claims that: (1) A significant number of people can achieve normal vision without eyeglasses or contact lenses on a permanent basis if they wear PCM ortho-k devices occasionally or at night; (2) all or most people will experience stabilized vision after only a few weeks or months of PCM ortho-k treatments; (3) PCM ortho-k prevents and reverses deteriorating nearsightedness in children; (4) PCM ortho-k is safer than contact lenswear; (5) PCM ortho-k is more effective than refractive surgical methods in eliminating nearsightedness, farsightedness, and all forms of astigmatism; and (6) PCM ortho-k has helped thousands of people achieve normal vision.

The proposed order contains provisions designed to remedy the violations charged and to prevent proposed respondents from engaging in similar acts in the future.

Paragraph I of the proposed order prohibits proposed respondents from claiming that PCM ortho-k, or any substantially similar service (defined as any ophthalmic service or procedure using contact lenses or similar devices to modify the shape of the cornea and reduce or eliminate refractive vision deficiencies): (1) Provides a cure for any refractive vision deficiency thereby permanently eliminating the need for all corrective eyewear, including eyeglasses and contact lenses: and (2) has been approved by the Federal Aviation Administration and all branches of the United States military for use in correcting refractive vision deficiencies. Paragraph I further prohibits proposed respondents from representing that: (1) All people can achieve normal vision without eyeglasses or contact lenses on a permanent basis if they wear devices used with PCM ortho-k or any substantially similar service occasionally or at night; and (2) four named University studies prove that PCM ortho-k or any substantially similar service is safe and effective in correcting nearsightedness, farsightedness, and astigmatism.

Paragraph II of the proposed order prohibits proposed respondents from making any representation for PCM ortho-k, or any substantially similar service, about: (1) The number of people who can achieve normal vision without eyeglasses or contact lenses on a permanent basis if they wear devices used with such service occasionally or at night; (2) the number of people who will experience stabilized vision after only a few weeks or months of treatments under such service; (3) the ability of such service to prevent or reverse deteriorating nearsightedness in children; (4) the comparative safety of such service and contact lenswear; (5) the comparative effectiveness of such service and refractive surgical methods in eliminating nearsightedness, farshghtedness, or any form of astigmatism; and (6) the number of people whom such service has helped achieve normal vision, unless, at the time the representation is made, proposed respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation.

Paragraph III of the proposed order prohibits respondents from misrepresenting the existence, contents, validity, results, conclusions, or interpretations of any test, study, or research.

Paragraph IV of the proposed order prohibits proposed respondents from representing that any service, procedure, or product is endorsed or approved by any governmental or professional organization or association, or complies with or meets standards or guidelines for such services, procedures, or products established by any such organization or association, unless such is the case.

Paragraph V of the proposed order prohibits respondents from representing that the experience represented by any user testimonial or endorsement of any

service, procedure, or product represents the typical or ordinary experience of members of the public who use the service, procedure, or product, unless the representation is true, and competent and reliable scientific evidence substantiates that claim, or respondents clearly and prominently disclose either: (1) What the generally expected results would be for program participants; or (2) the limited applicability of the endorser's experience to what consumers may generally expect to achieve, that is, that consumers should not expect to achieve similar results.

Paragraph VI of the proposed order prohibits respondents from making any representation about the relative or absolute efficacy, performance, benefits, safety, or success of any ophthalmic service, procedure, or product purporting to treat, mitigate, or cure any refractive vision deficiency, unless the representation is true and, at the time the representation is made, proposed respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation.

Paragraph VII of the proposed order requires that proposed respondents: (1) Not disseminate to any optometrist or eye care provider any material containing any representations prohibited by the order; (2) send a required notice to each optometrist or eye care provider with whom proposed respondents have done business since January 1, 1994, requesting that the optometrist cease using any materials previously received from proposed respondents that contain any claims violative of the order, informing the optometrist of this settlement, and attaching a copy of this proposed compliant and order; (3) in the event that proposed respondents receive any information that subsequent to receipt of the required notice any optometrist or eye care provider is using or disseminating any advertisement or promotional material that contains any representation prohibited by the order, immediately notify the optometrist or eye care provider that proposed respondents will terminate the optometrist or eye care provider's right to market and/or perform PCM ortho-k if he or she continues to use such advertisements or promotional materials; (4) terminate any optometrist or eye care provider about whom proposed respondents receive any information that such person has continued to use advertisements or promotional materials that contain any representation prohibited by the order after receipt of the required notice; and (5) for a period of three (3) years following service of the order, send the required notice to each optometrist or eye care provider with whom proposed respondents do business after the date of service of the order who has not previously received the notice; the notices shall be sent no later than the earliest of: (1) The execution of a sales or training agreement or contract between proposed respondents and the prospective optometrist or eye care provider; or (2) the receipt and deposit of payment from a prospective optometrist or eye care provider of any consideration in connection with the sale of any service or rights associated with PCM ortho-k. The mailing shall not include any other documents.

Paragraph VIII of the proposed order contains record keeping requirements for materials that substantiate, qualify, or contradict covered claims and requires the proposed respondents to keep and maintain all advertisements and promotional materials containing any representation covered by the proposed order. In addition, Paragraph IX requires distribution of a copy of the consent decree to current and future officers and agents. Further, Paragraph X provides for Commission notification upon a change in the corporate respondents. Paragraph XI requires proposed respondent J. Mason Hurt, O.D. to notify the Commission when he discontinues his current business or employment and of his affiliation with any new business or employment. The proposed order, in paragraph XII, also requires the filing of a compliance report.

Finally, Paragraph XIII of the proposed order provides for the termination of the order after twenty years under certain circumstances.

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. 97–22902 Filed 8–27–97; 8:45 am]

BILLING CODE 6750–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[Announcement 809]

Grants for Injury Control Research Centers; Notice of Availability of Funds for Fiscal Year 1998

Introduction

The Centers for Disease Control and Prevention (CDC) announces that grant applications are being accepted for Injury Control Research Centers (ICRCs) for fiscal year (FY) 1998.

CDC is committed to achieving the health promotion and disease prevention objectives of Healthy People 2000, a national activity to reduce morbidity and mortality and improve the quality of life. This announcement is related to the priority areas of Violent and Abusive Behavior and Unintentional Injuries. (To order a copy of Healthy People 2000, see the Section Where to Obtain Additional Information.)

Authority

This program is authorized under sections 301, 391, 392, 393, and 394 of the Public Health Service Act (42 U.S.C. 241, 280b, 280b–1, 280b–1a, and 280b–2). Program regulations are set forth in 42 CFR part 52.

Smoke-Free Workplace

CDC strongly encourages all grant recipients to provide a smoke-free workplace and to promote the non-use of all tobacco products, and Pub. L. 103–227, the Pro-Children Act of 1994, prohibits smoking in certain facilities that receive Federal funds in which education, library, day care, health care, and early childhood development services are provided to children.

Eligible Applicants

This announcement will provide funding for applicants in regions which do not have funded ICRCs and for applicants in regions which have funded centers which must recompete for funding.

Eligible applicants are limited to organizations in Region 1 (Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, Vermont), Region 2 (New Jersey, New York, Puerto Rico, Virgin Islands), Region 3 (Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia), Region 5 (Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin), Region 6 (Louisiana, New Mexico, Oklahoma, Texas, Arkansas), and Region 8 (Colorado,