

Trans #	Acquiring	Acquired	Entities
20011493	Constellation Energy Group, Inc.	CH Energy Group, Inc.	Central Hudson Gas & Electric Corporation.
20011500	ALZA Corporation	Merck & Co., Inc.	Merck & Co., Inc.

FOR FURTHER INFORMATION CONTACT:

Sandra M. Peay or Parcellena P. Fielding, contact representatives, Federal Trade Commission, Premierer Notification Office, Bureau of Competition, Room 303, Washington, DC 20580, (202) 326-3100.

By Direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 01-6137 Filed 3-12-01; 8:45 am]

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FEDERAL TRADE COMMISSION

[File No. 992 3192]

Enerjet Corporation; 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 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 April 6, 2001.

ADDRESSES: Comments should be directed to: FTC/Office of the Secretary, Room 159, 600 Pennsylvania Ave., NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: John Rothchild, FTC/S-4302, 600 Pennsylvania Ave., NW., Washington, DC 20580. (202) 326-3307.

SUPPLEMENTARY INFORMATION: Pursuant to section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46 and section 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 by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An

electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for March 7, 2001), on the World Wide Web, at <http://www.ftc.gov/os/2001/03/index.htm>. A paper copy can be obtained from the FTC Public Reference Room, Room H-130, 600 Pennsylvania Avenue, NW., Washington, DC 20580, either in person or by calling (202) 326-3627.

Public comment is invited. Comments should be directed to: FTC/Office of the Secretary, Room 159, 600 Pennsylvania Ave., NW., Washington, DC 20580. Two paper copies of each comment should be filed, and should be accompanied, if possible, by a 3½ inch diskette containing an electronic copy of the comment. 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 section 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 for entry of a consent order from Enerjet Corporation ("Enerjet"). The agreement would settle a complaint by the Federal Trade Commission that Enerjet violated (1) the Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Under the Energy Policy and Conservation Act ("Appliance Labeling Rule" or "Rule"), 16 CFR part 305, and (2) the Energy Policy and Conservation Act ("EPCA"), 42 U.S.C. 6201 *et seq.*

The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the Commission will again review the agreement and the comments received and will decide whether it should withdraw from the agreement or make final the agreement's proposed order.

This matter concerns Enerjet's compliance with regulatory requirements relating to certain boilers that it manufactures. The administrative complaint alleges that Enerjet violated the Appliance Labeling Rule in several respects. First, the complaint alleges

that Enerjet knowingly distributed certain oil-fired boilers that were not marked with labels displaying the information that the Rule requires. In particular, the complaint alleges, the labels Enerjet used did not display the name of the manufacturer, the annual fuel utilization efficiency rating of the boiler, the range of annual fuel utilization efficiency ratings for comparable products, an indication of where the labeled product falls within this range, and certain prescribed generic statements. Second, the complaint alleges that during 1997 Enerjet knowingly distributed boilers without furnishing a fact sheet concerning the boilers, and without supplying the required information in an approved industry directory. Third, the complaint alleges that Enerjet failed to submit a 1997 annual report concerning its boilers.

The complaint also alleges that Enerjet violated the EPCA by distributing brochures that do not accurately disclose the annual fuel utilization efficiency ratings of its boilers in accordance with the test procedure prescribed by the Secretary of the Department of Energy, but rather overstate the energy efficiency of the boilers.

The proposed consent order requires Enerjet to pay \$10,000 civil penalty for violating the Rule. It also prohibits Enerjet from making any representation about the energy use or efficiency of any product it manufactures that is subject to the Rule, or the cost of energy consumed by such product, unless the product has been tested in accordance with a test procedure prescribed by the Secretary of Energy and the representation fairly discloses the results of such testing.

The remainder of the proposed consent order contains provisions regarding recordkeeping, distribution of the order, notification of changes in corporate status, filing of a compliance report, and termination of the order.

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 or the proposed order or to modify their terms in any way.

By direction of the Commission.

Donald S. Clark,

Secretary.

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Dated: March 7, 2001.

Norman L. Thompson,

*Acting Principal Deputy Assistant Secretary
for Aging.*

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration on Aging

Agency Information Collection Activities: Proposed Submission to the Office of Management and Budget (OMB) for Clearance; Comment Request; Extension of a Currently Approved Information Collection

AGENCY: Administration on Aging, HHS. The Administration on Aging (AoA), Department of Health and Human Services, proposes to submit to the Office of Management and Budget (OMB) the following proposal for the collection of information in compliance with the Paperwork Reduction Act (PRA; Pub. L. 96-511):

Title of Information Collection: State Annual Long-Term Care Ombudsman Report.

Type of Request: Extension of use of the report, with no revision.

Use: Extension of reporting format for use by states in reporting on activities of their Long-Term Care Ombudsman Programs as required under section 712 of the Older Americans Act, as amended.

Frequency: Annually.

Respondents: State Agencies on Aging.

Estimated Number of Responses: 52.

Total Estimated Burden Hours: 7,235.

Additional Information or Comments: The Administration on Aging plans to submit to the Office of Management and Budget, for approval, an extension, with no revisions, of a reporting form and instructions for the State Annual Long-Term-Care Ombudsman Report, pursuant to requirements in section 712(b) and (h) of the Older Americans Act. The form is currently being evaluated for possible revision to reflect additional programmatic reporting needs. However, this should not affect the PRA clearance process. Written comments and recommendations for the proposed information collection should be sent within 60 days of the publication of this notice directly to the following address: Office of Elder Rights Protection, Administration on Aging, Attention: Sue Wheaton, 330 Independence Avenue, SW., Washington, DC 20201.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[Program Announcement 01036]

Grants for Education Programs in Occupational Safety and Health: Occupational Injury Prevention Research Training Programs; Notice of Availability of Funds for Fiscal Year 2001

A. Purpose

The Centers for Disease Control and Prevention (CDC) announces the availability of fiscal year (FY) 2001 funds for institutional training grants in occupational safety and health. This program addresses the "Healthy People 2010" focus area of Occupational Safety and Health. The 2000 Institute of Medicine report titled "Safe Work in the 21st Century" recommended that NIOSH establish a new training initiative focused on the prevention of occupational injuries. The purpose of this program is to train occupational injury prevention researchers and educators. For the purposes of this announcement, occupational injury prevention is defined to encompass the fields of: Occupational safety engineering and science; and occupational injury epidemiology. See Section D, "Program Requirements", Item 6 for a further description of the proposed field of study.

B. Eligible Applicants

Applications for institutional training grants may be submitted by public and private nonprofit and for-profit organizations and by governments and their agencies; that is, universities, colleges, research institutions, hospitals, other public and private nonprofit and for-profit organizations, State and local governments or their bona fide agents, including the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, federally recognized Indian tribal governments, Indian tribes, Indian tribal organizations, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. Applicants must have: (1) Demonstrated competency in

the occupational safety and health field; and (2) an established graduate-level, academic degree program in the occupational safety and health field.

For existing NIOSH Education and Research Centers (ERC) or Training Project Grants (TPG) that request supplemental funding, it is imperative to include the current CDC/NIOSH Training Grant number, so the application may be processed as a supplement to the existing grant.

Note: Public Law 104-65 states that an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 that engages in lobbying activities is not eligible to receive Federal funds constituting an award, grant, cooperative agreement, contract, loan, or any other form.

C. Availability of Funds

Approximately \$1,000,000 is expected to be available in FY 2001 to fund eight to ten awards. It is expected that the average award will be \$ 100,000, ranging from \$50,000 to \$175,000. It is expected that the awards will begin on July 1, 2001, and will be made for a 12-month budget period within a maximum project period of up to five years. Funding estimates may change.

For existing ERC and TPG grantees that apply under this announcement and also have existing NIOSH-funded occupational safety and/or occupational injury epidemiology academic programs, a clear description and justification must be provided to explain how the proposed program differs from, or substantially enhances, the existing program. If the application is approved and recommended for funding, in some instances it may be necessary to replace the existing program funding with funding available under this announcement.

Continuation awards within an approved project period will be made on the basis of satisfactory progress as evidenced by required reports and the availability of funds.

D. Program Requirements

The following are intended to serve as applicant requirements:

1. Grantees shall establish research training programs that encompass at least one of the following two components: (a) Occupational safety engineering and science; and (b) occupational injury epidemiology. Applications that propose programs encompassing both components are encouraged. Programs may be at the Masters and Doctoral levels. Doctoral programs will be given higher priority to address the need for researchers to conduct research and provide academic faculty in the occupational injury