

Commission Actions section of the FTC Home Page (for January 16, 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, N.W., Washington, D.C. 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 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 agreed to accept, subject to final approval, a proposed consent order settling charges that Pre-Paid Legal Services, Inc., violated Section 5 of the Federal Trade Commission Act.

The proposed consent order has been placed on the public record for sixty (60) days for 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 the comments received and will decide whether it should withdraw from the agreement or make final the agreement's proposed order.

This matter concerns the sale of living trusts to senior citizens through membership in the American Association for Senior Citizens ("AASC"). The respondent covered by the proposed order is Pre-Paid Legal Services, Inc., the company responsible for furnishing to and preparing the living trusts for AASC.

The complaint alleges that the respondent violated Section 5 of the Federal Trade Commission Act by making numerous misrepresentations about the advantages of living trusts over other forms of estate planning. Specifically, the complaint alleges that respondent has misrepresented that (1) the use of a living trust avoids all administrative costs; (2) at death, a living trust ensures that assets are distributed immediately or almost immediately; (3) a living trust cannot be challenged; (4) living trusts are prepared by local attorneys; (5) a living trust protects against catastrophic medical costs; (6) a living trust is the appropriate estate planning device for every consumer; and (7) there are no disadvantages to a living trust.

The proposed consent order contains provisions which are designed to remedy the alleged violations and to prevent the respondent from engaging in

similar acts and practices in the future. The proposed order would prohibit the respondent from making the misrepresentations alleged in the complaint and set forth above. Additionally, the order would require the respondent to disclose to prospective purchasers that living trusts may be challenged on similar grounds as wills and that they may not be appropriate in all instances.

Under the order, the respondent also would be required to provide four affirmative disclosures in situations where the statements would be true. (1) Some states have created a mechanism for "informal probate" of an estate if the estate meets certain criteria, which significantly reduces the time involved in probate. This disclosure would be required in states where informal probate is available. (2) If the transfer of an individual's assets into the living trust is not included in the price of creating the living trust, that fact must be disclosed. (3) If it is the sole responsibility of the purchaser of the living trust to transfer assets into the trust, that fact must be disclosed. (4) In some states, but not in others, creditors have a longer period of time to file claims against a living trust than against a probated estate. This fact would have to be disclosed in such states.

The proposed order would require the respondent to distribute the proposed order to its officers, agents, and all personnel who participate in any way with respondent's sales activities relating to living trusts. Additionally, the order would require the respondent to notify the Commission of any changes in its corporate structure and to retain for three years all materials that it relies upon in making representations covered by the order. Finally, the respondent is required to file one or more compliance reports detailing its compliance with the order.

The proposed order also requires the respondent to offer partial refunds to any AASC member who has not previously received a refund from either the respondent or AASC.

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, nor to modify in any way their terms. The proposed consent order has been entered into for settlement purposes only and does not constitute an admission by the respondent that the

law has been violated as alleged in the complaint.

Donald S. Clark,
Secretary.

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[File No. 962-3150]

Uno Restaurant Corporation, et al.; Pizzeria Uno Corporation; Uno Restaurants, Inc.; Analysis to Aid Public Comment

AGENCY: Federal Trade Commission.
ACTION: Proposed consent agreement.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair or deceptive acts or practices and unfair methods of competition, this consent agreement, accepted subject to final Commission approval, would prohibit, among other things, the nationwide pizza restaurant chain from misrepresenting the existence or amount of fat or any other nutrient or substance in pizzas or other food products containing a baked crust. The agreement settles allegations that advertising touting the "Thinzettas" line of thin crust pizzas as "low fat" was false and misleading.

DATES: Comments must be received on or before March 31, 1997.

ADDRESSES: Comments should be directed to: FTC/Office of the Secretary, Room 159, 6th St. and Pa. Ave., N.W., Washington, D.C. 20580.

FOR FURTHER INFORMATION CONTACT: Phoebe Morse, Federal Trade Commission, Boston Regional Office, 101 Merrimac St., Suite 810, Boston, MA 02114-4719. (617) 424-5960. John T. Dugan, Federal Trade Commission, Boston Regional Office, 101 Merrimac St., Suite 810, Boston, MA 02114-4719. (617) 424-5960.

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 January 22, 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, N.W., Washington, D.C. 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 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 an agreement to a proposed consent order from Uno Restaurant Corporation, Pizzeria Uno Corporation, and Uno Restaurants, Inc. The proposed respondents operate the nationwide Pizzeria Uno restaurant chain, where they sell, among other items, a line of thin crust pizzas known as "Thinzettas."

The proposed consent order has been placed on the public record for sixty (60) days for 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 the comments received and will decide whether it should withdraw from the agreement and take other appropriate action or make final the agreement's proposed order.

The Commission's complaint charges that the proposed respondents falsely claimed that their Thinzettas line of thin crust pizzas is low in fat. The proposed consent order contains provisions designed to remedy the violations charged and to prevent proposed respondents from engaging in similar acts in the future.

Part I of the proposed order, in connection with pizzas or any other food product containing a baked crust, prohibits the proposed respondents from misrepresenting the existence or amount of total fat or any other nutrient or substance in such product. Part I further provides that if any representation covered by this Part conveys a nutrient content claim defined (for purposes of labeling) by any regulation promulgated by the Food and Drug Administration, compliance with this Part shall be governed by the qualifying amount set forth in that regulation. Part II of the proposed order specifies that nothing in the order prohibits the proposed respondents from making any representation for any product that is specifically permitted in labeling for such product by regulations

promulgated by the Food and Drug Administration pursuant to the Nutrition Labeling and Education Act of 1990.

Part III 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. Part IV requires distribution of a copy of the consent decree to current and future principals, officers, directors, managers, and franchisees, and to certain current and future employees, agents, and representatives.

Part V provides for Commission notification upon any change in the corporate respondents affecting compliance obligations arising under the order. Part VI requires the filing of compliance report(s). Finally, Part VII 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.

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GENERAL SERVICES ADMINISTRATION

Public Buildings Service; Notice of Intent To Prepare an Environmental Impact Statement (EIS)

SUMMARY: The General Services Administration (GSA) hereby gives notice it intends to prepare an Environmental Impact Statement pursuant to the requirements of the National Environmental Policy Act (NEPA) of 1969, and the President's Council on Environmental Quality Regulations (40 CFR Parts 1500-1508), as implemented by GSA's Order PBS P 1095.4B to construct a new Federal Courthouse in downtown Seattle, King County, Washington.

The EIS will evaluate the proposed project, any other reasonable alternatives, and the no-action alternative identified through the scoping process. Scoping will be accomplished through direct mail correspondence to interested persons, parties, and organizations and through a Public Scoping Meeting. GSA will publish a Public Notice of this meeting

and all subsequent public meetings in Seattle newspapers approximately one to two weeks prior to each event.

ADDRESSES: As part of the public scoping process, GSA solicits your written comments on the scope of alternatives and potential impacts at the following address: Ms Donna M. Meyer, Regional Environmental Program Officer (10 PCB), General Services Administration, 400 15th Street SW, Auburn, WA, 98001, or FAX: Ms Donna M. Meyer at 206-931-7308. Written comments should be received no later than February 21, 1997.

FOR FURTHER INFORMATION CONTACT: Nona Diediker at Herrera Environmental Consultants, 2200 Sixth Avenue, Suite 601, Seattle, Washington 98121, (206) 441-9080, or Donna M. Meyer, GSA, (206) 931-7675.

SUPPLEMENTARY INFORMATION: The GSA, assisted by Herrera Environmental Consultants, is anticipating the preparation of an Environmental Impact Statement on a proposal to acquire a site and design and construct a new Federal Courthouse in downtown Seattle. GSA will serve as the lead agency and scoping will be conducted consistent with NEPA regulations and guidelines.

GSA invites interested individuals, organizations, and federal, state, and local agencies to participate in defining the reasonable alternatives to be evaluated in the EIS, and in identifying any significant social, economic, or environmental issues related to the alternatives. During scoping, comments should focus on identifying specific impacts to be evaluated and suggesting alternatives that minimize adverse significant impacts while achieving similar objectives. Comments may also identify issues which are not significant or which have been covered by prior environmental review. Scoping should be limited to commenting on alternatives and the merit of the proposal rather than indicating preferences. There will be an opportunity to comment on preferences upon completion of the Draft Environmental Impact Statement.

Mailing List: If you wish to be placed on the project mailing list to receive future or further information as the EIS process develops, contact Herrera at the address noted above.

Project Purpose, Historical Background, and Project: A new Federal Courthouse is needed in downtown Seattle to consolidate existing judicial functions and to accommodate the projected space needs of the Federal Courts and court-related agencies. There have been previous environmental reviews completed for this project. A