

The proposed rule provides a 15-day comment period. A longer comment period would be contrary to the public interest, as any comments on the effect of the proposed rule must be received by May 24, 1985, so that a final rule, if issued, can be made effective by June 1, 1985 to insure the orderly marketing of Florida limes. All comments received will be considered prior to issuance of any final rule. It is hereby found that this proposal will tend to effectuate the declared policy of the act.

List of Subjects in 7 CFR Part 911

Marketing agreements and orders, Florida, Limes.

1. The authority citation for 7 CFR Part 911 continues to read as follows:

Authority: Secs. 1-19, 48 Stat. 31, as amended, 7 U.S.C. 601-674.

2. Section 911.344 Lime Regulation 43 (49 FR 25243) is amended by revising paragraph (a)(2), to read as follows:

§ 911.344 Florida Lime Regulation 43.

(a) * * *

(2) Such limes of the group known as seedless, large-fruited, or Persian limes (including Tahiti, Bearss, and similar varieties) grade at least U.S. Combination, Mixed Color: *Provided*, That stem length shall not be considered a factor of grade; *Provided further*, That such limes not meeting these requirements may be handled within the production area, if they meet the minimum juice content requirement of at least 42 percent by volume specified in the U.S. Standards for Persian (Tahiti) limes, if they meet the minimum size requirements specified in paragraph (a)(3) of this section, and if they are handled in containers other than those authorized in § 911.329; and *Provided further*, That during the period June 1 of each year through January 31 of the following year, no handler shall ship such limes to destinations outside the production area unless they grade at least U.S. Combination, Mixed Color, with the stipulation that stem length shall not be a factor of grade and at least 75 percent, by count, of the limes in the lot grade at least U.S. No. 1 and 25 percent, by count, of the limes grade at least U.S. No. 2.

Dated: May 6, 1985.

Thomas R. Clark,

Deputy Director, Fruit and Vegetable Division
Agricultural Marketing Service.

[FR Doc. 85-11283 Filed 5-8-85; 8:45 am]

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FEDERAL TRADE COMMISSION

16 CFR Part 13

[File No. 842 3010]

Wright-Patt Credit Union, Inc.; Proposed Consent Agreement With Analysis To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent agreement, accepted subject to final Commission approval, would require a Fairborn, Ohio, credit union, among other things, to cease failing to tell consumers, when applications for credit are denied because of information contained in credit reports (including non-derogatory information), that the adverse action had been taken on the basis of such information; and provide the rejected credit applicants with the names and addresses of the credit bureaus that had submitted the reports. The Order would further bar the organization from failing to identify applications submitted between September 1, 1983, and the date of issuance of the Order, for which adverse action had been taken on the basis of information obtained from a consumer reporting agency, and to send to those rejected applicants who had not been given the legally-required disclosures, a copy of the notification letter attached to the Order as Appendix A.

DATE: Comments must be received on or before July 8, 1985.

ADDRESS: Comments should be directed: FTC/Office of the Secretary, Room 136, 6th St. and Pa. Ave., NW., Washington, D.C. 20580.

FOR FURTHER INFORMATION CONTACT: Eileen M. Harrington, FTC/I 501, Washington, D.C. 20580, (202) 724-1188.

SUPPLEMENTARY INFORMATION: Pursuant to section 6(f) of the Federal Trade Commission Act, 38 Stat. 271, 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 following consent agreement containing a consent order to cease and desist and an explanation thereof, 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. 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)(14) of the Commission's Rules of Practice (16 CFR 4.9(b)(14)).

List of Subjects in 16 CFR Part 13

Consumer credit, Trade practices.

Before Federal Trade Commission

[File No. 842 3010]

Agreement Containing Consent Order To Cease and Desist

In the matter of Wright-Patt Credit Union, Inc., a corporation.

The Federal Trade Commission having initiated an investigation of certain acts and practices of Wright-Patt Credit Union, Inc., a corporation, and it now appearing that Wright-Patt Credit Union, Inc., a corporation, hereinafter sometimes referred to as proposed respondent, is willing to enter into an agreement containing an order to cease and desist from the use of the acts and practices being investigated,

It is hereby agreed by and between Wright-Patt Credit Union, Inc., by its duly authorized officer, and its attorney, and counsel for the Federal Trade Commission that:

1. Proposed respondent Wright-Patt Credit Union is a corporation, a state chartered credit union, organized, existing and doing business under and by virtue of the laws of the State of Ohio, with its office and principal place of business located at 2455 Executive Park Boulevard, City of Fairborn, State of Ohio.

2. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of the proposed respondent, and the proceeding is in the public interest.

3. Proposed respondent admits all the jurisdictional facts set forth in the draft of complaint here attached.

4. Proposed respondent waives:

(a) Any further procedural steps;

(b) The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law; and

(c) All rights to seek judicial review or otherwise to settle or contest the validity of the order entered pursuant to this agreement; and

(d) Any claim it may have under the Equal Access to Justice Act, 5 U.S.C. 50 *et seq.*

5. This agreement shall not become part of the public record of the proceedings unless and until it is accepted by the Commission. If this agreement is accepted by the Commission it, together with the draft of complaint contemplated thereby, will be placed on the public record for a period of sixty (60) days and information in

respect thereto publicly released. The Commission thereafter may either withdraw its acceptance of this agreement and so notify the proposed respondent, in which event it will take such action as it may consider appropriate, or issue and serve its complaint (in such form as the circumstances may require) and decision, in disposition of the proceeding.

6. This agreement is for settlement purposes only and does not constitute an admission by proposed respondent that the law has been violated as alleged in the draft of complaint here attached.

7. This agreement contemplates that, if it is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of § 2.34 of the Commission's Rules, the Commission may, without further notice to proposed respondent, (1) issue its complaint corresponding in form and substance with the draft of complaint here attached and its decision containing the following order to cease and desist in disposition of the proceeding and (2) make information public in respect thereto. When so entered, the order to cease and desist shall have the same force and effect and may be altered, modified or set aside in the same manner and within the same time provided by statute for other orders. The order shall become final upon service. Delivery by the U.S. Postal Service of the complaint and decision containing the agreed-to order to proposed respondent's address as stated in this agreement shall constitute service. Proposed respondent waives any right it may have to any other manner of service. The complaint may be used in construing the terms of the order, and no agreement, understanding, representation, or interpretation not contained in the order or the agreement may be used to vary or contradict the terms of the order.

8. Proposed respondent has read the proposed complaint and order contemplated hereby. It understands that once the order has been issued, it will be required to file one or more compliance reports showing that it has fully complied with the order. Proposed respondent further understands that it may be liable for civil penalties in the amount provided by law for each violation of the order after it becomes final.

Order

Definitions: For the purpose of this order the following definitions are applicable:

A. The terms "consumer", "consumer report", "consumer reporting agency" and "person" shall be defined as provided in section 603 of the Fair Credit Reporting Act, 15 U.S.C. 1681a.

B. The term "no file response" shall be defined as a consumer report consisting of a response by a consumer reporting agency to respondent's request for information on a given credit applicant indicating that the consumer reporting agency has no credit history information in its files under the name and other identifiers supplied by respondent.

C. The term "non-derogatory information" shall be defined as information in a consumer report, furnished to respondent by a consumer reporting agency, consisting of an insufficient number of accounts reported, the absence or presence of certain types of credit accounts, the presence of new credit accounts with credit histories too short to meet the respondent's criteria for granting credit, or insufficient positive information to meet such criteria.

I

It is hereby ordered that respondent, Wright-Patt Credit Union, Inc., a corporation, its successors and assigns, and its officers, agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with any application by a consumer for credit that is primarily for personal, family or household purposes, do forthwith cease and desist from:

1. Failing, whenever credit for personal, family or household purposes involving a consumer is denied wholly or partly or the charge for such credit is increased either wholly or partly because of information contained in a consumer report from a consumer reporting agency (including non-derogatory information such as insufficient positive information or a no file response), to disclose to the applicant at the time the adverse action is communicated to the applicant (a) that the adverse action was based wholly or partly on information contained in such a consumer report and (b) the name and address of the consumer reporting agency making the report.

2. Failing to review each application for consumer credit for which it took adverse action between September 1, 1983, and the date of service of this Order, to identify each of those applications for which such adverse action was taken based wholly or partly upon information obtained from a consumer reporting agency.

3. Failing, within sixty (60) days of the date of service herein of this Order, for each application identified according to paragraph 2 above, to send the applicant, as specified herein, a copy of the notice letter attached hereto as Appendix A and described herein. The letter shall bear the name and address of the applicant as shown on the application, the date of mailing, and the name Wright-Patt Credit Union, Inc. No information other than that required by this paragraph shall be included in the notice letter, nor shall any other material be sent to the applicant with the notice letter. The notice letter shall disclose the name and address of the consumer reporting agency that prepared the report used according to paragraph 2 above, together with the specific, principal reason(s) for the adverse action based on this information. A notice letter need not be sent to any applicant whose application was identified pursuant to paragraph 2 above, if the application file clearly shows that respondent Wright-Patt Credit Union, Inc. has previously sent the applicant an adverse action notification in response to the application that complied in all respects with the provisions of paragraph 1 of this Order.

II

It is further ordered that respondent shall maintain for at least three (3) years and upon request make available to the Federal Trade Commission for inspection and copying documents that will demonstrate compliance with the requirements of this Order. Such documents shall include, but are not limited to, all credit evaluation criteria instructions given to employees regarding compliance with the provisions of this Order, any notices provided to consumers pursuant to any provisions of this Order and the complete application file to which they relate.

III

It is further ordered that respondent shall notify the Federal Trade Commission at least thirty (30) days prior to any proposed change such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries, or any other change in the corporation that may affect compliance obligations arising out of the Order.

IV

It is further ordered that respondent shall deliver a copy of this Order to

cease and desist to all present and future employees engaged in reviewing or evaluating consumer reports or other third party information in connection with applications for credit to be used for personal, family or household purposes, or engaged in preparing or furnishing notices to consumers as required by this Order.

V

It is further ordered that respondent shall, within sixty (60) days after service upon them of this Order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this Order.

Wright-Patt Credit Union

(Date)

Dear _____: A review of our records indicates that we denied a credit application you submitted sometime after September 1, 1983. At that time, we may not have told you a source(s) of information we relied upon as federal law required.

Whenever a creditor rejects a credit application, the Equal Credit Opportunity Act requires the creditor to tell the applicant the specific, principal reasons for its decision. The Fair Credit Reporting Act requires the creditor to tell the applicant whenever the reasons for its decision are based on information obtained from a credit reporting agency (such as a credit bureau) or from another third party (such as an employer). The Fair Credit Reporting Act also entitles the applicant to learn from the credit bureau what information is contained in his or her credit file and to learn from the creditor the nature of other third party information that the creditor relied on in rejecting the application. We have agreed with the Federal Trade Commission to provide you this information at this time.

In denying your application, we relied upon information concerning your creditworthiness from the following consumer reporting agency or one or more third party sources:

Name _____
Address _____

You have the right to contact the agency listed above to obtain complete information concerning your credit bureau file.

We denied your credit application for the following reason(s):

Sincerely,

Wright-Patt Credit Union.

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission has accepted an agreement to a proposed consent order from Wright-Patt Credit Union, Inc.

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.

The proposed complaint alleges that Wright-Patt Credit Union, Inc., violated section 615(a) of the Fair Credit Reporting Act, 15 U.S.C. 1681, *et seq.*, and section 5 of the Federal Trade Commission Act, 15 U.S.C. 45, by:

- Not telling consumers that information contained in credit reports was used in decisions to deny their loan applications, and not telling consumers the names and addresses of the credit bureaus that prepared the credit reports.

The proposed order prohibits Wright-Patt Credit Union, Inc., from:

- Failing to tell consumers when their credit applications are denied in whole or in part because of information contained in credit bureau reports.

- Failing to tell consumers the names and addresses of credit bureaus providing consumer credit reports that are used in the decisions to deny the consumers' credit applications.

- Failing to identify each consumer who should have received, but was not given, the legally-required notification described above between September 1, 1983 and the date of issuance of this order, and sending each such person a notice that includes the disclosures described above, which should have been sent at the time that credit was denied.

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.

Emily H. Rock,

Secretary.

[FR Doc. 85-11232 Filed 5-8-85; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 74

[Docket No. 83C-0130]

[Phthalocyaninato(2-)]Copper; Migration from Nonabsorbable Sutures

Correction

In FR Doc. 85-9955 beginning on page 16310 in the issue of Thursday, April 25, 1985, make the following correction: On

page 16310, in the second column, in the third complete paragraph, in the ninth line, "headed" should read "healed".

BILLING CODE 1505-01-M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 218

Guidance for the Determination and Reporting of Nuclear Radiation Dose for DoD Participants in the Atmospheric Nuclear Test Program (1945-1982)

AGENCY: Defense Nuclear Agency.

ACTION: Proposed amendment of final rule.

SUMMARY: The Defense Nuclear Agency proposes to amend its existing guidelines for reporting nuclear radiation doses. The proposed amendment will establish minimum standards which will be uniformly applicable to all branches of the Military Services, governing the preparation of radiation dose estimates in response to inquiries by the Veterans Administration in connection with claim for compensation, or by any veteran or survivor. The proposed amendment will provide explicit instructions requiring that each radiation dose estimate include available information regarding all material aspects of the radiation environment to which the veteran was exposed, including inhaled, ingested and neutron doses.

DATE: Comments must be received on or before: July 8, 1985.

ADDRESS: Written comments should be addressed to the Director, Defense Nuclear Agency, Biomedical Effects Directorate, (STBE), Attn: NTPR Program Manager, Washington, D.C. 20305-1000 or may be hand delivered to 6801 Telegraph Road, Alexandria, Virginia 22310-3398, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Mr. Robert L. Brittigan, Telephone No. (202) 325-7681.

SUPPLEMENTARY INFORMATION:

Background

On March 14, 1983, in compliance with a Memorandum Order in the case of *Gott v. Nimmo*, Civil Action 80-0906, D.D.C., the Defense Nuclear Agency published a final code rule (48 FR 10645) which set forth policies, procedures, and dose reconstruction methodology to establish standardized scientific

principles for dose reconstruction methodology for DoD participants in the atmospheric nuclear test program (1945-1962). On March 22, 1985, the United States Court of Appeals for the District of Columbia Circuit reversed the decision of the District Court (Civ. Nos. 82-1159; 82-1448; 82-1454; 80-0906). On October 24, 1984, H.R. 1961, "Veteran's Dioxin and Radiation Exposure Compensation Standards Act," was enacted as Pub. L. 98-542. The Act requires the Defense Nuclear Agency to publish guidelines specifying minimum standards for the reporting of dose estimates.

Regulatory Impact Analysis

In accordance with 5 U.S.C. 12291, the Department of Defense has determined that this proposed amendment is not a "major rule" and is not subject to such an analysis.

Regulatory Flexibility Act

In accordance with 5 U.S.C. 605(b) the Department of Defense has determined that this proposed amendment will not have a significant impact on a substantial number of small entities.

Paperwork Reduction Act

This proposed amendment does not impose any additional reporting or recordkeeping requiring Office of Management and Budget clearance.

List of Subjects in 32 CFR Part 218

Radiation dose determination, Dose reconstruction, Dose reconstruction methodology, Radiation environment, Radioactive materials.

Authority: Pub. L. 98-542, 98 Stat 2725.

Patricia H. Means,
OSD Federal Register Liaison Officer,
Department of Defense
May 3, 1985.

PART 218—[AMENDED]

Accordingly, 32 CFR Part 218 is proposed to be amended as follows:

1. The authority citation for Part 218 is revised to read as follows:

Authority: Pub. L. 98-542, 98 Stat. 2725 (38 U.S.C. 354 note.)

2. The Table of Contents in Part 218 is amended to include a new section number and title: § 218.4 Dose Estimate Reporting Standards.

3. In § 218.1 paragraphs (a), (b) and (c) are redesignated as (b), (c), and (d) and a new paragraph (a) is added to read as follows:

§ 218.1 Policies.

(a) Upon request by the Veterans Administration in connection with a claim for compensation, or by a veteran

or his or her representative, available information shall be provided by the applicable Military Service which shall include all material aspects of the radiation environment to which the veteran was exposed and shall include inhaled, ingested and neutron doses. The minimum standards for reporting dose estimates are set forth in § 218.4.

4. Section 218.4 is added to read as follows:

§ 218.4 Dose estimate reporting standards.

The following minimum standards for reporting dose estimates shall be uniformly applied by the Military Services when preparing information in response to an inquiry by the Veterans Administration, in connection with a claim for compensation, or by a veteran or his or her representative. The information shall include all material aspects of the radiation environment to which the veteran was exposed and shall include inhaled, ingested, and neutron doses, when applicable. To the extent to which the information is available, the responses will address the following questions:

(a) Can it be documented that the veteran was a test participant. If so, what tests did he attend and what were the specifics of these tests (date, time, yield (unless classified) type, location and other relevant details)?

(b) What unit was the man in? What were the mission and activities of the unit at the test?

(c) To the extent to which the available records indicate, what were his duties at the test?

(d) Can you corroborate the specific information relevant to the potential exposure provided by the claimant to the Veterans Administration and forwarded to the Department of Defense? What is the impact of these specific activities on the claimant's reconstructed dose?

(e) Is there any recorded radiation exposure for the individual? Does this recorded exposure cover the full period of test participation?

(f) If recorded dosimetry data is unavailable or incomplete what is the dose reconstruction for the most probable dose, with error limits, if available?

(g) Is there evidence of a neutron or internal exposure? What is the reconstruction?

Upon request, the participant or his or her authorized representative will be informed of the specific methodologies

and assumptions employed in estimating his or her dose.

[FR Doc. 85-11133 Filed 5-8-85; 8:45 am]
BILLING CODE 3810-01-M

PANAMA CANAL COMMISSION

35 CFR Part 256

Collection by Salary Offset From Federal Employees Indebted to the United States

AGENCY: Panama Canal Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Administrator of the Panama Canal Commission proposes regulations for offsetting a debt against the Federal pay of a current or former Federal employee who is indebted to the United States. These proposed regulations implement debt collection procedures provided for under the Debt Collection Act of 1982.

DATE: Comments must be received on or before June 10, 1985.

ADDRESS: Comments should be addressed to Mr. Michael Rhode, Jr., Secretary, Panama Canal Commission, Suite 500, 2000 L Street, N.W., Washington, D.C. 20036 (tel. no. 202-634-6441) or Mr. John L. Haines, Jr., General Counsel, Panama Canal Commission, APO Miami 34011 (tel. no. 011-507-52-7511).

FOR FURTHER INFORMATION CONTACT: Mr. Michael Rhode, Jr., Secretary, Panama Canal Commission, (202) 634-6441, or Mr. John L. Haines, Jr., General Counsel, Panama Canal Commission, telephone in Panama, 011-507-52-7511.

SUPPLEMENTARY INFORMATION:

Background

The Debt Collection Act of 1982, Pub. L. 97-365, authorizes the Federal Government to collect debts owed to it by its own current and retired military and civilian employees through the use of a salary offset. In this respect, the law puts the Federal Government in a position similar to that of a private employer, since a private employer may collect a debt owed to it by one of its employees without resort to litigation.

Under the law, when the head of a Federal agency determines that one of the agency's employees is indebted to the United States, or is notified by the head of another Federal agency that one of the agency's employees is indebted to the United States, the employee's debt may be collected by offsetting the debt against that employee's pay. The amount of the offset may not exceed 15