

September 15, 1985, or FAA approved equivalent.

(2) Within the next 50 hours time-in-service after the effective date of this AD, unless already accomplished within the last 250 hours time-in-service, and thereafter at intervals not to exceed 300 hours time-in-service from the last inspection, perform the following:

Inspect, clean turbine shafting/couplings, and replace the P/N AS 3085-018 O-ring (two for P/N 23032345 and one for P/N 6896895 or P/N 6889071) on the aft end of the spur adapter gearshaft in accordance with CEB-72-A-3108, Revision 3 dated September 15, 1985, or FAA approved equivalent.

(3) At the next engine repair/overhaul shop visit, when both the compressor and gearbox are disassembled to permit access, but not later than November 30, 1986, perform the following:

(i) Modify spur adapter gearshaft assembly P/N 23005276 in accordance with Allison CEB 72-3100, Revision 1 dated September 15, 1985, or FAA approved equivalent.

(ii) Modify engine compressor and gearbox assemblies to include the roller bearing configuration at the 2½ bearing location in accordance with Allison CEB 72-3059, Revision 4 dated September 15, 1985, or FAA approved equivalent.

(iii) Replace turbine-to-compressor-coupling, P/N 6896895, or P/N 6889071, with P/N 23032345 and install two P/N AS 3085-018 O-rings on the aft end of the spur adapter gearshaft in accordance with Allison CEB-A-72-3134, Revision 2 dated September 15, 1985, or FAA approved equivalent.

(4) At the next turbine repair/overhaul shop visit, but not later than November 30, 1986, modify the turbine-exhaust-collector in accordance with Allison CEB 72-3096, Revision 1 dated September 15, 1985, or FAA approved equivalent.

(b) *Model 250-C30, -C30P, -C30R and -C30S engines installed in other than Sikorsky S-76A rotocraft.*

(1) Within the next 50 hours time-in-service after the effective date of this AD, unless already accomplished within the last 250 hours time-in-service, and thereafter at intervals not to exceed 300 hours time-in-service from the last inspection, perform the following:

Inspect, clean turbine shafting/couplings, and replace the P/N AS 3085-018 O-ring (two for P/N 23032345 and one for P/N 6896895 or P/N 6889071) on the aft end of the spur adapter gearshaft in accordance with CEB-A-72-3143 dated September 15, 1985, or FAA approved equivalent.

(2) Within the next 300 hours time in service after the effective date of this AD, unless already accomplished, or at next turbine repair/overhaul shop visit, but not later than November 30, 1987, whichever occurs first, perform the following:

Replace turbine-to-compressor coupling P/N 23008080 with P/N 23032345 and install two P/N AS 3085-018 O-rings on the aft end of the spur adapter gearshaft in accordance with Allison CEB-A-72-3135, Revision 1 dated September 15, 1985, or FAA approved equivalent.

(3) At the next engine repair/overhaul shop visit when both the compressor and gearbox

are disassembled to permit access, but not later than November 30, 1987, perform the following:

(i) Modify spur adapter gearshaft assembly P/N 23005276 in accordance with Allison CEB 72-3100, Revision 1 dated September 15, 1985, or FAA approved equivalent.

(ii) Modify engine compressor and gearbox assemblies to include the roller bearing configuration at the 2½ bearing location in accordance with Allison CEB 72-3059, Revision 4 dated September 15, 1985, or FAA approved equivalent.

(iii) Replace turbine-to-compressor-coupling P/N 6896895, or P/N 6889071, with P/N 23032345 and install two P/N AS 3085-018 O-rings on the aft end of the spur adapter gearshaft in accordance with Allison CEB-A-72-3135, Revision 1 dated September 15, 1985, or FAA approved equivalent.

(4) At the next turbine repair/overhaul shop visit, but not later than November 30, 1987, modify the turbine-exhaust-collector in accordance with Allison CEB 72-3096, Revision 1 dated September 15, 1985, or FAA approved equivalent.

Aircraft may be ferried in accordance with the provisions of FAR 21.197 and 21.199 to a base where the AD can be accomplished.

Upon request, an equivalent means of compliance with the requirements of this AD may be approved by the Manager, Chicago Aircraft Certification Office, FAA, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

Upon submission of substantiating data by an owner or operator through an FAA maintenance inspector, the Manager, Chicago Aircraft Certification Office may adjust the compliance time specified in this AD.

The following Allison Commercial Engine Bulletins are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1): CEB-A-72-3134, Revision 2 dated September 15, 1985  
CEB-A-72-3135, Revision 1 dated September 15, 1985  
CEB-72-3100, Revision 1 dated September 15, 1985  
CEB-72-3059, Revision 4 dated September 15, 1985  
CEB-A-72-3108, Revision 3 dated September 15, 1985  
CEB-72-3096, Revision 1 dated September 15, 1985  
CEB-A-72-3143 dated September 15, 1985

All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Allison Gas Turbine Division, General Motors Corp., P.O. Box 420, Indianapolis, IN 46206-0420. These documents also may be examined at the Office of Regional Counsel, FAA, Attn: Rules Docket No. 84-ANE-29, 12 New England Executive Park, Burlington, Massachusetts 01803, weekdays, except Federal holidays, between 8:00 a.m. and 4:30 p.m. This amendment supersedes Amendment 39-4755, 48 FR 51287, AD 83-22-05.

This amendment becomes effective November 18, 1985, to all persons except those persons to whom it was made immediately effective by TAD T84-24-54, issued December 10, 1984, which contained this amendment.

Issued in Burlington, Massachusetts on October 21, 1985.

Robert E. Whittington,  
Director, New England Region.

[FR Doc. 85-26779 Filed 11-8-85; 8:45 am]

BILLING CODE 4910-13-M

## FEDERAL TRADE COMMISSION

### 16 CFR Part 803

#### Antitrust Improvements Act Notification and Report Form for Certain Mergers and Acquisitions

AGENCY: Federal Trade Commission.

ACTION: Final rule.

**SUMMARY:** This final rule amends 16 CFR Part 803 Appendix by substituting a revised Antitrust Improvements Act Notification and Report Form for Certain Mergers and Acquisitions (the "Form"). This Form must be completed and submitted by persons required to report mergers or acquisitions pursuant to Section 7A of the Clayton Act, 15 U.S.C. 18(a), as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976 ("the Act"). The revised Form is virtually identical to the original Form adopted July 31, 1978, except for format, minor clarifications in the instructions and the item descriptions on the Form, and the expiration date as currently set by the Office of Management and Budget pursuant to the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (1985). The new Form, which requires no additional information, was approved by the Office of Management and Budget (OMB Control Number 3084-0005) on September 14, 1984, for use through September 30, 1985.

**EFFECTIVE DATE:** November 12, 1985.

**ADDRESSES:** All completed Forms including any documents required to be supplied in response to any item on the Form must be delivered to: Premerger Notification Office, Bureau of Competition, Room 303, Federal Trade Commission, Washington, DC 20580, and Director of Operations, Antitrust Division, Room 3218, Department of Justice, Washington, DC 20530, as specified by 16 CFR 803.10(c)(1) (1985).

**FOR FURTHER INFORMATION CONTACT:** John M. Sipple, Jr., Senior Attorney, Premerger Notification Office, Bureau of Competition, Room 301, Federal Trade Commission, Washington, DC 20580; Telephone: (202) 523-3894.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory Flexibility Act

The proposed amendment will not expand the coverage of the premerger

notification rules in a way that would affect small business. Therefore, pursuant to section 605(b) of the Administrative Procedure Act, 5 U.S.C. 605(b) (1985), as added by the Regulatory Flexibility Act, Pub. L. 96-354 (September 19, 1980), the Federal Trade Commission certifies that these rules will not have a significant economic impact on a substantial number of small entities. Section 603 of the Administrative Procedure Act, 5 U.S.C. 603, requiring a final regulatory flexibility analysis of this amendment, is therefore inapplicable.

#### Background Information

The Hart-Scott-Rodino Antitrust Improvements Act of 1976 requires all persons contemplating certain mergers or acquisitions to file notification with the Federal Trade Commission ("the Commission") and the Antitrust Division of the Department of Justice and to wait designated periods of time before consummating such proposed transactions. Congress empowered the Commission, with the concurrence of the Assistant Attorney General in charge of the Antitrust Division, to require "that the notification . . . be in such form and contain such documentary material and information . . . as is necessary and appropriate" to enable the agencies "to determine whether such acquisitions may, if consummated, violate the antitrust laws." 15 U.S.C. 18a(d) (1985).

Pursuant to that section, the Commission, with the concurrence of the Assistant Attorney General, developed the Antitrust Improvements Act Notification and Report Form for Certain Mergers and Acquisitions. The Form is designed to provide the Commission and

the Assistant Attorney General with the information and documentary material necessary and appropriate for an initial evaluation of the potential anticompetitive impact of significant mergers, acquisitions and certain similar transactions. The Form is not intended to elicit all potentially relevant information relating to an acquisition. Completion of the Form by all parties required to file will ordinarily permit both agencies to determine whether the waiting period should be allowed to expire or be terminated early upon request, or whether a request for additional information should be made under section 7A(e) of the Act and 16 CFR 803.20.

All acquiring and acquired persons required by the Act to file notification must complete the Form, or a photostatic or other equivalent reproduction, in accordance with the attached instructions and the premerger notification rules.

The Form was first promulgated on July 31, 1978, 43 FR 33552, and became effective on September 5, 1978. It was revised in 1980, 45 FR 14205 (March 5, 1980). Subsequently, new versions of the Form were approved by the Office of Management and Budget on December 29, 1981, February 23, 1983, and September 14, 1984.

The Commission believes that the notice and comment period ordinarily required by the Administrative Procedure Act ("the APA"), 5 U.S.C. 553(b) (1977), is unnecessary here. Section 553(b)(B) exempts from the notice and comment requirements of the APA, promulgation of a rule where the agency for good cause finds that the standard procedure would be

"impracticable, unnecessary, or contrary to the public interest." Promulgation of the proposed amendment falls within this exemption.

The public was afforded the opportunity to comment on the original rules and Form in two notice and comment periods provided pursuant to the rulemaking requirements of the APA. The rulemaking culminated in the promulgation and publication of the premerger rules and Form, and was accompanied by a Statement of Basis and Purpose. 43 FR 33450 (July 31, 1978). Since the amendment does not alter the substance of the prior rulemaking (i.e., it does not change the type or amount of information required by the Form), further opportunity for comment seems unnecessary. The Commission therefore finds that a separate notice and comment period at this time would be unnecessary and therefore is not required by the APA.

#### List of Subjects in 16 CFR Part 803

Antitrust, Reporting and recordkeeping requirements.

The Commission, with the concurrence of the Assistant Attorney General, hereby revises the Appendix to 16 CFR Part 803.

#### PART 803—[AMENDED]

1. The authority for 16 CFR Part 803 continues to read:

Authority: Section 7A(d), Clayton Act, 15 U.S.C. 18a(d), as added by Sec. 201, Hart-Scott-Rodino Antitrust Improvements Act of 1976, Pub. L. 94-435, 90 Stat. 1390.

2. The Appendix to Part 803 is revised to read as follows:

BILLING CODE 6750-01-M

ANTITRUST IMPROVEMENTS ACT  
NOTIFICATION AND REPORT FORM  
for Certain Mergers and Acquisitions

INSTRUCTIONS

GENERAL

The Answer Sheets (pp. 1-16) constitute the Notification and Report Form ("the Form") required to be submitted pursuant to § 803.1(a) of the premerger notification rules ("the rules"). Filing persons need not, however, record their responses on the Form.

These Instructions specify the information which must be provided in response to the items on the Answer Sheets. Only the completed Answer Sheets, together with all documentary attachments are to be filed with the Federal Trade Commission and the Department of Justice.

The term "documentary attachments" refers to materials supplied in responses to Item 2(f)(i), Item 4 and to submissions pursuant to §§ 803.1(b) and 803.11 of the rules.

**Information**—The central office for information and assistance concerning the rules, 16 CFR Parts 801-803, and the Form is Room 301, Federal Trade Commission, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580, phone (202) 523-3894.

**Definitions**—The definitions and other provisions governing this Form are set forth in the rules, 16 CFR Parts 801-803. The governing statute, the rules, and the Statement of Basis and Purpose for the rules are set forth at 43 FR 33450 (July 31, 1978), 44 FR 66781 (November 22, 1979) and 48 FR 34427 (July 29, 1983).

**Affidavit**—Attach the affidavit required by § 803.5 to page 1 of the Form. Affidavits are not required if the person filing notification is an acquired person in a transaction covered by § 801.30. (See § 801.5(a).)

**Responses**—Each answer should identify the item to which it is addressed. Use the reverse side of the corresponding answer sheet or attach separate additional sheets as necessary in answering each item. Each additional sheet should identify at the top of the page the item to which it is addressed. Voluntary submissions pursuant to § 803.1(b) should also be so identified.

Enter the name of the person filing notification appearing in Item 1(a) on page 1 of the Form and the date on which the Form is completed at the top of each page of the Form, at the top of any sheets attached to complete the response to any item, and at the top of the first or cover page of each documentary attachment.

If unable to answer any item fully, give such information as is available and provide a statement of reasons for non-compliance as required by § 803.3. If exact answers to any item cannot be given, enter best estimates and indicate the sources or bases of such estimates. Estimated data should

**Privacy Act Statement** - Section 18(a) of Title 15 of the U.S. Code authorizes the collection of this information. The primary use of this information is to determine whether the merger or acquisition reported in the Notification and Report Form may violate the antitrust laws. Furnishing the information on this Form is voluntary.

be followed by the notation, "est." All information should be rounded to the nearest thousand dollars.

**Year**—All references to "year" refer to calendar year. If the data are not available on a calendar year basis, supply the requested data for the fiscal year reporting period which most nearly corresponds to the calendar year specified. References to "most recent year" mean the most recent calendar or fiscal year for which the requested information is available.

**SIC Data**—This Notification and Report Form requests information regarding dollar revenues and lines of commerce at three levels with respect to operations conducted within the United States. (See § 803.2(c)(1).) All persons must submit certain data at the 4-digit (SIC code) industry level. To the extent that dollar revenues are derived from *manufactured operations* (SIC major groups 20-39), data must also be submitted at the 5-digit product class and 7-digit product levels (SIC codes).

The term "dollar revenues" is defined in § 803.2(d).

**References**—In reporting information by "4-digit (SIC code) industry" refer to the 1972 edition of the *Standard Industrial Classification Manual* and its 1977 supplement published by the Executive Office of the President, Office of Management and Budget.

In reporting information by "5-digit (SIC code) product class" and "7-digit (SIC code) product" refer to one or both of the following reference publications published by the U.S. Bureau of the Census:

(a) Numerical List of Manufactured Products, 1977 Census of Manufactures (MCT77-R-1)

(b) Volume II, "Industry Statistics," 1977 Census of Manufactures.

In reporting information by "5-digit (SIC code) product class" refer, if necessary, to the code appearing in the "Product Class Reference List" shown in the *Instruction Manual for the Annual Survey of Manufactures*. In reporting information by "7-digit (SIC code) product," you may also refer to the applicable "Product Reference Lists" appearing in the *Instruction Manual* of the various *Current Industrial Reports* surveys (monthly, quarterly, or annually) conducted by the U.S. Bureau of the Census.

**Note:** Do not submit information for product codes ending in 00. Instead, submit information by product listed in Appendix B to the Numerical List of Manufactured Products listed above. Only if Appendix B does not contain a further breakdown for product codes ending in 00 may these codes be used.

Consummation of an acquisition required to be reported by the statute cited above without having provided this information may, however, render a person liable to civil penalties up to \$10,000 per day.

**Items 5, 7, 8, 9 and the Insurance Appendix**—Supply information only with respect to operations conducted within the United States, including its commonwealths, territories, possessions and the District of Columbia. (See §§ 801.1(k), 803.2(c)(1).)

Information need not be supplied regarding assets or voting securities currently being acquired, when the acquisition is exempt under the statute or rules. (See § 803.2(c)(2).)

Limited or separate responses may be required from the person filing notification. (See § 803.2(b).)

**Filing**—Complete and return two notarized copies (with one set of documentary attachments) of this Notification and Report Form to the Premerger Notification Office, Bureau of Competition, Room 303, Federal Trade Commission, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580, and three notarized copies (with one set of documentary attachments) to Director of Operations, Antitrust Division, Department of Justice, Room 3218, 10th and Pennsylvania Avenue, N.W., Washington, D.C. 20530.

ITEM BY ITEM

**Affidavit**—Attach the affidavit required by § 803.5 to page 1 of the Answer Sheets. Acquiring persons in transactions covered by § 801.30 are required to also submit a copy of the notice served on the acquired person pursuant to § 803.5 (a)(1). (See § 803.5 (a)(3).)

**Cash Tender Offer**—Put an X in the appropriate box to indicate whether the acquisition is a cash tender offer.

**Early Termination**—Put an X in the yes box to request early termination of the waiting period. Notification of each grant of early termination will be published in the Federal Register as required by § 7A(b)(2) of the Clayton Act.

ITEM 1

**Item 1(a)**—Give the name and headquarters address of the person filing notification. The name of the person is the name of the ultimate parent entity included within that person.

**Item 1(b)**—Indicate whether the person filing notification is an acquiring person, an acquired person, or both an acquiring and acquired person. (See § 801.2.)

**Item 1(c)**—Give the names of all ultimate parent entities of acquiring and acquired persons which are parties to the acquisition whether or not they are required to file notification.

**Item 1(d)**—Put an X in all the boxes that apply to this acquisition.

**Item 1(e)**—Acquiring persons put an X in the box to indicate the highest threshold for which notification is being filed (see § 801.1 (h)): \$15 million, 15%, 25%, or 50%.

**Item 1(f)**—All persons state the value of voting securities held as a result of the acquisition and/or the value of assets held as a result of the acquisition. (Insert responses to Item 3(c).)

**Item 1(g)**—Put an X in the appropriate box to indicate

whether the entity in Item 1(a) is a corporation, partnership, or other (specify).

**Item 1(h)**—Put an X in the appropriate box to indicate whether data furnished is by calendar year or fiscal year. If fiscal year, specify period.

**Item 1(i)**—Put an X in the appropriate box to indicate if this Form is being filed on behalf of the ultimate parent entity by another entity within the same person authorized by it to file notification on its behalf pursuant to § 803.2(a), or if this Form is being filed pursuant to § 803.4 on behalf of a foreign person. Then provide the name and mailing address of the entity filing notification on behalf of the reporting person named in Item 1(a) on the Form.

**Item 1(j)**—If an entity within the person filing notification other than the ultimate parent entity listed in Item 1(a) is the entity which is making the acquisition, or if the assets or voting securities of an entity other than the ultimate parent entity listed in Item 1(a) are being acquired, provide the name and mailing address of that entity and the percentage of its voting securities held by the person named in Item 1(a) above. (If control is effected by means other than the direct holding of the entity's voting securities, describe the intermediaries or the contract through which control is effected (see § 801.1(b).)

ITEM 2

**Item 2(a)**—Description of acquisition. Briefly describe the transaction. Include a list of the name and mailing address of each acquiring and acquired person, whether or not required to file notification and a description of the assets or voting securities to be acquired by and/or the consideration to be received by each party. If voting securities are to be acquired from a holder other than the issuer (or an entity within the same person as the issuer) separately identify (if known) such holder and the issuer of the voting securities. Acquiring persons in tender offers should describe the terms of the offer.

**Item 2(b)**—State the scheduled consummation date of the transaction.

**Item 2(c)**—Describe the manner in which the transaction is to be carried out. The description should include the expected dates of any major events required in order to consummate the transaction (e.g., stockholders' meetings, filing of requests for approval, other public filings, terminations of tender offers).

**Item 2(d)(i)**—Assets to be acquired. This item is to be completed only to the extent that the transaction is an acquisition of assets. Describe all general classes of assets (other than cash and securities) to be acquired by each party to the transaction giving approximate dollar values thereof. If the transaction is the formation of a joint venture or other corporation (see § 801.40), include assets to be acquired by the joint venture or other corporation.

Give the approximate total value or estimated total value of the assets to be acquired in this transaction.

Examples of general classes of assets other than cash and

securities are land, merchandising inventory, manufacturing plants (specify location and products produced), and retail stores. For each general class of assets, indicate the page or paragraph number of the contract or other document submitted with this Form in which the assets are more particularly described.

**Item 2(d)(ii)—Assets held by acquiring person.** (To be completed by acquiring persons.) If assets of the acquired person (see § 801.13) are presently held by the person filing notification, furnish a description of each general class of such assets in the manner required by Item 2(d)(i), and the dollar value or estimated dollar value at the time they were acquired.

**Item 2(e)—Voting securities to be acquired.** Furnish the following information separately for each issuer whose voting securities will be acquired in the acquisition:

**Item 2(e)(i)—List each class of voting securities** (including convertible voting securities) which will be outstanding after the acquisition has been completed. If there is more than one class of voting securities, include a description of the voting rights of each class. Also list each class of non-voting securities which will be acquired in the acquisition;

**Item 2(e)(ii)—Total number of shares of each class of securities listed on page 3** which will be outstanding after the acquisition has been completed;

**Item 2(e)(iii)—Total number of shares of each class of securities listed on page 3** which will be acquired in this acquisition. If there is more than one acquiring person for any class of securities, show data separately for each acquiring person;

**Item 2(e)(iv)—Identity of each person acquiring any securities of any class listed on page 3.** If there is more than one acquiring person for any class of securities, show data separately for each acquiring person;

**Item 2(e)(v)—Dollar value of securities of each class listed on page 3 to be acquired in this transaction** (see § 801.10). If there is more than one acquiring person of any class of securities, show data separately for each acquiring person; (If the exact dollar value cannot be determined at the time of filing, provide an estimated value and indicate the basis on which the estimate was made.)

**Item 2(e)(vi)—Total number of each class of securities listed on page 3** which will be held by acquiring person(s) after the acquisition has been accomplished. If there is more than one acquiring person for any class of securities, show data separately for each acquiring person;

**Item 2(e)(vii)—Percentage of each class of securities listed under 2(e)(vi) above** which will be held by the acquiring person(s) after the acquisition has been completed (see § 801.12(b)). If there is more than one acquiring person for any class of security, show data separately for each acquiring person;

**Item 2(e)(viii)—Dollar value (or estimated dollar value) of securities to be held as a result of the acquisition** (see § 801.13).

**Item 2(f)(i)—Furnish copies of final or most recent versions of all documents which constitute the agreement among the acquiring person(s) and the person(s) whose voting securities or assets are to be acquired.** (Do not attach these documents to page 4 of the Answer Sheets.)

**Item 2(f)(ii)—Index to ancillary documents.** Furnish an index containing a brief description sufficient to identify each ancillary document or class of documents related to this agreement, such as those relating to personnel matters (e.g., union contracts, employment agreements), third-party financing agreements, leases, subleases and other documents relating to the transfer of realty, or other similar documents related to this transaction.

### ITEM 3

*Assets and voting securities held as a result of the acquisition (to be completed by both acquiring and acquired persons). State:*

**Item 3(a)—**the percentage of the assets;  
**Item 3(b)—**the percentage of the voting securities;  
**Item 3(c)—**the aggregate total dollar amount of voting securities and assets of the acquired person to be held by each acquiring person, as a result of the acquisition (see §§ 801.12, 801.13, and 801.14).

### ITEM 4

Furnish one copy of each of the following documents. For each entity included within the person filing notification which has prepared its own such documents different from those prepared by the person filing notification, furnish, in addition, one copy of each document from each such other entity. Furnish copies of:

**Item 4(a)—**all of the following documents which have been filed with the United States Securities and Exchange Commission (or are to be filed contemporaneously in connection with this acquisition): the most recent proxy statement and Form 10-K, each dated not more than three years prior to the date of this Notification and Report Form; all Forms 10-Q and 8-K filed since the end of the period reflected by the Form 10-K being supplied; any registration statement filed in connection with the transaction for which notification is being filed; if the acquisition is a tender offer, Schedule 14D-1. Alternatively, if the person filing notification does not have copies of responsive documents readily available, identification of such documents and citation to date and place of filing will constitute compliance;

**NOTE:** In response to Item 4(a), the person filing notification may incorporate by reference documents submitted with an earlier filing as explained in the staff formal interpretations dated April 10, 1979, and April 7, 1981, and in § 803.2(e).

**Item 4(b)—**the most recent annual reports and most recent annual audit reports (of person filing notification and of each unconsolidated United States issuer included within such person) and, if different, the most recent regularly prepared balance sheet of the person filing notification and of each unconsolidated United States issuer included within such person;

**Item 4(c)—**all studies, surveys, analyses and reports which were prepared by or for any officer(s) or director(s) (or, in the case of unincorporated entities, individuals exercising similar functions) for the purpose of evaluating or analyzing the acquisition with respect to market shares, competition, competitors, markets, potential for sales growth or expansion into product or geographic markets, and indicate (if not contained in the document itself) the date of preparation, the name and title of each individual who prepared each such document.

Persons filing notification may provide an optional index of documents called for by Item 4 on page 5 of the Answer Sheets.

**NOTE:** If the person filing notification withholds any documents called for by Item 4(c) based on a claim of privilege, the person must provide a statement of reasons for such noncompliance as specified in the staff formal interpretation dated September 13, 1979, and § 803.3(d).

### ITEMS 5 through 9 and the Appendix

**NOTE:** For Items 5 through 9 and the Appendix limited or separate responses may be required of the person filing notification. (See § 803.2(b) and (c).)

#### ITEM 5

**ITEM 5(a) — 5(c):** These Items request information regarding dollar revenues and lines of commerce at three levels with respect to operations conducted within the United States. (See § 803.2(c)(1).) All persons must submit certain data at the 4-digit (SIC code) industry level. To the extent that dollar revenues are derived from manufacturing operations (SIC major groups 20-39), data must also be submitted at the 5-digit product class and 7-digit product levels (SIC codes). (See General Instructions to the Form.) Insurance carriers (2-digit SIC major group 63) should supply the information requested only with respect to industries not within 2-digit major group 63. Credit agencies other than banks; security and commodity brokers, dealers, exchanges, and services; holding and other investment offices, and real estate companies (2-digit SIC major groups 61, 62, 67 and 65) should identify or explain the revenues reported (e.g., dollar sales, receipts).

Persons filing notification should include the total dollar revenues for 1977 derived by all entities included within the person filing notification at the time this Notification and Report Form is prepared (even if such entities have become included within the person since 1977). For example, if the person filing notification acquired an entity in 1980, it must include that entity's 1977 revenues in Items 5(a) and 5(b)(i).

**Item 5(a)—Dollar revenues by industry.** Provide aggregate 4-digit (SIC code) industry data for 1977.

**Item 5(b)(i)—Dollar revenues by manufactured product.** Provide the following information on the aggregate operations of the person filing notification for 1977 for each 7-digit (SIC code) product of the person in 2-digit SIC major groups 20-39 (manufacturing industries).

Do not provide 7-digit data for product codes ending in 00.

Instead, submit information by product listed in Appendix B to the *Numerical List of Manufactured Products*. Only if Appendix B does not contain a further breakdown for product codes ending in 00 may these codes be used.

**Item 5(b)(ii)—Products added or deleted.** Within 2-digit SIC major groups 20-39 (manufacturing industries), identify each product of the person filing notification added or deleted subsequent to 1977, indicate the year of addition or deletion, and state total dollar revenues in the most recent year for each product that has been added. Products may be identified either by 7-digit SIC code or in the manner ordinarily used by the person filing notification.

Do not include products added since 1977 by reason of mergers or acquisitions occurring since 1977. Dollar revenues derived from such products such be included in response to Item 5(b)(i). However, if an entity acquired since 1977 by the person filing notification (and now included within the person) itself has added any products since 1977, these products and the dollar revenues derived therefrom should be listed here. Products deleted by reason of dispositions of assets or voting securities since 1977 should also be listed here.

**Item 5(b)(iii)—Dollar revenues by manufactured product class.** Provide the following information about the aggregate operations of the person filing notification for the most recent year for each 5-digit (SIC code) product class of the person within SIC major groups 20-39 (manufacturing industries). If such data have not been compiled for the most recent year, estimates of dollar revenues by 5-digit product class may be provided if a statement describing the method of estimation is furnished.

**Item 5(c)—Dollar revenues by non-manufacturing industry.** Provide the following information concerning the aggregate operations of the person filing notification for the most recent year for each 4-digit (SIC code) industry in SIC major groups other than 20-39 in which the person engaged. If such data have not been compiled for the most recent year, estimates of dollar revenues by 4-digit industry may be provided if a statement describing the method of estimation is furnished. Industries for which the dollar revenues totaled less than one million dollars in the most recent year may be omitted.

**NOTE:** This million dollar minimum is applicable only to Item 5(c).

Insurance carriers (2-digit SIC major group 63) should supply the information requested only with respect to industries not within SIC major group 63, and, if voting securities of an insurance carrier are being acquired directly or indirectly should complete the Insurance Appendix to this Form.

#### JOINT VENTURE OR OTHER CORPORATIONS

**Item 5(d)—**Supply the following information only if the acquisition is the formation of a joint venture or other corporation. (See § 801.40.)

**Item 5(d)(i)—**List the name and mailing address of the joint venture or other corporation.

**Item 5(d)(ii)(A)**—List contributions that each person forming the joint venture or other corporation has agreed to make, specifying when each contribution is to be made and the value of the contribution as agreed by the contributors.

**Item 5(d)(ii)(B)**—Describe any contracts or agreements whereby the joint venture or other corporation will obtain assets or capital from sources other than the persons forming it.

**Item 5(d)(ii)(C)**—Specify whether and in what amount the persons forming the joint venture or other corporation have agreed to guarantee its credit or obligations.

**Item 5(d)(ii)(D)**—Describe fully the consideration which each person forming the joint venture or other corporation will receive in exchange for its contribution(s).

**Item 5(d)(iii)**—Describe generally the business in which the joint venture or other corporation will engage, including location of headquarters and principal plants, warehouses, retail establishments or other places of business, its principal types of products or activities, and the geographic areas in which it will do business.

**Item 5(d)(iv)**—Identify each 4-digit (SIC code) industry in which the joint venture or other corporation will derive dollar revenues. If the joint venture or other corporation will be engaged in manufacturing, also specify each 5-digit (SIC code) product class in which it will derive dollar revenues.

#### ITEM 6

This item need not be completed by a person filing notification only as an acquired person if only assets are to be acquired.

**Item 6(a)**—*Entities within person filing notification.* List the name and headquarters mailing address of each entity included within the person filing notification. Entities with total assets of less than \$1 million may be omitted.

**Item 6(b)**—*Shareholders of person filing notification.* For each entity (including the ultimate parent entity) included within the person filing notification the voting securities of which are held (see § 801.1(c)) by one or more persons, list the issuer and class of voting securities, the name and headquarters mailing address of each other person which holds five percent or more of the outstanding voting securities of the class, and the number and percentage held by that person. Holders need not be listed for entities with total assets of less than \$10 million.

**Item 6(c)**—*Holdings of person filing notification.* If the person filing notification holds voting securities of any issuer not included within the person filing notification, list the issuer and class, the number and percentage held, and (optionally) the entity within the person filing notification which holds the securities. Holdings of less than five percent of the outstanding voting securities of any issuers, and holdings of issuers with total assets of less than \$10 million, may be omitted.

#### ITEM 7

If, to the knowledge or belief of the person filing notification,

the person filing notification derived dollar revenues in the most recent year from operations in any 4-digit (SIC code) industries in which any other person which is a party to the acquisition also derived dollar revenues in the most recent year (or in which a joint venture of other corporation will derive dollar revenues), then for each such 4-digit (SIC code) industry:

**Item 7(a)**—supply the 4-digit SIC code and description for the industry;

**Item 7(b)**—list the name of each person which is a party to the acquisition which also derived dollar revenues in the 4-digit industry;

**Item 7(c)**—*Geographic market information*

**Item 7(c)(i)**—for each 4-digit industry within SIC major groups 20-39 (manufacturing industries) listed in Item 7(a) above, list the states (or, if desired, portions thereof) in which, to the knowledge or belief of the person filing notification, the products in that 4-digit industry produced by the person filing notification are sold without a significant change in their form, whether they are sold by the person filing notification or by others to whom such products have been sold or resold;

**Item 7(c)(ii)**—for each 4-digit industry within SIC major groups 01-17 and 40-49 (agriculture, forestry and fishing, mining, construction, transportation, communications, electric, gas and sanitary services) listed in Item 7(a) above, list the states (or, if desired, portions thereof) in which the person filing notification conducts such operations;

**Item 7(c)(iii)**—for each 4-digit industry within SIC major groups 50-51 (wholesale trade) listed in Item 7(a) above, list the states, (or, if desired, portions thereof) in which the customers of the person filing notification are located;

**Item 7(c)(iv)**—for each 4-digit industry within SIC major groups 52-62 and 64-89 (retail trade, finance, insurance other than insurance carriers, and real estate, and services) listed in Item 7(a) above, provide the address, arranged by state, county and city or town, of each establishment from which dollar revenues were derived in the most recent year by the person filing notification; and

**Item 7(c)(v)**—for each 4-digit industry within SIC 63 (insurance) listed in Item 7(a) above, list the state(s) in which the person filing notification is licensed to write insurance.

**NOTE:** Except in the case of those SIC major industry groups mentioned in Item 7(c)(iv) above, the person filing notification may respond with the word "national" if business is conducted in all 50 states.

#### ITEM 8

**Item 8**—Put an X in the appropriate box to indicate if the acquired person and an acquiring person maintained a vendor-vendee relationship during the most recent year with respect to any manufactured product (or, if the acquisition is the formation of a joint venture or other corporation (see § 801.40), if the joint venture or other corporation will supply to any of the persons forming it any manufactured

product which such person purchased from another such person during the most recent year) which the vendee either resells or consumes in or incorporates into the manufacture of any product. Persons filing notification which are vendees of such product(s) should list each product purchased, identify each vendor which is a party to the acquisition from which the product was purchased and state the dollar amount of the product purchased from that vendor during the most recent year.

Manufactured products are those within 2-digit SIC major groups 20-39. Any product purchased from the vendor in an aggregate annual amount not exceeding \$1 million, or the manufacture, consumption or use of which is not attributable to the assets to be acquired, or to the issuer whose voting securities are to be acquired (including entities controlled by the issuer), may be omitted.

#### ITEM 9

**Item 9**—*Previous acquisitions* (to be completed by acquiring persons)—Determine each 4-digit (SIC code) industry listed in Item 7(a) above, in which the person filing notification derived dollar revenues of \$1 million or more in the most recent year and in which either the acquired issuer derived revenues of \$1 million or more in the most recent year, (or in which, in the case of the formation of a joint venture or other corporation, the joint venture or other corporation reasonably can be expected to derive dollar revenues of \$1 million or more), or revenues of \$1 million or more in the most recent year were attributable to the acquired assets.

For each such 4-digit industry, list all acquisitions made by the person filing notification in the ten years prior to the date of filing of entities deriving dollar revenues in that 4-digit industry. List only acquisitions of more than 50 percent of the voting securities or assets of entities which had annual net sales or total assets greater than \$10 million in the year prior to the acquisition.

For each such acquisition, supply:

- the name of the entity acquired;
- the headquarters address of the entity prior to the acquisition;
- whether securities or assets were acquired;
- the consummation date of the acquisition;
- the annual net sales of the acquired entity for the year prior to the acquisition;
- the total assets of the acquired entity in the year prior to the acquisition; and
- the 4-digit (SIC code) industries (by number and description) identified above in which the acquired entity derived dollar revenues.

#### ITEM 10

**Item 10(a)**—Print or type the name and title, firm name, address, and telephone number of the individual to contact regarding this Notification and Report Form. (See § 803.20(b)(2)(ii).)

**Item 10(b)**—Foreign filing persons print or type the name and title, firm name, address, and telephone number of an individual located in the United States designated for the

limited purpose or receiving notice of the issuance of a request for additional information or documentary material. (See § 803.20(b)(2)(iii).)

**Certification**—(See § 803.6.)

#### APPENDIX TO NOTIFICATION AND REPORT FORM: INSURANCE

Insurance carriers (2-digit SIC major group 63) are required to complete this Appendix if voting securities of an insurance carrier are being acquired directly or indirectly.

#### ITEM 1

**Item 1(A)**—*Life Insurance.* Provide for the most recent year the amount of premium receipts (calculated on the accrual basis) for each of the lines of insurance listed on page 16 of the Answer Sheets.

**Item (B)**—*New Business.* Provide for the most recent year the amount of new life insurance business issued in the United States (exclusive of revivals, increases, dividend additions and reinsurance ceded) for each of the lines of insurance listed on page 16 of the Answer Sheets.

#### ITEM 2

**Item 2(A)**—*Property Liability Insurance.* Provide for the most recent year the amount of direct premiums written in the United States for each line of insurance specified in Part 2 of the Underwriting and Investment Exhibit of your carrier's annual convention statement.

**Item 2(B)**—Provide for the most recent year the amount of net premiums written in the United States for each line of insurance specified in Part 2 of the Underwriting and Investment Exhibit of your carrier's annual convention statement.

#### ITEM 3

**Item 3(A)**—*Title Insurance.* Provide for the most recent year the amount of net direct title insurance premiums written in the United States.

**Item 3(B)**—Provide for the most recent year the amount of direct title insurance premiums earned in the United States.

**16 C.F.R. Part 803 - Appendix**  
**NOTIFICATION AND REPORT FORM FOR CERTAIN MERGERS AND ACQUISITIONS**

Approved by OMB  
308-0005  
Expires 9-30-87

THE INFORMATION REQUIRED TO BE SUPPLIED ON THESE ANSWER SHEETS IS SPECIFIED IN THE INSTRUCTIONS

➔ Attach the Affidavit required by § 803.5 to this page.

Is this Acquisition a CASH TENDER OFFER?  YES  NO

Do you request Early Termination of the Waiting Period?  
(Grants of Early Termination are published in the Federal Register.)  YES  NO

**FOR OFFICE USE ONLY**  
TRANSACTION NUMBER

CTO  ETR

**ITEM 1**  
 (a) NAME AND HEADQUARTERS ADDRESS OF PERSON FILING NOTIFICATION (ultimate parent entity)

---

(b) PERSON FILING NOTIFICATION IS  
 an acquiring person  an acquired person  both

(c) LIST NAMES OF ULTIMATE PARENT ENTITIES OF ALL ACQUIRING PERSONS | LIST NAMES OF ULTIMATE PARENT ENTITIES OF ALL ACQUIRED PERSONS

---

(d) THIS ACQUISITION IS (put an X in all the boxes that apply)

<input type="checkbox"/> an acquisition of assets	<input type="checkbox"/> a consolidation (see § 801.2)
<input type="checkbox"/> a merger (see § 801.2)	<input type="checkbox"/> an acquisition of voting securities
<input type="checkbox"/> an acquisition subject to § 801.2(e)	<input type="checkbox"/> a secondary acquisition
<input type="checkbox"/> formation of a joint venture or other corporation (see § 801.40)	<input type="checkbox"/> an acquisition subject to § 801.31
<input type="checkbox"/> an acquisition subject to § 801.30 (specify type): _____	
<input type="checkbox"/> other (specify): _____	

(e) INDICATE HIGHEST NOTIFICATION THRESHOLD IN § 801.1(b) FOR WHICH THIS FORM IS BEING FILED (acquiring person only)

\$ 15 million  15%  25%  50%

(f) VALUE OF VOTING SECURITIES | VALUE OF ASSETS

(g) PUT AN X IN THE APPROPRIATE BOX TO DESCRIBE ENTITY FILING NOTIFICATION

corporation  partnership  other (specify): \_\_\_\_\_

(h) DATA FURNISHED BY

calendar year  fiscal year (specify period): \_\_\_\_\_ (month/year) to \_\_\_\_\_ (month/year)

(i) PUT AN X IN THE APPROPRIATE BOX AND GIVE THE NAME AND ADDRESS OF THE ENTITY FILING NOTIFICATION (if other than ultimate parent entity)

NA  This report is being filed on behalf of a foreign person pursuant to § 803.4.  This report is being filed on behalf of the ultimate parent entity by another entity within the same person authorized by it to file pursuant to § 803.2(a).

NAME OF ENTITY FILING NOTIFICATION | ADDRESS

---

**THIS FORM IS REQUIRED BY LAW and must be filed separately by each person which, by reason of a merger, consolidation or acquisition, is subject to § 7A of the Clayton Act, 15 U.S.C. § 18a, as added by Section 201 of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, Pub. L. No. 94-435, 90 Stat. 1390, and rules promulgated thereunder (hereinafter referred to as "the rules" or by section number). The statute and rules are set forth in the Federal Register at 43 FR 33450; the rules may also be found at 16 CFR Parts 801-803. Failure to file this Notification and Report Form, and to observe the required waiting period before consummating the acquisition, in accordance with the applicable provisions of 15 U.S.C. § 18a and the rules, subjects any "person," as defined in the rules, or any individuals responsible for noncompliance, to liability for a penalty of not more than \$10,000 for each day during which such person is in violation of 15 U.S.C. § 18a.**

All information and documentary material filed in or with this Form is confidential. It is exempt from disclosure under the Freedom of Information Act, and may be made public only in an administrative or judicial proceeding, or disclosed to Congress or to a duly authorized committee or subcommittee of Congress.

Complete and return two notarized copies (with one set of documentary attachments) of this Notification and Report Form to Premerger Notification Office, Bureau of Competition, Room 303, Federal Trade Commission, Washington, D.C. 20580, and three notarized copies (with one set of documentary attachments) to Director of Operations, Antitrust Division, Room 3218, Department of Justice, Washington, D.C. 20530. The central office for information and assistance with respect to matters in connection with this Notification and Report Form is Room 301, Federal Trade Commission, Washington, D.C. 20580, phone (202) 523-3294.

NAME OF PERSON FILING NOTIFICATION | DATE

(j) NAME AND ADDRESS OF ENTITY MAKING ACQUISITION OR WHOSE ASSETS OR VOTING SECURITIES ARE BEING ACQUIRED IF DIFFERENT FROM THE ULTIMATE PARENT ENTITY (IDENTIFIED IN ITEM 1(a))

---

PERCENT OF VOTING SECURITIES HELD BY ENTITY IDENTIFIED IN ITEM 1(a)

---

**ITEM 2**  
 2(a) DESCRIPTION OF ACQUISITION

---

(b) SCHEDULED DATE OF CONSUMMATION

---

(c) MANNER IN WHICH THE ACQUISITION IS TO BE CARRIED OUT

---

2

NAME OF PERSON FILING NOTIFICATION \_\_\_\_\_ DATE \_\_\_\_\_

(ix)(i) ASSETS TO BE ACQUIRED (to be completed only for assets acquisitions)

(ix)(ii) ASSETS HELD BY ACQUIRING PERSON

(x) VOTING SECURITIES TO BE ACQUIRED

(x)(i) LIST AND DESCRIPTION OF VOTING SECURITIES AND LIST OF NON-VOTING SECURITIES:

(x)(ii) TOTAL NUMBER OF SHARES OF EACH CLASS OF SECURITY:

(x)(iii) TOTAL NUMBER OF SHARES OF EACH CLASS OF SECURITY BEING ACQUIRED:

(Item 2 (e) continued on page 4)

NAME OF PERSON FILING NOTIFICATION \_\_\_\_\_ DATE \_\_\_\_\_

(x)(v) IDENTITY OF PERSONS ACQUIRING SECURITIES

(x)(vi) DOLLAR VALUE OF SECURITIES IN EACH CLASS BEING ACQUIRED:

(x)(vii) TOTAL NUMBER OF EACH CLASS OF SECURITIES HELD BY ACQUIRING PERSON AS A RESULT OF THE ACQUISITION

(x)(viii) PERCENTAGE OF EACH CLASS OF SECURITIES HELD BY ACQUIRING PERSON AS A RESULT OF THE ACQUISITION:

(x)(ix) DOLLAR VALUE OF SECURITIES TO BE HELD AS A RESULT OF THE ACQUISITION:

(f)(i) SUBMIT A COPY OR MOST RECENT VERSION OF CONTRACT OR AGREEMENT (or letter of intent to merge or acquire)

DO NOT ATTACH THIS DOCUMENT TO THIS PAGE.

ATTACHMENT OR REFERENCE NUMBER OF CONTRACT OR AGREEMENT \_\_\_\_\_

(f)(ii) INCLUDE AN INDEX OF ANCILLARY DOCUMENTS.







NAME OF PERSON FILING NOTIFICATION		DATE
5(b)(iii) DOLLAR REVENUES BY MANUFACTURED PRODUCT CLASS - CONTINUED		
5-DIGIT PRODUCT CLASS CODE	DESCRIPTION	YEAR TOTAL DOLLAR REVENUES
5(c) DOLLAR REVENUES BY NON-MANUFACTURING INDUSTRY		
4-DIGIT INDUSTRY CODE	DESCRIPTION	YEAR TOTAL DOLLAR REVENUES

NAME OF PERSON FILING NOTIFICATION		DATE
5(d) COMPLETE ONLY IF ACQUISITION IS THE FORMATION OF A JOINT VENTURE OR OTHER CORPORATION		
5(d)(i) NAME AND ADDRESS OF THE JOINT VENTURE OR OTHER CORPORATION		
5(d)(ii)		
(A) CONTRIBUTIONS THAT EACH PERSON FORMING THE JOINT VENTURE OR OTHER CORPORATION HAS AGREED TO MAKE.		
(B) DESCRIPTION OF ANY CONTRACTS OR AGREEMENTS		
(C) DESCRIPTION OF ANY CREDIT GUARANTEES OR OBLIGATIONS.		
(D) DESCRIPTION OF CONSIDERATION WHICH EACH PERSON FORMING THE JOINT VENTURE OR OTHER CORPORATION WILL RECEIVE .		
5(d)(iii) DESCRIPTION OF THE BUSINESS IN WHICH THE JOINT VENTURE OR OTHER CORPORATION WILL ENGAGE.		
5(d)(iv) SOURCE OF DOLLAR REVENUES BY 4-DIGIT SIC CODE.		

NAME OF PERSON FILING NOTIFICATION	DATE
<b>ITEM 6</b> 64) ENTITIES WITHIN PERSON FILING NOTIFICATION	
<b>ITEM 7</b> DOLLAR REVENUES 73) 4-DIGIT SIC CODE AND DESCRIPTION	
78) NAME OF EACH PERSON WHICH ALSO DERIVED DOLLAR REVENUES	

NAME OF PERSON FILING NOTIFICATION	DATE
<b>ITEM 6</b> 64) ENTITIES WITHIN PERSON FILING NOTIFICATION	
<b>ITEM 8</b> 80) SHAREHOLDERS OF PERSON FILING NOTIFICATION	

12

11

NAME OF PERSON FILING NOTIFICATION \_\_\_\_\_ DATE \_\_\_\_\_

7(e) GEOGRAPHIC MARKET INFORMATION

13

NAME OF PERSON FILING NOTIFICATION \_\_\_\_\_ DATE \_\_\_\_\_

ITEM 8 VENDOR-VENDEE RELATIONSHIP

NO     YES (If yes and you are the vendee, complete the following)

PRODUCT PURCHASES	VENDOR	DOLLAR AMOUNT

ITEM 9 PRIOR ACQUISITIONS (to be completed by acquiring person only)

14

NAME OF PERSON FILING NOTIFICATION		DATE
<b>ITEM 10 IDENTIFICATION OF PERSON TO CONTACT REGARDING THIS REPORT</b>		
10(a) NAME OF CONTACT PERSON		TITLE OF CONTACT PERSON
FIRM NAME AND BUSINESS ADDRESS		BUSINESS TELEPHONE NUMBER
10(b) IDENTIFICATION OF AN INDIVIDUAL LOCATED IN THE UNITED STATES DESIGNATED FOR THE LIMITED PURPOSE OF RECEIVING NOTICE OF ISSUANCE OF A REQUEST FOR ADDITIONAL INFORMATION OR DOCUMENTS. (See § 803.20(b)(2)(ii))		
NAME		TITLE
ADDRESS		BUSINESS TELEPHONE NUMBER
<b>CERTIFICATION</b>		
This NOTIFICATION AND REPORT FORM, together with any and all appendices and attachments thereto, was prepared and assembled under my supervision in accordance with instructions issued by the Federal Trade Commission. Subject to the recognition that, where so indicated, reasonable estimates have been made because books and records do not provide the required data, the information is, to the best of my knowledge, true, correct, and complete in accordance with the statute and rules.		
NAME (Please print or type)		TITLE
SIGNATURE	DATE	
Subscribed and sworn to before me at the		
City of _____, State of _____		
this _____ day of _____, 19____.		
Signature _____		
My Commission expires _____		
[SEAL]		

NAME OF PERSON FILING NOTIFICATION		DATE
<b>APPENDIX: INSURANCE</b>		
<b>ITEM 1</b>		
<b>A PREMIUM RECEIPTS</b>		
1 LIFE INSURANCE		YEAR
1a. ORDINARY LIFE INSURANCE		AMOUNT
1b. GROUP LIFE INSURANCE (including Federal Employees' Group Life Insurance and Servicemen's Group Life Insurance, but excluding credit life insurance)		
1c. INDUSTRIAL LIFE INSURANCE		
1d. CREDIT LIFE INSURANCE		
2 ANNUITY CONSIDERATIONS		
2a. INDIVIDUAL ANNUITY CONSIDERATIONS		
2b. GROUP ANNUITY CONSIDERATIONS		
3 HEALTH INSURANCE		
3a. INDIVIDUAL HEALTH INSURANCE		
3b. GROUP HEALTH INSURANCE		
<b>TOTAL</b>		
<b>B NEW BUSINESS</b>		YEAR
		AMOUNT
1 ORDINARY LIFE INSURANCE		
2 GROUP LIFE INSURANCE		
3 INDUSTRIAL LIFE INSURANCE		
4 CREDIT LIFE INSURANCE		
<b>TOTAL</b>		
<b>ITEM 2 PROPERTY LIABILITY INSURANCE</b>		
LINE OF INSURANCE		YEAR
	A. DIRECT PREMIUMS	B. NET PREMIUMS
<b>ITEM 3 TITLE INSURANCE</b>		
A. NET DIRECT PREMIUMS WRITTEN		YEAR
B. DIRECT PREMIUMS EARNED		

By Direction of the Commission.

Emily H. Rock,

Secretary.

[FR Doc. 85-26738 Filed 11-8-85; 8:45 am]

BILLING CODE 6750-01-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 1020

[Docket No. 82N-0274]

#### Retrospective Review of the Performance Standard for Diagnostic X-Ray Equipment; Availability of Report

**AGENCY:** Food and Drug Administration.  
**ACTION:** Notice; final rule-related.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing the availability of a report prepared by the X-Ray Standard Review Group (XSRG) in FDA's Center for Devices and Radiological Health (CDRH). The report contains the review group's assessment of the performance standard for diagnostic x-ray systems and their major components. It contains recommendations for changes in the standard with respect to the need to ensure that regulatory controls keep pace with developing technology and the needs of the radiological community. In addition, FDA is inviting interested persons to submit written comments, data, or information regarding the report for the agency's consideration in deciding whether to initiate any changes in the performance standard.

**DATE:** Comments, data, and information by February 10, 1985.

**ADDRESSES:** Comments, data, and information to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857. Single copies of the report may be obtained by submitting a written request to the contact person listed below.

**FOR FURTHER INFORMATION CONTACT:** Harvey Rudolph, Center for Devices and Radiological Health (HFZ-83), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3426.

**SUPPLEMENTARY INFORMATION:** In March 1982, CDRH formed the XSRG to conduct a retrospective review of the performance standard for diagnostic x-ray systems and their major components (21 CFR 1020.30-1020.32). The agency selected this performance standard as a high-priority rule under its program to identify regulations that impose

significant cost burdens and to explore alternative measures for protecting the public health (see 47 FR 29004; July 2, 1982). The goal of the XSRG was to (1) assess the costs and public health impacts of the performance standard, (2) develop a cohesive set of recommendations for both regulatory and nonregulatory radiation control programs for consideration by CDRH, and (3) identify any changes that could be made in the requirements of the performance standard that would lessen the regulatory burden on manufacturers of diagnostic x-ray systems and their major components, yet maintain an optimum level of public health protection.

In the *Federal Register* of November 16, 1982 (47 FR 51710), FDA announced that it intended to review the standard and invited interested persons to submit comments, data, and qualitative information concerning the economic cost or other impacts that may be attributed to the standard. The agency set forth for consideration alternative means for ensuring the radiation safety of diagnostic x-ray systems along with an invitation to the public for additional suggestions. The announcement also encouraged interested persons to provide comments on significant public health benefits and to identify any other benefits directly attributable to the standard. Announcement of the review was advertised in more than 20 trade publications and professional newsletters. Thirty-eight individuals and groups responded to the notice. In addition to the comments, more than 200 individuals and groups requested materials and reports that might be generated in the retrospective review.

The XSRG analyzed all of the available data and information and prepared a draft report entitled "An Overview of the Costs and Benefits of the Diagnostic X-Ray Equipment Performance Standard (21 CFR 1020.30-31)." The draft report provided estimates of the impact of the standard on the performance and the cost of diagnostic x-ray systems. Also, the draft report included information and views from interested persons and data from FDA's compliance test program and Nationwide Evaluation of X-ray Trends surveys. It also included the results of the "delphi" committee assessment of the public health values of the requirements in the standard. In the *Federal Register* of January 24, 1984 (49 FR 2918), FDA announced the availability of the draft report for review and comment. Ten comment letters were received and incorporated into the final version of the report, which was sent to

approximately 350 individuals and organizations that had requested copies.

The XSRG has now completed its review and analysis of the impact of the performance standard and has prepared a final report which outlines the review group's specific recommendations for modifications to the standard. This report is the product of the XSRG's deliberations over the past 3 years. The recommendations contained in the report are those of the XSRG as formulated from comments by various sections of the radiological community and CDRH staff. The recommendations do not represent FDA or CDRH policy in regard to enforcement of the performance standard for diagnostic x-ray systems and their major components. This policy will be developed after review of comments in the report and the development of any proposed changes in the standard that the agency decides are warranted.

The report is on file in the Dockets Management Branch (address above) under the docket number found in brackets in the heading of this notice and is available for public review between 9 a.m. and 4 p.m., Monday through Friday. Single copies of the report may be obtained by submitting a written request to the contact person for this notice. Interested persons are invited to review the report and to submit written comments on it. Such comments should be supported by an appropriated rationale and background data where possible. Individuals and organizations who have responded to the notices of November 16, 1982, or January 24, 1984, will automatically receive copies of the XSRG final report, and, in addition to those responding to this notice, will be placed on a mailing list to receive copies of any future proposals to amend the standard.

Interested persons may, on or before February 10, 1985, submit to the Dockets Management Branch (address above) written comments, data, or information regarding the report. Two copies of any comments should be submitted, except that individuals may submit one copy. Comments should be identified with the docket number found in brackets in the heading of this notice. FDA will consider all comments received in response to this notice in initiating any significant regulatory actions respecting the performance standard for diagnostic x-ray systems. Received comments may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.