

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 complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for September 2, 1999), on the World Wide Web, at "http://www.ftc.gov/os/actions97.htm." A paper copy can be obtained from the FTC Public Reference Room, Room H-130, 600 Pennsylvania Avenue, NW, Washington, D.C. 20580, either in person or by calling (202) 326-3627.

Public comment is invited. Comments should be directed to: FTC/Office of the Secretary, Room 159, 600 Pennsylvania Ave., NW, Washington, D.C. 20580. Two paper copies of each comment should be filed, and should be accompanied, if possible, by a 3½ inch diskette containing an electronic copy of the comment. Such comments or views will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with Section 4.9(b)(6)(ii) of the Commission's Rules of Practice (16 CFR 4.9(b)(6)(ii)).

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission has accepted, subject to final approval, an agreement to a proposed consent order from Prolong Super Lubricants, Inc. ("PSL"). The agreement would settle a proposed complaint by the Federal Trade Commission that PSL engaged in unfair or deceptive acts or practices in violation of Section 5(a) 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 advertising practices related to the sale of Prolong-brand Engine Treatment Concentrate ("ETC"). Prolong ETC is marketed for use as a supplemental additive to the motor oil used in gasoline automobile engines. The proposed complaint charges that, through the use of statements contained in PSL's television infomercial and other promotional materials, PSL made the following unsubstantiated representations: (1) Compared to motor oil alone, ETC reduces engine wear at start up; (2)

compared to motor oil alone, ETC extends the duration of engine life; (3) ETC reduces corrosion in engines; and (4) ETC protects against engine breakdowns. In addition, the proposed complaint alleges that PSL made unsubstantiated claims that benefits that may be achieved through use of ETC in race cars or under racing conditions can be achieved by ordinary consumers in ordinary driving; and that consumer testimonials in PSL's infomercial reflected the typical and ordinary experience of consumers.

The proposed consent order contains provisions designed to prevent PSL from engaging in similar acts and practices in the future. Part I of the proposed order requires PSL to have scientific evidence substantiating claims that, compared to motor oil alone, ETC or any other product for use in an automobile, reduces engine wear at start up, or extends the duration of engine life, under any circumstances or conditions or by any quantitative amount. Similarly, Part I of the order requires PSL to have scientific evidence substantiating claims that ETC or any other product for use in an automobile reduces corrosion in engines, or protects against engine breakdowns, under any circumstances or conditions or by any quantitative amount.

Part I of the order also requires PSL to have scientific evidence substantiating claims that benefits achieved in race cars or under racing conditions will be achieved in ordinary automobiles in conventional use. Similarly, Part IV of the order requires PSL to have scientific evidence substantiating user testimonials or endorsements, or disclosing the limitations on the applicability of the speaker's experience to ordinary users.

Moreover, Part II of the proposed order requires PSL to have competent and reliable evidence, scientific where appropriate, substantiating any claim about the performance, benefits, efficacy, attributes or use of any product it sells. In addition, the proposed order prohibits PSL from misrepresenting the results of tests or studies relating to any product, or utilizing demonstrations to misrepresent a material quality, feature or merit of any product, or the superiority or comparability of a product.

The order also contains standard provisions regarding record-keeping, notification of changes in corporate status, distribution of the order, termination of the order, and the filing of a compliance report.

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

By direction of the Commission
Benjamin I. Berman,
Acting Secretary.

Statement of Commissioner Orson Swindle Concurring in Part and Dissenting in Part

The Commission accepts for public comment a consent agreement settling allegations that Prolong Super Lubricants, Inc., et al. ("Prolong"), made unsubstantiated claims about the attributes and benefits of Prolong's motor oil additive. I support the provisions in the proposed order prohibiting Prolong from making such claims in the future without adequate substantiation.

The consent agreement, however, also contains provisions prohibiting Prolong, in connection with the sale of any product, from misrepresenting the existence or results of tests and from misrepresenting that a demonstration confirms the benefits of a product. While firms should not misrepresent the existence or results of tests or demonstrations, it is inappropriate to include specific establishment and demonstration requirements as remedies in an order without corresponding complaint allegations. In this case, and in others from the recent past, there is a troubling lack of symmetry between the complaint and the order.

Accordingly, I dissent as to Paragraphs III and V of the proposed order.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Statement of Organization, Functions, and Delegations of Authority

Part N, National Institutes of Health, of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health and Human Services (40 FR 22859, May 27, 1975, as amended most recently at 64 FR 24167, May 5, 1999, and redesignated from Part HN as Part N at 60 FR 56605, November 9, 1995), is amended as set forth below to reflect (1) the retitling of the National Institute of Dental Research as the National Institute of Dental and Craniofacial Research (NIDCR) within the NIH, pursuant to Section 212 of the Department of Health and Human Services Appropriation Act,

1999, Title II of Pub. L. 105-277, and (2) the revision of NIDCR's functional statement.

Section N-B, Organization and Functions, is amended as follows:

Under the heading National Institute of Dental Research (NP, formerly HNP), the title and functional statement are deleted in their entirety and the following is inserted:

National Institute of Dental and Craniofacial Research (NP, formerly HNP). To improve and promote craniofacial, oral, and dental health through research: (1) develops disease prevention, diagnostic, therapeutic, and health promotion measures through the conduct and support of basic, translational, applied, and demonstration research; (2) develops and maintains an adequate research personnel pool through the conduct and support of training and career development programs; (3) promotes the timely transfer and appropriate adoption of research findings by the public, professional and research communities; (4) disseminates accurate information to the public, professionals and policy-makers; and (5) coordinates and collaborates with, and assists and fosters relevant research and research-related activities with, other public and private agencies and organizations.

Delegations of Authority Statement

All delegations and redelegations of authority to offices and employees of NIH which were in effect immediately prior to the effective date of this realignment and are consistent with this realignment shall continue in effect, pending further redelegation.

Dated: August 30, 1999.

Donna E. Shalala,

Secretary, Department of Health and Human Services.

[FR Doc. 99-23349 Filed 9-8-99; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity; Comment Request

Proposed Project

Title: (1) TANF Data Report, ACF-1999 (including TANF Sampling and Statistical Methods Manual)

(2) SSP-MOE Data Report, ACF-204 (Including TANF Sampling and Statistical Methods Manual)

OMB No.: 0970-0199.

Description: 42 U.S.C. 611 and 45 CFR Part 265 require States to collect on a monthly basis and report quarterly the data in the ACF-199 and the ACF-204.

A State may comply with these requirements by collecting and submitting case record information for its entire caseload or for a portion of the caseload that is obtained through the use of scientifically acceptable sampling methods. Currently 22 States are sampling their monthly caseloads and submitting the required TANF data based on these samples, and potentially 17 States could use sampling for the SSP-MOE Report. We expect similar numbers to use sampling in the future and the subject to the following revisions. We are proposing to revise the current information collection requirements by: (1) issuing the TANF Sampling and Statistical Methods Manual to provide guidance to States on the sampling process; (2) adding a section four to both data collection forms. The TANF Data Report—Section Four is designed to collect the weighting data for the State TANF program. The SSP-MOE Data Report—Section Four is designed to collect the weighting for the SSP-MOE programs. The current OMB inventory indicates an approved burden of 516,680 hours for the ACF-199 and the ACF-204. We estimate that the proposed revisions will increase the burden by 1,599 hours for a total revised estimated annual burden of 518,279 hours.

Respondents: State, Local or Tribal Government.

Annual Burden Estimates:

| Instrument | Number of respondents | Number of responses per respondent | Average burden hours per response | Total burden hours |
|---------------------------|-----------------------|------------------------------------|-----------------------------------|--------------------|
| TANF Data Report | 54 | 4 | 2,187.18 | 472,430 |
| SSP-MOE Data Report | 17 | 4 | 674.25 | 45,849 |

Estimated total Annual Burden Hours: 518,279.

In compliance with the requirements of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Administration for Children and Families is soliciting public comment on the specific aspects of the information collection described above. Copies of the proposed collection of information can be obtained and comments may be forwarded by writing to the Administration for Children and Families, Office of Information Services, 370 L'Enfant Promenade, SW, Washington, DC 20447, Attn: ACF Reports Clearance Officer. All requests should be identified by the title of the information collection.

The Department specifically requests comments on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including

whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Dated: September 2, 1999.

Bob Sargis,

Reports Clearance Officer.

[FR Doc. 99-23347 Filed 9-8-99; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Grant to the Institute for Responsible Fatherhood and Family Revitalization

AGENCY: Office of Planning, Research and Evaluation, ACF, DHHS.

ACTION: Notice.

SUMMARY: Notice is hereby given that a noncompetitive grant award is being made to the Institute for Responsible Fatherhood and Family Revitalization. Funding in the amount of \$180,000 is being awarded for a 12-month project period, beginning October 1, 1999 and ending September 30, 2000. Under the title of "Evaluation of the Institute for Responsible Fatherhood and Family