



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
CHICAGO REGIONAL OFFICE

55 East Monroe, Suite 1860
Chicago, IL 60603

October 22, 1996

Camille Cleveland
Assistant General Counsel
Elias Brothers Restaurants, Inc.
4199 Marcy
Warren, Michigan 48091-1799

Re: Big Boy Restaurants
File No. 962-3144

Dear Ms. Cleveland:

The Commission has conducted an investigation involving Big Boy Restaurant's possible violation of the Federal Trade Commission Act, through alleged use of false and misleading advertising as to nutritional benefits in connection with the sale of Big Boy's HEALTH SMART items.

Upon further review of this matter, it now appears that no further action is warranted by the Commission at this time. Accordingly, the investigation has been closed. This action is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Steven Baker", is written over a circular stamp that contains the letters "FTC".

C. Steven Baker
Director