Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can ''reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices.'' Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than April 28, 1995.

A. Federal Reserve Bank of New York (William L. Rutledge, Senior Vice President) 33 Liberty Street, New York, New York 10045:

1. The Royal Bank of Canada, Montreal, Quebec, Canada; to expand the geographic scope of its subsidiary, RBC Dominion Securities Corporation, New York, New York (Securities Corp.), to operate on a worldwide basis. Securities Corp., engages in securities-related activities, including securities brokerage actvities, as well as limited securities underwriting and dealing. All the activities have been previously approved for this entity by order. *See*, e.g. *The Royal Bank of Canada*, 77 Federal Reserve Bulletin 272 (1991).

Board of Governors of the Federal Reserve System, April 10, 1995.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 95-9211 Filed 4-13-95; 8:45 am]

BILLING CODE 6210-01-F

State Financial Services Corporation, et al.; Formations of; Acquisitions by; and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications must be received not later than May 8, 1995.

A. Federal Reserve Bank of Chicago (James A. Bluemle, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. State Financial Services Corporation, Hales Corners, Wisconsin; to acquire 100 percent of the voting shares of Waterford Bancshares, Waterford, Wisconsin, and thereby indirectly acquire Waterford Bank, Waterford, Wisconsin.

B. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. Mercantile Bancorporation, Inc., St. Louis, Missouri; to acquire 100 percent of the voting shares of Southwest Bancshares, Inc., Bolivar, Missouri, and thereby indirectly acquire Southwest Bank, Bolivar, Missouri.

Board of Governors of the Federal Reserve System, April 10, 1995.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 95-9212 Filed 4-13-95; 8:45 am]

BILLING CODE 6210-01-F

FEDERAL TRADE COMMISSION

[File No. 942 3052]

David Green, M.D.; 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 prohibit, among other things, an individual doing business as The Varicose Vein Center from making various representations about any vein treatment or cosmetic surgery procedure he markets in the future unless he possesses competent and reliable scientific evidence to substantiate the claims.

DATES: Comments must be received on or before June 13, 1995.

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

FOR FURTHER INFORMATION CONTACT: Richard Kelly or Sondra Mills, FTC/H–200, Washington, D.C. 20580. (202) 326–3304 or 326–2673.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46 and § 2.34 of the Commission's Rules of Practice (16 CFR 2.34), notice is hereby given that the following consent agreement containing a consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of sixty (60) days. 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)(6)(ii) of the Commission's Rules of Practice (16 CFR 4.9(b)(6)(ii)).

Agreement Containing Consent Order to Cease and Desist

In the matter of David Green, M.D., an individual doing business as The Varicose Vein Center, a sole proprietorship.

The Federal Trade Commission having initiated an investigation of certain acts and practices of David Green, M.D., an individual doing business as The Varicose Vein Center, a sole proprietorship, and it now appearing that David Green, M.D., 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 David Green, M.D., an individual doing business as The Varicose Vein Center, a sole proprietorship, and his attorney, and counsel for the Federal Trade Commission that:

1. Proposed respondent David Green, M.D. (''Dr. Green'') is an individual doing business as The Varicose Vein Center, a sole proprietorship (''VVC''). Respondent's principal place of business is located at 4800 Montgomery Lane, Suite M50, in the City of Bethesda, State of Maryland. Dr. Green formulates, directs and controls the policies, acts and practices of VVC.

2. This agreement is for settlement purposes only and does not constitute an admission by the proposed respondent of facts, other than jurisdictional facts, or of violations of law as alleged in the draft Complaint.

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

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;

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

(d) All rights under the Equal Access to Justice Act.

5. This agreement shall not become part of the public record of the proceeding unless and until 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 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 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 he 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.

7. Proposed respondent has read the proposed complaint and order contemplated hereby. He understands that once the order has been issued, he will be required to file one or more compliance reports showing that he has fully complied with the order. Proposed respondent further understands that he 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 purposes of this Order, the following definitions shall apply:

1. ''Sclerotherapy'' means the treatment of venous disease by injecting a solution into a vein with a needle.

2. ''venous disease treatment procedure'' includes, but is not limited to, sclerotherapy, laser treatments, electrocautery, and surgery.

3. ''Competent and reliable scientific evidence'' means tests, analyses, research, studies or other evidence based on the expertise of professionals in the relevant area, that have been conducted and evaluated in an objective manner by persons qualified to do so, using procedures generally accepted in the profession to yield accurate and reliable results.

I

It Is Ordered that respondent David Green, M.D., an individual doing business as The Varicose Vein Center, a sole proprietorship, his successors, assigns, agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, promotion, offering for sale or sale of any venous disease treatment procedure including, but not limited to, sclerotherapy, or of any other cosmetic or plastic surgery procedure, in or affecting commerce, as ''commerce'' is defined in the Federal Trade Commission Act, do forthwith cease and desist from making any representation, in any manner, directly or by implication:

A. that spider veins and varicose veins are permanently eliminated following treatment by respondent, or otherwise making any representation regarding the duration of results following treatment by any cosmetic or plastic surgery procedure, including any venous disease treatment procedure; or

B. that respondent's treatments succeed in eliminating varicose and spider veins at a rate greater than 95%, or otherwise making any representation regarding the success rate for, or the rate at which a condition is likely to recur or return following treatment by, any cosmetic or plastic surgery procedure, including any venous disease treatment procedure; or

C. that patients do not experience any pain in connection with respondent's regimen for treating their varicose and spider veins, or otherwise making any representation regarding the nature, duration or intensity of pain associated with any cosmetic or plastic surgery procedure, including any venous disease treatment procedure; or

D. otherwise making any representation regarding the efficacy of, or the risks, side-effects, or recovery period associated with, any cosmetic or plastic surgery procedure, including any venous disease treatment procedure; unless, at the time of making such representation, respondent possesses and relies upon competent and reliable scientific evidence that substantiates the representation.

II

It is further ordered that for three (3) years after the last date of dissemination of any representation covered by this Order, respondent, or his successors and assigns, shall maintain and upon request make available to the Federal Trade Commission for inspection and copying:

A. All materials that were relied upon in disseminating such representation; and

B. All tests, reports, studies, surveys, demonstrations or other evidence in his possession or control that contradict, qualify, or call into question such representation, or the basis relied upon for such representation, including complaints from consumers.

III

It is further ordered that respondent shall distribute a copy of this Order to each of his agents, representatives, and employees, and shall secure from such person a signed statement acknowledging receipt of this Order.

IV

It is further ordered that, for a period of five (5) years from the date of entry of this Order, the individual respondent named herein shall promptly notify the Commission of the discontinuance of his present business or employment, with each such notice to include the respondent's new business address and a statement of the nature of the business

or employment in which the respondent is newly engaged as well as a description of respondent's duties and responsibilities in connection with the business or employment.

V

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

Analysis of Proposed Consent Order to Aid Public Comment

The Federal Trade Commission has accepted an agreement to a proposed consent order from David Green, M.D. (herein ''Dr. Green''), an individual doing business as The Varicose Vein Center, a sole proprietorship (herein ''VVC''). Through VVC, Dr. Green markets a procedure commonly known as ''sclerotherapy'' for treating venous disease, including varicose veins and spider veins. Proposed respondent currently offers his sclerotherapy services to the public at VVC's clinic in Bethesda, Maryland.

Dr. Green's treatment method consists of injecting a sclerosing solution into the veins, followed by compression of the area with a bandage and post-procedure ambulation by the patient. As part of his treatment regimen, Dr. Green refers certain patients with varicose veins to surgeons for surgical division and ligation of their veins procedure prior to performing his sclerotherapy injections. These include patients Dr. Green has diagnosed as having truncal varicosities with incompetence at the saphenofemoral or saphenopopliteal junction.

The proposed consent order has been placed on the public record for sixty (60) days for the 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 Commission's complaint charges that proposed respondent deceptively advertised: (1) The permanence of the results of his sclerotherapy treatments; (2) the success rate for his treatments; and (3) the painlessness of his regimen for treating venous disease.

Permanence

The complaint alleges that proposed respondent failed to possess a reasonable basis for claims he has made regarding the permanence of the results of his treatments. In newspaper and magazine advertisements, Dr. Green has represented that the treatments provided at VVC would ''permanently remove'' or ''permanently eliminate'' varicose and spider veins. A brochure Dr. Green provided to prospective patients described sclerotherapy as the ''*non-surgical* procedure used to *permanently* remove spider and varicose veins from the legs and thighs.'' The Commission believes that these permanence claims are deceptive because at the time proposed respondent made these claims, he did not possess adequate substantiation for those claims.

The proposed consent order seeks to address the alleged deceptive permanence claims cited in the complaint by requiring Dr. Green to possess a reasonable basis, consisting of competent and reliable scientific evidence, substantiating any claim that spider veins and varicose veins are permanently eliminated following treatment by proposed respondent (Part I.A.). Part I.A. of the proposed order also requires that Dr. Green possess a reasonable basis for any representation he makes regarding the duration of results following treatment by any cosmetic or plastic surgery procedure, including any venous disease treatment procedure.

Success Rate

The Commission's complaint further alleges that proposed respondent failed to possess a reasonable basis for his claim, made in newspaper advertisements, that his non-surgical procedure has a ''success rate greater than 95%.'' The Commission believes this success rate claim is deceptive because at the time proposed respondent made it, he did not possess adequate substantiation for this claim.

The proposed consent order seeks to address this alleged deceptive success rate claim by requiring that Dr. Green possess a reasonable basis, consisting of competent and reliable scientific evidence, substantiating any claim that his treatments succeed in eliminating varicose and spider veins at a rate greater than 95 percent (Part I.B). Part I.B further requires that Dr. Green possess a reasonable basis for any representation he makes regarding the success rate for, or the rate at which a condition is likely to recur or return following treatment by, any cosmetic or plastic surgery procedure, including any venous disease treatment procedure.

Pain

The complaint also alleges that proposed respondent failed to possess a reasonable basis for his claims that the treatments he provides through VVC are painless. In newspaper advertisements, Dr. Green has claimed that his treatments are ''Painless, Safe, Non-Surgical'' and that his ''non-surgical, in-office procedures'' are ''painless.'' The Commission believes these claims about the pain associated with the treatments provided at VVC are deceptive because at the time proposed respondent made them, he did not possess adequate substantiation for these claims.

The proposed consent order addresses these deceptive claims about pain by requiring that Dr. Green possess a reasonable basis, consisting of competent and reliable scientific evidence, substantiating any claim that patients do not experience any pain in connection with proposed respondent's regimen for treating their varicose and spider veins (Part I.C). In addition, Part I.C of the proposed consent requires that proposed respondent possess a reasonable basis for any representation he makes regarding the nature, duration or intensity of pain associated with any cosmetic or plastic surgery procedure, including any venous disease treatment procedure.

Part I.D. of the proposed order further requires proposed respondent to possess substantiation, consisting of competent and reliable scientific evidence, for any representation regarding the efficacy of, or the risks, side-effects, or recovery period associated with, any cosmetic or plastic surgery procedure, including any venous disease treatment procedure.

Finally, Paragraphs II, III and IV of the proposed order contain the standard recordkeeping and notification provisions required by the Commission in consent orders.

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.

Benjamin I. Berman,

Acting Secretary.

[FR Doc. 95–9266 Filed 4–13–95; 8:45 am]

BILLING CODE 6750–01–M

[Dkt. C–2929]

Interco Incorporated, et al.; Prohibited Trade Practices and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Modifying order.