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, and replace the P/N AS 3085-018 O-ring (two for P/N 23032345 and one for P/N 6889085 or P/N 6889071) on the aft end of the spur adapter gearshaft in accordance with CEB-A-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 2% bearing location in accordance with Allison CEB-A-72-3135, Revision 4 dated September 15, 1985, or FAA approved equivalent.

(iii) Replace turbine-to-compressor-coupling P/N 6889085, 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 72-3098, Revision 1 dated September 15, 1985, or FAA approved equivalent.

(iv) At the next turbine repair/overhaul shop visit, when not later than November 30, 1987, modify the turbine-exhaust-collector in accordance with Allison CEB 72-3098, Revision 1 dated September 15, 1985, or FAA approved equivalent.

After the effective date of this AD, unless already accomplished, or at next engine repair/overhaul shop visit, but not later than November 30, 1987, perform the following:

Inspect, clean, and replace the P/N AS 3085-018 O-ring (two for P/N 23032345 and one for P/N 6889085 or P/N 6889071) on the aft end of the spur adapter gearshaft in accordance with Allison 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 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 6889085 or P/N 6889071) on the aft end of the spur adapter gearshaft in accordance with Allison CEB-A-72-3134 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 2% bearing location in accordance with Allison CEB-A-72-3135, Revision 4 dated September 15, 1985, or FAA approved equivalent.

(iii) Replace turbine-to-compressor-coupling P/N 6889085, 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.

(iv) At the next turbine repair/overhaul shop visit, when not later than November 30, 1987, modify the turbine-exhaust-collector in accordance with Allison CEB 72-3098, Revision 1 dated September 15, 1985, or FAA approved equivalent.

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 No. 3054-0005) 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 803.1(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 for filing 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(a) 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:


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

BILLING CODE 6750–01–M
GENERAL
The Answer Sheets (pa. 1-10) constitute the Notification and Report Form required to be submitted pursuant to § 803.1(a) of the premerger notification rules ("the rules"). Filing responses 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 to be filed with the Federal Trade Commission and the Department of Justice.

The term "documentary attachments" refers to materials supplied in response to Item 7(a), Item 8, Item 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 § 801.113, 803.2(c)(7)).

Information need not be supplied regarding assets or voting securities currently being acquired, when the acquisition is exempt under the statute or rules. (See § 803.3(c)(7)).

Limited or separate responses may be required for the person filing notification. (See § 803.3(b)(2)).

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, 5th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580, on or before (the date in the box 10 the appropriate box indicated for the person filing notification in the Federal Register of the day on which the notification is filed). (See § 803.3(b)(2)).

ITEM BY ITEM
Affidavit—Attach the affidavit required by § 803.10 to page 1 of the Answer Sheets. Acquiring persons in transactions covered by § 803.10 are required to also submit a copy of the notice served on the acquired person pursuant to § 803.3(b)(2). (See § 803.3(b)(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(c)(3) of the Clayton Act.

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

Item 1(b)—Identify 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. (See Item 1(b)).

Item 1(d)—Put an X in all 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(j)): $15 million, 25%, or 50%.

Item 1(f)—All persons state the value of voting securities 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 3

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

i. Item 3(a)—the percentage of the voting securities or assets to be acquired.

ii. Item 3(b)—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 § 601.12, 601.13, and 601.14).

ITEM 4

Furnish one copy of each of the following documents. For each entity included within the person filing notification which has prepared or own such documents differentiate those prepared by the person filing notification, issuers, in addition, one copy of each document from each other entity.

Item 4(a)—all of the following documents which have been filed with the United States Securities and Exchange Commission (or 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 most recent Form 10-K (unless exempted from filing), and all amendments thereto filed in connection with the transaction for which notification is being filed; and Schedule 13D.

Schedule 13D-1. Alternatively, if the person filing notification does not have copies of responsive documents readily available, identification of such documents and a request for delivery date and place of filing will constitute compliance.

ITEM 5

For items 5 through 8 the Appendix is limited or separate responses may be required of the person filing notification. (See § 603.270(a)(6).)

ITEM 5(a)—(6): These items request information regarding dollar revenues and lines of commerce at three levels with respect to operations conducted within the United States. (See § 603.270(c)). 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 for the 5-digit production line and 6-digit product level (SIC codes). (See General Instructions to the Form. In instances covered by 2-digit SIC major group 63) should supply the information requested only with respect to industries net within 2-digit SIC major group 63. Credit agencies other than banks, securities brokers, dealers in securities, and similar enterprises (2-digit SIC major groups 61, 62, 64, and 65) should identify or explain the revenues reported (e.g., dollar sales, receipts).

PERSONS FILING NOTIFICATION should total the 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 is an acquired entity in 1980 it should include that entity's 1977 revenues in Items 5(a) and 5(b).

ITEM 5(b)—Dollar revenues by industry. Provide aggregate 4-digit (SIC code) industry data for 1977.

ITEM 5(b)—Dollar revenues by manufactured product. Provide the following information on the aggregate operations of the person filing notification for 1977 by each 4-digit (SIC code) product of the person in 2-digit SIC major groups 20-39 (manufacturing industries).

Do not provide 4-digit data for product codes ending in 00.

ITEM 6

For items 6 through 8 the Appendix is limited or separate responses may be required of the person filing notification. (See § 603.270(a)(6).)

ITEM 6(a)—(f): These items request information regarding dollar revenues and lines of commerce at three levels with respect to operations conducted within the United States. (See § 603.270(c)). 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 for the 5-digit production line and 6-digit product level (SIC codes). (See General Instructions to the Form. In instances covered by 2-digit SIC major group 63) should supply the information requested only with respect to industries net within 2-digit SIC major group 63. Credit agencies other than banks, securities brokers, dealers in securities, and similar enterprises (2-digit SIC major groups 61, 62, 64, and 65) should identify or explain the revenues reported (e.g., dollar sales, receipts).

PERSONS FILING NOTIFICATION should total the 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 is an acquired entity in 1980 it should include that entity's 1977 revenues in Items 6(a) and 6(b).

ITEM 6(b)—Dollar revenues by industry. Provide aggregate 4-digit (SIC code) industry data for 1977.

ITEM 6(b)—Dollar revenues by manufactured product. Provide the following information on the aggregate operations of the person filing notification for 1977 by each 4-digit (SIC code) product of the person in 2-digit SIC major groups 20-39 (manufacturing industries).

Do not provide 4-digit data for product codes ending in 00.

Instead, submit product 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 these codes should the item 6(b) section be completed.

ITEM 6(g)—Products added or deleted. Within 30 days 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 should be included in response to Item 6(g). 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 disposition of assets or voting securities since 1977 should also be listed here.

ITEM 6(h)—Dollar revenues by manufactured product class. Provide the following information on 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 6(i)—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 totalized less than one million dollars in the most recent year may be omitted.

NOTE: This million dollar minimum is applicable only to Item 6(i).

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 being acquired are required to be furnished, they should complete the Insurance Appendix to this Form.

JOINT VENTURE OR OTHER CORPORATIONS

For items 6 through 8 the Appendix is limited or separate responses may be required of the person filing notification. (See § 603.270(a)(6).)

ITEM 6(a)—(f): These items request information regarding dollar revenues and lines of commerce at three levels with respect to operations conducted within the United States. (See § 603.270(c)). 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 for the 5-digit production line and 6-digit product level (SIC codes). (See General Instructions to the Form. In instances covered by 2-digit SIC major group 63) should supply the information requested only with respect to industries net within 2-digit SIC major group 63. Credit agencies other than banks, securities brokers, dealers in securities, and similar enterprises (2-digit SIC major groups 61, 62, 64, and 65) should identify or explain the revenues reported (e.g., dollar sales, receipts).

PERSONS FILING NOTIFICATION should total the 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 is an acquired entity in 1980 it should include that entity's 1977 revenues in Items 6(a) and 6(b).

ITEM 6(b)—Dollar revenues by industry. Provide aggregate 4-digit (SIC code) industry data for 1977.

ITEM 6(b)—Dollar revenues by manufactured product. Provide the following information on the aggregate operations of the person filing notification for 1977 by each 4-digit (SIC code) product of the person in 2-digit SIC major groups 20-39 (manufacturing industries).

Do not provide 4-digit data for product codes ending in 00.

Instead, submit product 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 these codes should the item 6(b) section be completed.

ITEM 6(g)—Products added or deleted. Within 30 days 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 should be included in response to Item 6(g). 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 disposition of assets or voting securities since 1977 should also be listed here.

ITEM 6(h)—Dollar revenues by manufactured product class. Provide the following information on 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 6(i)—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 totalized less than one million dollars in the most recent year may be omitted.

NOTE: This million dollar minimum is applicable only to Item 6(i).

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 being acquired are required to be furnished, they should complete the Insurance Appendix to this Form.

JOINT VENTURE OR OTHER CORPORATIONS

For items 6 through 8 the Appendix is limited or separate responses may be required of the person filing notification. (See § 603.270(a)(6).)
Item 5(d)(iii)—List contributions that each person forming the joint venture or other corporation has agreed to make, specifying when each contribution is to be made, specifying when each contribution is to be made, and the value of each contribution as agreed by the contributors.
Item 5(d)(iii)—Describe any contracts or agreements whereby the joint venture or other corporation will engage in manufacturing, 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 2-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 names and addresses of all entities 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 § 201.16(c)) by one or more other 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)—Holding 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 issuer, 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) industry 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 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 form, whether they are sold by the person filing notification or by others to whom such products have been resold or sold.

Item 7(d)—For each 4-digit industry within SIC major groups 50-59 (manufacturing industries) 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(e)—For each 4-digit industry within SIC major groups 52-62 and 84-99 (trade, finance, insurance) 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(f)—For each 4-digit industry within SIC major groups 52-62 and 84-99 (trade, finance, insurance) 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.

Item 7(g)—For each 4-digit industry within SIC 63 (insurance) listed in Item 7(a) above, list the states (or, if desired, portions thereof) 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(g)(iv) above, the person filing notification may respond with the word “national” if business is conducted in all 50 states.

ITEM 8

Item 8(a)—Put an X in the appropriate box to indicate if the acquired person and an acquiring person maintained a vendor-vendor relationship during the most recent year with respect to any manufactured product (or, if the acquisition is a joint venture or other corporation (see § 201.40), 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 vendor either resold or incorporates into the manufacture of any product. Persons filing notification which are vendors 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 manufacturer, 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(a)—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 in a year 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 any assets deriving dollar revenues in that 4-digit industry. Only list acquisitions of more than 50 percent of the voting securities of a company and not more than $1 million in net sales or total assets greater than $10 million in the year prior to the acquisition.

For each such acquisition, supply:

(a) the name of the entity acquired;

(b) the headquarters address of the entity prior to the acquisition;

(c) whether securities or assets were acquired;

(d) the consumer date of the acquisition;

(e) the annual net sales of the acquired entity for the year prior to the acquisition;

(f) the total assets of the acquired entity in the year prior to the acquisition; and

(g) 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 § 201.302(b)(3)(iv).)

Item 10(b)—Foreign filing persons print or type the name as stated, 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 § 201.302(b)(3)(vi).)

Certification—(See § 201.302)

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 1(b)—New business. Provide for the most recent year the amount of new life insurance business issued in the United States (exclusive of renews, increases, dividend additions and reinvestment credits) 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.
**NOTIFICATION AND REPORT FORM FOR CERTAIN Mergers AND Acquisitions**

The information required to be supplied on this report is prescribed by the Federal Trade Commission Act (15 U.S.C. 41 et seq.) and the Merger Improvement Act of 1976, Pub. L. No. 94-435. It is being requested by the Federal Trade Commission. A copy of the Commission's rules and procedures is available from the Federal Trade Commission, Room 3218, 555 12th St., S.W., Washington, D.C. 20580. The Commission is an independent agency in the executive branch of the Federal Government. 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 disclosure to Congress or to a duly authorized committee or subcommittee of Congress.

Complete and return two original copies (with one set of documentary attachments) of this Notification and Report Form to Premerger Notification Office, Bureau of Competition, Room 321, Federal Trade Commission, Washington, D.C. 20580, and three notarized copies (with one set of documentary attachments) to Director of Operations, Antitrust Division, Room 3216, 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 321, Federal Trade Commission, Washington, D.C. 20580, phone (202) 523-3034.

---

### ITEM 1
- **NAME OF PERSON FILING NOTIFICATION**
- **DATE**

**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
- **DESCRIPTION OF ACQUISITION**

- **ITEM 3**
  - **NAME AND ADDRESS OF PERSON FILING NOTIFICATION**
  - **NAME AND ADDRESS OF ENTITIES MAKING ACQUISITION OR WHOSE ASSETS OR VOTING SECURITIES ARE BEING ACQUIRED IF DIFFERENT FROM THE ULTIMATE PARENT ENTITY**

- **INDICATE HIGHEST NOTIFICATION THRESHOLD FOR WHICH THIS FORM IS BEING FILED (Acquiring person only)**

- **VALUE OF VOTING SECURITIES**

- **OTHER**

- **DATA FURNISHED BY**

- **NAME OF ENTITY FILING NOTIFICATION**

- **ADDRESS**

---

**This Form is Required by Law and Must be Filed Separately by Each Person Who, by Reason of a Merger, Consolidation or Acquisition, Is Required to File This Form Under Section 201 of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, 15 U.S.C. 40.**

**FTC 4084414 465.3 106 3434**
<table>
<thead>
<tr>
<th>NAME OF PERSON FILING NOTIFICATION</th>
<th>DATE</th>
</tr>
</thead>
</table>

**ITEM 3**

ASSETS AND VOTING SECURITIES HELD AS A RESULT OF THE ACQUISITION

(a) PERCENTAGE OF ASSETS _______

(b) PERCENTAGE OF VOTING SECURITIES _______

(c) AGGREGATE TOTAL VALUE _______

**ITEM 4**

PERSONS FILING NOTIFICATION MAY PROVIDE BELOW AN OPTIONAL INDEX OF DOCUMENTS REQUIRED TO BE SUBMITTED BY ITEM HYPERLINK ITEM ITEM INSTRUCTIONS. THESE DOCUMENTS SHOULD NOT BE ATTACHED TO THIS PAGE.

(a) DOCUMENTS FILED WITH THE UNITED STATES SECURITIES AND EXCHANGE COMMISSION.

(b) ANNUAL REPORTS, ANNUAL 10-K REPORTS, AND REGULARLY PREPARED BALANCE SHEETS.

(c) STUDIES, SURVEYS, ANALYSES, AND REPORTS.

**ITEM 5**

DOLLAR REVENUES BY INDUSTRY

<table>
<thead>
<tr>
<th>INDUSTRY CODE</th>
<th>DESCRIPTION</th>
<th>NET TOTAL DOLLAR REVENUES</th>
</tr>
</thead>
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**ATTACHMENT OR REFERENCE NUMBER**
<table>
<thead>
<tr>
<th>NAME OF PERSON FILING NOTIFICATION</th>
<th>DATE</th>
</tr>
</thead>
</table>

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<thead>
<tr>
<th>WHOLE DOLLAR REVENUES BY MANUFACTURED PRODUCT CLASS - CONTINUED</th>
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<td><strong>PRODUCT CLASS CODE</strong></td>
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<table>
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<tr>
<th>DOLLAR REVENUES BY NON-MANUFACTURING INDUSTRY</th>
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<td><strong>INDUSTRY CODE</strong></td>
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<td>2000</td>
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</table>

<table>
<thead>
<tr>
<th>SOURCE OF DOLLAR REVENUES BY ADRIT SIC CODE</th>
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</thead>
<tbody>
<tr>
<td><strong>SIC CODE</strong></td>
</tr>
<tr>
<td>3000</td>
</tr>
</tbody>
</table>

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(4) NAME AND ADDRESS OF THE JOINT VENTURE OR OTHER CORPORATION (IF APPLICABLE)

(5) COMPLETE ONLY IF ACQUISITION IS THE FORMATION OF A JOINT VENTURE OR OTHER CORPORATION

(6) AMOUNT OF DOLLAR REVENUES BY PRODUCT CLASS

(7) DESCRIPTION OF ANY CONTRACTS OR AGREEMENTS

(8) DESCRIPTION OF ANY CREDIT GUARANTEES OR OBLIGATIONS

(9) DESCRIPTION OF CONSIDERATION WHICH EACH PERSON FORMING THE JOINT VENTURE OR OTHER CORPORATION WILL RECEIVE

(10) DESCRIPTION OF THE BUSINESS IN WHICH THE JOINT VENTURE OR OTHER CORPORATION WILL ENGAGE

---

(11) CONTRIBUTIONS THAT EACH PERSON FORMING THE JOINT VENTURE OR OTHER CORPORATION HAS AGREED TO MAKE
<table>
<thead>
<tr>
<th>NAME OF PERSON FILING NOTIFICATION</th>
<th>DATE</th>
</tr>
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<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**ITEM 8 VENDOR/VENDOR RELATIONSHIP**

<table>
<thead>
<tr>
<th>NO</th>
<th>YES [if yes and you are the vendor, complete the following]</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**PRODUCT PURCHASES**

<table>
<thead>
<tr>
<th>VENDOR</th>
<th>DOLLAR AMOUNT</th>
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</thead>
<tbody>
<tr>
<td></td>
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</tr>
</tbody>
</table>

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

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
ITEM 10 IDENTIFICATION OF AN INDIVIDUAL LOCATED IN THE UNITED STATES DESIGNED FOR THE LIMITED PURPOSE OF RECEIVING NOTICE OF ISSUANCE OF REQUEST FOR ADDITIONAL INFORMATION OR DOCUMENTS. (§) 10.201

Identification and Report Form, together with any and all appendices and attachments thereto, was prepared and assembled under my supervision in accordance with the regulations 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.

My Commission expires...

Signature

 Upon the representation that the information contained in the above information is correct, the same is submitted to the Federal Trade Commission for review and for issuance of a request for additional information to...

CERTIFICATION

SUBMITTED AND SWEARING TO BEFORE ME AT THE CITY OF ___________________________ STATE OF ___________________________ this ______ day of ___________________________, 19___.

Subscribed and sworn to before me at the City of ___________________________ State of ___________________________ this ______ day of ___________________________, 19___.

I, _____________________________ do hereby certify, in consideration of having submitted the above information, that the same is correct and complete to the best of my knowledge and belief, and that I am a member of the firm or association that is the subject of the report and that I am authorized to sign this report in the name of said firm or association.

CERTIFICATION

I, _____________________________ do hereby certify, in consideration of having submitted the above information, that the same is correct and complete to the best of my knowledge and belief, and that I am a member of the firm or association that is the subject of the report and that I am authorized to sign this report in the name of said firm or association.

ITEM 2 PROPERTY LIABILITY INSURANCE

A. Direct Premiums Earned

B. Direct Premiums Earned

C. Net Direct Premiums Earned

D. Direct Premiums Earned

E. Direct Premiums Earned

F. Direct Premiums Earned

G. Direct Premiums Earned

H. Direct Premiums Earned

I. Direct Premiums Earned

J. Direct Premiums Earned

K. Direct Premiums Earned

L. Direct Premiums Earned

M. Direct Premiums Earned

N. Direct Premiums Earned

O. Direct Premiums Earned

P. Direct Premiums Earned

Q. Direct Premiums Earned

R. Direct Premiums Earned

S. Direct Premiums Earned

T. Direct Premiums Earned

U. Direct Premiums Earned

V. Direct Premiums Earned

W. Direct Premiums Earned

X. Direct Premiums Earned

Y. Direct Premiums Earned

Z. Direct Premiums Earned

ITEM 3 TITLE INSURANCE

A. Direct Premiums Earned

B. Direct Premiums Earned

C. Net Direct Premiums Earned

D. Direct Premiums Earned

E. Direct Premiums Earned

F. Direct Premiums Earned

G. Direct Premiums Earned

H. Direct Premiums Earned

I. Direct Premiums Earned

J. Direct Premiums Earned

K. Direct Premiums Earned

L. Direct Premiums Earned

M. Direct Premiums Earned

N. Direct Premiums Earned

O. Direct Premiums Earned

P. Direct Premiums Earned

Q. Direct Premiums Earned

R. Direct Premiums Earned

S. Direct Premiums Earned

T. Direct Premiums Earned

U. Direct Premiums Earned

V. Direct Premiums Earned

W. Direct Premiums Earned

X. Direct Premiums Earned

Y. Direct Premiums Earned

Z. Direct Premiums Earned

ITEM 4 OTHER INSURANCE

A. Direct Premiums Earned

B. Direct Premiums Earned

C. Net Direct Premiums Earned

D. Direct Premiums Earned

E. Direct Premiums Earned

F. Direct Premiums Earned

G. Direct Premiums Earned

H. Direct Premiums Earned

I. Direct Premiums Earned

J. Direct Premiums Earned

K. Direct Premiums Earned

L. Direct Premiums Earned

M. Direct Premiums Earned

N. Direct Premiums Earned

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P. Direct Premiums Earned

Q. Direct Premiums Earned

R. Direct Premiums Earned

S. Direct Premiums Earned

T. Direct Premiums Earned

U. Direct Premiums Earned

V. Direct Premiums Earned

W. Direct Premiums Earned

X. Direct Premiums Earned

Y. Direct Premiums Earned

Z. Direct Premiums Earned

ITEM 6 INSURANCE

A. Direct Premiums Earned

B. Direct Premiums Earned

C. Net Direct Premiums Earned

D. Direct Premiums Earned

E. Direct Premiums Earned

F. Direct Premiums Earned

G. Direct Premiums Earned

H. Direct Premiums Earned

I. Direct Premiums Earned

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Q. Direct Premiums Earned

R. Direct Premiums Earned

S. Direct Premiums Earned

T. Direct Premiums Earned

U. Direct Premiums Earned

V. Direct Premiums Earned

W. Direct Premiums Earned

X. Direct Premiums Earned

Y. Direct Premiums Earned

Z. Direct Premiums Earned

ITEM 9 TAX INSURANCE

A. Direct Premiums Earned

B. Direct Premiums Earned

C. Net Direct Premiums Earned

D. Direct Premiums Earned

E. Direct Premiums Earned

F. Direct Premiums Earned

G. Direct Premiums Earned

H. Direct Premiums Earned

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V. Direct Premiums Earned

W. Direct Premiums Earned

X. Direct Premiums Earned

Y. Direct Premiums Earned

Z. Direct Premiums Earned

ITEM 10 INSURANCE

A. Direct Premiums Earned

B. Direct Premiums Earned

C. Net Direct Premiums Earned

D. Direct Premiums Earned

E. Direct Premiums Earned

F. Direct Premiums Earned

G. Direct Premiums Earned

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T. Direct Premiums Earned

U. Direct Premiums Earned

V. Direct Premiums Earned

W. Direct Premiums Earned

X. Direct Premiums Earned

Y. Direct Premiums Earned

Z. Direct Premiums Earned

APPENDIX: INSURANCE

A. NET DIRECT PREMIUMS

B. DIRECT PREMIUMS

C. TOTAL

D. TOTAL

E. TOTAL

F. TOTAL

G. TOTAL

H. TOTAL

I. TOTAL

J. TOTAL

K. TOTAL

L. TOTAL

M. TOTAL

N. TOTAL

O. TOTAL

P. TOTAL

Q. TOTAL

R. TOTAL

S. TOTAL

T. TOTAL

U. TOTAL

V. TOTAL

W. TOTAL

X. TOTAL

Y. TOTAL

Z. TOTAL

Federal Register / Vol. 50, No. 216 / Tuesday, November 12, 1985 / Rules and Regulations 46645
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 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.

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.

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 appropriate 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.