

Part V. of the proposed order covers the efforts Weight Watchers shall use to obtain its weight loss program franchisees' and licensees' ("franchisees") compliance with the order.

Weight Watchers is required under Part V., among other things, to:

(1) distribute a copy of this order to each of its weight loss program franchisees or licensees within forty-five days after service of the order;

(2) review advertising and promotional materials submitted to it from its franchisees or licensees prior to dissemination and publication to determine compliance with the requirements of the order;

(3) notify any franchisee or licensee in writing if any advertising or promotional material does not comply with the requirements of the order and that it should not be disseminated or published;

(4) monitor franchisee and licensee advertising and where it finds advertising that has not been submitted to it and which it believes is not in compliance with the requirements of the order, to notify such franchisee or licensee in writing of its findings and that such advertising should be withdrawn;

(5) maintain separate files for each franchisee or licensee containing copy of the signed receipt and copies of any correspondence relating to any advertising and promotional materials with respect to the issues raised by the order for a period of three (3) years;

(6) make these files available to the Commission staff for inspection and copying; and

(7) where the order provides for the distribution of documents containing certain information to participants, to include such information in "Program" materials which its franchisees or licensees are required to supply to each participant.

In addition, subparagraph B. of Part V. requires Weight Watchers to include in all future weight loss program agreements with new franchisees or licensees a requirement that the franchisee or licensee operate its business in full compliance with the prohibitions and affirmative requirements imposed on respondent pursuant to Part I. of the Commission's order. This part of the order defines "new franchisees or licensees" to mean those who are not franchised or licensed to conduct any weight loss program, or those who do not own or control such franchisees or licensees, at the time the order becomes final.

Part VI. of the proposed order would require Weight Watchers to file a

compliance report with the Commission within sixty days after the date of service of this order.

Part VII. of the proposed order is a sunset provision that indicates, in part, that this order will terminate twenty years from the date of its issuance.

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.

Donald S. Clark,

Secretary.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Findings of Scientific Misconduct

AGENCY: Office of the Secretary, HHS.

ACTION: Notice.

SUMMARY: Notice is hereby given that the Office of Research Integrity (ORI) has made a final finding of scientific misconduct in the following case:

Xiaomin Shang, Ph.D., University of Texas Southwestern Medical Center: Based upon a report from the University of Texas Southwestern Medical Center, information obtained by the Office of Research Integrity (ORI) during its oversight review, and Dr. Shang's own admission, ORI found that Dr. Shang, a former postdoctoral fellow student in the Department of Obstetrics and Gynecology, University of Texas Southwestern Medical Center, engaged in scientific misconduct arising out of certain biomedical research supported by a training grant from the National Institute of Child Health and Human Development (NICHD), National Institutes of Health (NIH).

Specifically, Dr. Shang fabricated a chemiluminescent film of a Western blot by using a physical mask to alter the prior results showing lack of antibody specificity to a human steroid metabolizing isozyme, rather than replicating an experiment as requested by his mentor. The fabricated data were not published.

Dr. Shang has accepted the ORI finding and has entered into a Voluntary Exclusion Agreement with ORI in which he has voluntarily agreed, for the three (3) year period beginning September 29, 1997:

(1) To exclude himself from serving in any advisory capacity to the Public Health Service (PHS), including but not

limited to service on any PHS advisory committee, board, and/or peer review committee, or as a consultant; and

(2) That any institution that submits an application for PHS support for a research project on which Dr. Shang's participation is proposed or which uses him in any capacity on PHS supported research or that submits a report of PHS-funded research in which he is involved must concurrently submit a plan for supervision of his duties to the funding agency for approval. The supervisory plan must be designed to ensure the scientific integrity of Dr. Shang's research contribution. The institution also must submit a copy of the supervisory plan to ORI.

No scientific publications were required to be corrected as part of this Agreement.

FOR FURTHER INFORMATION CONTACT: Acting Director, Division of Research Investigations, Office of Research Integrity, 5515 Security Lane, Suite 700, Rockville, MD 20852, (301) 443-5330.

Chris B. Pascal,

Acting Director, Office of Research Integrity.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Toxic Substances and Disease Registry

Public Meeting of the Inter-tribal Council on Hanford Health Projects (ICHHP), in association with the meeting of the Citizens Advisory Committee on Public Health Service (PHS) Activities and Research at Department of Energy (DOE) Sites: Hanford Health Effects Subcommittee (HHES): Cancellation of meeting.

This notice announces the cancellation of a previously announced meeting.

Federal Notice Citation of Previous Announcement: 62 FR 6973, February 14, 1997.

Previously Announced Time and Date: 9 a.m.-5 p.m., December 10, 1997.

Change in the Meeting: This meeting has been cancelled.

Contact Person for More Information: James K. Carpenter, Executive Secretary, Citizens Advisory Committee on PHS Activities and Research at DOE Sites: HHES, ATSDR, 1600 Clifton Road, NE, M/S E-32, Atlanta, Georgia 30333, telephone 404/639-6027.