

December 1, 1995). A summary of the application for an amendment follows.

#### Summary of the Application

*Applicant:* The Connell Company ("TCC"), 45 Cardinal Drive, Westfield, New Jersey 07090-1099.

*Contact:* Grover Connell, President.  
*Telephone:* (908) 233-0700.

*Application No.:* 95-A0005.

*Date Deemed Submitted:* January 15, 1997.

*Proposed Amendment:* TCC seeks to amend its Certificate to expand the covered Products to include all "Japonica rice." The Product Category would be in its entirety "Japonica rice (including rough/paddy, brown, and milled Japonica rice)."

Dated: January 17, 1997.

W. Dawn Busby,

*Director, Office of Export Trading Company Affairs.*

[FR Doc. 97-1672 Filed 1-23-97; 8:45 am]

BILLING CODE 3510-DR-F

## CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 97-C0004]

### NuTone, Inc., a Corporation; Provisional Acceptance of a Settlement Agreement and Order

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Provisional Acceptance of a Settlement Agreement under the Consumer Product Safety Act.

**SUMMARY:** It is the policy of the Commission to publish settlements which it provisionally accepts under the Consumer Product Safety Act in the Federal Register in accordance with the terms of 16 CFR 1118.20(e). Published below is a provisionally-accepted Settlement Agreement with NuTone, Inc., a corporation.

**DATES:** Any interested person may ask the Commission not to accept this agreement or otherwise comment on its contents by filing a written request with the Office of the Secretary by February 10, 1997.

**ADDRESSES:** Persons wishing to comment on this Settlement Agreement should send written comments to the Comment 97-C0004, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

**FOR FURTHER INFORMATION CONTACT:** Ronald G. Yelenik, Trial Attorney, Office of Compliance and Enforcement, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504-0626.

**SUPPLEMENTARY INFORMATION:** The text of the Agreement and Order appears below.

Dated: January 21, 1997.

Sadye E. Dunn,  
*Secretary.*

#### Settlement Agreement and Order

1. This Settlement Agreement and Order, entered into between NuTone, Inc., a corporation (hereinafter, "NuTone"), and the staff of the Consumer Product Safety Commission (hereinafter, "staff"), pursuant to the procedures set forth in 16 CFR 1118.20, is a compromise resolution of the matter described herein, without a hearing or determination of issues of law and fact.

#### I. The Parties

2. The "Staff" is the staff of the Consumer Product Safety Commission (hereinafter, "Commission"), an independent federal regulatory agency of the United States Government, established by Congress pursuant to section 4 of the Consumer Product Safety Act (hereinafter, "CPSA"), as amended, 15 U.S.C. 2053.

3. Respondent NuTone is a corporation organized and existing under the laws of the State of Delaware with its principal corporate offices located in Cincinnati, Ohio.

#### II. Jurisdiction

4. Between December 1989 and October 1993, NuTone manufactured and sold certain Model ST-1000, Stereo Cassette Players (hereinafter, "ST-1000" or the "Stereo(s)") to retail stores, electrical distributors, and home construction companies nationwide. The ST-1000 is a "consumer product", and NuTone is a "manufacturer" of a "consumer product" which is "distributed in commerce", as those terms are defined in sections 3(a)(1), (4) and (11) of the CPSA, 15 U.S.C. 2052(a)(1), (4) and (11).

#### III. The Product

5. The ST-1000 is a wall mounted AM/FM stereo receiver and cassette tape player. It consists of a master unit and additional speakers which can be installed in various rooms of a house.

#### IV. Staff Allegations

6. The Stereo contains a defect which could create a substantial product hazard and creates an unreasonable risk of serious injury in that components in the unit's power supply board may overheat, thereby creating a potential fire hazard.

7. On or about March 23, 1993, NuTone first became aware of a report of a fire incident involving the Stereo.

8. Between March 23, 1993 and June 6, 1995, the date NuTone reported to the Commission, NuTone learned of approximately twelve fire or smoke damage incidents involving the ST-1000.

9. Although NuTone obtained sufficient information to reasonably support the conclusion that the Stereo, described in paragraph 5 above, contained a defect which could create a substantial product hazard, or created an unreasonable risk of serious injury or death, it failed to report such information to the Commission as required by section 15(b) of the CPSA, 15 U.S.C. 2064(b). This failure to furnish information required by section 15(b) of the CPSA is a knowing violation of section 19(a)(4) of the CPSA, 15 U.S.C. 2068(a)(4), and subjects NuTone to civil penalties under section 20 of the CPSA, 15 U.S.C. 2069.

#### V. Response of NuTone

10. There have been no allegations or claims of injury associated with this product. NuTone denies that its ST-1000 contains a defect which creates or could create a substantial product hazard within the meaning of section 15(a) of the CPSA, 15 U.S.C. 2064(a), or creates an unreasonable risk of serious injury or death, and further denies an obligation to report information to the Commission under section 15(b) of the CPSA, 15 U.S.C. 2064(b), with respect to the Stereo.

#### VI. Agreement of the Parties

11. The Commission has jurisdiction in this matter for proposes of entry and enforcement of this Settlement Agreement and Order.

12. This Agreement is in settlement of the Staff's allegations and does not constitute an admission by NuTone or a determination by the Commission that the ST-1000 contains a defect which creates or could create a substantial product hazard within the meaning of section 15(a) of the CPSA or that NuTone violated the reporting provisions of section 15(b) of the CPSA.

13. NuTone knowingly, voluntarily and completely waives any rights it may have (1) to an administrative or judicial hearing with respect to the Commission's claim for a civil penalty, (2) to judicial review or other challenge or contest of the validity of the Commission's action with regard to its claim for a civil penalty, (3) to a determination by the Commission as to whether a violation of section 15(b) of the CPSA, 15 U.S.C. 2064(b), has occurred, (4) to a statement of findings of fact and conclusions of law with regard to the Commission's claim for a

civil penalty, and (5) to any claims under the Equal Access to Justice Act.

14. This Agreement becomes effective upon its final acceptance by the Commission and service of the incorporated Order upon Respondent.

15. Upon provisional acceptance of this Settlement Agreement and Order by the Commission, the Commission shall place this Agreement and Order on the public record and shall publish it in the Federal Register in accordance with the procedure set forth in 16 CFR

1118.20(e). If the Commission does not receive any written request not to accept the Settlement Agreement and Order within 15 days, the Agreement and Order shall be deemed finally accepted on the 16th day after the date it is published in the Federal Register, in accordance with 16 CFR 1118.20(f).

16. Upon final acceptance of this Settlement Agreement and Order, the Commission shall issue the attached Order.

17. The provisions of this Settlement Agreement and Order shall apply to NuTone and its successors and assigns.

18. For purposes of section 6(b) of the CPSA, 15 U.S.C. 2055(b), this matter shall be treated as if a complaint had issued, and the Commission may publicize the terms of the Settlement Agreement and Order.

19. NuTone agrees to inform the Commission if it learns of any additional reports of fire or smoke damage involving the ST-1000.

20. This Agreement may be used in interpreting the Order. Agreements, understandings, representations, or interpretations not contained in this Settlement Agreement and Order may not be used to vary or to contradict its terms.

Dated: January 17, 1997.

NuTone, Inc., a Corporation

Glen L. Bowler,

Treasurer, NuTone, Inc.

The Consumer Product Safety Commission

David Schmeltzer,

Associate Executive Director, Office of Compliance.

Eric L. Stone,

Acting Director, Division of Administrative Litigation, Office of Compliance.

Dated: December 17, 1996.

Ronald G. Yelenik,

Trial Attorney, Division of Administrative Litigation, Office of Compliance.

Order

Upon consideration of the Settlement Agreement between Respondent NuTone, Inc., a corporation, and the staff of the Consumer Product Safety Commission, and the Commission

having jurisdiction over the subject matter and NuTone, Inc., and it appearing the Settlement Agreement is in the public interest, it is

*Ordered*, that the Settlement Agreement be and hereby is accepted, as indicated below, and it is

*Further Ordered*, that within ten days of the service of the Final Order upon Respondent, NuTone, Inc. shall pay to the order of the U.S. Treasury a civil penalty in the amount of one hundred and ten thousand dollars (\$110,000).

Provisionally accepted and Provisional Order issued on the 21st day of January, 1997.

By order of the Commission.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

[FR Doc. 97-1799 Filed 1-23-97; 8:45 am]

BILLING CODE 6355-01-M

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Proposed Collection; Comment Request

**AGENCY:** Office of the Assistant Secretary of Defense for Health Affairs, DOD.

**ACTION:** Notice.

**SUMMARY:** In accordance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of the Assistant Secretary of Defense for Health Affairs announces the proposed new public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) whether the proposed extension of 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 information collection; (c) ways to enhance the quality, utility, and clarity of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

**DATES:** Consideration will be given to all comments received by March 13, 1997.

**ADDRESSES:** Written comments and recommendations on the information collection should be sent to The Ohio State University, College of Nursing, Military Nursing Research Center, 1585 Neil Avenue, Columbus, OH 43210.

**FOR FURTHER INFORMATION CONTACT:** To request more information on this proposed information collection, please

write to the above address or call Ranie Cropper, Graduate Research Associate, at (614) 688-3216.

#### SUPPLEMENTARY INFORMATION:

*Title Associated Form, and OMB Number:* Military Women's Survey.

*Needs and Uses:* This information collection requirement is used by The Ohio State University, College of Nursing, Military Nursing Research Center (MNRC) to determine the scope of the problem of gynecologic infections experienced by military women and to demonstrate the need for self-care alternatives to current health care resources for women in austere military environments such as field duty, deployment to a second or third world country, combat/combat support situations, or sea duty. There are no existing databases that can provide this type of information, but it is an extremely important issue for many military women. The beneficiaries of the results of this research study will be military women who serve in the active and reserve components of the armed forces.

*Affected Public:* Individuals and households.

*Annual Burden Hours:* 62.5.

*Number of Respondents:*

Approximately 250.

*Responses Per Respondent:* 1

*Average Burden Per Response:* 15 minutes.

*Frequency:* Once.

#### Summary of Information Collection

This collection is for use by the research project directors and the primary investigators for this research study (at The Ohio State University, College of Nursing, MNRC) for the purposes of determining the scope of gynecological problems experienced by military women in austere environments and to guide the development of a self-care/diagnostic and management kit. The specific aims for this study are:

1. To describe the typical health care provider that is available to military women at their normal duty station and in austere environments.

2. To identify the barriers that military women perceive or have experienced in the diagnosis and treatment of gynecologic infections at their normal duty stations and in austere environments.

3. To describe the frequency with which military women experience risk factors for gynecological infections at their normal duty station and in austere environments.

4. To describe the frequency of symptoms of gynecologic infections