

under the Shipping Act of 1984. Interested parties may submit comments on agreements to the Secretary, Federal Maritime Commission, Washington, DC 20573, within ten days of the date this notice appears in the **Federal Register**. Copies of agreements are available through the Commission's Web site (<http://www.fmc.gov>) or contacting the Office of Agreements at (202) 523-5793 or [tradeanalysis@fmc.gov](mailto:tradeanalysis@fmc.gov).

*Agreement No.:* 011223-043.

*Title:* Transpacific Stabilization Agreement.

*Parties:* American President Lines, Ltd. and APL Co. PTE Ltd.; (operating as a single carrier); China Shipping Container Lines (Hong Kong) Company Limited and China Shipping Container Lines Company Limited (operating as a single carrier); CMA CGM, S.A.; COSCO Container Lines Company Ltd; Evergreen Line Joint Service Agreement; Hanjin Shipping Co., Ltd.; Hapag-Lloyd AG; Hyundai Merchant Marine Co., Ltd.; Kawasaki Kisen Kaisha Ltd.; Mediterranean Shipping Company; Nippon Yusen Kaisha; Orient Overseas Container Line Limited; Yangming Marine Transport Corp.; and Zim Integrated Shipping Services, Ltd.

*Filing Party:* David F. Smith, Esq.; Sher & Blackwell, LLP; 1850 M Street, NW., Suite 900, Washington, DC 20036.

*Synopsis:* The amendment would provide authority for the members to discuss cost savings and more efficient use of vessel and equipment assets and networks.

By Order of the Federal Maritime Commission.

**Karen V. Gregory,**  
*Secretary.*

[FR Doc. E8-30791 Filed 12-24-08; 8:45 am]  
**BILLING CODE 6730-01-P**

## FEDERAL MARITIME COMMISSION

### Privacy Act of 1974; Notice of Adoption of Altered and New Systems of Records

December 22, 2008.

Pursuant to the Privacy Act of 1974, 5 U.S.C. 552a, the Federal Maritime Commission published two documents in the **Federal Register** on July 2, 2008. The first was a Notice of Republication and Altered Systems of Records (73 FR 37959) which proposed amendments to the various existing Systems of Records (SOR) of the Federal Maritime Commission and republished the complete SOR including the proposed amendments. The second was a Notice of Proposed New Systems of Records (73 FR 37956) which proposed the

establishment of five additional systems to the Commission's SOR.

Interested parties were afforded the opportunity to submit comments with respect to these notices. No comments were received by the Commission.

Pursuant to the Privacy Act of 1974, 5 U.S.C. 552a, the Federal Maritime Commission has adopted the proposed amendments to its SOR as well as the five additional systems to its SOR without change, effective August 11, 2008.

By the Commission.

**Karen V. Gregory,**  
*Secretary.*

[FR Doc. E8-30792 Filed 12-24-08; 8:45 am]  
**BILLING CODE 6730-01-P**

## FEDERAL TRADE COMMISSION

### Charges For Certain Disclosures

**AGENCY:** Federal Trade Commission.

**ACTION:** Notice Regarding Charges for Certain Disclosures.

**SUMMARY:** The Federal Trade Commission announces that the ceiling on allowable charges under Section 612(f) of the Fair Credit Reporting Act ("FCRA") will increase from \$10.50 to \$11.00 effective January 1, 2009. Under 1996 amendments to the FCRA, the Federal Trade Commission is required to increase the \$8.00 amount referred to in paragraph (1)(A)(i) of Section 612(f) on January 1 of each year, based proportionally on changes in the Consumer Price Index ("CPI"), with fractional changes rounded to the nearest fifty cents. The CPI increased 35.72 percent between September 1997, the date the FCRA amendments took effect, and September 2008. This increase in the CPI and the requirement that any increase be rounded to the nearest fifty cents results in an increase in the maximum allowable charge to \$11.00 effective January 1, 2009.

**EFFECTIVE DATE:** January 1, 2009.

**ADDRESSES:** Federal Trade Commission, Washington, DC 20580.

**FOR FURTHER INFORMATION CONTACT:** Keith B. Anderson, Bureau of Economics, Federal Trade Commission, Washington, DC 20580, 202-326-3428.

**SUPPLEMENTARY INFORMATION:** Section 612(f)(1)(A) of the Fair Credit Reporting Act, which became effective in 1997, provides that a consumer reporting agency may charge a consumer a reasonable amount for making a disclosure to the consumer pursuant to

Section 609 of the Act.<sup>1</sup> The law states that, where a consumer reporting agency is permitted to impose a reasonable charge on a consumer for making a disclosure to the consumer pursuant to Section 609, the charge shall not exceed \$8 and shall be indicated to the consumer before making the disclosure. Section 612(f)(2) states that the Federal Trade Commission ("the Commission") shall increase the \$8.00 maximum amount on January 1 of each year, based proportionally on changes in the Consumer Price Index, with fractional changes rounded to the nearest fifty cents.

Section 211(a)(2) of the Fair and Accurate Credit Transactions Act of 2003 ("FACT Act") added a new Section 612(a) to the FCRA that gives consumers the right to request free annual disclosures once every 12 months. The maximum allowable charge established by this Notice does not apply to requests made under that provision. The charge does apply when a consumer who orders a file disclosure has already received a free annual disclosure and does not otherwise qualify for an additional free disclosure.

The Commission considers the \$8 amount referred to in paragraph (1)(A)(i) of Section 612(f) to be the baseline for the effective ceiling on reasonable charges dating from the effective date of the amended FCRA, i.e., September 30, 1997. Each year the Commission calculates the proportional increase in the Consumer Price Index (using the most general CPI, which is for all urban consumers, all items) from September 1997 to September of the current year. The Commission then determines what modification, if any, from the original base of \$8 should be made effective on January 1 of the subsequent year, given the requirement that fractional changes be rounded to the nearest fifty cents.

Between September 1997 and September 2008, the Consumer Price Index for all urban consumers and all items increased by 35.72 percent—from an index value of 161.2 in September 1997 to a value of 218.798 in September 2008. An increase of 35.72 percent in the \$8.00 base figure would lead to a new figure of \$10.86. However, because the statute directs that the resulting figure be rounded to the nearest \$0.50, the maximum allowable charge should be \$11.00.

<sup>1</sup> This provision, originally Section 612(a), was added to the FCRA in September 1996 and became effective in September 1997. It was relabeled Section 612(f) by Section 211(a)(1) of the Fair and Accurate Credit Transactions Act of 2003 ("FACT Act"), Public Law 108-159, which was signed into law on December 4, 2003.

The Commission therefore determines that the maximum allowable charge for the year 2009 will be \$11.00.

By direction of the Commission.

**Donald S. Clark,**  
Secretary.

[FR Doc. E8-30830 Filed 12-24-08; 8:45 am]  
BILLING CODE 6750-01-S

## FEDERAL TRADE COMMISSION

[File No. 081 0224]

### Teva Pharmaceutical Industries Ltd. and Barr Pharmaceuticals, Inc; Analysis of Agreement Containing Consent Orders To Aid Public Comment

**AGENCY:** Federal Trade Commission.

**ACTION:** Proposed Consent Agreement.

**SUMMARY:** The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices or unfair methods of competition. The attached Analysis to Aid Public Comment describes both the allegations in the draft complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

**DATES:** Comments must be received on or before January 19, 2008

**ADDRESSES:** Interested parties are invited to submit written comments. Comments should refer to “Teva-Barr, File No. 081 0224,” to facilitate the organization of comments. A comment filed in paper form should include this reference both in the text and on the envelope, and should be mailed or delivered to the following address: Federal Trade Commission/Office of the Secretary, Room 135-H, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580. Comments containing confidential material must be filed in paper form, must be clearly labeled “Confidential,” and must comply with Commission Rule 4.9(c). 16 CFR 4.9(c) (2005).<sup>1</sup> The FTC is requesting that any comment filed in paper form be sent by courier or overnight service, if possible, because U.S. postal mail in the Washington area and at the Commission is subject to delay due to heightened security

<sup>1</sup> The comment must be accompanied by an explicit request for confidential treatment, including the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. The request will be granted or denied by the Commission's General Counsel, consistent with applicable law and the public interest. See Commission Rule 4.9(c), 16 CFR 4.9(c).

precautions. Comments that do not contain any nonpublic information may instead be filed in electronic form by following the instructions on the web-based form at (<http://secure.commentworks.com/ftc-TevaBarr>). To ensure that the Commission considers an electronic comment, you must file it on that web-based form.

The FTC Act and other laws the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. All timely and responsive public comments, whether filed in paper or electronic form, will be considered by the Commission, and will be available to the public on the FTC website, to the extent practicable, at [www.ftc.gov](http://www.ftc.gov). As a matter of discretion, the FTC makes every effort to remove home contact information for individuals from the public comments it receives before placing those comments on the FTC website. More information, including routine uses permitted by the Privacy Act, may be found in the FTC's privacy policy, at (<http://www.ftc.gov/ftc/privacy.shtm>).

**FOR FURTHER INFORMATION CONTACT:** Stephanie C. Bovee, FTC Bureau of Competition, 600 Pennsylvania Avenue, NW, Washington, D.C. 20580, (202) 326-2083.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46(f), and § 2.34 of the Commission Rules of Practice, 16 CFR 2.34, notice is hereby given that the above-captioned 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 thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for December 19, 2008), on the World Wide Web, at (<http://www.ftc.gov/os/2008/12/index.htm>). A paper copy can be obtained from the FTC Public Reference Room, Room 130-H, 600 Pennsylvania Avenue, NW, Washington, D.C. 20580, either in person or by calling (202) 326-2222.

Public comments are invited, and may be filed with the Commission in either paper or electronic form. All comments should be filed as prescribed in the **ADDRESSES** section above, and must be received on or before the date specified in the **DATES** section.

### Analysis of Agreement Containing Consent Order To Aid Public Comment

The Federal Trade Commission (“Commission”) has accepted, subject to final approval, an Agreement Containing Consent Orders (“Consent Agreement”) from Teva Pharmaceutical Industries Ltd. (“Teva”) and Barr Pharmaceuticals Inc. (“Barr”) that is designed to remedy the anticompetitive effects of the acquisition of Barr by Teva. Under the terms of the proposed Consent Agreement, the companies would be required to assign and divest to Watson Pharmaceuticals (“Watson”) Teva's rights and assets necessary to manufacture and market generic: (1) chlorzoxazone tablets; (2) deferoxamine injection; (3) fluoxetine weekly capsules; (4) carboplatin injection; and (5) metronidazole tablets. The Consent Agreement also requires the companies to assign and divest to Watson all of Barr's rights and assets necessary to manufacture and market generic: (1) metoclopramide hydrochloride (“HCl”) tablets; (2) cyclosporine liquid; (3) cyclosporine capsules; (4) desmopressin acetate tablets; (5) epoprostenol sodium (freeze-dried powder) injection (“epop”); (6) flutamide capsules; (7) glipizide/metformin HCl tablets; (8) mirtazapine orally disintegrating tablets (“ODT”); (9) tamoxifen citrate tablets; and (10) tetracycline HCl capsules. In addition, the proposed Consent Agreement requires the companies to divest Teva's rights and assets necessary to manufacture and market generic trazodone HCl tablets and thirteen oral contraceptive products to Qualitest Pharmaceuticals (“Qualitest”).

The proposed Consent Agreement has been placed on the public record for thirty days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty days, the Commission will again review the proposed Consent Agreement and the comments received, and will decide whether it should withdraw from the proposed Consent Agreement, modify it, or make final the Decision and Order (“Order”).

Pursuant to an Agreement and Plan of Merger dated July 18, 2008, Teva proposes to acquire all of the issued and outstanding shares of Barr for approximately \$7.4 billion, plus the assumption of \$1.5 billion of net debt, for approximately \$8.9 billion. The Commission's Complaint alleges that the proposed acquisition, if consummated, would violate Section 7 of the Clayton Act, as amended, 15 U.S.C. § 18, and Section 5 of the Federal Trade Commission Act, as amended, 15