

Federal Trade Commission

Friday
November 29, 1996

Part LV

Federal Trade Commission

Semiannual Regulatory Agenda

FEDERAL TRADE COMMISSION (FTC)

FEDERAL TRADE COMMISSION

16 CFR Ch. I

Semiannual Regulatory Agenda

AGENCY: Federal Trade Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: The following agenda of Commission proceedings is published in accordance with section 22(d)(1) of the Federal Trade Commission Act, 15 U.S.C. 57b-3(d)(1), and the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, title II of Public Law 104-121, 110 Stat. 847. Except for notice of completed actions, the information in this agenda represents the judgment of Commission

staff based upon information now available, and each projected date of action reflects an assessment by the FTC staff of the likelihood that the specified event will occur during the coming year. No final determination by the staff or the Commission respecting the need for or the substance of a trade regulation rule or any other procedural option should be inferred from the notation of projected events in this agenda.

In most instances, the dates of future events are listed by month, not by a specific day. Acquisition of new information, change of circumstances, or changes in the law may alter the information set forth in this agenda. Several agenda items concern rulemaking proceedings that may affect a substantial number of small businesses as that term is used in the

Regulatory Flexibility Act. Whether the likely economic impact on such entities is significant will depend upon the outcome of the particular proceeding.

FOR FURTHER INFORMATION CONTACT: Further details may be obtained from the agency contact person listed for each particular proceeding.

SUPPLEMENTARY INFORMATION: This edition of the Unified Agenda of Federal Regulatory and Deregulatory Actions includes The Regulatory Plan, which appears in Part II of this issue of the Federal Register. FTC's Statement of Regulatory Priorities is included in Part II.

By direction of the Commission.
Donald S. Clark,
Secretary.

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
4643	Premerger Notification Rules and Report Form	3084-AA23
4644	Games of Chance in the Food Retailing and Gasoline Industries Rule	3084-AA24
4645	Regulations Under the Comprehensive Smokeless Tobacco Health Education Act of 1986	3084-AA48
4646	Rules and Regulations Under the Wool Products Labeling Act of 1939	3084-AA50
4647	Rules and Regulations Under the Fur Products Labeling Act	3084-AA51
4648	Rules and Regulations Under the Textile Fiber Products Identification Act	3084-AA52
4649	The Care Labeling Rule	3084-AA54
4650	Trade Regulation Rule Concerning the Labeling and Advertising of Home Insulation	3084-AA60
4651	Trade Regulation Rule on Franchising and Business Opportunity Ventures	3084-AA63
4652	Deceptive Advertising and Labeling of Previously Used Lubricating Oil	3084-AA71
4653	Rule Governing Disclosure of Written Consumer Product Warranty Terms and Conditions	3084-AA72
4654	Rule Governing the Pre-Sale Availability of Written Warranty Terms	3084-AA73

Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
4655	Amended Federal Deposit Corporation Improvement Act	3084-AA44
4656	Regulatory Review	3084-AA47

Completed Actions

Sequence Number	Title	Regulation Identifier Number
4657	Trade Regulation Rule for the Incandescent Lamp (Light Bulb) Industry	3084-AA61
4658	Trade Regulation Rule Concerning Misbranding and Deception as to Leather Content of Waist Belts	3084-AA62
4659	Appliance Labeling Rule—Energy Policy and Conservation Act	3084-AA74

FEDERAL TRADE COMMISSION (FTC)

Proposed Rule Stage

4643. PREMERGER NOTIFICATION RULES AND REPORT FORM

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 18a Clayton Act

CFR Citation: 16 CFR 801 to 803

Legal Deadline: None

Abstract: The Premerger Notification Rules and the Antitrust Improvements Act Notification and Report Form were adopted pursuant to Section 7A of the Clayton Act. Section 7A requires firms of a certain size contemplating mergers or acquisitions of a specified size to file notification with the Federal Trade Commission (FTC) and the Department of Justice (DOJ) and to wait a designated period before consummating the transaction. It also requires the FTC, with the concurrence of the Assistant Attorney General for Antitrust, to promulgate rules requiring that notification be in a form and contain information necessary to enable the FTC and DOJ to determine whether the proposed acquisition may, if consummated, violate the antitrust laws. These rules are continually reviewed in order to improve the program's effectiveness and reduce the paperwork burden on the business community. The Commission proposed modifications to the Premerger Notification and Report form during fiscal year 1994. In March 1996, the Commission promulgated rules amending the Rule's treatment of acquisitions of goods or realty made in the ordinary course of business and adding new exemptions for acquisitions of realty and carbon-based mineral reserves. In addition, on August 9, 1995, the Commission published a final rule that removed 16 CFR part 800, the transitional rule addressing the treatment of acquisitions consummated before, and notification filed on or before September 5, 1978.

Timetable:

Action	Date	FR Cite
Begin Review	09/30/81	
NPRM - Ordinary Course	09/24/85	50 FR 38742
NPRM - HSR Form Changes	06/14/94	59 FR 30545
NPRM - Ordinary Course	07/28/95	60 FR 38930
Part 800 Repealed	08/09/95	60 FR 40704
Final Rule- Ordinary Course	07/01/96	61 FR 13666

Action	Date	FR Cite
NPRM - HSR - Form Changes	10/00/96	
Small Entities Affected: None		
Government Levels Affected: None		
Agency Contact: John Sipple, Assistant Director, Pre-Merger Notification, Federal Trade Commission, Bureau of Competition, Washington, DC 20580 Phone: 202 326-2862		
RIN: 3084-AA23		

4644. GAMES OF CHANCE IN THE FOOD RETAILING AND GASOLINE INDUSTRIES RULE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 41 et seq

CFR Citation: 16 CFR 419

Legal Deadline: None

Abstract: The Commission's trade regulation rule concerning games of chance became effective on October 17, 1969. The Rule establishes requirements for food and gasoline retailers in conducting and advertising games of chance by requiring disclosure of odds-of-winning and prize information in broadcast and print advertisements, as well as in point of sale information. In January, 1983, the Commission granted a temporary partial exemption to allow supermarkets and gas stations to advertise their games on radio and television without disclosing full information on prizes and odds-of-winning. In addition, the Commission also published an Advance Notice of Proposed Rulemaking on whether to make the broadcast exemption permanent. Finally, the Commission proposed to reduce the recordkeeping requirements of the Rule from three years to one year in keeping with the goals of the Paperwork Reduction Act, and requested public comment on other possible areas where amendments to the Rule may be appropriate. The Commission issued an NPRM on July 7, 1988 to consider amendments that would reduce the burden of the Rule's recordkeeping and disclosure

requirements. On July 26, 1995, the presiding officer reopened the record for additional public comment, particularly with regard to whether there is a continuing need for this Rule. On June 7, 1996, the Commission announced that the Presiding Officer's Report and the final Staff Report, both recommending repeal of the Rule, had been placed on the public record. See 61 FR 29039. Although this rulemaking was commenced prior to the Reinventing Government Initiative, it has been included as part of that Initiative because further proceedings in this matter will be consistent with that Initiative.

Timetable:

Action	Date	FR Cite
Promulgation of Original Rule	08/19/69	34 FR 13302
ANPRM	01/04/83	48 FR 265
Temporary Partial Exemption	01/10/83	48 FR 1046
NPRM	07/07/88	53 FR 25503
Reopened Record	07/26/95	60 FR 38474
Comment Period End	09/25/95	
Announcement of Staff Report/ Presiding Officer's Report	06/07/96	61 FR 29039
Comment Period End Commission	08/06/96	
Consideration of Staff Recommendations	10/00/96	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: John M. Mendenhall, Federal Trade Commission, Cleveland Regional Office, Suite 520A, 668 Euclid Ave., Cleveland, Ohio 44114 Phone: 216 522-4207

RIN: 3084-AA24

4645. REGULATIONS UNDER THE COMPREHENSIVE SMOKELESS TOBACCO HEALTH EDUCATION ACT OF 1986

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 4401

CFR Citation: 16 CFR 307

Legal Deadline: None

Abstract: The Comprehensive Smokeless Tobacco Health Education Act of 1986 requires health warnings on all packages and advertising for smokeless tobacco. The Commission published an NPR on February 14, 1995

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seeking public comment on whether the regulations governing the rotation schedule for utilitarian objects should be amended. The comment period expired on April 14, 1995. The Commission amended the smokeless tobacco regulations to permit rotation of the mandated health warnings on utilitarian items and promotional materials based on either the date the item or material is ordered from a supplier or the date it is disseminated to the public, provided the production of such items is carried out in a manner consistent with ordinary business practices. On a separate point, the Coalition on Smoking or Health petitioned the Commission to enforce the Smokeless Tobacco Act by requiring smokeless tobacco health warnings on sponsored racing cars, banners, flags, and other related objects bearing smokeless tobacco product brand names, logos, or selling messages. On October 26, 1993, the Commission issued an NPR and proposed a requirement that sponsored auto racing vehicles and all other event-related objects that bear the brand name or selling message of smokeless tobacco products display health warning labels. Staff is preparing its recommendations to the Commission.

Timetable:

Action	Date	FR Cite
NPRM (Promotional Items)	01/15/93	54 FR 4875
NPRM (Racing Cars)	11/04/93	58 FR 58810
Comment Period End (Racing Cars)	02/01/94	
NPRM (Utilitarian Items)	02/14/95	60 FR 8312
Comment Period End (Utilitarian Items)	04/14/95	
Final Staff Recommendation (Promotional Items)	05/17/96	
Final Staff Recommendations (Utilitarian Items)	05/17/96	
Final Action (Promotional Items)	08/30/96	61 FR 45883
Final Action (Utilitarian Items)	08/30/96	61 FR 45883
Commission Action (Racing Cars)	10/00/96	
Final Staff Recommendation (Racing Cars)	01/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Phillip Priesman, Division of Advertising Practices,

Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580

Phone: 202 326-2484

RIN: 3084-AA48

4646. RULES AND REGULATIONS UNDER THE WOOL PRODUCTS LABELING ACT OF 1939

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 68 Wool Products Labeling Act of 1939

CFR Citation: 16 CFR 300

Legal Deadline: None

Abstract: The Wool Products Labeling Act of 1939 (Wool Act) requires covered wool products to be marked with (1) the generic names and percentages by weight of the constituent fibers present in the wool product; (2) the name under which the manufacturer or another responsible USA company does business, or in lieu thereof, the registered identification number (RN) of such a company; and (3) the name of the country where the wool product was processed or manufactured. Pursuant to Section 6(a) of the Wool Act, "the Commission is authorized and directed to make rules and regulations for the manner and form of disclosing information required by this Act ... and to make such further rules and regulations under and in pursuance of the terms of this Act as may be necessary and proper for administration and enforcement." These implementing rules and regulations are set forth at 16 CFR 300. As part of its systematic review of all current Commission regulations and guides, the Commission requested comments on, among other things, the economic impact of and the continuing need for these rules, possible conflict between the rules and State, local and other federal laws, and the effect on the rules of any technological, economic, or other industry changes. Although this rulemaking was commenced prior to the Reinventing Government Initiative, it has been included as part of that Initiative because further proceedings in

connection with this matter will be consistent with that Initiative.

Timetable:

Action	Date	FR Cite
Begin Reg Review	05/06/94	59 FR 23645
Extension of Comment Period	09/12/94	59 FR 46778
Comment Period End	10/15/94	
NPRM	10/00/96	
Comment Period End	01/00/97	
Recommendation to Commission	03/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Bret S. Smart, Federal Trade Commission, Los Angeles Regional Office, 11000 Wilshire Boulevard, Ste. 13209, Los Angeles, CA 90024

Phone: 310 235-4016

RIN: 3084-AA50

4647. RULES AND REGULATIONS UNDER THE FUR PRODUCTS LABELING ACT

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 69 Fur Products Labeling Act

CFR Citation: 16 CFR 301

Legal Deadline: None

Abstract: The Fur Products Labeling Act (Fur Act) requires covered furs and fur products to be labeled, invoiced, and advertised to show (1) the name(s) of the animal that produced the fur(s); (2) where such is the case, that the fur is used fur or contains used fur; (3) where such is the case, that the fur is bleached, dyed, or otherwise artificially colored; and (4) the name of the country of origin of any imported furs used in the fur product. Pursuant to Section 8(b) of the Fur Act, "The Commission is authorized and directed to prescribe rules and regulations governing the manner and form of disclosing information required by this Act and such further rules and regulations as may be necessary and proper for purposes of administration and enforcement of this Act." These implementing rules are set forth at 16

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CFR 301. As part of its systematic review of all current Commission regulations and guides, the Commission requested comments on, among other things, the economic impact of, and the continuing need for, these rules, possible conflict between the rules and state, local and other federal laws, and the effect on the rules of any technological, economic, or other industry changes. Although this rulemaking was commenced prior to the Reinventing Government Initiative, it has been included as part of that Initiative because further proceedings in connection with this matter will be consistent with that Initiative.

Timetable:

Action	Date	FR Cite
Begin Reg Review	05/06/94	59 FR 23645
Extension of Comment Period	09/12/94	59 FR 46778
Comment Period End	10/15/94	
NPRM	10/00/96	
Comment Period End	11/00/96	
Recommendations to Commission	01/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Bret S. Smart, Federal Trade Commission, Los Angeles Regional Office, 11000 Wilshire Boulevard, Ste. 13209, Los Angeles, CA 90024

Phone: 310 235-4016

RIN: 3084-AA51

4648. RULES AND REGULATIONS UNDER THE TEXTILE FIBER PRODUCTS IDENTIFICATION ACT

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 70 Textile Fiber Products Identification Act

CFR Citation: 16 CFR 303

Legal Deadline: None

Abstract: The Textile Fiber Products Identification Act (Textile Act) requires wearing apparel and other covered household textile articles to be marked with (1) the generic names and percentages by weight of the constituent fibers present in the textile fiber product; (2) the name under

which the manufacturer or another responsible USA company does business, or in lieu thereof, the registered identification number (RN) of such a company; and (3) the name of the country where the textile product was processed or manufactured. Pursuant to Section 7(c) of the Textile Act, "the Commission is authorized and directed to make such rules and regulations, including the establishment of generic names of manufactured fibers, under and in pursuance of the terms of this Act as may be necessary and proper for administration and enforcement." These implementing rules are set forth at 16 CFR 303. As part of its systematic review of all current Commission regulations and guides, the Commission requested comments on, among other things, the economic impact of, and the continuing need for, these rules, possible conflict between the rules and State, local and other Federal laws, and the effect on the rules of any technological, economic, or other industry changes. Although this rulemaking was commenced prior to the Reinventing Government Initiative, it has been included as part of that Initiative because further proceedings in connection with this matter are consistent with that Initiative. The Commission is seeking further comments on proposals to revise the Rule to eliminate unnecessary disclosures and to streamline labeling requirements in a manner that will facilitate uniform labels for products sold in NAFTA countries.

Timetable:

Action	Date	FR Cite
Begin Reg Review	05/06/94	59 FR 23646
Extension of Comment Period	09/12/94	59 FR 46779
Comment Period End	10/15/94	
Recommendations to Commission	12/15/95	
NPRM	02/12/96	61 FR 5340
NPRM Comment Period End	05/13/96	
Recommendation to Commission	01/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Bret S. Smart, Federal Trade Commission, Los Angeles Regional Office, 11000 Wilshire Boulevard, Ste. 13209, Los Angeles, CA 90024

Phone: 310 235-4016

RIN: 3084-AA52

4649. THE CARE LABELING RULE

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 41 et seq

CFR Citation: 16 CFR 423

Legal Deadline: None

Abstract: The Care Labeling Rule requires manufacturers and importers of textile wearing apparel to attach cleaning instructions stating what regular care is needed for the ordinary use of the product. If dry cleaning is recommended, the label must state at least one type of solvent that may be used (unless all commercially available types of solvent can be used), and must contain a warning against the use of any part of the normal dry cleaning procedure that would harm the product. The Rule also requires that the manufacturer or importer possess, prior to sale, a reasonable basis for the care instructions. The Rule currently requires that care instructions be stated in "appropriate terms." It also states that "any appropriate symbols may be used on care labels or care instructions, in addition to the required appropriate terms so long as the terms fulfill the requirements of this regulation."

Although the Rule does not specifically state that the instructions must be in English, they usually are. The Commission has tentatively decided to grant a conditional exemption allowing the use, in lieu of words, of the symbol system developed by the American Society for Testing and Manufacturing and has solicited comment on this tentative decision. The Commission has also published an Advance Notice of Proposed Rulemaking soliciting comment on whether it is desirable to require washing instructions for all washable garments; on whether the reasonable basis requirements of the Rule should be changed; and on other technical issues. Although this rulemaking was commenced prior to the Reinventing Government Initiative, it has been included as part of that Initiative because further proceedings

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in this matter are consistent with the Initiative.

Timetable:

Action	Date	FR Cite
Begin Reg Review	06/15/94	59 FR 30733
Comment Period End	10/15/94	
Recommendation to Commission	10/17/95	
Request for Comment/Exemption	11/16/95	60 FR 57552
ANPRM	12/28/95	60 FR 67102
Comment Period End/Exemption	01/31/96	
ANPRM Comment Period End	03/13/96	
Recommendation to Commission/Exemption	10/00/96	
Recommendation to Commission/NPR	10/00/96	
NPR	11/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Constance Vecellio, Care Labeling Rule Coordinator, Division of Enforcement, Federal Trade Commission, Washington, DC 20580
Phone: 202 326-2966

RIN: 3084-AA54

4650. TRADE REGULATION RULE CONCERNING THE LABELING AND ADVERTISING OF HOME INSULATION

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 41 et seq

CFR Citation: 16 CFR 460

Legal Deadline: None

Abstract: The Federal Trade Commission's Trade Regulation Rule Concerning the Labeling and Advertising of Home Insulation ("R-Value Rule") became effective on September 29, 1980. The Rule is designed to assist consumers in evaluating and comparing the thermal performance characteristics of competing home insulation products. Specifically, the Rule requires manufacturers of home insulation products to provide information about the product's degree of resistance to the flow of heat (R-Value). The Rule also establishes uniform standards for testing, information disclosure and substantiation of product performance claims. As part of its systematic review of all current Commission rules and guides, the Commission requested comments on, among other things, the economic impact of, and the continuing

need for, this Rule, possible conflicts between the Rule and state, local and other federal laws, and the effect on the Rule of any technological, economic, or other industry changes. At the same time, in response to a petition, the Commission proposed adopting a non-substantive amendment to the Rule that would allow, but not require, the use of an additional (fifth) test procedure for measuring R-value, and solicited comments on the proposed amendment. The Commission is considering the comments in two parts. In Part I, on March 28, 1996, the Commission reviewed the comments that addressed the current benefits, burdens and need for the Rule and determined to retain the Rule. The Commission also adopted non-substantive amendments that: (1) allow the optional use of the additional R-value test procedure; and (2) require use in the future of revised, current versions of other test procedures cited in the Rule. In Part II, the Commission will consider the comments recommending that the Commission adopt substantive revisions to the Rule.

Timetable:

Action	Date	FR Cite
Request for Comments	04/06/95	60 FR 17492
Comment Period End	06/06/95	
Commission Action/Part I	03/28/96	61 FR 13659
Recommendation to Commission/Part II	12/00/96	
Commission Action/Part II	02/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Kent C. Howerton, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580
Phone: 202 326-3013

RIN: 3084-AA60

4651. TRADE REGULATION RULE ON FRANCHISING AND BUSINESS OPPORTUNITY VENTURES

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 41 to 58

CFR Citation: 16 CFR 436

Legal Deadline: None

Abstract: The Federal Trade Commission's Trade Regulation Rule on Franchising and Business Opportunity Ventures (Franchise Rule) became

effective on October 21, 1979. The Rule is designed to reduce deceptive and unfair practices in the sale of franchises and business opportunities by requiring the pre-sale disclosure of material information about the franchise. For example, the Rule requires franchisors to disclose their business background and litigation history, as well as the number of failed and terminated franchise units. The Rule also requires the disclosure of material terms of the franchise relationship, such as recurring fees and termination and renewal rights. The Rule further requires the franchisor to provide an audited financial statement for the past three fiscal years. Finally, the Rule requires any franchisor who makes earnings representations to provide the prospective franchisee with an earnings claims document that substantiates those claims. As part of its systematic review of all current Commission rules and guides, the Commission is requesting comments about the overall costs and benefits of the Rule and what effects, if any, have changes in relevant technology, economic conditions, and industry practices had on the Rule. The Commission may also consider other areas of the Rule, as appropriate. Two public workshops have been held, one on September 12, 1995, and the other on March 11, 1996.

Timetable:

Action	Date	FR Cite
Request for Comments	04/17/95	60 FR 17656
Comment Period End	08/11/95	
Public Workshop	09/12/95	
Public Workshop	03/11/96	
Recommendations to the Commission	04/15/96	
Final Commission Action	11/00/96	

Small Entities Affected: Businesses

Government Levels Affected: State

Agency Contact: Steven Toporoff, Division of Marketing Practices, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580
Phone: 202 326-3135

RIN: 3084-AA63

4652. DECEPTIVE ADVERTISING AND LABELING OF PREVIOUSLY USED LUBRICATING OIL

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing

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Proposed Rule Stage

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 41 et seq

CFR Citation: 16 CFR 406

Legal Deadline: None

Abstract: The Used Oil Rule was promulgated by the Commission on August 14, 1964, to prevent deception of consumers who prefer new and unused lubricating oil. The Rule requires that advertising, promotional material, and labels for lubricant made from used oil disclose such previous use. The Rule prohibits any representation that used lubricating oil is new or unused. In addition, it prohibits use of the term "re-refined," or any similar term, to describe previously used lubricating oil unless the physical and chemical contaminants have been removed by a refining process. The Commission requested public comment on the proposed repeal of the Rule in July 1996. In 1980, the Rule's labeling disclosure requirements were suspended by the Used Oil Recycling Act until the Commission issued rules under the Energy Policy and Conservation Act (EPCA). Based on that suspension, in 1981, the Commission suspended the Rule's advertising and promotional materials disclosure requirements. In July 1995, the Commission received the test procedures from the National Institute of Standards and Technology that triggered promulgation of the Rule. On October 31, 1995, the Commission published the Recycled Oil Rule (covering recycled engine oil). Under EPCA, the Recycled Oil Rule preempts the Used Oil Rule's labeling and advertising requirements for engine oils. For non-engine oils, the Used Oil Rule's labeling disclosure provisions continue to be subject to the Congressional stay, and the advertising disclosure provisions continue to be subject to the Commission's stay. When it published the Recycled Oil Rule, the Commission stated that as part of its regulatory review process, it would consider the continuing need for the Used Oil Rule. Therefore, this proceeding has been included as part of the Reinventing Government Initiative because it may eliminate or revise CFR text to reduce burden or duplication, or streamline requirements.

Timetable:

Action	Date	FR Cite
Recommendation to Commission	03/01/96	
ANPRM	04/03/96	61 FR 14686
ANPRM Comment Period End	05/03/96	
NPRM	07/26/96	61 FR 39101
NPRM Comment Period End	08/26/96	
Recommendation to Commission	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Neil Blickman, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580 Phone: 202 326-3038

RIN: 3084-AA71

4653. RULE GOVERNING DISCLOSURE OF WRITTEN CONSUMER PRODUCT WARRANTY TERMS AND CONDITIONS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 41 et seq

CFR Citation: 16 CFR 701

Legal Deadline: None

Abstract: The Rule Governing the Disclosure of Written Consumer Product Warranty Terms and Conditions (Rule 701) establishes requirements for warrantors for disclosing the terms and conditions of written warranties on consumer products actually costing the consumer more than \$15.00. Rule 701 specifies the information that must appear in the written warranty, as well as the exact language that must be used for certain items. Under Rule 701, the information must be disclosed in simple, easily understood, and concise language in a single document. In addition to specifying the information that must appear in a written warranty, Rule 701 also requires that, in instances where the warrantor uses a warranty registration or owner registration card, the warranty must disclose whether that registration card is a condition precedent to warranty coverage. Finally, it provides that, in connection with "seal of approval" programs, the disclosures do not have to be given in the actual seal itself, if they are made in a general circulation publication. As part of its systematic review of all current Commission regulations and

guides, the Commission requested comments on, among other things, the economic impact of, and the continuing need for, the Rule, and State, local, and other Federal laws, and the effect on the rules of any technological, economic, or other industry changes.

Timetable:

Action	Date	FR Cite
Begin Review	04/03/96	61 FR 14688
Comment Period End	06/03/96	
Recommendation to the Commission	12/00/96	
Final Commission Action	03/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Carole I. Danielson, Division of Marketing Practices, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580 Phone: 202 326-3115

RIN: 3084-AA72

4654. RULE GOVERNING THE PRE-SALE AVAILABILITY OF WRITTEN WARRANTY TERMS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 41 et seq

CFR Citation: 16 CFR 702

Legal Deadline: None

Abstract: The Rule Governing the Pre-Sale Availability of Written Warranty Terms (Rule 702) establishes requirements for sellers and warrantors for making the terms of a written warranty available to the consumer prior to sale. Among other things, the Rule requires sellers to make warranty information readily available either by (1) displaying it in close proximity to the product or (2) furnishing it on request and posting signs in prominent locations advising consumers that warranty information is available. The Rule requires warrantors to provide materials to enable sellers to comply with the rule's requirements, and also sets out the methods by which warranty information can be made available prior to the sale of the product in instances where the product is sold through catalogs, through mail order or through door-to-door sales. The Commission is reviewing this Rule as part of its systematic review of all current Commission regulations and guides. The Commission has sought comments on, among other things, the

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economic impact of, and the continuing need for, this Rule.

Timetable:

Action	Date	FR Cite
Begin Review	04/03/96	61 FR 14688
Comment Period End	06/03/96	

Action	Date	FR Cite
Recommendation to the Commission	12/00/96	
Final Commission Action	03/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Carole I. Danielson, Division of Marketing Practices, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580 Phone: 202 326-3115

RIN: 3084-AA73

FEDERAL TRADE COMMISSION (FTC)

Long-Term Actions

4655. AMENDED FEDERAL DEPOSIT CORPORATION IMPROVEMENT ACT

Priority: Substantive, Nonsignificant

CFR Citation: Not yet determined

Timetable: Next Action Undetermined

Small Entities Affected: Undetermined

Government Levels Affected: State

Agency Contact: Carole Reynolds

Phone: 202 326-3230

RIN: 3084-AA44

4656. REGULATORY REVIEW

Priority: Other Significant

CFR Citation: 16 CFR 1 et seq

Timetable:

Action	Date	FR Cite
Rule Review Continuing	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Kent Howerton Phone: 202 326-3013

RIN: 3084-AA47

FEDERAL TRADE COMMISSION (FTC)

Completed Actions

4657. TRADE REGULATION RULE FOR THE INCANDESCENT LAMP (LIGHT BULB) INDUSTRY

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 41 et seq

CFR Citation: 16 CFR 409

Legal Deadline: None

Abstract: The Federal Trade Commission's Trade Regulation Rule for the Incandescent Lamp (Light Bulb) Industry became effective on January 25, 1971. The Rule was designed to assist consumers in making informed purchases of light bulbs for specific needs. Specifically, the Rule required the disclosures of, in accordance with uniform specifications, the electrical power consumed (expressed as average initial wattage), the light output (expressed as average initial lumens), and the average laboratory life (expressed in hours) on light bulb packages. In addition, the average initial wattage and design voltage was required to appear on the bulbs themselves. As part of its systematic

review of all current Commission rules and guides, the Commission requested comment on, among other things, the economic impact of and the continuing need for, this Rule, possible conflicts between the Rule and state, local and other federal laws, and the effect on the Rule of any technological, economic, or other industry changes. The Commission also requested comment as to whether it should modify provisions of the Rule that duplicate or overlap with provisions in the Appliance Labeling Rule. This rulemaking was included as part of the Reinventing Government Initiative because it was expected that further proceedings in this matter might result in revisions to CFR text to reduce burden or duplication, or streamline requirements, and therefore, would be consistent with that Initiative. The Commission repealed the Light Bulb Rule on June 27, 1996.

Timetable:

Action	Date	FR Cite
Request for Comments/ ANPR	04/06/95	60 FR 17491
Comment Period End	08/07/95	
Recommendation to the Commission	11/09/95	
Commission Action NPRM	12/27/95	
	02/06/96	61 FR 4382

Action	Date	FR Cite
Comment Period End	03/07/96	
Recommendation to Commission	05/21/96	
Final Action	06/27/96	61 FR 33308
Final Action Effective	06/27/96	

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 3084-AA61

4658. TRADE REGULATION RULE CONCERNING MISBRANDING AND DECEPTION AS TO LEATHER CONTENT OF WAIST BELTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 41 et seq

CFR Citation: 16 CFR 405

Legal Deadline: None

FTC

Completed Actions

Abstract: The Federal Trade Commission's Trade Regulation Rule Concerning Misbranding and Deception as to Leather Content of Waist Belts (Leather Belt Rule) made it an unfair method of competition and an unfair and deceptive act or practice to misrepresent a belt's leather content or the type of animal hide or skin from which the belt is made. The Rule also prohibited the sale or distribution of belts without adequate disclosures as to their leather content or type of animal hide or skin if the appearance of the product would deceive consumers. As part of its systematic review of all current Commission rules and guides, the Commission requested comments on, among other things, the economic impact of, and the continuing need for, this Rule, possible conflicts between the Rule and state, local and other federal laws, and the effect on the Rule of any technological, economic, or other industry changes. After reviewing the comments, the Commission announced that, in order to avoid unnecessary duplication, it had decided to initiate a rulemaking proceeding to repeal the Rule. Proposed new Guides for Select Leather and Imitation Leather Products (See 60 FR 48056, September 18, 1995) will cover leather belts, as well as various other products. The Leather Belt Rule was repealed on May 22, 1996.

Timetable:

Action	Date	FR Cite
Request for Comments	03/27/95	60 FR 15725
Comment Period End	05/26/95	
Recommendation to the Commission	07/21/95	
ANPRM	09/18/95	60 FR 48070
ANPRM Comment Period End	10/18/95	
NPRM	03/05/96	61 FR 8499
NPRM Comment Period End	04/04/96	
Final Action	05/22/96	61 FR 27222
Final Action Effective	05/30/96	

Small Entities Affected: None

Government Levels Affected: None

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RIN: 3084-AA62

4659. APPLIANCE LABELING RULE—ENERGY POLICY AND CONSERVATION ACT

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: Sec 324 of the Energy Policy and Conservation Act; PL 94-163; 42 USC 6294

CFR Citation: 16 CFR 305

Legal Deadline: None

Abstract: The Energy Policy and Conservation Act was enacted to enable consumers to conserve energy by comparing the energy use of competing appliances (and other products) and to use that information in their purchasing decisions. The statute required the Commission to issue a labeling rule prescribing the disclosure of the estimated annual cost of operation (or another measure of energy use) for certain categories of major household appliances. The statute was later amended to apply to plumbing and lamp products. The statute required that the disclosures for all covered products be based on standardized test procedures prescribed by the Department of Energy (DOE). In 1979, the Commission promulgated the Appliance Labeling Rule, which was amended substantively in 1987, 1990, 1993, and twice in 1994. The Rule now covers 11 product categories: (1) refrigerators, refrigerator-freezers and freezers; (2) dishwashers; (3) clothes washers; (4) water heaters; (5) room air conditioners; (6) furnaces; (7) central air conditioners and heat pumps; (8) fluorescent lamp ballasts; (9) certain

plumbing products; (10) certain lamp products; and (11) pool heaters. For household appliances, the Rule requires that energy consumption or efficiency information be disclosed in catalogs and at the point of sale in the form of yellow and black EnergyGuide labels. In addition, fact sheets or listing in an industry directory are required for furnaces, central air conditioners and heat pumps. For fluorescent lamp ballasts, the Rule requires disclosure of an encircled E logo; for plumbing products, a marking of the water use rate on the product; and, for lamp products, the disclosure of energy usage and performance information on packages and in catalogs. The Rule also mandates that energy-use-related advertisements for covered products be based on the DOE test procedures. The Commission recently amended the Rule to permit placement of energy use labels required by Canada and Mexico adjacent to the EnergyGuide label, thus facilitating trade among the North American Free Trade Agreement countries.

Timetable:

Action	Date	FR Cite
Recommendation to Commission	01/26/96	
NPRM	02/22/96	61 FR 6801
NPRM	02/22/96	61 FR 6801
NPRM Comment Period End	04/08/96	
NPRM Comment Period End	04/08/96	
Recommendation to Commission	05/21/96	
Final Action	06/18/96	61 FR 33651
Final Action	06/18/96	61 FR 33651
Final Action Effective	06/28/96	

Small Entities Affected: None

Government Levels Affected: None

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RIN: 3084-AA74

[FR Doc. 96-25330 Filed 11-27-96; 8:45 am]

BILLING CODE 6750-01-F