(5) The name or other identification issued and registered by the Commission, of one or more persons who manufactured such fur product for introduction into commerce, introduced it into commerce, sold it in commerce, advertised or offered it for sale in commerce, or transported or distributed it in commerce;

(6) The name of the country of origin of any imported furs used in the fur product;

(7) The item number or mark assigned to a fur product.

B. Setting forth on labels affixed to fur products:

(1) Information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations thereunder in abbreviated form;

(2) Information required under section 4(2) of the Fur Products Labeling Act and rules and regulations thereunder, mingled with non-required information.

2. Falsely or deceptively invoicing fur products by:

A. Failing to furnish invoices to purchasers of fur products showing:

(1) The name or names of the animal or animals producing the fur or furs contained in the fur product, as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations;

(2) That the fur product contains or is composed of used fur, when such is the fact;

(3) That the fur product contains or is composed of bleached, dyed, or artificially colored fur, when such is the fact;

(4) That the fur product is composed, in whole or in substantial part, of paws, tails, bellies, or waste fur, when such is the fact;

(5) The name and address of the person issuing such invoices;

(6) The name of the country of origin of any imported furs contained in the fur product.

B. Setting forth on invoices information required under section 5(b)(1) of the Fur Products Labeling Act and the rules and regulations thereunder in abbreviated form.

3. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement, or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale, of fur products, and which:

A. Fails to disclose:

(1) The name or names of the animal or animals producing the fur or furs contained in the fur product, as set forth in the Fur Products Name Guide, and as prescribed under the rules and regulations;

(2) That the fur product contains or is composed of bleached, dyed or otherwise artificially colored fur, when such is the fact;

(3) That the fur product is composed in whole or in substantial part of paws, tails, bellies or waste fur, when such is the fact.

B. Contains the name or names of any animal or animals other than the name or names of the animal or animals that produced the fur from which the fur product was manufactured.

C. Makes use of comparative prices by setting forth an earlier bona fide price of the fur product, unless the designated time of such earlier price is given.

4. Making price claims or representations in advertisements respecting comparative prices, percentage savings claims and reduced prices of furs or fur products unless respondent maintains adequate records disclosing the facts upon which such claims or representations are based.

It is further ordered, That the complaint be, and hereby is, dismissed as to George Gorsen, individually and as an employee of said corporation.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is further ordered, That the respondent Blauner's, a corporation, shall, within sixty (60) days after service upon it of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with the order contained in said initial decision.

Issued: May 8, 1959.

By the Commission.

[SEAL] ROBERT M. PARRISH, *Secretary.*

[F.R. Doc. 59-4555; Filed, June 1, 1959; 8:46 a.m.]

[Docket 7354]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Sam Turansky et al.

Subpart—*Advertising falsely or misleadingly:* § 13.285 *Value.* Subpart—*Invoicing products falsely:* § 13.1108 *Invoicing products falsely:* Fur products Labeling Act. Subpart—*Misbranding or mislabeling:* § 13.1212 *Formal regulatory and statutory requirements:* Fur Products Labeling Act. Subpart—*Neglecting, unfairly or deceptively, to make material disclosure:* § 13.1852 *Formal regulatory and statutory requirements:* Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Sam Turansky and Isadore Dover trading as Turansky & Dover, New York, N.Y., Docket 7354, May 8, 1959]

In the Matter of Sam Turansky and Isadore Dover, as Individuals and as Copartners Trading as Turansky & Dover

This proceeding was heard by a hearing examiner on the complaint of the Commission charging New York furriers with violating the Fur Products Labeling Act by failing to comply with labeling and invoicing requirements, and by advertising in letters to customers which represented the wholesale market values to be certain designated amounts while failing to maintain adequate records as a basis for such claims.

After acceptance of an agreement containing consent order, the hearing examiner made his initial decision and order to cease and desist which became on May 8 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That Sam Turansky and Isidore Dover, individually and as copartners trading as Turansky & Dover, or trading under any other name, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the sale, advertising, offering for sale, transportation, or distribution in commerce, of fur products, or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation or distribution of fur products which have been made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding fur products by:

1. Failing to affix labels to fur products showing:

(a) The name or names of the animal or animals producing the fur or furs contained in the fur product as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations;

(b) That the fur product contains or is composed of used fur, when such is the fact;

(c) That the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is the fact;

(d) That the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(e) The name, or other identification issued and registered by the Commission, of one or more persons who manufactured such fur product for introduction into commerce, introduced it into commerce, sold it in commerce, advertised or offered it for sale, in commerce, or transported or distributed it in commerce;

(f) The name of the country of origin of any imported furs contained in a fur product;

(g) The item number or mark assigned to a fur product.

B. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices to purchasers of fur products showing:

(a) The name or names of the animal or animals producing the fur or furs contained in the fur products as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations;

(b) That the fur product contains or is composed of used fur, when such is the fact;

(c) That the fur product contains or is composed of bleached, dyed or otherwise artificially colored fur, when such is the fact;

(d) That the fur product is composed in whole or in substantial part of

paws, tails, bellies, or waste fur, when such is the fact;

(e) The name and address of the person issuing such invoice;

(f) The name of the country of origin of any imported furs contained in a fur product;

(g) The item number or mark assigned to a fur product.

C. Making price claims and representations in advertisements respecting prices or values of fur products unless respondents maintain full and adequate records showing the facts upon which such claims and representations are based.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: May 8, 1959.

By the Commission.

[SEAL] ROBERT M. PARRISH, *Secretary.*

[F.R. Doc. 59-4556; Filed, June 1, 1959; 8:46 a.m.]

SUBCHAPTER C—REGULATIONS UNDER SPECIFIC ACTS OF CONGRESS

PART 303—RULES AND REGULATIONS UNDER THE TEXTILE FIBER PRODUCTS IDENTIFICATION ACT[1]

On February 5, 1959, a notice of proposed rule-making was issued by the Commission and published in the FEDERAL REGISTER on February 10, 1959. Such notice stated that the Commission would on March 10, 1959, at 10:00 a.m., e.s.t., hold a public hearing on proposed rules and regulations under the Textile Fiber Products Identification Act. A draft of the proposed rules and regulations was made a part of the notice, together with other specified matters for consideration on the question of whether additional rules should be promulgated.

Pursuant to such notice public hearing was held on March 10, 1959 and continued through March 12, 1959, and interested persons were afforded the opportunity of participating in the rule-making procedure by submitting orally or in writing on the date of the hearing, or in writing prior to the close of business on March 17, 1959, their views, arguments, or other pertinent data with respect thereto. Those wishing to submit in writing further views, argument or data in response to that submitted on or before the date of hearing, were afforded the opportunity of doing so within ten days after such hearing was closed. All views, arguments, and data presented pursuant to the hearing have been made a part of the record.

After due consideration of the proposed rules and regulations, suggested amendments, revisions, deletions, and additions thereto, together with all views, arguments, and other data submitted, the following rules and regulations under the Textile Fiber Products Identification Act are hereby promulgated and made effective as of March 3, 1960.

Sec.

303.1 Terms defined.
303.2 General requirements.
303.3 Fibers present in amounts of 5 percent or less.
303.4 English language requirement.
303.5 Abbreviations, ditto marks, and asterisks prohibited.
303.6 Generic names of fibers to be used.
303.7 Generic names and definitions for manufactured fibers.
303.8 Procedure for establishing generic names for manufactured fibers.
303.9 Use of fur-bearing animal names and symbols prohibited.
303.10 Fiber content of elastic yarn or material.
303.11 Floor coverings containing backings, fillings, and paddings.
303.12 Trimmings of household textile articles.
303.13 Sale of remnants and products made of remnants.
303.14 Products containing unknown fibers.
303.15 Label and method of affixing.
303.16 Arrangement and disclosure of information on labels.
303.17 Use of fiber trademarks and generic names on labels.
303.18 Labels naming fibers not present.
303.19 Name or other identification required to appear on labels.
303.20 Registered identification numbers.
303.21 Marking of samples, swatches, or specimens and products sold therefrom.
303.22 Products containing linings, interlinings, fillings, and paddings.
303.23 Textile fiber products containing superimposed or added fibers.
303.24 Pile fabrics and products composed thereof.
303.25 Sectional disclosure of content.
303.26 Ornamentation.
303.27 Use of the term "All" or "100 percent."
303.28 Products contained in packages.
303.29 Labeling of pairs or products containing two or more units.
303.30 Textile fiber products in form for consumer.
303.31 Invoice in lieu of label.
303.32 Products containing reused stuffing.
303.33 Country where imported textile fiber products are processed or manufactured.
303.34 Change in form of imported textile fiber products.
303.35 Use of terms "virgin" or "new."
303.36 Form of separate guaranty.
303.37 Form of continuing guaranty from seller to buyer.
303.38 Continuing guaranty filed with Federal Trade Commission.
303.39 Maintenance of records.
303.40 Use of terms in written advertisements which imply presence of a fiber.
303.41 Use of fiber trademarks and generic names in advertising.
303.42 Arrangement of information in advertising textile fiber products.
303.43 Fiber content tolerances.
303.44 Products not intended for uses subject to the act.
303.45 Exclusions from the act.

AUTHORITY: §§ 303.1 to 303.45 issued under sec. 7, 72 Stat. 1717; 15 U.S.C. 70e.

§ 303.1 Terms defined.

As used in this part, unless the context otherwise specifically requires:

(a) The term "Act" means the "Textile Fiber Products Identification Act" (approved September 2, 1958, 85th Congress, 2d Sess.; 15 U.S.C. 70, 72 Stat. 1717).

(b) The terms "rule," "rules," "regulations," and "rules and regulations" mean the rules and regulations prescribed by the Commission pursuant to section 7(c) of the Act.

(c) The definition of terms contained in section 2 of the Act shall be applicable also to such terms when used in rules promulgated under the Act.

(d) The term "United States" means the several States, the District of Columbia, and the Territories and possessions of the United States.

(e) The terms "required information" and "information required" mean such information as is required to be disclosed on labels or invoices and in advertising under the Act and regulations.

(f) The terms "label," "labels," "labeled," and "labeling" mean the stamp, tag, label, or other means of identification, or authorized substitute therefor, required to be on or affixed to textile fiber products by the Act and regulations and on which the information required is to appear.

(g) The terms "marketing or handling" and "marketed or handled," when applied to textile fiber products, mean any one or all of the transactions set forth in section 3 of the Act.

(h) The terms "invoice" and "invoice or other paper" mean a written account,

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[1] The Federal Trade Commission today announced its policy with regard to section 15 of the Textile Fiber Products Identification Act, which states in part that "The Commission shall provide for the exception of any textile fiber product acquired prior to the effective date of this Act." The announcement reads:

"The exception provided by section 15 of the Act shall apply to textile fiber products acquired prior to the effective date of the Act (March 3, 1960) where such products are marketed or handled on or after March 3, 1960 in the same basic form as that in which they were acquired, but shall not apply to textile fiber products manufactured or processed on or after March 3, 1960, from other textile fiber products acquired prior to that date where such manufacturing or processing changes the basic form of the textile fiber product to the extent that it becomes a different type of product. For example, the exception would apply to yarns, fabrics or garments acquired prior to March 3, 1960, which are marketed or handled on or after that date as yarns, fabrics, or garments, respectively, without any change in the form of such products, but such exception would not apply to fabrics manufactured on or after March 3, 1960, from yarns or fibers acquired prior to that date, or to garments manufactured on or after March 3, 1960, from fabrics acquired prior to that date. Fabrics acquired in the greige before March 3, 1960, but processed or finished after that date would not lose their right to exception as a result of such processing or finishing operation.

"On or after March 3, 1960, any person who desires to claim the exception provided by section 15 of the Act must be able to establish by records or other competent means that the products as to which he claims the exception were acquired in the same basic form prior to March 3, 1960, and that he is entitled to the exception claimed."

order, memorandum, list, or catalogue, which is issued to a purchaser, consignee, bailee, correspondent, agent, or any other person, in connection with the marketing or handling of any textile fiber product transported or delivered to such person.

(i) The term "outer coverings of furniture, mattresses, and box springs" means those coverings as are permanently incorporated in such articles.

(j) The term "wearing apparel" means any costume or article of clothing or covering for any part of the body worn or intended to be worn by individuals.

(k) The term "beddings" means sheets, covers, blankets, comforters, pillows, pillowcases, quilts, bedspreads, pads, and all other textile fiber products used or intended to be used on or about a bed or other place for reclining or sleeping but shall not include furniture, mattresses or box springs.

(l) The term "headwear" means any textile fiber product worn exclusively on or about the head or face by individuals.

(m) The term "backings," when applied to floor coverings, means that part of a floor covering to which the pile, face, or outer surface is woven, tufted, hooked, knitted, or otherwise attached, and which provides the structural base of the floor covering. The term "backing" shall also include fabrics attached to the structural base of the floor covering in such a way as to form a part of such structural base, but shall not include the pile, face, or outer surface of the floor covering or any part thereof.

(n) The term "elastic material" means a fabric composed of yarn consisting of an elastomer or a covered elastomer.

(o) The term "coated fabric" means any fabric which is coated, filled, impregnated, or laminated with a continuous-film-forming polymeric composition in such a manner that the weight added to the base fabric is at least 35 percent of the weight of the fabric before coating, filling, impregnation, or lamination.

(p) The term "upholstered product" means articles of furniture containing stuffing and shall include mattresses and box springs.

(q) The term "ornamentation" means any fibers or yarns imparting a visibly discernible pattern or design to a yarn or fabric.

(r) The term "fiber trademark" means a word or words used by a person to identify a particular fiber produced or sold by him and to distinguish it from fibers of the same generic class produced or sold by others. Such term shall not include any trade mark, product mark, house mark, trade name or other name which does not identify a particular fiber.

(s) The term "wool" means the fiber from the fleece of the sheep or lamb or hair of the Angora or Cashmere goat (and may include the so-called specialty fibers from the hair of the camel, alpaca, llama, and vicuna) which has never been reclaimed from any woven or felted wool product.

(t) The term "reprocessed wool" means the resulting fiber when wool has been woven or felted into a wool product which, without ever having been utilized in any way by the ultimate consumer, subsequently has been made into a fibrous state.

(u) The term "reused wool" means the resulting fiber when wool or reprocessed wool has been spun, woven, knitted or felted into a wool product which, after having been used in any way by the ultimate consumer, subsequently has been made into a fibrous state.

§ 303.2 General requirements.

(a) Each textile fiber product, except those exempted or excluded under section 12 of the Act, shall be labeled or invoiced in conformity with the requirements of the Act and regulations.

(b) Any advertising of textile fiber products subject to the Act shall be in conformity with the requirements of the Act and regulations.

(c) The requirements of the Act and regulations shall not be applicable to products required to be labeled under the Wool Products Labeling Act of 1939 (Public Law 76-850, 15 U.S.C. 68, 54 Stat. 1128).

(d) Any person marketing or handling textile fiber products who shall cause or direct a processor or finisher to label, invoice, or otherwise identify any textile fiber product with required information shall be responsible under the Act and regulations for any failure of compliance with the Act and regulations by reason of any statement or omission in such label, invoice, or other means of identification utilized in accordance with his direction: *Provided*, That nothing herein shall relieve the processor or finisher of any duty or liability to which he may be subject under the Act and regulations.

§ 303.3 Fibers present in amounts of 5 percent or less.

(a) In disclosing the constituent fibers in required information, no fiber present in the amount of five percentum or less of the total fiber weight shall be designated by its generic name or fiber trademark, but shall be designated as "other fiber".

(b) Where more than one of such fibers are present in a product, they shall be designated in the aggregate as "other fibers".

§ 303.4 English language requirement.

All required information shall be set out in the English language. If the required information appears in a language other than English, it also shall appear in the English language. The provisions of this section shall not apply to advertisements in foreign language newspapers or periodicals, but such advertising shall in all other respects comply with the Act and regulations.

§ 303.5 Abbreviations, ditto marks, and asterisks prohibited.

(a) In disclosing required information, words or terms shall not be designated by ditto marks or appear in footnotes referred to by asterisks or other symbols in required information, and shall not be abbreviated except as permitted in § 303.33(d).

(b) Where the generic name of a textile fiber is required to appear in immediate conjunction with a fiber trademark in advertising, labeling, or invoicing, a disclosure of the generic name by means of a footnote, to which reference is made by use of an asterisk or other symbol placed next to the fiber trademark, shall not be sufficient in itself to constitute compliance with the Act and regulations.

§ 303.6 Generic names of fibers to be used.

(a) Except where another name is permitted under the Act and regulations, the respective generic names of all fibers present in the amount of more than five percentum of the total fiber weight of the textile fiber product shall be used when naming fibers in the required information; as for example: "cotton," "rayon," "silk," "linen," "nylon," etc.

(b) Where a textile fiber product contains the hair or fiber of a fur-bearing animal present in the amount of more than five percent of the total fiber weight of the product, the name of the animal producing such fiber may be used in setting forth the required information, provided the name of such animal is used in conjunction with the words "fiber," "hair," or "blend;" as for example:

80% Rabbit Hair
20% Nylon
or
80% Silk
20% Mink Fiber

(c) The term "fur fiber" may be used to describe the hair or fur fiber or mixtures thereof of any animal or animals other than the sheep, lamb, Angora goat, Cashmere goat, camel, alpaca, llama or vicuna where such hair or fur fiber or mixture is present in the amount of more than five percent of the total fiber weight of the textile fiber product and no direct or indirect representations are made as to the animal or animals from which the fiber so designated was obtained; as for example:

60% Cotton
40% Fur Fiber
or
50% Nylon
30% Mink Hair
20% Fur Fiber

(d) Where textile fiber products subject to the Act contain (1) wool, (2) reprocessed wool, or (3) reused wool in amounts of more than five percent of the total fiber weight, such fibers shall be designated and disclosed as wool, reprocessed wool, or reused wool as the case may be.

§ 303.7 Generic names and definitions for manufactured fibers.

Pursuant to the provisions of section 7(c) of the Act, the following generic names for manufactured fibers, together with their respective definitions, are hereby established:

(a) *Acrylic.* A manufactured fiber in which the fiber-forming substance is any long chain synthetic polymer composed

of at least 85 percent by weight of acrylonitrile units (-CH_2-$\underset{\underset{CN}{|}}{CH}$-).

(b) *Modacrylic.* A manufactured fiber in which the fiber-forming substance is any long chain synthetic polymer composed of less than 85 percent but at least 35 percent by weight of acrylonitrile units (-CH_2-$\underset{\underset{CN}{|}}{CH}$-).

(c) *Polyester.* A manufactured fiber in which the fiber-forming substance is any long chain synthetic polymer composed of at least 85 percent by weight of an ester of a dihydric alcohol and terephthalic acid (*p*-HOOC-C_6H_4-COOH).

(d) *Rayon.* A manufactured fiber composed of regenerated cellulose, as well as manufactured fibers composed of regenerated cellulose in which substituents have replaced not more than 15 percent of the hydrogens of the hydroxyl groups.

(e) *Acetate.* A manufactured fiber in which the fiber-forming substance is cellulose acetate. Where not less than 92 percent of the hydroxyl groups are acetylated, the term triacetate may be used as a generic description of the fiber.

(f) *Saran.* A manufactured fiber in which the fiber-forming substance is any long chain synthetic polymer composed of at least 80 percent by weight of vinylidene chloride units (-CH_2-CCl_2-).

(g) *Azlon.* A manufactured fiber in which the fiber-forming substance is composed of any regenerated naturally occuring proteins.

(h) *Nytril.* A manufactured fiber containing at least 85 percent of a long chain polymer of vinylidene dinitrile (-CH_2-$C(CN)_2$-) where the vinylidene dinitrile content is no less than every other unit in the polymer chain.

(i) *Nylon.* A manufactured fiber in which the fiber-forming substance is any long chain synthetic polyamide having recurring amide groups (-$\overset{\overset{O}{\|}}{C}$-NH-) as an integral part of the polymer chain.

(j) *Rubber.* A manufactured fiber in which the fiber-forming substance is comprised of natural or synthetic rubber.

(k) *Spandex.* A manufactured fiber in which the fiber-forming substance is a long chain synthetic polymer comprised of at least 85 percent of a segmented polyurethane.

(l) *Vinyl.* A manufactured fiber in which the fiber-forming substance is any long chain synthetic polymer composed of at least 50 percent by weight of vinyl alcohol units (-CH_2?CHOH-), and in which the total of the vinyl alcohol units and any one or more of the various acetal units is at least 85 percent by weight of the fiber.

(m) *Olefin.* A manufactured fiber in which the fiber-forming substance is any long chain synthetic polymer composed of at least 85 percent by weight of ethylene, propylene, or other olefin units.

(n) *Vinyon.* A manufactured fiber in which the fiber-forming substance is any long chain synthetic polymer composed of at least 85 percent by weight of vinyl chloride units (-CH_2-CHCl-).

(o) *Metallic.* A manufactured fiber composed of metal, plastic-coated metal, metal-coated plastic, or a core completely covered by metal.

(p) *Glass.* A manufactured fiber in which the fiber-forming substance is glass.

§ 303.8 Procedure for establishing generic names for manufactured fibers.

(a) Prior to the marketing or handling of a manufactured fiber for which no generic name has been established by the Commission, the manufacturer or producer thereof shall file a written application with the Commission, requesting the establishment of a generic name for such fibers, stating therein:

(1) The reasons why the applicant's fiber should not be identified by one of the generic names established by the Commission in § 303.7;

(2) The chemical composition of the fiber, including the fiber-forming substances and respective percentages thereof, together with samples of the fiber;

(3) Suggested names for consideration as generic, together with a proposed definition for the fiber;

(4) Any other information deemed by the applicant to be pertinent to the application, including technical data in the form of test methods;

(5) The earliest date on which the application proposes to market or handle the fiber in commerce for other than developmental or testing purposes.

(b) Upon receipt of the application, the Commission will, within sixty (60) days, either deny the application or assign to the fiber a numerical or alphabetical symbol for temporary use during further consideration of such application.

(c) After taking the necessary procedure in consideration of the application, the Commission in due course shall establish a generic name or advise the applicant of its refusal to grant the application and designate the proper existing generic name for the fiber.

§ 303.9 Use of fur-bearing animal names and symbols prohibited.

(a) The advertising or the labeling of a textile fiber product shall not contain any names, words, depictions, descriptive matter, or other symbols which connote or signify a fur-bearing animal, unless such product or the part thereof in connection with which the names, words, depictions, descriptive matter, or other symbols are used is a fur product within the meaning of the Fur Products Labeling Act.

(b) Subject to the provisions of paragraph (a) of this section and § 303.6, a textile fiber product shall not be described or referred to in any manner in an advertisement or label with:

(1) The name or part of the name of a fur-bearing animal, whether as a single word or a combination word, or any coined word which is phonetically similar to a fur-bearing animal name, or which is only a slight variation in spelling of a fur-bearing animal name or part of the name. As for example, such terms as "Ermine," "Mink," "Persian," "Broadtail," "Beaverton," "Marmink," "Sablelon," "Lam," "Pershian," "Minx," or similar terms shall not be used.

(2) Any word or name symbolic of a fur-bearing animal by reason of conventional usage or by reason of its close relationship with fur-bearing animals. As for example, such terms as "guard-hair," "underfur," and "mutation," or similar terms, shall not be used.

(c) Nothing contained herein shall prevent the nondeceptive use of animal names or symbols in referring to a textile fiber product where the fur of such animal is not commonly or commercially used in fur products, as that term is defined in the Fur Products Labeling Act; as for example: "kitten soft," "Bear Brand," etc.

§ 303.10 Fiber content of elastic yarn or material.

(a) Where a textile fiber product is made wholly of elastic yarn or material, with minor parts of rigid material for structural purposes, it shall be identified as to the percentage of the elastomer, together with the percentage of all textile coverings of the elastomer and all other yarns or materials used therein.

(b) Where a textile fiber product is made in part of elastic material and in part of other fabric, the fiber content of such fabric shall be set forth sectionally by percentages as in the case of other fabrics. In such cases the elastic material may be disclosed by describing the material as elastic followed by a listing in order of predominance by weight of the fibers used in such elastic, including the elastomer, where such fibers are present by five percentum or more. An example of labeling under this paragraph is:

Front and back rigid sections:
50% Acetate,
50% Cotton.
Elastic: Rayon, cotton, nylon, rubber.

§ 303.11 Floor coverings containing backings, fillings, and paddings.

In disclosing the required fiber content information as to floor coverings containing exempted backings, fillings, or paddings, the disclosure shall be made in such manner as to indicate that it relates only to the face, pile, or outer surface of the floor covering and not to the backing, filling, or padding. Examples of the form of marking these types of floor coverings as to fiber content are as follows:

100% Cotton Pile

Face—60% Rayon, 40% Cotton

Outer Surface—100% Wool

§ 303.12 Trimmings of household textile articles.

(a) Trimmings incorporated in articles of wearing apparel and other household textile articles may, among other forms of trim, include (1) rick-rack, tape, belting, binding, braid, labels (either required or non-required), collars, cuffs, wrist bands, leg bands, waist bands, gussets, gores, welts, and findings, including superimposed garters in hosiery, and elastic materials and threads inserted in or added to the basic product or garment in minor proportion for holding, reinforcing or similar structural

purposes; (2) decorative trim, whether applied by embroidery, overlay, applique, or attachment; and (3) decorative patterns or designs which are an integral part of the fabric out of which the household textile article is made: *Provided*, That such decorative trim or decorative pattern or design, as specified in subparagraphs (2) and (3) of this paragraph, does not exceed 15 percent of the surface area of the household textile article.

If no representation is made as to the fiber content of the decorative trim or decoration, as provided for in subparagraphs (2) and (3) of this paragraph, the fiber content designation of the basic fabric shall be followed by the statement "exclusive of decoration."

(b) The term "findings" may also include elastic material which constitutes a part of the basic fabric or material out of which the household textile article is made, where such elastic material does not exceed 20 percent of the surface area of the household textile article: *Provided*, That the required information as to fiber content of products subject to this subsection is followed by the statement "exclusive of elastic."

§ 303.13 Sale of remnants and products made of remnants.

(a) In disclosing the required fiber content information as to remnants of fabric which are for practical purposes of unknown or undeterminable fiber content:

(1) The fiber content disclosure of such remnants of fabrics may be designated in the required information as "remnants of undetermined fiber content."

(2) Where such remnants of fabrics are displayed for sale at retail, a conspicuous sign may, in lieu of individual labeling, be used in immediate conjunction with such display, stating with respect to required fiber content disclosure that the goods are "remnants of undetermined fiber content."

(3) Where textile fiber products are made of such remnants, the required fiber content information of the products may be disclosed as "made of remnants of undetermined fiber content."

If any representations as to fiber content are made with respect to such remnants, the provisions of this paragraph shall not apply.

(b) Where remnants of fabrics are marketed or handled in bales, bundles, or packages and are all of the same fiber content or are designated in the manner permitted by paragraph (a) of this section, the individual remnants need not be labeled if the bales, bundles, or packages containing such remnants are labeled with the required information including fiber content percentages or the designation permitted by paragraph (a) of this section.

(c) Where remnants of fabrics of the same fiber content are displayed for sale at retail, a conspicuous sign may, in lieu of individual labeling, be used in immediate conjunction with such display, stating the fiber content information with respect to such remnants; as for example: "remnants, 100 percent cotton," "remnants, 50 percent rayon, 50 percent acetate," etc.

§ 303.14 Products containing unknown fibers.

(a) Where a textile fiber product is made from miscellaneous scraps, rags, odd lots, textile by-products, or waste materials of unknown, and for practical purposes, undeterminable fiber content, the required fiber content disclosure may, when truthfully applicable, indicate that such product is composed of miscellaneous scraps, rags, odd lots, textile by-products, or waste materials, as the case may be, of unknown or undetermined fiber content; as for example:

Made of miscellaneous scraps of undetermined fiber content

Made of miscellaneous rags of undetermined fiber content

Made of miscellaneous odd lots of undetermined fiber content

Made of miscellaneous textile by-products of undetermined fiber content

Made of miscellaneous waste materials of undetermined fiber content

No representation as to fiber content shall be made as to any textile fiber product designated as being composed of undetermined fibers. If any representation as to fiber content is made with reference to such products, a full fiber content disclosure shall be required.

(b) Nothing contained in this section shall excuse a full disclosure as to fiber content if the same is known or practically ascertainable.

§ 303.15 Label and method of affixing.

The label required to be on or affixed to the textile fiber product shall be such as is appropriate to the nature and type of product. Such label shall be conspicuously affixed to the product or, where permitted, its package or container in a secure manner and shall be of such durability as to remain on and attached thereto throughout the sale, resale, distribution and handling of the product, and, except where otherwise provided, shall remain on or be firmly affixed to the product or, where permitted, its package or container when sold and delivered to the ultimate consumer.

§ 303.16 Arrangement and disclosure of information on labels.

(a) The information with respect to textile fiber products required to be shown and displayed upon the label shall be that which is required by the Act and regulations, including the following:

(1) The generic names and percentages by weight of the constituent fibers present in the textile fiber product, exclusive of permissive ornamentation, in amounts of more than five percentum in order of predominance by weight with any percentage of fiber or fibers required to be designated as "other fiber" or "other fibers" appearing last.

(2) The name, provided for in § 303.19, or registered identification number issued by the Commission, of the manufacturer or of one or more persons marketing or handling the textile fiber product.

(3) If such textile fiber product is an imported product, the name of the country where such product was processed or manufactured.

(b) All parts of the required information shall be conspicuously and separately set out on the same side of the label in such a manner as to be clearly legible and readily accessible to the prospective purchaser, and all parts of the fiber content information shall appear in type or lettering of equal size and conspicuousness: *Provided, however*, That the required name or registered identification number may appear on the reverse side of the label if it is conspicuous and accessible: *And provided further*, That the required name may be conspicuously set out on a separate label which is prominently and conspicuously displayed in close proximity to the label containing the other required information. Where only one end of a cloth label is sewn to the product in such a manner that both sides of the label are readily accessible to the prospective purchaser, the required fiber content information may appear on the reverse side of the label if the front side of such label clearly and conspicuously shows the wording "Fiber Content on Reverse Side." On products as to which sectional disclosure is used, an additional non-deceptive label may be used showing the complete fiber content information as to a particular section or area of the product.

(c) Subject to the provisions of § 303.17, if non-required information or representations are placed on the label or elsewhere on the product, such non-required information or representation shall be set forth separate and apart from the required information and shall not interfere with, minimize, detract from, or conflict with such required information, nor shall such non-required information in any way be false or deceptive as to fiber content.

(d) Non-deceptive terms which are properly and truthfully descriptive of a fiber may be used in conjunction with the generic name of such fiber; as for example: "100 percent cross-linked rayon," "100 percent solution dyed acetate," "100 percent combed cotton," "100 percent nylon 66," etc.

§ 303.17 Use of fiber trademarks and generic names on labels.

(a) A non-deceptive fiber trademark may be used on a label in conjunction with the generic name of the fiber to which it relates. Where such a trademark is placed on a label in conjunction with the required information, the generic name of the fiber must appear in immediate conjunction therewith, and such trademark and generic name must appear in type or lettering of equal size and conspicuousness.

(b) Where a generic name or a fiber trademark is used on any label, whether required or non-required, a full and complete fiber content disclosure shall be made in accordance with the Act and regulations the first time the generic name or fiber trademark appears on the label.

(c) If a fiber trademark is not used in the required information, but is used elsewhere on the label as non-required information, the generic name of the fiber shall accompany the fiber trademark in legible and conspicuous type or lettering the first time the trademark is used.

(d) No fiber trademark or generic name shall be used in non-required information on a label in such a manner as to be false, deceptive, or misleading as to fiber content, or to indicate directly or indirectly that a textile fiber product is composed wholly or in part of a particular fiber, when such is not the case.

§ 303.18 Labels naming fibers not present.

Words, symbols, or depictions which constitute or imply the name or designation of a fiber which is not present in the product shall not appear on labels.

§ 303.19 Name or other identification required to appear on labels.

(a) The name required by the Act to be used on labels shall be the name under which the person is doing business. Where a person has a word trademark, used as a house mark, registered in the United States Patent Office, such word trademark may be used on labels in lieu of the name otherwise required: *Provided,* The owner of such word trademark furnishes the Commission a copy of the registration prior to its use. No trademark, trade names, or other names except those provided for above shall be used for required identification purposes.

(b) Registered identification numbers, as provided for in § 303.20, may be used for identification purposes in lieu of the required name.

§ 303.20 Registered identification numbers.

(a) Registered numbers for use as the required identification in lieu of the name on textile fiber product labels, as provided in section 4(b)(3) of the Act, will be issued by the Commission to qualified persons residing in the United States upon receipt of an application duly executed in the form set out in paragraph (d) of this section.

(b)(1) Registered identification numbers shall be used only by the person or concern to whom they are issued, and such numbers are not transferable or assignable.

(2) Registered identification numbers shall be subject to cancellation whenever any such number was procured or has been used improperly or contrary to the requirements of the Acts administered by the Federal Trade Commission, and regulations promulgated thereunder, or when otherwise deemed necessary in the public interest.

(c) Registered identification numbers assigned under this section may be used on labels required in labeling products subject to the provisions of the Wool Products Labeling Act and Fur Products Labeling Act, and numbers previously assigned by the Commission under such Acts may be used as and for the required name in labeling under this Act. When so used by the person or firm to whom assigned, the use of the numbers shall be construed as identifying and binding the applicant as fully and in all respects as though assigned under the specific Act for which it is used.

(d) Form of application for registered identification number (printed forms are available upon request at the offices of the Commission):

APPLICATION FOR REGISTERED IDENTIFICATION NUMBER

To the Federal Trade Commission,
Washington 25, D.C.

The undersigned, _____,
(Full name of applicant)

a _____
(Corporation, partnership or proprietorship)

residing in the United States and having principal office and place of business at _____,
(Street and number)

_____, _____
(City) (State or Territory)

being engaged in the marketing and handling of textile fiber products, as defined in the Textile Fiber Products Identification Act, hereby makes application to the Federal Trade Commission for a registered identification number for use on required labels.

The undersigned is engaged in the _____
(Manufacturing, distributing, etc.)

of the following products _____
(List products)

Dated, signed and executed this _____ day of _____ 19__ at _____,
(City)

_____
(State or Territory)

(If firm is a partnership list partners below)

_____ _____
(Please type or print) (Name under which business is conducted)

_____ _____
(Signature of proprietor, partner, or authorized official.)

[Impression of corporate seal if corporation]

EXECUTION

State of _____ }
County of _____ } *ss*

On this _____ day of _____ 19__, before me personally appeared the said _____ _____ proprietor, partner (strike non-applicable words) _____
(If corporation, give title of authorized official)

of _____, to me personally
(Name of company)

known, and acknowledged the execution of the foregoing instrument on behalf of the firm, for the uses and purposes therein stated.

[Impression of Notary seal required here.] _____
Notary Public in and for County of _____
State of _____
My commission expires _____

§ 303.21 Marking of samples, swatches, or specimens and products sold therefrom.

(a) Where samples, swatches, or specimens of textile fiber products subject to the Act are used to promote or effect sales of such textile fiber products, the samples, swatches, or specimens, as well as the products themselves, shall be labeled to show their respective fiber contents and other required information: *Provided,* That such samples, swatches or specimens need not be labeled:

(1) If the samples, swatches, or specimens are less than two square inches in area and the information otherwise required to appear on the label is clearly, conspicuously, and non-deceptively disclosed on accompanying promotional matter in accordance with the Act and regulations;

(2) If the samples, swatches, or specimens are keyed to a catalogue to which reference is necessary in order to complete the sale of the textile fiber products, and which catalogue at the necessary point of reference clearly, conspicuously, and non-deceptively discloses the information otherwise required to appear on the label in accordance with the Act and regulations; or

(3) If such samples, swatches, or specimens are not used to effect sales to ultimate consumers and are not in the form intended for sale or delivery to, or for use by, the ultimate consumer, and are accompanied by an invoice or other paper showing the required information.

(b) Where properly labeled samples, swatches, or specimens are used to effect the sale of articles of wearing apparel or other household textile articles which are manufactured specifically for a particular customer after the sale is consummated, the articles of wearing apparel or other household textile articles need not be labeled if they are of the same fiber content as the samples, swatches, or specimens from which the sale was effected and an invoice or other paper accompanies them showing the information otherwise required to appear on the label.

§ 303.22 Products containing linings, interlinings, fillings, and paddings.

In disclosing the required information as to textile fiber products, the fiber content of any linings, interlinings, fillings, or paddings shall be set forth separately and distinctly if such linings, interlinings, fillings, or paddings are incorporated in the product for warmth rather than for structural purposes, or if any express or implied representations are made as to their fiber content. Examples are as follows:

100% Nylon

Interlining: 100% Rayon

Covering: 100% Rayon

Filling: 100% Cotton.

§ 303.23 Textile fiber products containing superimposed or added fibers.

Where a textile fiber product is made wholly of one fiber or a blend of fibers with the exception of an additional fiber in minor proportion superimposed or added in certain separate and distinct areas or sections for reinforcing or other useful purposes, the product may be designated according to the fiber content of the principal fiber or blend of fibers, with an exception naming the superimposed or added fiber, giving the percentage thereof in relation to the total fiber weight of the principal fiber or blend of fibers, and indicating the area or section which contains the superimposed or added fiber. Examples of this type of

fiber content disclosure, as applied to products having reinforcing fibers added to a particular area or section, are as follows:

55% Cotton

45% Rayon

Except 5% Nylon added to toe and heel.

All Cotton except 1% Nylon added to neckband.

§ 303.24 Pile fabrics and products composed thereof.

The fiber content of pile fabrics or products composed thereof may be stated on the label in such segregated form as will show the fiber content of the face or pile and of the back or base, with percentages of the respective fibers as they exist in the face or pile and in the back or base: *Provided*, That in such disclosure the respective percentages of the face and back be given in such manner as will show the ratio between the face and the back. Examples of the form of marking pile fabric as to fiber content provided for in this section are as follows:

100% Nylon Pile

100% Cotton Back

(Back constitutes 60% of fabric and pile 40%).

Face—60% Rayon, 40% Nylon

Back—70% Cotton, 30% Rayon

(Face constitutes 60% of fabric and back 40%).

§ 303.25 Sectional disclosure of content.

(a) *Permissive.* Where a textile fiber product is composed of two or more sections which are of different fiber composition, the required information as to fiber content may be separated in the same label in such manner as to show the fiber composition of each section.

(b) *Mandatory.* The disclosure as above provided shall be made in all instances where such form of marking is necessary to avoid deception.

§ 303.26 Ornamentation.

(a) (1) Where the textile fiber product contains fiber ornamentation not exceeding five percentum of the total fiber weight of the product and the stated percentages of the fiber content are exclusive of such ornamentation, the label or any invoice used in lieu thereof shall contain a phrase or statement showing such fact; as for example:

60% Cotton

40% Rayon

Exclusive of Ornamentation.

or

All Cotton

Exclusive of Ornamentation.

(2) The fiber content of such ornamentation may be disclosed where the percentage of the ornamentation in relation to the total fiber weight of the principal fiber or blend of fibers is shown; as for example:

70% Nylon

30% Acetate

Exclusive of 4% Metallic Ornamentation.

or

100% Rayon

Exclusive of 3% Silk Ornamentation.

(b) Where the fiber ornamentation exceeds five percentum, it shall be included in the statement of required percentages of fiber content.

(c) Where the ornamentation constitutes a distinct section of the product, sectional disclosure may be made in accordance with § 303.25.

§ 303.27 Use of the term "All" or "100%."

Where a textile fiber product or part thereof is comprised wholly of one fiber, other than any fiber ornamentation, decoration, elastic, or trimming as to which fiber content disclosure is not required, either the word "All" or the term "100%" may be used in labeling, together with the correct generic name of the fiber and any qualifying phrase, when required; as for example: "100% Cotton," "All Rayon, Exclusive of Ornamentation," "100% Acetate, Exclusive of Decoration," "All Nylon, Exclusive of Elastic," etc.

§ 303.28 Products contained in packages.

Where it is the common or accepted practice of the distributor of textile fiber products contained in packages to break the package and sell or deliver individual products therefrom, each individual product or unit contained therein shall be labeled with the required information by the person initially packaging the products.

§ 303.29 Labeling of pairs or products containing two or more units.

(a) Where a textile fiber product consists of two or more parts, units, or items of different fiber content, a separate label containing the required information shall be affixed to each of such parts, units, or items showing the required information as to such part, unit, or item, irrespective of whether such parts, units, or items are marketed and handled together and in combination with each other.

(b) Where garments, wearing apparel, or other textile fiber products are marketed or handled in pairs or ensembles of the same fiber content, only one unit of the pair or ensemble need be labeled with the required information when sold and delivered to the ultimate consumer.

§ 303.30 Textile fiber product in form for consumer.

A textile fiber product shall be considered to be in the form intended for sale or delivery to, or for use by, the ultimate consumer when the manufacturing or processing of the textile fiber product is substantially complete. The fact that minor or insignificant details of the manufacturing or processing have not been completed shall not excuse the labeling of such products as to the required information. For example, a garment must be labeled even though such matters as the finishing of a hem or cuff or the affixing of buttons thereto remain to be completed.

§ 303.31 Invoice in lieu of label.

Where a textile fiber product is not in the form intended for sale, delivery to, or for use by the ultimate consumer, an invoice or other paper may be used in lieu of a label, and such invoice or other paper shall show, in addition to the name and address of the person issuing the invoice or other paper, the fiber content of such product as provided in the Act and regulations as well as any other required information.

§ 303.32 Products containing reused stuffing.

Any upholstered product, mattress, or cushion which contains stuffing which has been previously used as stuffing in any other upholstered product, mattress, or cushion shall have securely attached thereto a substantial tag or label, at least 2 inches by 3 inches in size, and statements thereon conspicuously stamped or printed in the English language and in plain type not less than ⅛ inch high, indicating that the stuffing therein is composed in whole or in part of "reused stuffing," "secondhand stuffing," "previously used stuffing," or "used stuffing."

§ 303.33 Country where imported textile fiber products are processed or manufactured.

(a) In addition to the other information required by the Act and regulations, each imported textile fiber product shall be labeled with the name of the country where such imported product was processed or manufactured.

(b) The term "country" means the political entity known as a nation. Colonies, possessions, or protectorates outside the boundaries of the mother country shall be considered separate countries, and the name thereof shall be deemed acceptable in designating the country where the textile fiber product was processed or manufactured unless the Commission shall otherwise direct.

(c) The country where the imported textile fiber product was principally made shall be considered to be the country where such textile fiber product was processed or manufactured. Further work or material added to the textile fiber product in another country must effect a basic change in form in order to render such other country the place where such textile fiber product was processed or manufactured.

(d) The English name of the country where the imported textile fiber product was processed or manufactured shall be used. The adjectival form of the name of the country will be accepted as the name of the country where the textile fiber product was processed or manufactured, provided the adjectival form of the name does not appear with such other words so as to refer to a kind or species of product. Variant spellings which clearly indicate the English name of the country, such as Brasil for Brazil and Italie for Italy, are acceptable. Abbreviations which unmistakably indicate the name of a country, such at "Gt. Britain" for "Great Britain," are acceptable.

(e) Nothing in this rule shall be construed as limiting in any way the information required to be disclosed on labels under the provisions of any Tariff Act of the United States or regulations prescribed by the Secretary of the Treasury.

§ 303.34 Change in form of imported textile fiber products.

(a) Where the form of an imported textile fiber product is not basically changed, the country where such product was originally manufactured or processed shall be set out in the required information. As for example, a fabric imported into the United States in the greige but finished and dyed in this country must show the country where the fabric was manufactured or processed.

(b) Where a textile fiber product is made in the United States from imported textile fiber products the country where such imported textile fiber products were manufactured or processed need not be disclosed. As for example, the labeling of a shirt manufactured in this country out of an imported fabric need not disclose the country where the fabric was manufactured or processed.

§ 303.35 Use of terms "virgin" or "new."

The terms "virgin" or "new" as descriptive of a textile fiber product, or any fiber or part thereof, shall not be used when the product or part so described is not composed wholly of new or virgin fiber which has never been reclaimed from any spun, woven, knitted, felted, bonded, or similarly manufactured product.

§ 303.36 Form of separate guaranty.

(a) The following are suggested forms of separate guaranties under section 10 of the Act which may be used by a guarantor residing in the United States on or as part of an invoice or other paper relating to the marketing or handling of any textile fiber products listed and designated therein, and showing the date of such invoice or other paper and the signature and address of the guarantor.

(1) *General form.* We guarantee that the textile fiber products specified herein are not misbranded nor falsely nor deceptively advertised or invoiced under the provisions of the Textile Fiber Products Identification Act and rules and regulations thereunder.

(2) *Guaranty based on guaranty.* Based upon a guaranty received, we guarantee that the textile fiber products specified herein are not misbranded nor falsely nor deceptively advertised or invoiced under the provisions of the Textile Fiber Products Identification Act and rules and regulations thereunder.

NOTE: The printed name and address on the invoice or other paper will suffice to meet the signature and address requirements.

(b) The mere disclosure of required information including the fiber content of a textile fiber product on a label or on an invoice or other paper relating to its marketing or handling shall not be considered a form of separate guaranty.

§ 303.37 Form of continuing guaranty from seller to buyer.

Under section 10 of the Act, a seller residing in the United States may give a buyer a continuing guaranty to be applicable to all textile fiber products sold or to be sold. The following is the prescribed form of continuing guaranty from seller to buyer:

We, the undersigned, guarantee that all textile fiber products now being sold or which may hereafter be sold or delivered to _____ are not, and will not be misbranded nor falsely nor deceptively advertised or invoiced under the provisions of the Textile Fiber Products Identification Act and rules and regulations thereunder. This guaranty effective until _____.

Dated, signed, and executed this _____ day of _____, 19__, at _____, (City)

_____ (State or territory)

[Impression of corporate seal, if corporation.]

_____ Name under which business is conducted.

_____ Signature of proprietor, partner, or authorized official.)

EXECUTION

State of _____ } ss
County of _____ }

On this _____ day of _____, 19__, before me personally appeared the said _____ _____ proprietor, partner (strike non-applicable words) _____

_____ (If corporation, give title of authorized official)

of _____, to me personally (Name of company) known, and acknowledged the execution of the foregoing instrument on behalf of the firm, for the uses and purposes therein stated.

[Impression of Notary seal required here.]

_____ Notary Public in and for County of _____ State of _____ My commission expires _____

§ 303.38 Continuing guaranty filed with Federal Trade Commission.

(a) (1) Under section 10 of the Act any person residing in the United States and marketing or handling textile fiber products may file a continuing guaranty with the Federal Trade Commission. When filed with the Commission a continuing guaranty shall be fully executed in duplicate and execution of each copy shall be acknowledged before a notary public. Forms for use in preparing continuing guaranties will be supplied by the Commission upon request.

(2) Continuing guaranties filed with the Commission shall continue in effect until revoked. The guarantor shall promptly report any change in business status to the Commission.

(b) Prescribed form of continuing guaranty:

CONTINUING GUARANTY

The undersigned, _____, (Full name of guarantor) a _____, (Corporation, partnership, or proprietorship) residing in the United States, and having principal office and place of business at _____, _____, (Street and number) (City)

_____ (State or Territory)

and engaged in manufacturing, marketing or handling textile fiber products, hereby guarantees that every such textile fiber product contained in each shipment, or other delivery, made by the guarantor will not be misbranded or falsely or deceptively invoiced or advertised within the meaning of the Textile Fiber Products Identification Act and the rules and regulations thereunder.

Dated, signed, and executed this _____ day of _____, 19__, at _____, (City)

_____ (State or Territory)

[Impression of corporate seal, if corporation.]

_____ (Name under which business is conducted)

_____ (Signature of proprietor, partner, or authorized official of corporation.)

EXECUTION

State of _____ } ss
County of _____ }

On this _____ day of _____, 19__, before me personally appeared the said _____ _____ proprietor, partner (strike non-applicable words) _____

_____ (If corporation, give title of authorized official)

of _____, to me personally known, and acknowledged the execution of the foregoing instrument on behalf of the firm, for the uses and purposes therein stated.

[Impression of Notary seal required here.]

_____ Notary Public in and for County of _____ State of _____ My commission expires _____

(c) Any person who has a continuing guaranty on file with the Commission may, during the effective dates of the guaranty, give notice of such fact by setting forth on the invoice or other paper covering the marketing or handling of the product guaranteed the following:

Continuing guaranty under the Textile Fiber Products Identification Act filed with the Federal Trade Commission.

(d) Any person who falsely represents in writing that he has a continuing guaranty on file with the Federal Trade Commission when such is not a fact shall be deemed to have furnished a false guaranty under section 10(b) of the Act.

§ 303.39 Maintenance of records.

(a) Pursuant to the provisions of section 6 of the Act, every manufacturer of a textile fiber product subject to the Act, irrespective of whether any guaranty has been given or received, shall maintain written records showing the fiber content as required by the Act of all such textile fiber products made by such manufacturer.

The records so maintained shall show:

(1) The percentage of each fiber placed in each style, lot, or description, as applicable to the textile fiber products of such manufacturer in the form of a fiber, yarn, fabric, or other form; and

(2) Such numbers, information, marks, or descriptions as will identify the said records with the respective textile fiber products to which they relate.

Manufacturers shall also keep and maintain as records under the Act all purchase and sales invoices, purchase and sales contracts, labels, manufacturing contracts, orders, or duplicate copies thereof; and factory records, business correspondence, and other pertinent documents and data applicable to the purchase, receipt, use, and disposition of all raw stocks, fiber, yarn, fabric, or

other manufactured materials obtained by the manufacturer.

(b) Any person substituting a stamp, tag, label, or other identification pursuant to section 5(b) of the Act shall keep such records as will show the information set forth on the stamp, tag, label, or other identification that he removed and the name or names of the person or persons from whom such textile fiber product was received.

(c) The records required to be maintained pursuant to the provisions of this rule shall be preserved for at least three years.

§ 303.40 Use of terms in written advertisements which imply presence of a fiber.

The use of terms in written advertisements which are descriptive of a method of manufacture, construction, or weave, and which by custom and usage are also indicative of a textile fiber or fibers, or the use of terms in such advertisements which constitute or connote the name or presence of a fiber or fibers, shall be deemed to be an implication of fiber content under section 4(c) of the Act, except that the provisions of this section shall not be applicable to non-deceptive shelf or display signs in retail stores indicating the location of textile fiber products and not intended as advertisements.

§ 303.41 Use of fiber trademarks and generic names in advertising.

(a) In advertising textile fiber products, the use of a fiber trademark shall require a full disclosure of the fiber content information required by the Act and regulations in at least one instance in the advertisement.

(b) Where a fiber trademark is used in advertising textile fiber products containing more than one fiber, other than permissible ornamentation, such fiber trademark and the generic name of the fiber must appear in the required fiber content information in immediate proximity and conjunction with each other in plainly legible type or lettering of equal size and conspicuousness.

(c) Where a fiber trademark is used in advertising textile fiber products containing only one fiber, other than permissive ornamentation, such fiber trademark and the generic name of the fiber must appear in immediate proximity and conjunction with each other in plainly legible and conspicuous type or lettering at least once in the advertisement.

(d) Where a fiber trademark or generic name is used in non-required information in advertising, such fiber trademark or generic name shall not be used in such a manner as to be false, deceptive, or misleading as to fiber content, or to indicate, directly or indirectly, that a textile fiber product is composed wholly or in part of a particular fiber, when such is not the case.

§ 303.42 Arrangement of information in advertising textile fiber products.

(a) Where a textile fiber product is advertised in such manner as to require disclosure of the information required by the Act and regulations, all parts of the required information shall be stated in immediate conjunction with each other in legible and conspicuous type or lettering of equal size and prominence. In making the required disclosure of the fiber content of the product, the generic names of the fibers present in amounts of more than five percentum of the total fiber weight of the product shall appear in order of predominance by weight, to be followed by the designation "other fiber" or "other fibers" if a fiber or fibers be present in amounts of five percentum or less.

(b) Non-required information or representations shall in no way be false, deceptive, or misleading as to fiber content and shall not include any names, terms, or representations prohibited by the Act and regulations. Such non-required information or representations shall not be set forth or so used as to interfere with, minimize, or detract from the required information.

(c) Non-deceptive terms which are properly and truthfully descriptive of a fiber may be used in conjunction with the generic name of such fiber; as for example: "cross-linked rayon," "solution dyed acetate," "combed cotton," "nylon 66," etc.

§ 303.43 Fiber content tolerances.

(a) A textile fiber product which contains more than one fiber shall not be deemed to be misbranded as to fiber content percentages if the percentages by weight of any fibers present in the total fiber content of the product, exclusive of permissive ornamentation, do not deviate or vary from the percentages stated on the label in excess of 3 percent of the total fiber weight of the product. For example, where the label indicates that a particular fiber is present in the amount of 40 percent, the amount of such fiber present may vary from a minimum of 37 percent of the total fiber weight of such product to a maximum of 43 percent of the total fiber weight of such product.

(b) Where the percentage of any fiber or fibers contained in a textile fiber product deviates or varies from the percentage stated on the label by more than the tolerance or variation provided in paragraph (a) of this section, such product shall be misbranded unless the person charged proves that the entire deviation or variation from the fiber content percentages stated on the label resulted from unavoidable variations in manufacture and despite the exercise of due care.

(c) Where representations are made to the effect that a textile fiber product is composed wholly of one fiber, the tolerance provided in section 4(b)(2) of the Act and paragraph (a) of this section shall not apply, except as to permissive ornamentation where the textile fiber product is represented to be composed of one fiber "exclusive of ornamentation."

§ 303.44 Products not intended for uses subject to the act.

Textile fiber products intended for uses not within the scope of the Act and regulations or intended for uses in other textile fiber products which are exempted or excluded from the Act shall not be subject to the labeling and invoicing requirements of the Act and regulations: *Provided*, An invoice or other paper covering the marketing or handling of such products is given, which indicates that the products are not intended for uses subject to the Textile Fiber Products Identification Act.

§ 303.45 Exclusions from the act.

(a) Pursuant to section 12(b) of the Act, the Commission hereby excludes from the operation of the Act:

(1) All textile fiber products except:
(i) Articles of wearing apparel;
(ii) Handkerchiefs;
(iii) Scarfs;
(iv) Beddings;
(v) Curtains and casements;
(vi) Draperies;
(vii) Tablecloths, napkins, and doilies;
(viii) Floor coverings;
(ix) Towels;
(x) Wash cloths and dish cloths;
(xi) Ironing board covers and pads;
(xii) Umbrellas and parasols;
(xiii) Batts;
(xiv) Products subject to section 4(h) of the Act;
(xv) Flags;
(xvi) Cushions;
(xvii) All fibers, yarns and fabrics (including narrow fabrics except packaging ribbons);
(xviii) Furniture slip covers and other covers or coverlets for furniture;
(xix) Afghans and throws;
(xx) Sleeping bags;
(xxi) Antimacassars and tidies;
(xxii) Hammocks;
(xxiii) Dresser and other furniture scarfs.

(2) Belts, suspenders, arm bands, permanently knotted neckties, garters, sanitary belts, diaper liners, labels (either required or non-required) individually and in rolls, looper clips intended for handicraft purposes, book cloth, artists' canvases, tapestry cloth, and shoe laces.

(3) All textile fiber products manufactured by the operators of company stores and offered for sale and sold exclusively to their own employees as ultimate consumers.

(4) Coated fabrics and those portions of textile fiber products made of coated fabrics.

(5) Secondhand household textile articles which are discernibly secondhand or which are marked to indicate their secondhand character.

(6) Non-woven products of a disposable nature intended for one-time use only.

(b) The exclusions provided for in paragraph (a) of this section shall not be applicable if any representations as to fiber content of such articles are made, except as to those products excluded by paragraph (a)(6) of this section.

(c) The exclusions from the Act provided in paragraph (a) of this section are in addition to the exemptions from the Act provided in section 12(a) of the Act and shall not affect or limit such exemptions.

Issued: May 20, 1959.

By direction of the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 59-4346; Filed, June 1, 1959; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 1861]

[Anchorage 042044]

ALASKA

Withdrawing Lands for Use of the National Park Service as an Administrative Site for the Katmai National Monument; Partly Revoking Air Navigation Site No. 169 of October 15, 1941, and Public Land Order No. 309 of January 5, 1946

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws and the disposal of materials under the act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601–604) as amended, and reserved for use by the National Park Service, Department of the Interior, as an administrative site in connection with the administration of the Katmai National Monument:

KING SALMON AREA

PARCEL 1

From USC and GS monument B6, being on the center line of NS Runway Station 0+36.5 go S. 3°25′ E., 1,147.05 feet to a point which is identical with the NE corner of the reserve created for the U.S. Fish and Wildlife Service by Public Land Order No. 309 of January 5, 1946; thence S. 27°00′ W., on the easterly boundary of said reserve 400 feet to the point of beginning, thence

S. 62°59′ E., 450 feet;
S. 27°01′ W., 450 feet;
N. 62°59′ W., 450 feet to the easterly line of said withdrawal;
N. 27°01′ E., on said easterly line 450 feet to the point of beginning, provided there shall be reserved therefrom an easement 20 feet in width for an existing road along the westerly boundary of the said described land.

The tract described contains 4.65 acres.

PARCEL 2

From USC and GS monument B6, being on the center line of NS Runway Station 0+36.5, go S. 3°25′ E., 1,147.05 feet to a point which is identical with the NE corner of the reserve created for the U.S. Fish and Wildlife Service by Public Land Order No. 309 of January 5, 1946; thence S. 27°00′ W., on the easterly boundary of said reserve 400 feet to the point of beginning, thence

S. 27°01′ W., 1,191.24 feet to right bank of Naknek River;
N. 58°53′ W., 250.80 feet along the right bank of Naknek River;
N. 27°01′ E., 1,173.30 feet;
S. 63°00′ E., 250.00 feet to the point of beginning.

The tract described contains 6.78 acres.

Public Land Order No. 309 of January 5, 1946, reserving lands for use of the Fish and Wildlife Service as a dock site, and Air Navigation Site Withdrawal No. 169 of October 15, 1941, are hereby revoked so far as they affect the above described lands.

ROGER ERNST,
Assistant Secretary of the Interior.

MAY 26, 1959.

[F.R. Doc. 59–4558; Filed, June 1, 1959; 8:46 a.m.]

[Public Land Order 1862]

[Fairbanks 014030]

ALASKA

Withdrawing Public Lands for Use of the Department of the Air Force for Military Purposes; North River Air Force Station

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public land in Alaska is hereby withdrawn from all forms of appropriation under the public land laws, including the mining and the mineral-leasing laws but not the disposal of materials under the act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601–604) as amended, and reserved for use of the Department of the Air Force for military purposes:

UNALAKLEET AREA

Beginning at a point at approximate latitude 63°53′ N., longitude 160°31′ W., which bears W. 250 feet from local Station Alice, thence

North, 300 feet;
East, 600 feet;
South, 600 feet;
West, 600 feet;
North, 300 feet to the point of beginning.

The tract described contains 8.262 acres.

ROGER ERNST,
Assistant Secretary of the Interior.

MAY 26, 1959.

[F.R. Doc. 59–4559; Filed, June 1, 1959; 8:46 a.m.]

[Public Land Order 1863]

[Anchorage 017473]

ALASKA

Correcting Public Land Order No. 1762 of December 2, 1958

The reference to section 7 in that portion of paragraph 3(a) of Public Land Order No. 1762 of December 2, 1958 (27 F.R. 9485–86), reading "North, 1,320 feet to a point in the north boundary of Lot 4, Section 7" is corrected to read "Section 6."

ROGER ERNST,
Assistant Secretary of the Interior.

MAY 26, 1959.

[F.R. Doc. 59–4560; Filed, June 1, 1959; 8:47 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign Commerce, Department of Commerce

[9th Gen. Rev. of Export Regs. Amdt. 18]

PART 382—DENIAL OF EXPORT PRIVILEGES

Table of Denial and Probation Orders

Section 382.51 *Supplement 1; Table of denial and probation orders currently in effect*, paragraph (b) *Table of denial and probation orders* is amended by deleting the following entry:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	FEDERAL REGISTER citation
Comptoir Commercial Andre et Cie. S.A., 4 bis rue du Bouloi, Paris 1, France. Branches at: Bordeaux, Marseille, and Strasbourg, France; Casablanca, Morocco.	10-8-58	Indefinite...	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to CEEI, which see.)	23 F.R. 7931, 10-14-58.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023. E.O. 9630, 10 F.R. 12245, 3 CFR, 1945 Supp., E.O. 9919, 13 F.R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director,
Bureau of Foreign Commerce.

[F.R. Doc. 59–4571; Filed, June 1, 1959; 8:48 a.m.]

SUBCHAPTER B—EXPORT REGULATIONS

[9th Gen. Rev. of Export Regs. Amdt. P. L. 12[1]]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

Miscellaneous Amendments

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

[1] This amendment was published in Current Export Bulletin 816, dated May 21, 1959.