the Attorney General (published elsewhere in this issue of the FEDERAL REGISTER) has deleted the restrictions on travel by lawful permanent residents set forth in 22 CFR 46.3 (k) and (l).

In accordance with the objectives of the President, and in conformity with the joint order of the Department of State and Department of Justice deleting 22 CFR 46.3(k) and (l), the Service will amend 8 CFR 211.1(b), and 8 CFR 223a.3 and 223a.5(b)(2) to remove the travel restrictions therein applicable to aliens lawfully admitted for permanent residence and to aliens who are applicants for or holders of Refugee Travel Documents issued under 8 CFR Part 223a.

In the light of the foregoing, the following amendments are hereby prescribed to Parts 211 and 223a of Title 8 of Chapter I of the Code of Federal Regulations:

In Part 211, §§ 211.1(b) (1), (2), and (3), are revised to read as follows:

§ 211.1 Visas.

* * * * *

(b) *Aliens returning to an unrelinquished lawful permanent residence*—(1) *Form I-151 or I-551 Alien Registration Receipt Card*. An immigrant alien returning to an unrelinquished lawful permanent residence in the United States after a temporary absence abroad not exceeding one year may present an Alien Registration Receipt Card (Form I-151 or I-551) duly issued to him in lieu of an immigrant visa. An alien regularly serving as a crewman in any capacity required for normal operation and services aboard an aircraft or vessel of American registry who is returning to an unrelinquished lawful permanent residence in the United States after a temporary absence abroad not exceeding one year may present an Alien Registration Receipt Card (Form I-151 or I-551) duly issued to him in lieu of an immigrant visa. A spouse or a child of a member of the Armed Forces of the United States or of a civilian employee of the United States Government stationed foreign pursuant to official orders may present an Alien Registration Receipt Card (Form I-151 or I-551) when returning to an unrelinquished lawful permanent residence in the United States after a temporary absence abroad: *Provided*, Such spouse or child resided abroad while such member of the Armed Forces or such civilian employee was on overseas duty and is preceding or accompanying the member or employee or is following to join the member or employee within four months of the member's or employee's return to the United States.

(2) *Reentry permit*. An immigrant alien returning to an unrelinquished lawful permanent residence in the United States after a temporary absence abroad may present a valid unexpired reentry permit duly issued to him in lieu of a immigrant visa. A refugee travel document issued to a lawful permanent resident pursuant to Part 223a of this chapter shall be regarded as a reentry permit.

(3) *Waiver of visas*. An immigrant alien returning to an unrelinquished lawful permanent residence in the United States after a temporary absence abroad who satisfies the district director in charge of the port of entry that there is good cause for his failure to present an immigrant visa, Form I-151 or I-551, or reentry permit may, upon application on Form I-193, be granted a waiver of that requirement. If the returning resident alien is not presenting Form I-151 or I-551 because he has lost it, a Form I-90 (application for a replacement Form I-151) in duplicate may be filed with the district director having jurisdiction over the port of entry who may in his discretion grant or deny without appeal a waiver of the required immigrant visa, reentry permit or Form I-151 or I-551, by an immigrant alien who is returning to an unrelinquished lawful permanent residence in the United States after a temporary absence abroad not exceeding one year; filing the I-90 will serve not only as an application for replacement but also as an application for waiver of passport and visa without the necessity of a separate filing of Form I-193. An alien who is granted a waiver under this part upon presentation of Form I-90 shall, after admission into the United States, comply with the requirements of § 264.1(c) of this chapter.

* * * * *

In Part 223, § 223a.3 is revised by deleting the fourth sentence thereof, and as revised § 223a.3 reads as follows:

§ 223a.3 Eligibility.

Any alien physically present in the United States may apply for a refugee travel document if he believes he is a refugee. A refugee travel document shall be issued to a refugee whose presence in the United States is lawful unless compelling reasons of national security or public order otherwise require; lawful presence, as used herein, does not include brief presence as a transit or crewman, or any other presence so brief as not to signify residence even of a temporary nature. A refugee travel document may be issued, in the exercise of discretion, to any other refugee unless reasons of national security or public order otherwise require; sympathetic consideration shall be given to such an application unless the Service intends to expel or exclude the alien from the United States. An alien who is a lawful permanent resident and who is in possession of a reentry permit issued pursuant to section 223 of the Act and Part 223 of this chapter may be issued a refugee travel document only if he surrenders the reentry permit to the Service.

Section 223a.5(b) is revised by revoking paragraph (b)(2) *Area restrictions* in its entirety, and by redesignating existing paragraphs (b) (3) and (4) as (b) (2) and (3) respectively. As revised, § 223a.5(b) reads as follows:

§ 223a.5 Validity of refugee travel document.

* * * * *

(b) *Invalidity*—(1) *False application*. A refugee travel document shall be invalid if the alien obtained it by making a material false representation or concealment in his application.

(2) *Exclusion or deportation proceedings*. A refugee travel document shall be invalid if the alien is ordered excluded or deported.

(3) *Aliens who are no longer refugees*. A refugee travel document shall be invalid if the United Nations Convention of July 28, 1951, shall cease to apply or shall not apply to the alien as provided in Article 1 C, D, E, or F of the Convention.

* * * * *

(Secs. 103, 215, 223, Immigration and Nationality Act (8 U.S.C. 1103, 1185, 1203); Proc. No. 3004 of January 17, 1953).

The above amendments are issued pursuant to section 552 of Title 5 of the United States Code (80 Stat. 383), as amended by Pub. L. 93-502 (88 Stat. 1561) and the authority contained in section 103 of the Immigration and Nationality Act (8 U.S.C. 1103), 28 CFR 0.105 (b) and 8 CFR 2.1. Compliance with section 553 of Title 5 of the United States Code as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the amendments contained in this order relieve restrictions on the persons affected thereby.

Effective date: The amendments prescribed in this order become effective on April 14, 1977.

Dated: April 11, 1977.

L. F. CHAPMAN, Jr.,
Commissioner of Immigration and Naturalization.

[FR Doc.77-11000 Filed 4-13-77;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION

PART 101—MOORED BALLOONS, KITES, UNMANNED ROCKETS AND UNMANNED FREE BALLOONS

Equipment and Marking Requirements

CFR Correction

In 14 CFR 101.35(d) appearing on page 181 of 14 CFR Parts 60-199 (revised as of January 1, 1977), the second line of paragraph (d) should read "sunrise and sunset an unmanned free".

Title 22—Foreign Relations

CHAPTER I—DEPARTMENT OF STATE

[Departmental Regulation No. 108.737]

PART 46—CONTROL OF ALIENS DEPARTING FROM THE UNITED STATES

Removal of Travel Restrictions

AGENCY: Department of State.

ACTION: Final rule.

SUMMARY: This rule deletes the restrictions on travel by permanent resident aliens and brings our policy on travel by resident aliens into conformity with our recently announced policy toward citizens.

EFFECTIVE DATE: April 14, 1977.

FOR FURTHER INFORMATION CONTACT:

Guida Evans-Magher, 202-632-1933.

SUPPLEMENTARY INFORMATION: In accordance with the President's announced policy of promoting freedom of travel by United States citizens, paragraphs (k) and (l) in 22 CFR Part 46 are deleted to eliminate the provisions under which travel of lawfully admitted permanent resident aliens to certain Communist countries is restricted.

§ 46.3 [Amended]

In § 46.3, paragraphs (k) and (l) are deleted in their entirety.

(Sec. 215, Immigration and Nationality Act, 66 Stat. 190, 8 U.S.C. 1185; Proc. No. 3004 of January 17, 1953.)

Dated: April 1, 1977.

WARREN CHRISTOPHER,
Acting Secretary of State.

Concurred in: April 8, 1977.

GRIFFIN B. BELL,
Attorney General.

[FR Doc.77-11020 Filed 4-13-77;8:45 am]

Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

SUBCHAPTER A—INCOME TAX

[T.D. 7477]

PART 7—TEMPORARY INCOME TAX REGULATIONS UNDER THE TAX REFORM ACT OF 1976

Expenditures To Remove Architectural and Transportation Barriers to Handicapped and Elderly

Correction

In FR Doc. 77-9995, appearing at page 17870 in the issue for Monday, April 4, 1977:

1. The last line of the "Effective Dates" paragraph on page 17870, first column, should read, "must be delivered or mailed by May 16, 1977."

2. The telephone number in the paragraph headed, "For Further Information Contact:" should read, "202-566-3346".

[T.D. 7480]

PART 7—TEMPORARY INCOME TAX REGULATIONS UNDER THE TAX REFORM ACT OF 1976

Investment Credit for Movie and Television Films Placed in Service in a Taxable Year Beginning Before January 1, 1975, Which Are Subject to the Forty-Percent Election

AGENCY: Internal Revenue Service, Treasury.

ACTION: Temporary regulations.

SUMMARY: This document contains an amendment to temporary regulations providing rules for taxpayers to use in electing the forty-percent method of determining investment credit for movie and television films placed in service in a taxable year beginning before January 1, 1975. This election is provided for under section 804(c)(2) of the Tax Reform Act of 1976. These regulations affect certain taxpayers desiring to make the forty-percent election and provide them with the guidance needed to make the election.

DATE: Taxpayer action to make the election must be made by April 25, 1977.

FOR FURTHER INFORMATION CONTACT:

Lawrence M. Axelrod of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, D.C. 20224 (Attention: CC:LR:T) (202-566-4454).

SUPPLEMENTARY INFORMATION: This Treasury decision amends temporary regulations under section 804(c)(2) of the Tax Reform Act of 1976 that were published in the FEDERAL REGISTER for Thursday, March 31, 1977 (42 FR 17122). Those regulations provide that certain action must be made by April 4, 1977, by taxpayers that wish to make the election provided by section 804(c)(2) for a tax investment credit for certain movie and television films. This Treasury decision amends the regulations to provide that taxpayers are given to April 25, 1977, to take the necessary action.

DRAFTING INFORMATION: The principal author of this regulation was Robert A. Bley of the Legislation and Regulations Division of the Office of Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing the regulation, both on matters of substance and style.

ADOPTION OF AMENDMENT TO THE REGULATIONS

Accordingly, paragraphs (b)(1) and (b)(5) of § 7.48-2 (26 CFR Part 7), as published in the FEDERAL REGISTER for Thursday, March 31, 1977 (42 FR 17122) are amended by striking out "April 4, 1977" and inserting in lieu thereof "April 25, 1977".

There is a need for immediate guidance with respect to the provisions contained in this Treasury decision. For this reason, it is found impracticable to issue it with notice and public procedure under subsection (b) of section 553 of Title 5 of the United States Code or subject to the effective date limitation of subsection (d) of that section.

(Sec. 7805, Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805), sec. 804(c)(2)(C) and (D), Tax Reform Act of 1976 (90 Stat. 1595).)

WILLIAM E. WILLIAMS,
Acting Commissioner of Internal Revenue.

Approved: April 6, 1977.

LAURENCE N. WOODWORTH,
Assistant Secretary of the Treasury.

[FR Doc.77-11032 Filed 4-12-77;12:18 pm]

SUBCHAPTER F—PROCEDURE AND ADMINISTRATION

[T.D. 7475]

PART 404—TEMPORARY REGULATIONS ON PROCEDURE AND ADMINISTRATION UNDER THE TAX REFORM ACT OF 1976

Certain Requirements for Income Tax Return Preparers

Correction

In FR Doc. 77-9993, appearing at page 17452 in the issue for Friday, April 1, 1977, the following changes should be made to page 17453:

1. The second word in the fifth line of § 404.6694-1(a) should read, "preparer".

2. The second line of Question 1 in § 404.6694-1(a) should read, "under section 6694(a) of the Code?".

3. The third line of Answer 1 in § 404.6694-1(a) should read, "preparer who has disregarded the rules and".

4. The second to last line of Question 2 in § 404.6694-1(b) should read, "client-taxpayer in order to avoid the penalty under section 6694(b)?".

Title 31—Money and Finance

CHAPTER I—MONETARY OFFICES, DEPARTMENT OF THE TREASURY

PART 51—FISCAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

Interim Regulations

Correction

In FR Doc. 77-10158, appearing at page 18362 of the issue for Wednesday, April 6, 1977, the following changes should be made:

1. On page 18363, the letter in parentheses at the end of the fifth from last line of the first full paragraph should read, "(d)".

2. On page 18364, the letter in parentheses at the end of the third line of the first full paragraph should read, "(d)".

3. On page 18365, the fifteenth line of § 51.50 should be removed and a new line inserted between the sixteenth and seventeenth lines, reading, "the Rehabilitation Act of 1973 or any".

4. On page 18368, first column, the second word in the seventh line of § 51.88(a) should read "execute".

5. On page 18372, the second line of the table of sections for Subpart G should read, "51.201 Liberal construction".

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. C-2874]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Bryson Implement Company, Inc., et al.

AGENCY: Federal Trade Commission.

ACTION: Order to cease and desist.

SUMMARY: Consent order requiring a Sampson, Ala., marketer of farming equipment, among other things, to cease violating the Truth-in Lending Act by failing to disclose to consumers, in connection with the extension of consumer credit, such information as required by Regulation Z of the said Act.

DATES: Complaint and order issued March 22, 1977.[1]

FOR FURTHER INFORMATION CONTACT:

S. Edward Combs, Regional Director, Atlanta Regional Office, 1718 Peachtree St., NW., Rm 1000, Atlanta, Ga. 30309 404-881-4836.

SUPPLEMENTARY INFORMATION: On Friday, January 14, 1977, there was published in the FEDERAL REGISTER (42 FR 3027) a proposed consent agreement with analysis in the Matter of Bryson Implement Company, Inc., a corporation, and Herbert M. Bryson, Jr., individually and as an officer of said corporation, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions, or objections regarding the proposed form of order.

No comments have been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered its order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows:

Supart—Advertising Fasely or Misleadingly: § 13.73 Formal regulatory and statutory requirements; 13.73-92 Truth in Lending Act § 13.155 Prices; 13.155-95 Terms and conditions; 13.155-95(a) Truth in Lending Act. Subpart—Misrepresenting Oneself and Goods—Goods: § 13.1623 Formal regulatory and statutory requirements; 13.1623-95 Truth in Lending Act.—Prices: § 13.1823 Terms and conditions; 13.1823-20 Truth in Lending Act. Subpart—Neglecting, Unfairly or Deceptively, to Make Material Disclosure: § 13.1852 Formal regulatory and statutory requirements; 13.1852-75 Truth in Lending Act; § 13.1905 Terms and conditions; 13.1905-60 Truth in Lending Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 82 Stat. 146, 147; 15 U.S.C. 45, 1601, et seq.)

JOHN F. DUGAN,
Acting Secretary.

[FR Doc.77-10990 Filed 4-13-77;8:45 am]

[1] Copies of the Complaint and Decision and Order filed with the original document.

[Docket No. C-2865]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Everseal Waterproofing Corporation, et al.

AGENCY: Federal Trade Commission.

ACTION: Order to cease and desist.

SUMMARY: Consent order requiring a Newton, Mass., seller and distributor of waterproofing products and services, and its subsidiaries, among other things, to cease misrepresenting their guarantees; the nature, efficacy, and performance characteristics of their products; and the size and volume of their business. Further, the order requires respondents to maintain specified records; make prescribed disclosures; and respond to requests for service within seven days. Additionally, respondents must provide a three-day cooling-off period during which customers may cancel transactions and receive prompt refunds; maintain a responsible customer relations department; and institute a surveillance program designed to ensure compliance with the order.

DATES: Complaint and order issued February 4, 1977.[1]

FOR FURTHER INFORMATION CONTACT:

Bruce M. Chadwick, Acting Regional Director, Boston Regional Office, Federal Trade Commission, 150 Causeway Street, Room 1301, Boston, Massachusetts 02114, 617-223-6621.

SUPPLEMENTARY INFORMATION: In the Matter of Everseal Waterproofing Corporation, a corporation, and Everseal Waterproofing of New Hampshire, Inc., a corporation, and Everseal Corporation of Maine, a corporation, and Irving Silverstein, individually, and William A. Epner, individually and as an officer of said corporations. The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows:

Subpart—Advertising falsely or misleadingly: § 13.10 Advertising falsely or misleadingly; § 13.15 Business status, advantages or connections; 13.15-205 Offices in principal cities; 13.15-220 Patent or other rights; 13.15-250 Qualifications and abilities; 13.15-265 Service; 13.15-270 Size and extent; § 13.70 Fictitious or misleading guarantees; § 13.135 Nature of product or service; § 13.145 Patent or other rights; § 13.155 Prices; 13.15-100 Usual as reduced, special, etc.; § 13.160 Promotional sales plans; § 13.170 Qualities or properties of product or service; 13.170-30 Durability or permanence; 13.170-50 Leakproof or leakproofing; 13.170-70 Preventive or protective; 13.170-96 Waterproof, waterproofing, water-repellent; § 13.190 Results; § 13.205 Scientific or other relevant facts. Subpart—Contracting for sale in any form binding on buyer prior to end of specified time period: § 13.527 Contracting for sale in any form binding on buyer prior to end of specified time period. Subpart—Corrective actions and/or requirements: § 13.533 Corrective actions and/or requirements; 13.533-20 Disclosures; 13.533-45 Maintain records; 13.533-50 Maintain means of communication. Subpart—Delaying or withholding corrections, adjustments or Action owed: § 13.675 Delaying or withholding corrections, adjustments or action owed. Subpart—Failing to maintain records: § 13.1051 Failing to maintain records; 13.1051-10 Accurate; 13.1051-20 Adequate. Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 Furnishing means and instrumentalities of misrepresentation or deception. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1553 Services; § 13.1555 Size, extent, or equipment; § 13.1570 Unique status or advantages—Goods: § 13.1647 Guarantees; § 13.1685 Nature; § 13.1710 Qualities or properties; § 13.1730 Results; § 13.1740 Scientific or other relevant facts—Prices: § 13.1825 Usual as reduced or to be increased—Promotional sales plans: § 13.1830 Promotional sales plans. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1863 Limitations of product; § 13.1885 Qualities or properties; § 13.1892 Sales contract, right-to-cancel provision; 13.1892-2 Commencing contractual obligations prior to end of cooling-off period; § 13.1895 Scientific or other relevant facts. Subpart—Offering unfair, improper and deceptive inducements to purchase or deal: § 13.1980 Guarantee, in general; § 13.2063 Scientific or other relevant facts.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; (15 U.S.C. 45).)

[1] Copies of the Complaint and Decision and Order filed with the original document.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

ORDER

It is ordered, That respondents Everseal Waterproofing Corporation, a corporation, Everseal Waterproofing of New Hampshire, Inc., a corporation, and Everseal Corporation of Maine, a corporation, their successors and assigns, and their officers, and Irving Silverstein, individually, and William A. Epner, individually and as an officer of the corporations, (hereinafter referred to as "respondents"), and respondents' agents, representatives and employees, directly or through any corporation, subsidiary, division, franchisee, licensee or other device, in connection with the advertising, offering for sale, sale and distribution of residential and commercial waterproofing products or services, or other products or services, in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that respondents employ an exclusive, patented process.

2. Representing, directly or by implication, that respondents' waterproofing process will seal all types of basement walls, floors, and foundations against water seepage.

3. Using the words "permanently", "completely", "perpetually", "once and for all", or other words or phrases of similar import, to describe respondents' waterproofing products, services or methods or misrepresenting in any manner the nature and effectiveness of such products, services or methods.

4. Failing to disclose in writing on the face of every contract for the pressure pumping process, in bold print, on an easily detachable form which shall be executed by the customer and retained be the seller and orally, prior to the signing of any contract, and in ten point bold face type in all advertisements, promotional materials and similar documents, the following notice:

Everseal provides two kinds of waterproofing services: channeling water away from the basement and pressure pumping a bentonite mixture against walls and footings. The bentonite material used in the pressure pumping process will not prevent leaks in your basement under certain types of soil and water table conditions. If you have not had engineering tests conducted on your property by a qualified engineer, you cannot be sure the process you have contracted for will work on your home.

4a. Failing to disclose in radio and other electronic media advertisements the following notice:

The bentonite material used in the pressure pumping process will not prevent leaks in your basement under certain types of soil and water table conditions. If you have not had engineering tests conducted on your property by a qualified engineer, you cannot be sure this process will work.

5. Representing, directly or by implication, orally, visually or in writing, that any of said products or services are guaranteed unless the nature, extent and duration of the guarantee, the identity of the guarantor, and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed, and unless respondents promptly and scrupulously fulfill all of their obligations and requirements directly or impliedly represented by the terms of the guarantee.

6. Representing, directly or by implication, that an office is maintained by respondents in any city or town other than that in which a fully staffed sales, service and installation office or place of business is, in fact, maintained, occupied and used by respondents; and from misrepresenting in any manner the size or volume of respondents' business.

7. Representing, directly or by implication, that respondents will, by means of their pressure pumping process or in any other manner, waterproof basements without digging, without damage to walks or driveways, or without the necessity of having waterproofing work done inside the basement.

8. Making any claim or representation, orally, visually or in writing, relating to the efficacy, nature and performance characteristics of respondents' waterproofing products or services unless, at the time such claim or representation is made, respondents have a reasonable basis for such claim or representation which shall consist of competent engineering or other similar objective material.

9. Failing to maintain accurate records which may be inspected and copied by Commission staff members upon reasonable notice:

(a) Which consist of documentation to support any and all claims or representations made after the effective date of this order in advertising or sales promotion material relating to the efficacy, nature and performance of any waterproofing process marketed by the respondents.

(b) Which provided the basis upon which respondents relied as of the time those claims or representations were made; and

(c) Which shall be maintained by respondents for a period of three (3) years from the date such advertising or sales promotion material was last disseminated.

10. Using in any manner a sales plan, scheme or device wherein false, misleading or deceptive statements or representations are made, directly or by implication, in order to obtain leads or prospects for the sale of, or to induce purchases of goods or services.

11. Representing, directly or by implication, orally, visually, or in writing that any price for the products or services sold by respondents is a special or reduced price unless respondents can affirmatively show that such price constitutes a significant reduction from the price at which respondents have sold such products and services for a reasonably substantial period of time in the recent regular course of their business.

12. Failing to maintain adequate records (a) which disclose the facts upon which any savings claim, including former pricing claims and comparative value claims is based; and (b) from which the validity of any savings claim, including former pricing claims and similar representations can be determined

13.

(a) Failing to maintain a customer relations department to which purchasers of said products and services may refer complaints, requests for maintenance, or replacement of faulty products or services as promised under the terms of said contract and guarantee; and failing to furnish to each customer at the time of the purchase of said products or services, the current name, address and telephone number of such customer relations representative to which requests for service and/or maintenance may be directed by such customers.

(b) Failing to respond to customers' requests for service within seven (7) days from the date of receipt thereof.

(c) Failing to maintain for a period of three (3) years, records of customers' service and maintenance requests and related documents in connection with the implementation of Paragraph Thirteen (a) and (b) above.

14. Furnishing or otherwise placing in the hands of others the means and instrumentalities by and through which the public may be misled or deceived in the manner, or by the acts and practices prohibited by this order.

15. Failing to maintain and produce for inspection and copying, for a period of three (3) years, copies of all advertisements, brochures, sales contracts, salesmen's manuals and sales bulletins, and all other promotional material utilized in the advertising, promotion and sale of such products or services.

16. Contracting for any sale of such products or services in the form of a sales contract or other agreement which shall become binding on the buyer prior to midnight of the third day, excluding Sundays and legal holidays, after the date of execution of the contract or other agreement.

17. Failing to furnish the buyer with a fully completed receipt or copy of any contract pertaining to such sale at the time of its execution which shows the date of the transaction and contains the name and address of the seller, and in immediate proximity to the space reserved in the contract for the signature of the buyer or on the front page of the receipt if a contract is not used and in bold face type of a minimum size of 10

points, a statement in substantially the following form:

"You the buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. See attached notice of cancellation form for an explanation of this right.

18. Failing to furnish each buyer, at the time he signs the sales contract or otherwise agrees to buy consumer goods or services from the seller, a completed form in duplicate, captioned "NOTICE OF CANCELLATION", which shall be attached to the contract or receipt and easily detachable, and which shall contain in ten point bold face type the following information and statements:

NOTICE OF CANCELLATION

(*enter date of transaction*)
(*Date*)

You may cancel this transaction, without any penalty or obligation, within three (3) business days from the above date.

To cancel this transaction, mail or deliver a signed and dated copy of this cancellation notice or any other written notice, or send a telegram, to (*Name of Seller*), at (*Address*) not later than midnight of (*Date*).

I hereby cancel this transaction.

(Date)

(Buyer's signature)

19. Failing to inform each buyer orally, at the time he signs the contract or purchases the goods or services, of his right to cancel.

20. Failing or refusing to honor any valid notice of cancellation by a buyer and within three (3) business days after the receipt of such notice, to (i) refund all payments made under the contract or sale, (ii) cancel and return any negotiable instrument executed by the buyer in connection with the contract or sale.

1. *It is further ordered*, That: (a) Respondents herein deliver, by registered mail, a copy of this Decision and Order to each of its present and future franchisees, licensees, employees, salesmen, agents, solicitors, independent contractors or to any other person who advertises, promotes, offers for sale, sells or distributes such products or services offered by respondents.

(b) Respondents herein provide each person so described in paragraph (a) above with a form returnable to the respondents clearly stating his intention to be bound by and to conform his business practices to the requirements of this order; retain said statement during the period said person is so engaged; and make said statement available to the Commission's staff for inspection and copying upon request.

(c) Respondents herein inform each person so described in paragraph (a) above that the respondents will not use or engage or will terminate the use or engagement of any such party, unless such party agrees to and does file notice with the respondents that he will be bound by the provisions contained in this order.

(d) If such party as described in paragraph (a) above will not agree to so file the notice set forth in paragraph (b) above with the respondents and be bound by the provisions of this order, the respondents shall not use or engage or continue the use or engagement of, such party to promote, offer for sale, sell or distribute such products or services included in this order;

(e) Respondents herein inform the persons described in paragraph (a) above that the respondents are obligated by this order to discontinue dealing with or to termfhate the use or engagement of persons who continue on their own the deceptive acts or practices prohibited by this order;

(f) Respondents herein institute a program of continuing surveillance adequate to reveal whether the business practices of each said person described in paragraph (a) above conform to the requirements of this order;

(g) Respondents herein discontinue dealing with or terminate the use or engagement of any person described in paragraph (a) above, as revealed by the aforesaid program of surveillance, who continues on his own any act or practice prohibited by this order.

2. *It is further ordered*, That the respondent corporations shall forthwith distribute a copy of this order to each of their operating divisions.

3. *It is further ordered*, That respondents notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondents such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporations which may affect compliance obligations arising out of the order.

4. *It is further ordered*, That the individual respondents named herein notify the Commission of the discontinuance of their present business or employment and of their affiliation with a new business or employment. Such notice shall include respondents' current business address and a statement as to the nature of the business or employment in which they are engaged as well as a description of their duties and responsibilities.

5. *It is further ordered*, That in the event that the corporate respondents merge with another corporation or transfer all or a substantial part of their business or assets to any other corporation or to any other person, said respondents shall require such a successor or transferee to file promptly with the Commission a written agreement to be bound by the terms of this order: *Provided*, That if said respondents wish to present to the Commission any reason why said order should not apply in its present form to said successor or transferee, they shall submit to the Commission a written statement setting forth said reasons prior to the consummation of said succession or transfer.

6. *It is further ordered*, That the 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 this order.

JOHN F. DUGAN,
Acting Secretary.

[FR Doc.77-10979 Filed 4-13-77;8:45 am]

[Docket No. C-2867]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

G. & B. Textiles, Inc., et al.

AGENCY: Federal Trade Commission.

ACTION: Order to cease and desist.

SUMMARY: Consent order requiring a New York City importer and distributor of fabrics, among other things, to cease misrepretsenting the fiber content of its wool products and to notify purchasers of these fabrics that government tests have shown them to be misbranded.

DATES: Complaint and Order Issued February 14, 1977.[1]

FOR FURTHER INFORMATION CONTACT:

Richard A. Givens, Regional Director, New York Regional Office, Federal Trade Commission, 2243-EB Federal Building, 26 Federal Plaza, New York, N.Y. 10007 (212) 264-1207.

SUPPLEMENTARY INFORMATION: In the Matter of G. & B. Textiles, Inc., a corporation formerly known as H.M.S. International Fabrics, Inc., and Benjamin Solomon, individually and as an officer of said corporation, and Herbert Solomon and Michael Solomon, individually and as former officers of said corporation. The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows:

Subpart—Misbranding or mislabeling: § 13.1185 Composition; 13.1185-90 Wool Products Labeling Act; § 13.1200 Content; § 13.1212 Formal regulatory and statutory requirements; 13.1212-90 Wool Products Labeling Act; § 13.1320 Scientific or other relevant facts.

Subpart—Misrepresenting oneself and goods—Goods: § 13.1590 Composition; 13.1590-90 Wool Products Labeling Act; § 13.1605 Content; § 13.1623 Formal regulatory and statutory requirements; 13.1623-90 Wool Products Labeling Act; § 13.1740 Scientific or other relevant facts. Subpart—Neglecting, unfairly or deceptively to make material disclosure: § 13.1845 Composition; 13.1845-80 Wool Products Labeling Act; § 13.1850 Content; § 13.1852 Formal regulatory and statutory requirements; 13.1852-80 Wool Products Labeling Act; § 13.1895 Scientific or other relevant facts.

(Sec. 6, 38 Stat. 721; (15 U.S.C. 46). Interpret or apply sec. 5, 38 Stat. 719, as amended; secs. 2-5, 54 Stat. 1128-1130; (15 U.S.C. 45, 68))

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

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[1] Copies of the Complaint, and Decision and Order filed with the original document.