

## § 460.8

by the change can petition the Commission during the 90-day period not to adopt the change or to reopen the proceeding to consider it further.

### § 460.8 R-value tolerances.

If you are a manufacturer of home insulation, no individual specimen of the insulation you sell can have an R-value more than 10% below the R-value shown in a label, fact sheet, ad, or other promotional material for that insulation. If you are not a manufacturer, you can rely on the R-value data given to you by the manufacturer, unless you know or should know that the data is false or not based on the proper tests.

[70 FR 31275, May 31, 2005]

### § 460.9 What test records you must keep.

Manufacturers and testing labs must keep records of each item of information in the "Report" section of the ASTM test method that is used for a test. They must also keep the following records:

- (a) The name and address of the testing lab that did each test.
- (b) The date of each test.
- (c) For manufacturers, the date each test report was received from a lab. For labs, the date each test report was sent to a manufacturer.
- (d) For extruded polystyrene, polyurethane, and polyisocyanurate, the age (in days) of the specimen that was tested.
- (e) For aluminum foil, the emissivity level that was found in the test.

Manufacturers who own their own testing labs need not keep records of the information in paragraph (c) of this section.

Keep these records for at least three years. If the documents show proof for your claims, the three years will begin again each time you make the claim. Federal Trade Commission staff members can check these records at any time, but they must give you reasonable notice first.

### § 460.10 How statements must be made.

All statements called for by this regulation must be made clearly and con-

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spicuously. Among other things, you must follow the Commission's enforcement policy statement for clear and conspicuous disclosures in foreign language advertising and sales materials, 16 CFR 14.9.

[61 FR 13666, Mar. 28, 1996]

### § 460.11 Rounding off R-values.

R-values shown in labels, fact sheets, ads, or other promotional materials must be rounded to the nearest tenth. However, R-values of 10 or more may be rounded to the nearest whole number.

### § 460.12 Labels.

If you are a manufacturer, you must label all packages of your insulation. The labels must contain:

- (a) The type of insulation.
- (b) A chart showing these items:
  - (1) For batts and blankets of any type: the R-value, length, width, thickness, and square feet of insulation in the package.
  - (2) For all loose-fill insulation: the minimum settled thickness, initial installed thickness, maximum net coverage area, number of bags per 1,000 square feet, and minimum weight per square foot at R-values of 13, 19, 22, 30, 38, and 49. You must also give this information for any additional R-values you list on the chart. Labels for these products must state the minimum net weight of the insulation in the package. You must also provide information about the blowing machine and machine settings used to derive the initial installed thickness information.
  - (3) For boardstock: the R-value, length, width, and thickness of the boards in the package, and the square feet of insulation in the package.
  - (4) For aluminum foil: the number of foil sheets; the number and thickness of the air spaces; and the R-value provided by that system when the direction of heat flow is up, down, and horizontal. You can show the R-value for only one direction of heat flow if you clearly and conspicuously state that the foil can only be used in that application.
  - (5) For insulation materials with foil facings, you must follow the rule that applies to the material itself. For example, if you manufacture boardstock