

nearly all of the states mandating the point-of-sale disclosure required by the rule. The objective of this notice is to solicit comment on whether the Commission should initiate a rulemaking proceeding to repeal the Tablecloth Rule.

Part C—Alternative Actions

The Commission is not aware of any feasible alternatives to either repealing or retaining the Tablecloth Rule.

Part D—Request for Comments

Members of the public are invited to comment on any issues or concerns they believe are relevant or appropriate to the Commission's review of the Tablecloth Rule. Comments submitted during the regulatory review proceeding described above will be made part of the record, and need not be resubmitted. A comment that includes the reasoning or basis for a proposition will likely be more persuasive than a comment without supporting information. The Commission requests that factual data upon which the comments are based be submitted with the comments. In this section, the Commission identifies a number of issues on which it solicits public comment. The identification of issues is designed to assist the public to comment on relevant matters and should not be construed as a limitation on the issues on which public comment may be submitted.

Questions

(1) Do manufacturers and sellers of tablecloths currently use "cut size" as a means of marking the size of their products for sale at retail to consumers?

(2) Does the fact that nearly all of the states have adopted the Uniform Packaging and Labeling Regulation, which governs the labeling of tablecloths, eliminate or greatly lessen the need for the Tablecloth Rule?

(3) What are the benefits to consumers from the rule?

(4) What are the costs to industry imposed by the rule?

(5) Is there a continuing need for the rule or should the rule be repealed?

Authority: Sec. 18(d)(2)(B) of the Federal Trade Commission Act, 15 U.S.C. 57a(d)(2)(B).

List of Subjects in 16 CFR Part 404

Advertising, Trade practices, Tablecloths.

By direction of the Commission.

Donald S. Clark,
Secretary.

[FR Doc. 95-12579 Filed 5-22-95; 8:45 am]

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16 CFR Part 413

Trade Regulation Rule Concerning the Failure To Disclose That Skin Irritation May Result From Washing or Handling Glass Fiber Curtains and Draperies and Glass Fiber Curtain and Drapery Fabrics

AGENCY: Federal Trade Commission.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Federal Trade Commission (the "Commission") proposes to commence a rulemaking proceeding to repeal its Trade Regulation Rule entitled "Failure to Disclose that Skin Irritation May Result from Washing or Handling Glass Fiber Curtains and Draperies and Glass Fiber Curtain and Drapery Fabrics" ("Fiberglass Curtain Rule"), 16 CFR Part 413. The proceeding will address whether the Fiberglass Curtain Rule should be repealed or remain in effect. The Commission is soliciting written comment, data, and arguments concerning this proposal.

DATES: Written comments must be submitted on or before June 22, 1995.

ADDRESSES: Written comments should be identified as "16 CFR Part 413" and sent to Secretary, Federal Trade Commission, Room 159, Sixth Street and Pennsylvania Ave., NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Edwin Rodriguez or Janice Frankle, Attorneys, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, (202) 326-3147 or (202) 326-3022.

SUPPLEMENTARY INFORMATION:

Part A—Background Information

This notice is being published pursuant to Section 18 of the Federal Trade Commission ("FTC") Act, 15 U.S.C. 57a *et seq.*, the provisions of Part 1, Subpart B of the Commission's Rules of Practice, 16 CFR 1.7, and 5 U.S.C. 551 *et seq.* This authority permits the Commission to promulgate, modify, and repeal trade regulation rules that define with specificity acts or practices that are unfair or deceptive in or affecting commerce within the meaning of Section 5(a)(1) of the FTC Act, 15 U.S.C. 45.

The Fiberglass Curtain Rule requires marketers of fiberglass curtains or draperies and fiberglass curtain or drapery cloth to disclose that skin irritation may result from handling fiberglass curtains or curtain cloth and from contact with clothing or other

articles which have been washed (1) with such glass fiber products, or (2) in a container previously used for washing such glass fiber products unless the glass particles have been removed from such container by cleaning.

The Rule was promulgated on July 28, 1967 (32 FR 11023 (1967)). The Statement of Basis and Purpose for the Rule stated that the "record is replete with consumer statements relating their experiences with varying degrees of irritation resulting from the exposure of their skin to particles from glass fiber curtains, draperies, and fabrics." Consequently, the Commission concluded that it was in the public interest to caution consumers that skin irritation could result from the direct handling of fiberglass curtains, drapes, and yard goods, and from body contact with clothing or other articles that had been contaminated with fiberglass particles when they were washed with fiberglass products or in a container previously used to wash fiberglass products when the container had not been cleaned of all glass particles.

Part B—Objectives

As part of its continuing review of its trade regulation rules to determine their current effectiveness and impact, the Commission recently obtained information bearing on the need for this Rule.¹ Based on this review, the Commission has tentatively determined that fiberglass curtains and drapes and fiberglass curtain or drape fabric no longer present a substantial threat of skin irritation to the consumer because technological developments in fire retardant fabrics have caused fiberglass fabric to be displaced by polyester and modacrylics in the curtain and drapery area. Fiberglass fabrics are now used almost exclusively for very specialized industrial uses. These technological developments and market changes suggest that the Fiberglass Curtain Rule may not be necessary and in the public interest. The objective of this notice is to solicit comment on whether the Commission should initiate a rulemaking proceedings to repeal the Fiberglass Curtain Rule.

¹ In a memorandum to all federal departments and agencies dated March 4, 1995, the President requested all agencies to review their regulations and to initiate proceedings to eliminate those they determined were obsolete or unnecessary. In 1992, the Commission adopted a plan to review all its rules and guides at least once during a ten-year period. In response to the President's request, the Commission accelerated its scheduled review of certain rules to identify any that might be appropriate candidates for repeal or amendment. For example, under the ten-year plan, the Fiberglass Curtain Rule was scheduled for review in 1998.

Part C—Alternative Actions

The Commission is not aware of any feasible alternatives to repealing the Fiberglass Curtain Rule.

Part D—Request for Comments

Members of the public are invited to comment on any issues or concerns they believe are relevant or appropriate to the Commission's review of the Fiberglass Curtain Rule. The Commission requests that factual data upon which the comments are based be submitted with the comments. In this section, the Commission identifies the issues on which it solicits public comment. The identification of issues is designed to assist the public and should not be construed as a limitation on the issues on which public comment may be submitted.

Questions

(1) Is any manufacturer currently manufacturing and marketing fiberglass fabric for decorative use, as opposed to industrial use such as electronic circuit boards, joint tape, and insulation?

(2) Is any individual or business entity currently marketing fiberglass curtains or drapes?

(3) What benefits do consumers derive from the Rule?

(4) Have there been any technological or other changes that have reduced or eliminated the possibility of skin irritation from contact from glass fiber material?

(5) Should the Rule be kept in effect or should it be repealed?

Authority: Section 18(d)(2)(B) of the Federal Trade Commission Act, 15 U.S.C. 57a(d)(2)(B).

List of Subjects in 16 CFR 413

Fiberglass curtains and curtain fabric, Trade practices.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 95-12584 Filed 5-22-95; 8:45 am]

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16 CFR Part 417

Trade Regulation Rule Concerning the Failure To Disclose the Lethal Effects of Inhaling Quick-Freeze Aerosol Spray Products Used for Frosting Cocktail Glasses

AGENCY: Federal Trade Commission.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Federal Trade Commission (the "Commission") proposes to commence a rulemaking

proceeding to repeal its Trade Regulation Rule entitled "Failure to Disclose the Lethal Effects of Inhaling Quick-Freeze Aerosol Spray Products Used for Frosting Cocktail Glasses" ("Quick-Freeze Spray Rule"), 16 CFR part 417. The proceeding will address whether the Quick-Freeze Spray Rule should be repealed or remain in effect. The Commission is soliciting written comment, data, and arguments concerning this proposal.

DATES: Written comments must be submitted on or before June 22, 1995.

ADDRESSES: Written comments should be identified as "16 CFR Part 417" and sent to Secretary, Federal Trade Commission, Room 159, Sixth Street and Pennsylvania Avenue NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Lemuel W. Dowdy or George Brent Mickum IV, Attorneys, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, (202) 326-2981 or (202) 326-3132.

SUPPLEMENTARY INFORMATION:

Part A—Background Information

This notice is being published pursuant to Section 18 of the Federal Trade Commission ("FTC") Act, 15 U.S.C. 57a *et seq.*, the provisions of part 1, subpart B of Commission's rules of practice, 16 CFR 1.7, and 5 U.S.C. 551 *et seq.* This authority permits the Commission to promulgate, modify, and repeal trade regulation rules that define with specificity acts or practices that are unfair or deceptive in or affecting commerce within the meaning of section 5(a)(1) of the FTC Act, 15 U.S.C. 45.

The Quick-Freeze Spray Rule requires a clear and conspicuous warning on aerosol spray products used for frosting beverage glasses. The warning states that the contents should not be inhaled in concentrated form and that doing so may cause injury or death. Glass frosting products contain a compound known as Fluorocarbon 12 (dichlorodifluoromethane), which is also the principal ingredient used in coolants for automobile air conditioners and refrigerators.

The Rule was promulgated on February 20, 1969 (34 FR 2417 (1969)). The Statement of Basis and Purpose for the Rule stated that, although the product is not harmful when used as directed, there had been several instances where the intentional misuse of this product by inhaling its vapors resulted in death. Consequently, the Commission concluded that it was in the public interest to caution purchasers

who may not otherwise be aware of the lethal effects of inhaling the product.

On October 25, 1989, the Commission published a notice in the **Federal Register** soliciting public comments on the Rule's impact on small entities. (54 FR 43435). No comments were received in response to the notice. The Commission determined, however, that a small amount of quick freeze aerosol products were still available for sale. Therefore, the Commission determined that because the Rule's safety warnings, if followed, could prevent physical harm and loss of life, the Rule should be retained.

Part B—Objectives

As part of its continuing review of its trade regulation rules to determine their current effectiveness and impact, the Commission recently obtained information bearing on the need for this Rule.¹ Based on this review, the Commission has determined that glass frosting products are no longer produced and that they are precluded by the Clean Air Act from being reintroduced into the market place.² The objective of this notice is to solicit comment on whether the Commission should initiate a rulemaking proceeding to repeal the Quick-Freeze Spray Rule.

Part C—Alternative Actions

The Commission is not aware of any feasible alternatives to repealing the Quick-Freeze Spray Rule.

Part D—Request for Comments

Members of the public are invited to comment on any issues or concerns they believe are relevant or appropriate to the Commission's review of the Quick-Freeze Spray Rule. The Commission requests that factual data upon which the comments are based be submitted with the comments. In this section, the Commission identifies the issues on which it solicits public comment. The identification of issues is designed to

¹ In a memorandum to all federal departments and agencies dated March 4, 1995, the President requested all agencies to review their regulations and to initiate proceedings to eliminate those they determined were obsolete or unnecessary. In 1992, the Commission adopted a plan to review all its rules and guides at least once during a ten-year period. In response to the President's request, the Commission accelerated its scheduled review of certain rules to identify any that might be appropriate candidates for repeal or amendment. For example, under the ten-year plan, the Quick-Freeze Rule was scheduled for review in 1999, ten years after its last review.

² 42 U.S.C. 7401, 7671i. Regulations promulgated by the Environmental Protection Agency implementing the Clean Air Act ban chlorofluorocarbons in aerosols and foams for non-essential uses. 40 CFR 82.64. The ban, which includes fluorocarbon 12, became effective on January 17, 1994.