

Federal Trade Commission

§ 463.1

claim that insulation, along with other products in a new home, will cut fuel bills or fuel use; and

(iv) the requirement that they include the reference to fact sheets when they must disclose the R-value explanatory statement or the savings claim explanatory statement under § 460.18(a) or § 460.19(b), respectively.

(2) The exemptions for new home sellers also apply to home insulation sellers other than new home sellers when they participate with a new home seller to advertise and promote the sale of new homes, provided that the primary thrust of the advertisement or other promotional material is the promotion of new homes, and not the promotion of the insulation product.

(d) The requirements in §§ 460.6 through 460.21 do not apply to R-value claims covered by § 460.22.

[61 FR 13666, Mar. 28, 1996, as amended at 84 FR 20790, May 13, 2019]

PART 461—RULE ON IMPERSONATION OF GOVERNMENT AND BUSINESSES

Sec.

461.1 Definitions.

461.2 Impersonation of government prohibited.

461.3 Impersonation of businesses prohibited.

AUTHORITY: Authority: 15 U.S.C. 41 through 58.

SOURCE: 89 FR 15030, Mar. 1, 2024, unless otherwise noted.

§ 461.1 Definitions.

As used in this part:

Business means a corporation, partnership, association, or any other entity that provides goods or services, including not-for-profit entities.

Government includes federal, state, local, and tribal governments as well as agencies and departments thereof.

Materially means likely to affect a person's choice of, or conduct regarding, goods or services.

Officer includes executives, officials, employees, and agents.

§ 461.2 Impersonation of government prohibited.

It is a violation of this part, and an unfair or deceptive act or practice to:

(a) materially and falsely pose as, directly or by implication, a government entity or officer thereof, in or affecting commerce as *commerce* is defined in the

Federal Trade Commission Act (15 U.S.C. 44); or

(b) materially misrepresent, directly or by implication, affiliation with, including endorsement or sponsorship by, a government entity or officer thereof, in or affecting commerce as *commerce* is defined in the Federal Trade Commission Act (15 U.S.C. 44).

§ 461.3 Impersonation of businesses prohibited.

It is a violation of this part, and an unfair or deceptive act or practice to:

(a) materially and falsely pose as, directly or by implication, a business or officer thereof, in or affecting commerce as *commerce* is defined in the Federal Trade Commission Act (15 U.S.C. 44); or

(b) materially misrepresent, directly or by implication, affiliation with, including endorsement or sponsorship by, a business or officer thereof, in or affecting commerce as *commerce* is defined in the Federal Trade Commission Act (15 U.S.C. 44).

PART 463—COMBATING AUTO RETAIL SCAMS TRADE REGULATION RULE

Sec.

463.1 Authority.

463.2 Definitions.

463.3 Prohibited misrepresentations.

463.4 Disclosure requirements.

463.5 Dealer charges for Add-ons and other items.

463.6 Recordkeeping.

463.7 Waiver not permitted.

463.8 Severability.

463.9 Relation to State laws.

AUTHORITY: 15 U.S.C. 41 *et seq.*; 12 U.S.C. 5519.

EFFECTIVE DATE NOTE: At 89 FR 693, Jan. 4, 2024, part 463 was added, effective July 30, 2024. At 89 FR 13267, Feb. 22, 2024, this amendment was delayed indefinitely.

§ 463.1 Authority.

This part is promulgated pursuant to section 1029 of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010, 12 U.S.C. 5519(d). It is an unfair or deceptive act or practice within the meaning of section 5(a)(1) of the Federal Trade Commission Act (15 U.S.C. 45(a)(1)) to violate any applicable provision of this part, directly or