

(b) For airplanes listed in McDonnell Douglas Service Bulletin Revision 2, dated January 27, 1995, and not subject to paragraph (a) of this AD: Prior to the accumulation of 15,000 landings or within 270 days after the effective date of this AD, whichever occurs later, conduct a visual and eddy current inspection to detect cracks of the rudder pedals adjuster hub assembly, part number 4616066, in accordance with McDonnell Douglas DC-9 Alert Service Bulletin A27-325, Revision 1, dated February 3, 1992, or Revision 2, dated January 27, 1995.

(1) If no cracks are detected as a result of the inspections required by this paragraph, repeat the inspections at intervals not to exceed 3,500 landings.

(2) If cracks are detected as a result of the inspections required by this paragraph, prior to further flight, replace the rudder pedals adjuster hub assembly, part number 4616066, with a new assembly having the same part number, in accordance with McDonnell Douglas DC-9 Alert Service Bulletin A27-325, Revision 2, dated January 27, 1995. Thereafter, conduct visual and eddy current inspections of the replacement rudder pedals adjuster hub assembly in accordance with this paragraph.

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(d) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on March 31, 1995.

**Darrell M. Pederson,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

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## FEDERAL TRADE COMMISSION

### 16 CFR Part 409

#### Request for Comments Concerning Rule Concerning Incandescent Lamp (Light Bulb) Industry

**AGENCY:** Federal Trade Commission.

**ACTION:** Request for public comments.

**SUMMARY:** The Federal Trade Commission (the "Commission"), as part of a systematic review of all its current regulations and guides, is

requesting public comments about the overall costs and benefits, as well as the overall regulatory and economic impact, of the Rule Concerning Incandescent Lamp (Light Bulb) Industry ("the Light Bulb Rule" or "the Rule"). All interested persons are hereby given notice of the opportunity to submit written data, views and arguments concerning this review of the Rule.

**DATES:** Written comments will be accepted until June 6, 1995.

**ADDRESSES:** Comments should be directed to: Secretary, Federal Trade Commission, Room H-159, Sixth and Pennsylvania Avenue NW., Washington, DC 20580. Comments about the Light Bulb Rule should be identified as "16 CFR Part 409—Comment."

**FOR FURTHER INFORMATION CONTACT:**

Terrence J. Boyle or Kent C. Howerton, Attorneys, Federal Trade Commission, Washington, DC 20580, (202) 326-3016 or (202) 326-3013.

**SUPPLEMENTARY INFORMATION:** The Commission has determined, as part of its oversight responsibilities, to review periodically all its rules and guides. The information obtained in such reviews assists the Commission in identifying rules and guides that warrant modification or rescission. The Commission decided to schedule its regulatory review of the Light Bulb Rule for 1995 when, pursuant to a directive of the Energy Policy Act of 1992, the Commission in April 1994 amended the Appliance Labeling Rule, 16 CFR Part 305, to add incandescent and fluorescent lamps as covered products. Although there are no contradictions between the two rules, the Commission scheduled review of the Light Bulb Rule for this year so it could consider whether to retain, revise or delete any of its provisions that might overlap the amended Appliance Labeling Rule.<sup>1</sup>

<sup>1</sup> The two Rules both cover A-type incandescent lamps and require on their labels disclosure of certain performance ratings and other information. Specifically, both rules require disclosures of light output, wattage and laboratory life ratings. The Appliance Labeling Rule specifies that these disclosures must appear together, in that order and worded in a certain way (i.e., as "Light Output: \_\_\_\_\_ Lumens; Energy Used: \_\_\_\_\_ Watts; Life: \_\_\_\_\_ Hours") on the label's principal display panel. The Light Bulb Rule, however, does not specify any order or wording for its required rating disclosures, but simply specifies that the three ratings be disclosed in terms of lumens, watts and hours and appear together on at least two side panels of the label and, additionally, on any other panel on which a lumen, wattage or hours of life claim is made.

The Appliance Labeling Rule requires the lumens, watts and hours disclosures to appear with equal conspicuousness, but does not specify any particular type style or size. The Light Bulb Rule specifies that the lumens and hours disclosures must both be in a medium- or bold-face type that

## A. Background

The Rule was promulgated by the Commission in 1970.<sup>2</sup> The Light Bulb Rule makes it an unfair method of competition and an unfair and deceptive act or practice, in connection with the sale in commerce of general service incandescent electric lamps (light bulbs) to:

(1) Fail to disclose clearly and conspicuously on the containers of such lamps (or, if there are no containers, on the bulbs themselves) their average initial wattage, average initial lumens and average laboratory life;

(2) Fail to disclose clearly and conspicuously on the bulbs themselves their average initial wattage and design voltage;

(3) Represent or imply energy savings resulting from a lamp's life expectancy or light output unless in computing such savings the following factors are taken into account and disclosed clearly and conspicuously for the lamp being sold and also (unless the comparison is only of initial purchase price between lamps of identical wattage, lumens and laboratory life) the lamp with which the comparison is being made: lamp cost, electrical power cost, labor cost for lamp replacement (if any), actual light output in average initial lumens, and average laboratory life in hours;

(4) Represent or imply that a lamp will give more light, maintain brightness longer or furnish longer life without clearly and conspicuously disclosing, for both the lamp being sold and the lamp with which the comparison is being made the average initial wattage, the laboratory life in hours, the average initial light output in lumens, and (if there is a claim the lamp maintains brightness longer) the light output in lumens at 70% of the lamp's rated life.

Four notes at the end of the Rule define terms used in the Rule or require certain procedures or tests to be used in making disclosures required by the Rule. Specifically, these notes: (1) State how manufacturers are to determine the

is at least two-fifths the height of the watts disclosure on the same panel or three-sixteenths of an inch, whichever is larger.

The Appliance Labeling Rule requires that energy saving or operating cost claims take into consideration, and clearly and conspicuously disclose in close proximity to the claims, all the assumptions upon which the claims are based, including, e.g., purchase price, unit cost of electricity, hours of use, patterns of use. The Light Bulb Rule, because it covers not only energy saving and operating cost claims, but also all comparative lamp life, light output and lamp cost claims, specifies additional factors (e.g., labor costs for replacement, light output, life expectancy) that, depending on the particular claim being made, must be taken into consideration and clearly and conspicuously disclosed.

<sup>2</sup> 35 FR 11784 (July 23, 1970).

wattage, lumen and life rating disclosures required by the Rule, (2) require for the year 1970-71 all lamp labels to explain the meaning of the word "lumen" whenever it is used, (3) define the term "general service incandescent lamp" to mean all A-type bulbs and all other incandescent bulbs substantially the same as A-type bulbs, and (4) define the meaning of the Rule's term "clear and conspicuous" with respect to the minimum type sizes necessary for required disclosures and the minimum number of times the required disclosures must be made on lamps and/or their labels.

#### B. Issues for Comment

At this time, the Commission solicits written public comments on the following questions:

1. Is there a continuing need for the Rule?
  - a. What benefits has the Rule provided to purchasers of the products or services affected by the Rule?
  - b. Has the Rule imposed costs on purchasers?
  - c. Does the light Bulb Rule provide any benefits not provided by the provisions of the Appliance Labeling Rule relating to lamps?
2. What changes, if any, should be made to the Rule to increase the benefits of the Rule to purchasers?
  - a. How would these changes affect the costs the Rule imposes on firms subject to its requirements?
3. What significant burdens or costs, including costs of compliance, has the Rule imposed on firms subject to its requirements?
  - a. Has the Rule provided benefits to such firms?
4. What changes, if any, should be made to the Rule to reduce the burdens or costs imposed on firms subject to its requirements?
  - a. How would these changes affect the benefits provided by the Rule?
5. Does the Rule overlap or conflict with other federal, state, or local laws or regulations?
6. Since the Rule was issued, what effects, if any, have changes in relevant technology or economic conditions had on the Rule?
7. Should the Commission retain, or modify in any way, the particular provisions of the existing Rule that define the term "clear and conspicuous" to mean certain minimum sizes for required disclosures and certain minimum numbers of times that those required disclosures must be made on lamps and/or their labels?
8. Should the Commission retain, or modify in any way, the particular provisions of the existing Rule that

require all comparative energy consumption or operating cost claims, all comparative light output claims, and all comparative life expectancy claims to be accompanied by clear and conspicuous disclosures of particular comparison data for both the lamps being sold and the lamps with which the comparison is being made?

9. Should the Commission retain, or modify in any way, those provisions of the existing Rule that duplicate or overlap provisions in the Appliance Labeling Rule pertaining to lamps?

10. The Light Bulb Rule requires wattage, light output and life expectancy ratings to be disclosed at the bulbs' design voltage whereas the Appliance Labeling Rule requires the disclosures at 120 Volts regardless of the bulbs' design voltage.

a. For general service incandescent bulbs with design voltage other than 120 Volts, should the Commission continue to require ratings disclosures at both 120 Volts and design voltage?

b. What percentage of the total quantity of general service incandescent lamps sold in this country is comprised of lamps with design voltages other than 120 Volts?

(1) Describe how, for such lamps, the light output, wattage and expected life ratings differ when the lamp is used at 120 Volts from when used at the design voltage.

(2) In what areas of the country are lamps with design voltages other than 120 Volts routinely sold and in what proportions compared with lamps with design voltages of 120 Volts?

(3) To whom are lamps with design voltages other than 120 Volts sold and for what uses?

(4) Do purchasers of such lamps also routinely purchase lamps with design voltages of 120 Volts and, if so, what are the percentages of their lamp purchases for each category?

(5) How might the market for lamps with design voltages other than 120 Volts be expected to change in the future?

c. At what line voltages is electricity delivered in the United States? What areas receive electricity at voltages other than 120 Volts? Describe. Are there any private electricity delivery systems (e.g., industrial plants), that provide electricity internally at voltages other than 120 volts? Describe.

#### List of Subjects in 16 CFR Part 409

Advertising, Consumer protection, Energy conservation, Household appliances, Labeling, Lamp products, Trade practices.

**Authority:** 15 U.S.C. 41-58.

By direction of the Commission.

**Donald S. Clark,**

*Secretary.*

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#### 16 CFR Part 460

#### Trade Regulation Rule; Labeling and Advertising of Home Insulation

**AGENCY:** Federal Trade Commission.

**ACTION:** Proposed rule and request for public comments.

**SUMMARY:** The Federal Trade Commission (the "Commission") is requesting public comments about the overall costs and benefits and the continuing need for its Trade Regulation Rule Concerning the Labeling and Advertising of Home Insulation (the "R-value Rule" or "Rule"), 16 CFR part 460, as well as whether the Rule, if retained, should be amended to include new test procedures or specific requirements for new products, as a part of its systematic review of all current Commission regulations and guides. In addition, the Commission seeks comments on whether to adopt a non-substantive amendment to the Rule that would permit the use of an additional test procedure to determine the R-values of home insulation products. All interested persons are hereby given notice of the opportunity to submit written data, views and arguments concerning the Commission's review of the R-value Rule and the proposed non-substantive amendment.

**DATES:** Written comments will be accepted until June 6, 1995.

**ADDRESSES:** Comments should be directed to: Secretary, Federal Trade Commission, Room H-159, Sixth Street and Pennsylvania Avenue NW., Washington, DC 20580. Comments about the R-value Rule should be identified as "R-value Rule, 16 CFR part 460—Comment."

**FOR FURTHER INFORMATION CONTACT:** Kent C. Howerton, Attorney, Federal Trade Commission, Room S-4631, Sixth Street and Pennsylvania Avenue NW., Washington, DC 20580, telephone (202) 326-3013, FAX (202) 326-3259.

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The Commission requests public comments about the overall costs and benefits of the R-value Rule, and its overall regulatory and economic impact, as well as whether the Rule should be updated to included new test procedures or specific requirements for