

Note 1: The FAA has received reports of some confusion as to what is meant by S-20, S-200, S-600, and S-1200 series magnetos as referenced in TCM Mandatory Service Bulletin (MSB) No. MSB644, dated April 4, 1994, and this AD. A typical example is S6RN-25, where the S designates single type ignition unit, the 6 designates the number of engine cylinders, the R designates right hand rotation, the N is the manufacturer designator (this did not change when TCM purchased the Bendix magneto product line), and the number after the dash indicates the series (a -25 is a S-20 series magneto, while a -1225 is a S-1200 series magneto).

Note 2: This AD applies to each magneto identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For magnetos that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (k) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any magneto from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent magneto failure and subsequent engine failure, accomplish the following:

(a) No action is required for those magnetos in compliance with AD 94-01-03 or 94-01-03 R1.

(b) An optional method of compliance with this AD is to replace the Bendix magnetos with Slick magnetos where FAA approval has been granted for that application.

(c) If a Bendix magneto data plate has been replaced with an overhaul facility's data plate, this AD is still applicable to that magneto since the magneto is a Bendix magneto.

(d) Yellow Bendix or TCM service spare data plates may have been installed during a field overhaul; use model and S/N to determine applicability.

(e) Magnetos built by Bendix in Jacksonville, Florida, and Magnetos built by TCM in Atlanta, Georgia, as indicated on the data plate, are not affected by this AD.

(f) The paint on some early data plates may have been obliterated and the data plate will appear silver in color; use model and serial number to determine applicability.

(g) For Bendix S-20 and S-200 series magnetos, replace Bendix ignition coils and rotating magnets identified in the Detailed Instructions of TCM MSB No. MSB644, dated April 4, 1994, with serviceable TCM or Parts Manufacturer Approval (PMA) ignition coils and rotating magnets at the next 100 hour inspection, the next annual inspection, the next progressive inspection, or the next 100 hours time in service (TIS) after the effective date of this AD, whichever occurs first.

(h) For the Bendix S-600 series magnetos, replace Bendix rotating magnets identified in

the Detailed Instructions of TCM MSB No. MSB644, dated April 4, 1994, with serviceable TCM or PMA rotating magnets at the next 100 hour inspection, the next annual inspection, the next progressive inspection, or the next 100 hours TIS after the effective date of this AD, whichever occurs first.

Note: The ignition coils on the S-600 series magnetos already incorporate the improved design.

(i) For the Bendix S-1200 series magneto, replace Bendix ignition coils identified in the Detailed Instructions of TCM MSB No. MSB644, dated April 4, 1994, with serviceable TCM or PMA ignition coils at the next 100 hour inspection, the next annual inspection, the next progressive inspection, or the next 100 hours TIS after the effective date of this AD, whichever occurs first.

Note: The rotating magnets on the S-1200 series magnetos already incorporate the improved design.

(j) After compliance with paragraphs (d), (e), or (f) of this AD, as applicable, and prior to further flight, mark the magneto in accordance with the Identification Instructions of TCM MSB No. MSB644, dated April 4, 1994.

(k) An alternative method of compliance or adjustment of the initial compliance time that provides an acceptable level of safety may be used if approved by the Manager, Atlanta Aircraft Certification Office. The request should be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta Aircraft Certification Office.

Note: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta Aircraft Certification Office.

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

(m) The actions required by this AD shall be done in accordance with the following service document:

Document No.	Pages	Revision date
TCM SB No. MSB644.	1-3	April 4, 1994.
Total pages: 3.		

This incorporation by reference was previously approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51 as of September 6, 1994 (59 FR 43029, August 22, 1994). Copies may be obtained from Teledyne Continental Motors, P.O. Box 90, Mobile, AL 36601; telephone (205) 438-3411. Copies may be inspected at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(n) This amendment becomes effective on June 28, 1995.

Issued in Burlington, Massachusetts, on June 5, 1995.

Ronald L. Vavruska,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 95-14496 Filed 6-9-95; 2:50 pm]

BILLING CODE 4910-13-U

FEDERAL TRADE COMMISSION

16 CFR Part 305

Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act ("Appliance Labeling Rule")

AGENCY: Federal Trade Commission.

ACTION: Final rule.

SUMMARY: The Federal Trade Commission ("Commission") issues final amendments to the Appliance Labeling Rule ("Rule") to allow manufacturers of general service incandescent lamps (including incandescent reflector lamps) with a design voltage other than 120 volts an option as to where on product labels specific disclosures must be made, to clarify the light output measure that manufacturers of incandescent reflector lamps must disclose on lamp labels, to delete the requirement that the lumen disclosure for incandescent reflector lamps be followed by the term "at beam spread," and to allow manufacturers of incandescent reflector lamps the option of adding a reference to "beam spread" to the Advisory Statement about saving energy costs.

EFFECTIVE DATE: June 13, 1995.

FOR FURTHER INFORMATION CONTACT: Kent C. Howerton, Attorney, Federal Trade Commission, Bureau of Consumer Protection, Division of Enforcement, Room S-4302, Washington, D.C. 20580, telephone 202/326-3013 (voice), 202/326-3259 (fax).

SUPPLEMENTARY INFORMATION:

I. Introduction

The Commission issues final amendments to the lamp labeling requirements of the Appliance Labeling Rule ("Rule"), 16 CFR part 305. The Commission proposed these amendments and solicited comments on them in a notice published on March 22, 1995, 60 FR 15200 (1995), in response to a petition dated January 31, 1995 ("Petition") and a letter dated January 30, 1995 ("January 30 letter") from the

Lamp Section of The National Electrical Manufacturers Association ("NEMA").¹

The Petition requested that the Commission allow manufacturers of incandescent lamp products with a design voltage other than 120 volts an option as to where on product labels the required disclosures must be made under the lamp labeling requirements of the Appliance Labeling Rule ("lamp labeling rules").² The January 30 letter requested clarification of the light output disclosure required for incandescent reflector lamp products (spot lights and flood lights) and acceptance of minor changes to the disclosures required for incandescent reflector lamps.

In response to the Petition and the January 30 letter, the Commission proposed amending the Rule to: (a) Allow manufacturers of incandescent lamps that have a design voltage of other than 120 volts the option of making required disclosures at 120 volts on a label panel other than the primary display panel under specific conditions; (b) clarify the measure of light output that must be disclosed for incandescent reflector lamps; (c) eliminate a required reference to "at beam spread" in connection with the disclosure of light output for incandescent reflector lamps; and (d) allow manufacturers of incandescent reflector lamps the option of adding a reference to selecting an incandescent reflector lamp with the "beam spread" the purchaser needs to a required Advisory Statement that explains how purchasers can save energy costs.

II. Background

On May 13, 1994 the Commission published final labeling rules ("lamp labeling rules") for various types of lamp products ("light bulbs"), including general service fluorescent lamps, general service incandescent lamps (including reflector incandescent

lamps), and medium base compact fluorescent lamps,³ as mandated by Energy Policy Act of 1992 ("EPA 92")⁴ amendments to the Energy Policy and Conservation Act of 1975 ("EPCA").⁵ The Commission issued the lamp labeling rules as amendments to the Appliance Labeling Rule, 16 CFR part 305. The lamp labeling rules became effective on May 15, 1995.⁶

These rules require disclosures on the primary display panel of package labels of light output (in lumens), energy used (in watts), and life (in hours), plus an Advisory Statement that explains how purchasers can save energy costs. For incandescent reflector lamps (used to focus or spread light on a particular object or objects), the rules additionally require that the disclosure of light output (in lumens) be for the lamp's "beam spread," and that the disclosure of lumens be followed clearly and conspicuously by the phrase "at beam spread." Based on the statutory directive that the Commission promulgate these labeling rules and that labeling information for incandescent lamps be based on performance at 120 volts,⁷ the lamp labeling rules require that the disclosures of light output, energy used, and life for general service incandescent lamps (including incandescent reflector lamps) appear on the primary display panel of the package label based on operation at 120 volts, regardless of the lamp's design voltage. The lamp labeling rules, however, allow manufacturers the option of adding disclosures based on operation at a different design voltage, either on the primary display panel or on a separate panel on the package.

The lamp labeling rules in the Appliance Labeling Rule overlap certain disclosures already required on

packages of non-reflector general service incandescent bulbs by the Commission's Light Bulb Rule.⁸ The Light Bulb Rule, unlike the lamp labeling rules in the Appliance Labeling Rule, requires that package labels clearly and conspicuously disclose average initial wattage, light output expressed in average initial lumens, and average laboratory life expressed in hours, based on operation at the bulb's "stated design voltage."⁹ Under the Light Bulb Rule, the disclosures must appear on at least two panels of the outer sleeve or container in which bulbs are displayed and additionally on all panels of the inner and the outer sleeve that contain any reference to wattage, lumens, life, or voltage.¹⁰

The Commission published a request for comments on the Light Bulb Rule as part of its regulatory review program on April 6, 1995, 60 FR 17491 (1995). This notice specifically solicits comments on whether the rule should be amended to reduce or eliminate any overlap it may have with the lamp labeling rules under the Appliance Labeling Rule. In addition, it seeks comments on several other questions, including whether the Light Bulb Rule is still needed, the benefits and costs of the Rule to consumers, the burdens and benefits to manufacturers, any proposed changes to the Rule, and the effect of any recent changes in technology or economic conditions. The comment period ends June 6, 1995.

III. Proposed Amendments

A. Disclosures at Design Voltage Other Than 120 Volts

In response to NEMA's Petition, the Commission proposed amending the lamp labeling rules in the Appliance Labeling Rule, as NEMA requested, to approve an optional labeling scheme for manufacturers of incandescent lamp products with a design voltage other than 120 volts. Under the proposed amendments, manufacturers could choose to limit disclosures of light output, energy used, and life on the primary display panel of the package to operation of the lamp at the lamp's design voltage if:

⁸ 16 CFR part 409. The Light Bulb Rule, issued in 1970, was intended to prevent deceptive or unfair practices in the sale of incandescent light bulbs. Other types of lamps covered by the Appliance Labeling Rule amendments (including incandescent reflector lamps) are not covered by the Light Bulb Rule. In this notice, references to "lamp labeling rules" refer to the lamp labeling requirements of the Appliance Labeling Rule, 16 CFR part 305, and references to the "Light Bulb Rule" refer to the Light Bulb Rule, 16 CFR part 409.

⁹ *Id.* at 409.1 n. 1.

¹⁰ *Id.* at n. 4.

¹ NEMA is a trade association representing the nation's largest manufacturers of lamp products. Its members produce more than 90 percent of the lamp products subject to the lamp labeling requirements of the Appliance Labeling Rule.

² The Petition also requested that the Commission stay, through November 30, 1995, "compliance against manufacturers who, in good faith and despite the exercise of due diligence, are unable to change all of their lamp packages prior to the May 15, 1995 effective date of the Lamp Labeling Rule." In response to the Petition, the Commission, on March 22, 1995, exercised its prosecutorial discretion and issued an Enforcement Policy Statement ("Statement"), 60 FR 15198 (1995). The Statement explained that the Commission had determined to avoid taking law enforcement actions until December 1, 1995 against manufacturers of general service incandescent lamp products for labeling not in compliance with the disclosure requirements of the Appliance Labeling Rule. The Statement remains in effect until December 1, 1995.

³ Final rule (including Statement of Basis and Purpose ("SBP")), 59 FR 25176 (1994). On December 29, 1994, the Commission published minor, technical amendments to resolve certain inconsistencies in paragraph numbering and language that had arisen during the course of four separate proceedings amending the Rule's requirements concerning other products. 59 FR 67524 (1994). The specific lamp products covered by the lamp labeling rules are described in § 305.3(k)-(m) of the Appliance Labeling Rule, 16 CFR 305.3(k)-(m) (1995).

⁴ Pub. L. No. 102-486, 106 Stat. 2776, 2817-2832 (Oct. 24, 1992).

⁵ 42 U.S.C. 6201, 6291-6309.

⁶ The EPA amendments to EPCA required that the lamp labeling rules become effective 12 months after the rules' publication in the **Federal Register**. Because May 13, 1995, was a Saturday, the effective date was Monday, May 15. 42 U.S.C. 6294(a)(2)(C)(i). *But see* note 2, *supra*.

⁷ Under section 324(a)(2)(C)(i) of EPCA, as amended by EPA 92: "Labeling information for incandescent lamps shall be based on performance when operated at 120 volts input, regardless of the rated lamp voltage." 42 U.S.C. 6294(a)(2)(C)(i).

- The disclosures of light output, energy used, and life when operated at 120 volts appeared elsewhere on the package.

- The following explanatory statement appeared clearly and conspicuously on the primary display panel:

This product is designed for (125/130) volts. When used on the normal line voltage of 120 volts, the light output and efficiency are noticeably reduced. See (side/back) panel for 120 volt ratings.¹¹

- All panels of the package that contained a claim about light output, energy used, or life clearly and conspicuously identified the lamp as "(125 volt/130 volt)."

B. Light Output Disclosures for Reflector Lamps

In response to NEMA's January 30 letter, the Commission proposed amending the Appliance Labeling Rule to clarify that the required light output disclosure for incandescent reflector lamps is of "total forward lumens" instead of lumens "at beam spread."¹² The Commission also proposed amending the Rule to delete the requirement that the lumen light output disclosure be followed by the phrase "at beam spread." Lastly, the Commission proposed amending the Rule to allow manufacturers, at their option, to insert in the required Advisory Statement a reference to selecting a lamp with the "beam spread," as well as the light output, purchasers need.

IV. Comments and Final Amendments

A. Comments Received

The Commission received eight comments in response to the notice soliciting comments on the proposed amendments.¹³ Four comments

¹¹ NEMA proposed the use of a shorter explanatory statement: "(125/130) volt design. At 120 v., light output and efficiency are noticeably reduced. See (side/back) panel for data at 120 v." Petition at 6. NEMA stated that it would accept a more detailed version of the explanatory statement. *Id.* at note 6. The Commission proposed requiring the more detailed explanatory statement that NEMA suggested.

¹² The proposed amendments would clarify that the lumen disclosure for incandescent reflector lamps is consistent with the light output measurement used by the Department of Energy ("DOE") in determining the efficiency of these products under the minimum efficiency standards set by the EPA 92 amendments to EPCA. See Interim final rule, 59 FR 49468 (1994). DOE published its interim final rule for testing to comply with the minimum efficiency standards on September 28, 1994, after the Commission published the lamp labeling rule amendments to the Appliance Labeling Rule.

¹³ Arkalite Manufacturing Co., Inc. ("Arkalite"), General Electric Company ("GE"), Hytron Electric Products ("Hytron"), Lawrence Berkeley Laboratory ("LBL"), Maintenance Engineering ("ME"), Marvel

specifically support both sets of proposed amendments.¹⁴ None of the comments object to the proposed amendments. Six comments pertain to issues the Commission addressed in the original rulemaking proceeding and do not contain new evidence to support their positions.¹⁵ One comment requests that the Commission exempt small producers and suppliers from the labeling requirements.¹⁶ The Commission does not have the authority under EPCA to grant such relief. Two comments address the definition of incandescent reflector lamps "designed for rough or vibration service applications." These lamps are exempted by EPCA from the Commission's labeling rules and the minimum efficiency standards.¹⁷ DOE currently is addressing the issue of what lamps qualify for that exemption.¹⁸

Lastly, one comment requests that the Commission require the first annual report from lamp manufacturers no

Lighting Corporation ("Marvel"), the National Electrical Manufacturers Association ("NEMA"), and Rensselaer Polytechnic Institute ("Rensselaer").

¹⁴ LBL (agrees with proposed amendments for lamps with a design voltage other than 120 volts; concurs with proposed clarification of incandescent reflector lamp lumens and labeling changes); Marvel (supports greater flexibility in disclosures and any changes that would clarify labeling requirements proposed by NEMA); NEMA (supports proposed amendments); Rensselaer (supports NEMA's proposal for alternative disclosure format for lamps with a design voltage other than 120 volts and FTC's proposal to require the more detailed explanatory statement; agrees with use of total forward lumens for reflector lamps, consistent with light output definition in EPA 92).

¹⁵ Arkalite (comparison 120 volt/130 volt information on packages of 130 volt A-bulbs sold as long life is confusing and consumers do not know how many lumens to look for); Hytron (long-life lamps may be more efficient for fixtures not readily accessible when comparing lumen-per-watt cost to lamp replacement cost); LBL (preferable to use term "power" to describe wattage because term "energy used" is technically incorrect and misleading); Marvel (new labeling requirements will be confusing and meaningless to consumers); ME (laboratory-measured life ratings under ideal conditions are misleading because lab conditions have little correlation to actual use); Rensselaer (marketing "long life" 130 volt lamps for use on 120 volt circuits will mislead consumers if long-life claims are on package with data at 130 volts).

¹⁶ Marvel (exempt small producers and suppliers from labeling requirements to alleviate tremendous cost imposed and allow them to survive financially; cumulative sales of small distributors and manufacturers with probably less than 2% of total lamp sales will not have much effect on energy consumption for country as a whole).

¹⁷ Hytron (multiple support filament, long-life incandescent lamps should be considered to be rough/vibration service lamps); ME (lamps with multiple supports designed for rough service last much longer under actual operating conditions than those with no filament supports; exclude lamps with four or more filament supports from labeling requirements to keep consumers from comparing lab life ratings of lamps that may have different actual ratings).

¹⁸ Notice of Proposed Rule and Public Hearing, 59 FR 49478 (1994).

earlier than March 1, 1997 because imposing a new reporting requirement immediately after changing the substantial number of labels affected would be unfair and unduly burdensome.¹⁹ This reporting requirement is mandated directly by EPCA, although the Commission has authority to specify the date on which the annual reports are required. The Commission has stayed this reporting requirement under the lamp labeling rules until DOE adopts final test procedures for lamp products under the EPA 92 amendments to EPCA.²⁰ Although DOE has published interim final testing rules, DOE has not yet issued its final rules. The Commission will address the issue of when the first annual report will be due under the Rule after DOE takes final action on its testing rules.

B. Final Amendments

Based on NEMA's Petition, NEMA's January 30 letter, and the comments the Commission received in response to the March 22 notice, the Commission has determined to adopt the amendments to the Appliance Labeling Rule it proposed in the notice.²¹ The amended Rule will give manufacturers of incandescent lamp products with a design voltage other than 120 volts greater flexibility in designing packages to make the required labeling disclosures and will clarify that the light output disclosure for incandescent reflector lamps is total forward lumens, which is the lumen measurement used to determine whether those lamps meet EPCA's minimum efficiency standards. The amended Rule thus will reduce the regulatory burden imposed by the Rule. At the same time, the amended Rule will ensure that purchasers are provided with accurate information they need to select the most energy efficient lamps that meet their requirements, and it will meet the statutory standard that required disclosures for incandescent lamps be based on operation at 120 volts.

1. Disclosures at Design Voltage Other Than 120 Volts

The EPA 92 amendments to EPCA and its legislative history are silent about the specific purpose and meaning of the mandate that labeling information shall be based on operation at 120 volts. The Commission, therefore, has analyzed the record evidence

¹⁹ GE.

²⁰ 59 FR at 25176, 25201-02.

²¹ Although the amendments are effective today, the Commission's Enforcement Policy Statement published on March 22, 1995, applies to the amendments. See note 2, *supra*.

concerning the methods of sales distribution and the uses of these lamp products, as well as the manner in which purchasers could best be provided with accurate and important information to enable them "to select the most energy efficient lamps which meet their requirements."

According to the original rulemaking record, the majority of the electric service voltage supplied by local utilities in the United States for lighting is 120 volts. The rest is supplied at 125 volts, primarily in the Pacific Northwest and the Tennessee Valley. No evidence was presented that any local utility supplies electricity at 130 volts, or at service voltage other than 120 or 125 volts. The lamp manufacturers who participated in the proceeding stated that they distribute incandescent lamps with a design voltage of 120 volts for sale in 120 voltage service regions. They also stated, however, that they cannot guarantee that lamps with a design voltage of 125 volts are only offered for sale in 125 voltage service regions. Manufacturers that distribute incandescent lamps with a design voltage of 130 volts stated that they distribute these lamps, which are marketed as long-life lamps, in both 120 and 125 voltage service regions.

In light of the statutory standard and the rulemaking record, the Commission originally determined to require the disclosure on the primary display panel of specific lamp performance information based on operation of lamps at 120 volts. Otherwise, purchasers in most parts of the country who purchase lamps with a design voltage of 125 or 130 volts might be misled by exaggerated light output claims. Although the EPA 92 amendments to EPCA state that labeling information for incandescent lamps shall be based on operation at 120 volts, regardless of the rated (or design) lamp voltage, the statute does not prohibit the Commission from allowing additional disclosures based on operation of the lamp at a different design voltage. EPCA also leaves to the Commission's discretion both the specific disclosures that should be required and the manner and format in which the disclosures should be made. Thus, in order to ensure that purchasers in 125-volt service regions are provided accurate performance information, and to allow manufacturers flexibility in marketing longer-life, 130-volt design voltage lamps, the Commission determined to allow manufacturers, at their option, to disclose performance information at an additional design voltage. This information could be included on the

primary display panel, or on a different panel on the package.

NEMA, however, asserted in its Petition that marketing considerations may lead manufacturers to put design voltage information on the primary display panel (along with the required data at 120 volts). A review of sample labels with dual 120 volt and 125 volt/130 volt disclosures on the primary display panel indicates that this disclosure format may be confusing to consumers. The Commission, therefore, is amending the Rule to allow manufacturers the option of limiting disclosures of light output, energy used, and life on the primary display panel of the package to operation of the lamp at its design voltage if: (a) The disclosures of light output, energy used, and life when operated at 120 volts appear elsewhere on the package; (b) a specific explanatory statement about the effect of the lamp's design voltage on light output and efficiency when the lamp is operated at 120 volts and the location of performance information for operation at 120 volts appears clearly and conspicuously on the primary display panel; and (c) all panels of the package that contain a claim about light output, energy used, or life clearly and conspicuously identify the lamp as "(125 volt/130 volt)."

The amendments adopted today comply with the statutory mandate because they require clear and conspicuous disclosures on labels of specific performance information for the lamps when they are operated at 120 volts. In addition, the amendments ensure that purchasers are provided with accurate information they need when they make purchase decisions.

2. Light Output Disclosures for Reflector Lamps

Not all light produced by an incandescent reflector lamp is reflected forward as useable light.²² Some light output may escape around the base of the lamp and be lost into the lamp fixture. Some light may be reflected back and forth inside the cone of the lamp and not be emitted as useable light output. Thus, in an attempt to ensure that only useable light output would be disclosed, the original lamp labeling amendments to the Appliance Labeling Rule required that the labeled light

²²Incandescent reflector lamps (also known as reflectorized incandescent lamps) are cone-shaped with a reflectorized coating applied to the cone-shaped part of the bulb. Incandescent reflector lamps thus allow light output to be directed and focused forward through the face of the lamp. They may be used, for example, to provide lighting from recessed ceiling fixtures or as spotlights or floodlights.

output for incandescent reflector lamps be for the lamp's "beam spread," and be followed clearly and conspicuously by the phrase "at beam spread."

The Commission now concludes that there has been confusion about the use of terms such as "beam spread," "beam angle," "total lumens," and "total forward lumens" for incandescent reflector lamps. Accordingly, the Commission amends the Appliance Labeling Rule to state that the required light output disclosure for incandescent reflector lamps is of "total forward lumens," instead of lumens "at beam spread." With this amendment, the Commission believes the Rule will state more clearly that the light output disclosure required by the Appliance Labeling Rule is for the useable light output reflected forward, and not merely of forward light focused within the more narrow "beam spread" of the particular lamp. By use of the term "total forward lumens," the amended Rule also will more clearly state that the light output disclosure required by the Appliance Labeling Rule for incandescent reflector lamps is the same as the light output measurement used by DOE in determining whether these products meet the minimum efficiency standards under EPCA.²³

Because of the confusion that has resulted from the reference to "beam spread," the Commission also amends the Rule to delete the requirement that the lumen disclosure for incandescent reflector lamps be followed by the phrase "at beam spread." Further, because the amended Rule clarifies that the measurement method for determining light output for all reflector lamps is the same, regardless of the particular lamp's beam spread or beam angle, it is unnecessary for the Rule to require a disclosure that the measurement is of "total forward lumens."

Lastly, the Commission amends the Rule to allow manufacturers of incandescent reflector lamps, at their option, to insert in the Advisory Statement the reference to selecting a lamp with the "beam spread," as well as the light output, that purchasers need. The amended Advisory Statement thus will better assist purchasers in selecting the most efficient lamp that meets their needs, after they first select the type of reflector lamp (e.g., spotlight or floodlight) that they desire.

List of Subjects in 16 CFR Part 305

Advertising, Consumer protection, Energy conservation, Household appliances, Labeling, Lamp products,

²³See note 12, supra.

Penalties, Reporting and recordkeeping requirements.

V. Text of Final Amendments

Accordingly, the Commission amends 16 CFR part 305 as follows:

PART 305—RULE CONCERNING DISCLOSURES REGARDING ENERGY CONSUMPTION AND WATER USE OF CERTAIN HOME APPLIANCES AND OTHER PRODUCTS REQUIRED UNDER THE ENERGY POLICY AND CONSERVATION ACT (“APPLIANCE LABELING RULE”)

1. The authority citation for part 305 continues to read as follows:

Authority: 42 U.S.C. 6294.

2. Section 305.11 is amended by revising paragraphs (e)(1)(iii), (e)(1)(iv), and (e)(1)(vi) to read as follows:

§ 305.11 Labeling for covered products.

* * * * *

(e) Lamps—

(1)(i) * * *

(iii) The light output, energy usage and life ratings of any covered product that is a medium base compact fluorescent lamp or general service incandescent lamp (including an incandescent reflector lamp), shall be measured at 120 volts, regardless of the lamp’s design voltage. If a lamp’s design voltage is 125 volts or 130 volts, the disclosures of the wattage, light output and life ratings shall in each instance be:

(A) At 120 volts and followed by the phrase “at 120 volts.” In such case, the labels for such lamps also may disclose the lamp’s wattage, light output and life at the design voltage (e.g., “Light Output 1710 Lumens at 125 volts”); or

(B) At the design voltage and followed by the phrase “at (125 volts/130 volts)” if the ratings at 120 volts are disclosed clearly and conspicuously on another panel of the package, and if all panels of the package that contain a claimed light output, wattage or life clearly and conspicuously identify the lamp as “(125 volt/130 volt),” and if the principal display panel clearly and conspicuously discloses the following statement:

This product is designed for (125/130) volts. When used on the normal line voltage of 120 volts, the light output and energy efficiency are noticeably reduced. See (side/back) panel for 120 volt ratings.

(iv) For any covered product that is an incandescent reflector lamp, the required disclosure of light output shall be given for the lamp’s total forward lumens.

* * * * *

(vi) For any covered product that is a compact fluorescent lamp or a general service incandescent lamp (including an incandescent reflector lamp), there shall be clearly and conspicuously disclosed on the principal display panel the following statement:

To save energy costs, find the bulbs with the (beam spread and) light output you need, then choose the one with the lowest watts.”

* * * * *

By direction of the Commission.

Benjamin I. Berman,

Acting Secretary.

[FR Doc. 95-14440 Filed 6-12-95; 8:45 am]

BILLING CODE 6750-01-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[PA63-1-7032a; FRL-5220-4]

Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Pennsylvania: Withdrawal of Determination of Attainment of Ozone Standard by the Pittsburgh-Beaver Valley and Reading Ozone Nonattainment Areas and Determination Regarding Applicability of Certain Reasonable Further Progress and Attainment Demonstration Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of direct final rule.

SUMMARY: On May 26, 1995, EPA published a final rule determining the applicability of certain reasonable further progress and attainment demonstration requirements, along with certain other related requirements, of Part D of Title I of the Clean Air Act (CAA) for the Pittsburgh/Beaver Valley and Reading ozone nonattainment areas. This action was published without prior proposal. Because EPA received adverse comments on this action, EPA is withdrawing the May 26, 1995, final rulemaking action pertaining to the Pittsburgh/Beaver Valley and Reading nonattainment areas.

EFFECTIVE DATE: June 13, 1995.

FOR FURTHER INFORMATION CONTACT: Kathleen Henry, (215) 597-0545.

SUPPLEMENTARY INFORMATION: On May 26, 1995, EPA published a final rule determining that certain reasonable further progress and attainment demonstration requirements, along with certain other related requirements, of Part D of Title I of the Clean Air Act (CAA) for the Pittsburgh/Beaver Valley and Reading ozone nonattainment areas

no longer apply. This determination was based on these areas having attained the National Ambient Air Quality Standard (NAAQS) for ozone based on three years of air quality monitoring data (60 FR 27893). The final rule was published, without prior proposal, in the **Federal Register** with a provision for a 30 day comment period. At the same time, EPA published a proposed rule which announced that this final rule would convert to a proposed rule in the event that adverse comments were submitted to EPA within 30 days of publication of the rule in the **Federal Register** (60 FR 27945). By publishing a notice announcing withdrawal of the final rulemaking action, this action would be withdrawn. EPA received adverse comment within the prescribed comment period. Therefore, EPA is withdrawing the May 26, 1995, final rulemaking action pertaining to the Pittsburgh/Beaver Valley and Reading nonattainment areas. All public comments received will be addressed in a subsequent rulemaking action based on the proposed rule.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental relations, Nitrogen dioxide, Ozone.

Dated: June 5, 1995.

Stanley L. Laskowski,

Acting Regional Administrator, Region III.

[FR Doc. 95-14388 Filed 6-12-95; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 52

[CA-140-2-6993a; FRL-5211-9]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Mojave Desert Air Quality Management District and South Coast Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action on revisions to the California State Implementation Plan (SIP). The revisions concern rules from the following districts: Mojave Desert Air Quality Management District (MDAQMD) and South Coast Air Quality Management District (SCAQMD). This approval action will incorporate these rules into the federally approved SIP. The intended effect of approving these rules is to regulate emissions of volatile organic