

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## FEDERAL TRADE COMMISSION

### 16 CFR Chapter I

#### Regulatory Review Schedule

**AGENCY:** Federal Trade Commission.

**ACTION:** Notice of intent to request public comments.

**SUMMARY:** As part of its ongoing, systematic review of all Federal Trade Commission rules and guides, the Commission announces a modified ten-year regulatory review schedule. No Commission determination on the need for, or the substance of, the rules and guides listed below should be inferred from this notice.

**DATES:** February 16, 2016.

**FOR FURTHER INFORMATION CONTACT:** Jock Chung, (202) 326-2984, Federal Trade Commission, Bureau of Consumer Protection, Division of Enforcement, 600 Pennsylvania Ave. NW., Washington, DC 20850. Further details about particular rules or guides may be obtained from the contact person listed below for the rule or guide.

**SUPPLEMENTARY INFORMATION:** To ensure that its rules and industry guides remain relevant and are not unduly burdensome, the Commission reviews them on a ten-year schedule. Each year the Commission publishes its review

schedule, with adjustments made in response to public input, changes in the marketplace, and resource demands.

When the Commission reviews a rule or guide, it publishes a notice in the **Federal Register** seeking public comment on the continuing need for the rule or guide, as well as the rule's or guide's costs and benefits to consumers and businesses. Based on this feedback, the Commission may modify or repeal the rule or guide to address public concerns or changed conditions, or to reduce undue regulatory burden.

The Commission posts information about its review schedule on its Web site<sup>1</sup> to facilitate comment. This Web site provides links in one location to **Federal Register** notices requesting comments and comments for rules and guides that are currently under review. The Web site also contains an updated review schedule, a list of rules and guides previously eliminated in the regulatory review process, and the Commission's regulatory review plan.

#### Modified Ten-Year Schedule for Review of FTC Rules and Guides

For 2016, the Commission intends to initiate reviews of, and solicit public comments on, the following rules:

(1) *Standards for Safeguarding Customer Information, 16 CFR part 314.* Agency Contact: David Lincicum, (202) 326-2773, Federal Trade Commission, Bureau of Consumer Protection, Division of Privacy and Identity Protection, 600 Pennsylvania Ave. NW., Washington, DC 20580.

(2) *CAN-SPAM Rule, 16 CFR part 316.* Agency Contact: Christopher Brown, (202) 326-2825, Federal Trade

Commission, Bureau of Consumer Protection, Division of Marketing Practices, 600 Pennsylvania Ave. NW., Washington, DC 20580.

(3) *Labeling and Advertising of Home Insulation, 16 CFR part 460.* Agency Contact: Hampton Newsome, (202) 326-2889, Federal Trade Commission, Bureau of Consumer Protection, Division of Enforcement, 600 Pennsylvania Ave. NW., Washington, DC 20580.

(4) *Disposal of Consumer Report Information and Records, 16 CFR part 682.* Agency Contact: Tiffany George, (202) 326-3040, Federal Trade Commission, Bureau of Consumer Protection, Division of Privacy and Identity Protection, 600 Pennsylvania Ave. NW., Washington, DC 20580.

The Commission is currently reviewing 9 of the 65 rules and guides within its jurisdiction. During 2015, it completed reviews of 12 rules and guides.

A copy of the Commission's modified regulatory review schedule for 2016 through 2026 is appended. The Commission, in its discretion, may modify or reorder the schedule in the future to incorporate new rules, or to respond to external factors (such as changes in the law) or other considerations.

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

By direction of the Commission.

**Donald S. Clark,**  
*Secretary.*

#### Appendix

#### Regulatory Review

#### MODIFIED TEN-YEAR SCHEDULE

16 CFR Part	Topic	Year to review
23	Guides for the Jewelry, Precious Metals, and Pewter Industries	Currently Under Review.
259	Guide Concerning Fuel Economy Advertising for New Automobiles	Currently Under Review.
304	Rules and Regulations under the Hobby Protection Act	Currently Under Review.
308	Trade Regulation Rule Pursuant to the Telephone Disclosure and Dispute Resolution Act of 1992 [Pay Per Call Rule].	Currently Under Review.
310	Telemarketing Sales Rule	Currently Under Review.
315	Contact Lens Rule	Currently Under Review.
423	Care Labeling of Textile Wearing Apparel and Certain Piece Goods	Currently Under Review.
455	Used Motor Vehicle Trade Regulation Rule	Currently Under Review.
456	Ophthalmic Practice Rules (Eyeglass Rule)	Currently Under Review.
314	Standards for Safeguarding Customer Information	2016.
316	CAN-SPAM Rule	2016.
460	Labeling and Advertising of Home Insulation	2016.
682	Disposal of Consumer Report Information and Records	2016.

<sup>1</sup> <http://www.ftc.gov/enforcement/rules/regulatory-review>.

## MODIFIED TEN-YEAR SCHEDULE—Continued

16 CFR Part	Topic	Year to review
233	Guides Against Deceptive Pricing	2017.
238	Guides Against Bait Advertising	2017.
251	Guide Concerning Use of the Word “Free” and Similar Representations	2017.
410	Deceptive Advertising as to Sizes of Viewable Pictures Shown by Television Receiving Sets	2017.
18	Guides for the Nursery Industry	2018.
311	Test Procedures and Labeling Standards for Recycled Oil	2018.
436	Disclosure Requirements and Prohibitions Concerning Franchising	2018.
681	Identity Theft [Red Flag] Rules	2018.
24	Guides for Select Leather and Imitation Leather Products	2019.
453	Funeral Industry Practices	2019.
14	Administrative Interpretations, General Policy Statements, and Enforcement Policy Statements	2020.
255	Guides Concerning Use of Endorsements and Testimonials in Advertising	2020.
313	Privacy of Consumer Financial Information	2020.
317	Prohibition of Energy Market Manipulation Rule	2020.
318	Health Breach Notification Rule	2020.
432	Power Output Claims for Amplifiers Utilized in Home Entertainment Products	2020.
444	Credit Practices	2020.
640	Duties of Creditors Regarding Risk-Based Pricing	2020.
641	Duties of Users of Consumer Reports Regarding Address Discrepancies	2020.
642	Prescreen Opt-Out Notice	2020.
660	Duties of Furnishers of Information to Consumer Reporting Agencies	2020.
680	Affiliate Marketing	2020.
698	Model Forms and Disclosures	2020.
801	[Hart-Scott-Rodino Antitrust Improvements Act] Coverage Rules	2020.
802	[Hart-Scott-Rodino Antitrust Improvements Act] Exemption Rules	2020.
803	[Hart-Scott-Rodino Antitrust Improvements Act] Transmittal Rules	2020.
437	Business Opportunity Rule	2021.
260	Guides for the Use of Environmental Marketing Claims	2022.
312	Children’s Online Privacy Protection Rule	2022.
254	Guides for Private Vocational and Distance Education Schools	2023.
309	Labeling Requirements for Alternative Fuels and Alternative Fueled Vehicles	2023.
429	Rule Concerning Cooling-Off Period for Sales Made at Homes or at Certain Other Locations	2023.
20	Guides for the Rebuilt, Reconditioned, and Other Used Automobile Parts Industry	2024.
240	Guides for Advertising Allowances and Other Merchandising Payments and Services [Fred Meyer Guides].	2024.
300	Rules and Regulations under the Wool Products Labeling Act of 1939	2024.
301	Rules and Regulations under Fur Products Labeling Act	2024.
303	Rules and Regulations under the Textile Fiber Products Identification Act	2024.
425	Use of Prenotification Negative Option Plans	2024.
435	Mail, Internet, or Telephone Order Merchandise	2024.
424	Retail Food Store Advertising and Marketing Practices [Unavailability Rule]	2024.
239	Guides for the Advertising of Warranties and Guarantees	2025.
306	Automotive Fuel Ratings, Certification and Posting	2025.
305	Energy Labeling Rule	2025.
433	Preservation of Consumers’ Claims and Defenses [Holder in Due Course Rule]	2025.
500	Regulations under Section 4 of the Fair Packaging and Labeling Act	2025.
501	Exemptions from Requirements and Prohibitions under Part 500	2025.
502	Regulations under Section 5(c) of the Fair Packaging and Labeling Act	2025.
503	Statements of General Policy or Interpretation [under the Fair Packaging and Labeling Act]	2025.
700	Interpretations of Magnuson-Moss Warranty Act	2025.
701	Disclosure of Written Consumer Product Warranty Terms and Conditions	2025.
702	Pre-Sale Availability of Written Warranty Terms	2025.
703	Informal Dispute Settlement Procedures	2025.

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**DEPARTMENT OF LABOR****Occupational Safety and Health Administration****29 CFR Parts 1910, 1915, and 1926****[Docket No. OSHA–H005C–2006–0870–0353]****RIN 1218–AB76****Occupational Exposure to Beryllium****AGENCY:** Occupational Safety and Health Administration (OSHA), Labor**ACTION:** Proposed rule; notice of informal public hearing; Date change.**SUMMARY:** OSHA is rescheduling the informal public hearing on its proposed rule “Occupational Exposure to Beryllium and Beryllium Compounds.” The public hearing will now begin on Monday March 21, 2016 at 2 p.m., local time. The public hearing notice was published in the **Federal Register** on December 30, 2015. The proposed rule was published in the **Federal Register** on August 7, 2015 and the 90-day public