Rules and Regulations

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FEDERAL TRADE COMMISSION

16 CFR Part 252

Guides for Labeling, Advertising, and Sale of Wigs and Other Hairpieces

AGENCY: Federal Trade Commission.

ACTION: Rescission of the Guides for Labeling, Advertising, and Sale of Wigs and Other Hairpieces.

SUMMARY: The Federal Trade Commission (the ''Commission''), as part of its periodic review of all its guides and rules, announces that it has concluded a review of its Guides for Labeling, Advertising, and Sale of Wigs and Other Hairpieces (''Guides'' or ''Wig Guides''). The Commission has decided to rescind the Guides.

EFFECTIVE DATE: August 9, 1995.

FOR FURTHER INFORMATION CONTACT: Ann Stahl Guler, Investigator, Federal Trade Commission, Los Angeles Regional Office, 11000 Wilshire Blvd., Suite 13209, Los Angeles, CA 90024, (310) 235–7890.

SUPPLEMENTARY INFORMATION:

I. Background

The Wig Guides were issued by the Commission in 1970.[1] The Guides concerned representations and disclosures in the advertising and labeling of hairpieces for women and men, including wigs, falls, chignons, and toupees. On April 15, 1994, the Commission published a Notice in the **Federal Register** soliciting comment on the Guides.[2] Specifically, the Commission solicited comments on the costs and benefits of the Guides and their regulatory and economic effect. The comment period closed June 14, 1994. The Commission received two comments in response to the Notice. They are discussed in Part II below.

II. Comments Received

The Commission received comments from one organization, the American Hair Loss Council (AHLC), and one individual, Johanna Ehmann, RN. Ms. Ehmann's comment did not refer to the Guides, but provided copies of a booklet entitled *Hair Loss and Cancer Therapy* to aid the Commission in its review of the Guides.

The AHLC supported retention of the Guides. It also proposed expanding the Guides to encompass ''Hair Addition System,'' such as hair implants.

III. Conclusion

The Commission has concluded its regulatory review of the Guides for Labeling, Advertising, and Sale of Wigs and Other Hairpieces by rescinding the Guides. The Commission based its decision on the fact that existing statutes adequately address the consumer protection issues that originally gave rise to the Guides.

Section 252.3 of the Guides stated that the foreign origin of all imported industry products must be disclosed on labels and in advertising. The Tariff Act requires that all wigs and other hairpieces, whether made from human, animal, or synthetic hair, be labeled as to country of origin.[3]

Section 252.4 of the Guides, providing that highly flammable wigs and related products should not be sold in the United States, has been superseded by statutory changes. Two years after the Wig Guides were issued, Congress transferred enforcement of the Flammable Fabrics Act to the newly-created Consumer Product Safety Commission.[4]

Section 252.2 stated that labels and advertising should disclose whether hair is composed of human or artificial hair (or a combination of both); Section 252.6 said that used industry products should be labeled as such. The remaining sections of the Guides delineated specific misrepresentations as to styling characteristics,[5] as well as general misrepresentations;[6] limited designations of hair such as ''natural'' and ''genuine'' to human hair;[7] and provided definitions of ''handmade,''[8] ''custom-made'' and similar terms,[9] ''custom-colored'' and related terms,[10] and ''virgin'' hair.[11]

The United States now imports nearly all wigs sold domestically, except for those produced by a few custom wig makers. The Commission is not aware of any unique consumer protection issues currently associated with the advertising or labeling of wigs and other hairpieces. The comments submitted to the Commission demonstrated no continuing need by the wig industry for special Commission guidance. If, in the future, practices in the sale of wigs are determined to be materially misleading and to cause consumer harm, the Commission can address such practices under Section 5 of the Federal Trade Commission Act.[12]

List of Subjects in 16 CFR Part 252

Advertising, Cosmetics, Labeling, Trade practices, Wigs and Hairpieces.

By direction of the Commission.

Donald S. Clark,

Secretary.

PART 252—[REMOVED]

The Commission, under authority of sections 5(a)(1) and 6(g) of the Federal Trade Commission Act, 15 U.S.C. 45(a)(1) and 46(g), amends chapter I of title 16 of the Code of Federal Regulations by removing Part 252.

[FR Doc. 95–19545 Filed 8–8–95; 8:45 am]

BILLING CODE 6750–01–M

[1] Industry guides are administrative interpretations of laws administered by the Commission for the guidance of the public in conducting its affairs in conformity with legal requirements. 16 CFR 1.5.

[2] 59 FR 18005.

[3] 19 U.S.C. § 1304; Tariffs 6703, 6704, *Harmonized Tariff Schedule of the United States* (1995).

[4] 15 U.S.C. § 2079(b).

[5] 16 CFR § 252.10.

[6] 16 CFR § 252.1.

[7] 16 CFR § 252.5.

[8] 16 CFR § 252.7.

[9] 16 CFR § 252.8.

[10] 16 CFR § 252.9.

[11] 16 CFR § 252.11.

[12] Section 5 of the FTC Act, 15 U.S.C. § 45(a)(1), prohibits unfair or deceptive acts or practices in or affecting commerce.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 510 and 520

Animal Drugs, Feeds, and Related Products; Oxytetracycline Hydrochloride Soluble Powder

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of an abbreviated new animal drug application (ANADA) filed by Rhone Merieux Canada, Inc. The ANADA provides for the use of a generic oxytetracycline hydrochloride soluble powder administered orally in drinking water for the control of certain diseases of chickens and turkeys and the treatment and control of certain diseases of swine, all susceptible to oxytetracycline.

EFFECTIVE DATE: August 9, 1995.

FOR FURTHER INFORMATION CONTACT: Melanie R. Berson, Center for Veterinary Medicine (HFV–135), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–594–1643.

SUPPLEMENTARY INFORMATION: Rhone Merieux Canada, Inc., 345 Boul. Labbe Blvd., North Victoriaville, QC, G6P 1B1, Canada, filed ANADA 200–144 which provides for use of oxytetracycline hydrochloride soluble powder in drinking water of chickens, turkeys, and swine. The medicated drinking water is used as follows: (1) Chickens for control of infectious synovitis caused by *Mycoplasma synoviae* susceptible to oxytetracycline; control of chronic respiratory disease (CRD) and air sac infections caused by *M. gallisepticum* and *Escherichia coli* susceptible to oxytetracycline; control of fowl cholera caused by *Pasteurella multocida* susceptible to oxytetracycline; (2) turkeys for control of hexamitiasis caused by *Hexamita meleagridis* susceptible to oxytetracycline; infectious synovitis caused by *M. synoviae* susceptible to oxytetracycline; and control of complicating bacterial organisms associated with blue comb (transmissible enteritis; coronaviral enteritis) susceptible to oxytetracycline; (3) swine for control and treatment of bacterial enteritis caused by *E. coli* and *Salmonella choleraesuis* and bacterial pneumonia caused by *P. multocida* susceptible to oxytetracycline; and (4) breeding swine for control and treatment of leptospirosis (reducing the incidence of abortions and shedding of leptospira) caused by *Leptospira pomona* susceptible to oxytetracycline.

Approval of ANADA 200–144 for oxytetracycline soluble powder is a generic copy of I. D. Russell's NADA 130–435 (Oxytet Soluble). The ANADA is approved as of June 26, 1995, and the regulations in § 520.1660d (21 CFR 520.1660d) are amended to reflect the approval. The basis for approval is discussed in the freedom of information summary.

Also, Rhone Merieux Canada, Inc., has not been previously listed in 21 CFR 510.600(c) as sponsor of an approved application. That section is amended to add entries for the firm.

In addition, the regulation contains an outdated paragraph citing the National Academy of Sciences/National Research Council (NAS/NRC) status of these products. The Generic Animal Drug and Patent Term Restoration Act of 1988 changed that status, therefore, § 520.1660d(c)(2) is removed and reserved.

In accordance with the freedom of information provisions of part 20 (21 CFR part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA–305), Food and Drug Administration, rm. 1–23, 12420 Parklawn Dr., Rockville, MD 20857, between 9 a.m. and 4 p.m., Monday through Friday.

The agency has carefully considered the potential environmental effects of this action. FDA has concluded that the action will not have a significant impact on the human environment, and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above), between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects

21 CFR Part 510

Administrative practice and procedure, Animal drug, Labeling, Reporting and recordkeeping requirements.

21 CFR Part 520

Animal drugs.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR parts 510 and 520 are amended as follows:

PART 510—NEW ANIMAL DRUGS

1. The authority citation for 21 CFR part 510 continues to read as follows:

Authority: Secs. 201, 301, 501, 502, 503, 512, 701, 721 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 331, 351, 352, 353, 360b, 371, 379e).

2. Section 510.600 is amended in the table in paragraph (c)(1) by alphabetically adding a new entry for ''Rhone Merieux Canada, Inc.,'' and in the table in paragraph (c)(2) by numerically adding a new entry for ''047015'' to read as follows:

§ 510.600 Names, addresses, and drug labeler codes of sponsors of approved applications.

* * * * *

(c) * * *

(1) * * *

Firm name and address	Drug labeler code
* * * * *	* *
Rhone Merieux Canada, Inc., 345 Boul. Labbe Blvd., North, Victoriaville, QC, G6P 1B1 Canada	047015
* * * * *	* *

(2) * * *

Drug labeler code	Firm name and address
* * *	* * * * *
047015	Rhone Merieux Canada, Inc., 345 Boul. Labbe Blvd., North, Victoriaville, QC G6P 1B1 Canada.
* * *	* * * * *

PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS

1. The authority citation for 21 CFR part 520 continues to read as follows:

Authority: Sec. 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b).

§ 520.1660d [Amended]

2. Section 520.1660d *Oxytetracycline hydrochloride soluble powder* is amended in paragraph (b)(2) by adding the phrase ''and 047015'' after ''017144,'' and by removing and reserving paragraph (c).

Dated: July 31, 1995.

Stephen F. Sundlof,

Director, Center for Veterinary Medicine.

[FR Doc. 95–19634 Filed 8–8–95; 8:45 am]

BILLING CODE 4160–01–F

21 CFR Parts 510 and 529

Animal Drugs, Feeds, and Related Products; Isoflurane

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of an abbreviated new animal drug application (ANADA) filed by Halocarbon Laboratories, Division of Halocarbon Products Corp. The ANADA provides for use of isoflurane as an inhalant for induction and maintenance of general anesthesia in horses and dogs.

EFFECTIVE DATE: August 9, 1995.

FOR FURTHER INFORMATION CONTACT: Sandra K. Woods, Center For Veterinary Medicine (HFV–114), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–594–1616.

SUPPLEMENTARY INFORMATION: Halocarbon Laboratories, Division of Halocarbon Products Corp., 887 Kinderkamack Rd., P.O. Box 661, River Ridge, NJ 07661, filed ANADA 200–129 which provides for inhalant use of isoflurane for induction and maintenance of general anesthesia in horses and dogs. The drug is limited to use by or on the order of a licensed veterinarian.

Approval of ANADA 200–129 for Halocarbon Laboratories' isoflurane is as a generic copy of Anaquest's NADA 135–773 for AErrane® (isoflurane). The ANADA is approved as of June 29, 1995, and the regulations are amended by revising 21 CFR 529.1186(b) to reflect the approval. The basis of approval is discussed in the freedom of information summary. In addition, Halocarbon Laboratories has not been previously listed in 21 CFR 510.600(c) as sponsor of an approved application. That section is amended to add entries for the firm.

In accordance with the freedom of information provisions of part 20 (21 CFR part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA–305), Food and Drug Administration, rm. 1–23, 12420 Parklawn Dr., Rockville, MD 20857, between 9 a.m. and 4 p.m., Monday through Friday.

The agency has carefully considered the potential environmental effects of this action. FDA has concluded that the action will not have a significant impact on the human environment, and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects

21 CFR Part 510

Administrative practice and procedure, Animal drugs, Labeling, Reporting and recordkeeping requirements.

21 CFR Part 529

Animal drugs.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR parts 510 and 529 are amended as follows:

PART 510—NEW ANIMAL DRUGS

1. The authority citation for 21 CFR part 510 continues to read as follows:

Authority: Secs. 201, 301, 501, 502, 503, 512, 701, 721 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 331, 351, 352, 353, 360b, 371, 379e).

2. Section 510.600 is amended in the table in paragraph (c)(1) by alphabetically adding a new entry for ''Halocarbon Laboratories'' and in the table in paragraph (c)(2) by numerically adding a new entry for ''012164'' to read as follows:

§ 510.600 Names, addresses, and drug labeler codes of sponsors of approved applications.

* * * * *

(c) * * *

(1) * * *

Firm name and address	Drug labeler code
* * * * *	* *
Halocarbon Laboratories, Division of Halocarbon Products Corp., 887 Kinderkamack Rd., P.O. Box 661, River Ridge, NJ 07661.	012164
* * * * *	* *