

§ 1616.6

incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Items which do not withstand 50 launderings shall be tested at the end of their useful service life with prior approval of the Consumer Product Safety Commission.

(ii) Washing shall be performed in accordance with sections 8.2.2 and 8.2.3 of AATCC Test Method 124-1996, using wash temperature V ($60^{\circ} \pm 3^{\circ} \text{C}$, $140^{\circ} \pm 5^{\circ} \text{F}$) specified in Table II of that method, and the water level, agitator speed, washing time, spin speed and final spin cycle specified for "Normal/Cotton Sturdy" in Table III. A maximum washer load shall be 3.64 Kg (8 pounds) and may consist of any combination of test samples and dummy pieces. Drying shall be performed in accordance with section 8.3.1(A) of that test method, Tumble Dry, using the exhaust temperature ($66^{\circ} \pm 5^{\circ} \text{C}$, $150^{\circ} \pm 10^{\circ} \text{F}$) and cool down time of 10 minutes specified in the "Durable Press" conditions of Table IV. Alternatively, a different number of times under another washing and drying procedure may be specified and used, if that procedure has previously been found to be equivalent by the Consumer Product Safety Commission. Such laundering is not required of items which are not intended to be laundered, as determined by the Consumer Product Safety Commission.

(iii) Items which are not susceptible to being laundered and are labeled "dry-clean only" shall be dry-cleaned by a procedure which has previously been found to be acceptable by the Consumer Product Safety Commission.

(iv) For the purpose of the issuance of a guarantee under section 8 of the act, finished sleepwear garments to be tested according to § 1616.4(c) *Garment sampling*, need not be laundered or dry-cleaned provided all fabrics used in making the garments (except trim) have been guaranteed by the fabric producer to be acceptable when tested according to § 1616.4(b) *Fabric sampling*.

[40 FR 59917, Dec. 30, 1975; 41 FR 1061, Jan. 6, 1976, as amended at 46 FR 63252, Dec. 31, 1981; 64 FR 34538, June 28, 1999; 64 FR 61021, Nov. 9, 1999; 65 FR 12928, Mar. 10, 2000]

16 CFR Ch. II (1-1-04 Edition)

§ 1616.6 Labeling requirements.

(a) All items of children's sleepwear shall be labeled with precautionary instructions to protect the items from agents or treatments which are known to cause significant deterioration of their flame resistance. If the item has been initially tested under § 1616.5(c)(4) *Laundering*, after one washing and drying, it shall be labeled with instructions to wash before wearing. Such labels shall be permanent and otherwise in accordance with rules and regulations established by the Consumer Product Safety Commission.

(b) [Reserved]

[40 FR 59917, Dec. 30, 1975, as amended at 61 FR 1117, Jan. 16, 1996]

Subpart B—Rules and Regulations

AUTHORITY: Sec. 5, 67 Stat. 112-13, as amended 81 Stat. 571; 15 U.S.C. 1194.

§ 1616.31 Labeling, recordkeeping, retail display and guaranties.

(a) *Definitions*. For the purpose of this section, the following definitions apply:

(1) *Standard* means the Standard for the Flammability of Children's Sleepwear: Sizes 7 through 14 (FF 5-74) (subpart A of part 1616 of this chapter) promulgated by the Consumer Product Safety Commission in the FEDERAL REGISTER of May 1, 1974 (39 FR 15214), and amended in the FEDERAL REGISTER of March 21, 1975 (40 FR 12811) (correction notice published for technical reasons on March 27, 1975, 40 FR 13547).

(2) *Children's sleepwear* means "children's sleepwear" as defined in § 1616.2(a) of the Standard, that is, "any product of wearing apparel size 7 through 14, such as nightgowns, pajamas, or similar or related items, such as robes, intended to be worn primarily for sleeping or activities related to sleeping. Diapers and underwear are excluded from this definition."

(3) *Item* means "item" as defined in § 1616.2(c) of the Standard, that is, "any product of children's sleepwear or any fabric or related material intended or promoted for use in children's sleepwear."

(4) *Market or handle* means any one or more of the transactions set forth in