6b ok
lab

(113)

2 3 MAY 1974

see also opinion 110

Frank H. Case, III, Esquire
Governmental Affairs
Sears Roebuck and Company
1211 Connecticut Avenue
Washington, D.C. 20036

Dear Mr. Case:

This is in response to your letter of May 16, 1974, asking whether the term, "manufacturer," as used in 16 CFR 1505.4(a)(3), includes private labelers, so as to require private label retailers to keep and make available to the Commission records relating to the production and distribution of articles subject to the electrically operated toy regulations under the Federal Hazardous Substances Act.

The Office of the General Counsel is of the opinion that the term "manufacturer" as used in the above-mentioned portion of the regulations was not intended to include private labelers, even where the articles are manufactured to the specifications of the private labeler.

Please contact me should you have any further questions regarding this matter.

Sincerely,

Michael A. Brown
General Counsel

DSLEMBERG/MAFREESTON:jh 5-22-74
gc file
gc chron
gc reading
Freeston
Lemberg

cc: Executive Director
Field Coordination
OSCA
BOC
Sadye Dunn

ADVISORY OPINION