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Mr. T. A. Kennedy
ACH Fiber Service, Incorporated
11017 Melcher Street
Boston, Massachusetts 02210

Dear Mr. Kennedy:

This is in response to your letter dated October 19 in which you ask whether testing for guaranty purposes under the Flammable Fabrics Act may be performed outside the United States.

For a guaranty to amount to a bar to prosecution under section 7 of the Act, the person issuing the guaranty must reside in the United States and should maintain records in this country of test results which form the basis of the guaranty. Tests may be conducted outside the United States if these two requirements are met. Of course, a guarantor is subject to all the requirements of section 8 of the Act and the rules and regulations issued under the Act, even if tests are conducted outside the United States.

I hope this information is helpful to you. If you have any further questions, please contact me.

Sincerely,

Michael A. Brown

Michael A. Brown
General Counsel

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