

to post the octane rating of the gasoline consistent with your determination of the octane rating according to the method in § 306.5. In cases involving gasoline, the octane rating must be shown as a whole or half number equal to or less than the number certified to you or determined by you.

(d) If you do not blend alternative liquid automotive fuels, you must post consistent with the automotive fuel rating certified to you. If you blend alternative liquid automotive fuels, you must possess a reasonable basis, consisting of competent and reliable evidence, for the automotive fuel rating that you post for the blend.

(e)(1) You must maintain and replace labels as needed to make sure consumers can easily see and read them.

(2) If the labels you have are destroyed or are unusable or unreadable for some unexpected reason, you can satisfy the law by posting a temporary label as much like the required label as possible. You must still get and post the required label without delay.

(f) The following examples of automotive fuel rating disclosures for some presently available alternative liquid automotive fuels are meant to serve as illustrations of compliance with this part, but do not limit the Rule's coverage to only the mentioned fuels:

(1) "Methanol/Minimum _____ % Methanol"

(2) "Ethanol/Minimum _____ % Ethanol"

(3) "M-85/Minimum _____ % Methanol"

(4) "E-85/Minimum _____ % Ethanol"

(5) "LPG/Minimum _____ % Propane"

or
"LPG/Minimum _____ % Propane and _____ % Butane"

(6) "LNG/Minimum _____ % Methane"

(7) "B-20 Biodiesel Blend/contains biomass-based diesel or biodiesel in quantities between 5 percent and 20 percent"

(8) "20% Biomass-Based Diesel Blend/contains biomass-based diesel or biodiesel in quantities between 5 percent and 20 percent"

(9) "B-100 Biodiesel/contains 100 percent biodiesel"

(10) "100% Biomass-Based Diesel/contains 100 percent biomass-based diesel"

(g) When you receive automotive fuel from a common carrier, you also must receive from the common carrier a certification of the automotive fuel rating of the automotive fuel, either by letter or on the delivery ticket or other paper.

[58 FR 41374, Aug. 3, 1993, as amended at 59 FR 48798, Sept. 23, 1994; 73 FR 40163, July 11, 2008]

§ 306.11 Recordkeeping.

You must keep for one year any delivery tickets or letters of certification on which you based your posting of automotive fuel ratings. You also must keep for one year records of any automotive fuel rating determinations you made according to § 306.5. These records may be kept at the retail outlet or at another, reasonably close location. They must be available for inspection by Federal Trade Commission and Environmental Protection Agency staff members or by persons authorized by FTC or EPA.

[58 FR 41374, Aug. 3, 1993]

LABEL SPECIFICATIONS

§ 306.12 Labels.

All labels must meet the following specifications:

(a) *Layout*—(1) *For gasoline labels.* The label is 3 inches (7.62 cm) wide × 2½ inches (6.35 cm) long. The illustrations appearing at the end of this rule are prototype labels that demonstrate the proper layout. "Helvetica Black" or equivalent type is used throughout except for the octane rating number on octane labels, which is in Franklin gothic type. All type is centered. Spacing of the label is ¼ inch (.64 cm) between the top border and the first line of text, ¼ inch (.32 cm) between the first and second line of text, ¼ inch (.64 cm) between the octane rating and the line of text above it. All text and numerals are centered within the interior borders.

(2) *For alternative liquid automotive fuel labels (one principal component), other than biodiesel, biomass-based diesel, biodiesel blends, or biomass-based diesel blends.* The label is 3 inches (7.62 cm) wide × 2½ inches (6.35 cm) long.

“Helvetica Black” or equivalent type is used throughout. All type is centered. The band at the top of the label contains the name of the fuel. This band should measure 1 inch (2.54 cm) deep. Spacing of the fuel name is $\frac{1}{4}$ inch (.64 cm) from the top of the label and $\frac{3}{16}$ inch (.48 cm) from the bottom of the black band, centered horizontally within the black band. The first line of type beneath the black band is $\frac{1}{8}$ inch (.32 cm) from the bottom of the black band. All type below the black band is centered horizontally, with $\frac{1}{8}$ inch (.32 cm) between each line. The bottom line of type is $\frac{3}{16}$ inch (.48 cm) from the bottom of the label. All type should fall no closer than $\frac{3}{16}$ inch (.48 cm) from the side edges of the label. If you wish to change the dimensions of this one principal component label to accommodate a fuel descriptor that is longer than shown in the sample labels, you must petition the Federal Trade Commission. You can do this by writing to the Secretary of the Federal Trade Commission, Washington, DC 20580. You must state the size and contents of the label that you wish to use, and the reasons that you want to use it.

(3) *For alternative liquid automotive fuel labels (two components).* The label is 3 inches (7.62 cm) wide \times 2½ inches (6.35 cm) long. “Helvetica Black” or equivalent type is used throughout. All type is centered. The band at the top of the label contains the name of the fuel. This band should measure 1 inch (2.54 cm) deep. Spacing of the fuel name is $\frac{1}{4}$ inch (.64 cm) from the top of the label and $\frac{3}{16}$ inch (.48 cm) from the bottom of the black band, centered horizontally within the black band. The first line of type beneath the black band is $\frac{3}{16}$ inch (.48 cm) from the bottom of the black band. All type below the black band is centered horizontally, with $\frac{1}{8}$ inch (.32 cm) between each line. The bottom line of type is $\frac{1}{4}$ inch (.64 cm) from the bottom of the label. All type should fall no closer than $\frac{3}{16}$ inch (.48 cm) from the side edges of the label. If you wish to change the dimensions of this two component label to accommodate additional fuel components, you must petition the Federal Trade Commission. You can do this by writing to the Secretary of the Federal Trade Commission, Washington, DC 20580. You must

state the size and contents of the label that you wish to use, and the reasons that you want to use it.

(4) *For biodiesel blends containing more than 5 percent and no greater than 20 percent biodiesel by volume.* (i) The label is 3 inches (7.62 cm) wide \times 2½ inches (6.35 cm) long. “Helvetica Black” or equivalent type is used throughout. All type is centered. The band at the top of the label contains either:

(A) The capital letter “B” followed immediately by the numerical value representing the volume percentage of biodiesel in the fuel (e.g., “B20”) and then by the term “Biodiesel Blend”; or

(B) The term “Biodiesel Blend.”

(ii) The band should measure 1 inch (2.54 cm) deep. Spacing of the text in the band is $\frac{1}{4}$ inch (.64 cm) from the top of the label and $\frac{3}{16}$ inch (.48 cm) from the bottom of the black band, centered horizontally within the black band. Directly underneath the black band, the label shall read “contains biomass-based diesel or biodiesel in quantities between 5 percent and 20 percent.” The script underneath the black band must be centered horizontally, with $\frac{1}{8}$ inch (.32 cm) between each line. The bottom line of type is $\frac{1}{4}$ inch (.64 cm) from the bottom of the label. All type should fall no closer than $\frac{3}{16}$ inch (.48 cm) from the side edges of the label.

(5) *For biomass-based diesel blends containing more than 5 percent and no greater than 20 percent biomass-based diesel by volume.* (i) The label is 3 inches (7.62 cm) wide \times 2½ inches (6.35 cm) long. “Helvetica Black” or equivalent type is used throughout. All type is centered. The band at the top of the label contains either:

(A) The numerical value representing the volume percentage of biomass-based diesel in the fuel followed immediately by the percentage symbol (e.g., “20%”) and then by the term “Biomass-Based Diesel Blend”; or

(B) The term “Biomass-Based Diesel Blend.”

(ii) The band should measure 1 inch (2.54 cm) deep. Spacing of the text in the band is $\frac{1}{4}$ inch (.64 cm) from the top of the label and $\frac{3}{16}$ inch (.48 cm) from the bottom of the black band, centered horizontally within the black band. Directly underneath the black

band, the label shall read "contains biomass-based diesel or biodiesel in quantities between 5 percent and 20 percent." The script underneath the black band must be centered horizontally, with $\frac{1}{8}$ inch (.32 cm) between each line. The bottom line of type is $\frac{1}{4}$ inch (.64 cm) from the bottom of the label. All type should fall no closer than $\frac{3}{16}$ inch (.48 cm) from the side edges of the label.

(6) *For biodiesel blends containing more than 20 percent biodiesel by volume.* The requirements are the same as in paragraph (a)(4) of this section, except that the black band at the top of the label shall contain the capital letter "B" followed immediately by the numerical value representing the volume percentage of biodiesel in the fuel (e.g., "B-70") and then the term "Biodiesel Blend." In addition, the words directly underneath the black band shall read "contains more than 20 percent biomass-based diesel or biodiesel."

(7) *For biomass-based diesel blends containing more than 20 percent biomass-based diesel by volume.* The requirements are the same as in paragraph (a)(5) of this section, except that the black band at the top of the label shall contain the numerical value representing the volume percentage of biomass-based diesel in the fuel followed immediately by the percentage symbol (e.g., "70%") and then the term "Biomass-Based Diesel Blend." In addition, the words directly underneath the black band shall read "contains more than 20 percent biomass-based diesel or biodiesel."

(8) *For 100% biodiesel.* The requirements are the same as in paragraph (a)(4) of this section, except that the black band at the top of the label shall contain the phrase "B-100 Biodiesel." In addition, the words directly underneath the black band shall read "contains 100 percent biodiesel."

(9) *For 100% biomass-based diesel.* The requirements are the same as in paragraph (a)(5) of this section, except that the black band at the top of the label shall contain the phrase "100% Biomass-Based Diesel." In addition, the words directly underneath the black band shall read "contains 100 percent biomass-based diesel."

(b) *Type size and setting—(1) For gasoline labels.* The Helvetica series or equivalent type is used for all numbers and letters with the exception of the octane rating number. Helvetica is available in a variety of phototype setting systems, by linotype, and in a variety of computer desk-top and phototype setting systems. Its name may vary, but the type must conform in style and thickness to the sample provided here. The line "Minimum Octane Rating" is set in 12 point Helvetica Bold, all capitals, with letterspace set at 12½ points. The line "(R+M)/2 METHOD" is set in 10 point Helvetica Bold, all capitals, with letterspace set at 10½ points. The octane number is set in 96 point Franklin gothic condensed with $\frac{1}{8}$ inch (.32 cm) space between the numbers.

(2) *For alternative liquid automotive fuel labels (one principal component).* Except as provided above, labels should conform to the following specifications. All type should be set in upper case (all caps) "Helvetica Black" or equivalent type throughout. Helvetica Black is available in a variety of computer desk-top and phototype setting systems. Its name may vary, but the type must conform in style and thickness to the sample provided here. The spacing between letters and words should be set as "normal." The type for the fuel name is 50 point ($\frac{1}{2}$ inch (1.27 cm) cap height) "Helvetica Black," knocked out of a 1 inch (2.54 cm) deep band. The type for the words "MINIMUM" and the principal component is 24 point ($\frac{1}{4}$ inch (.64 cm) cap height). The type for percentage is 36 point ($\frac{3}{8}$ inch (.96 cm) cap height).

(3) *For alternative liquid automotive fuel labels (two components).* All type should be set in upper case (all caps) "Helvetica Black" or equivalent type throughout. Helvetica Black is available in a variety of computer desk-top and phototype setting systems. Its name may vary, but the type must conform in style and thickness to the sample provided here. The spacing between letters and words should be set as "normal." The type for the fuel name is 50 point ($\frac{1}{2}$ inch (1.27 cm) cap height) "Helvetica Black," knocked out of a 1 inch (2.54 cm) deep band. All other type is 24 point ($\frac{1}{4}$ inch (.64 cm) cap height).

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(c) *Colors*—(1) *For gasoline labels.* The basic color on all octane labels is process yellow. All type is process black. All borders are process black. All colors must be non-fade.

(2) *For alternative liquid automotive fuel labels other than biodiesel and biodiesel blends.* The background color on all the labels is Orange: PMS 1495 or its equivalent. The knock-out type within the black band is Orange: PMS 1495 or its equivalent. All other type is process black. All borders are process black. All colors must be non-fade.

(3) *For biodiesel and biodiesel blends.* The background color on all the labels is Blue: PMS 277 or its equivalent. The knock-out type within the black band is Blue: PMS 277 or its equivalent. All other type is process black. All borders are process black. All colors must be non-fade.

(d) *Contents.* Examples of the contents are shown in the sample labels. The proper octane rating for each gasoline must be shown. The proper automotive fuel rating for each alternative liquid automotive fuel must be shown. No marks or information other than

that called for by this rule may appear on the labels.

(e) *Special label protection.* All labels must be capable of withstanding extremes of weather conditions for a period of at least one year. They must be resistant to automotive fuel, oil, grease, solvents, detergents, and water.

(f) *Illustrations of labels.* Labels should meet the specifications in this section, and should look like these examples, except the black print should be on the appropriately colored background.

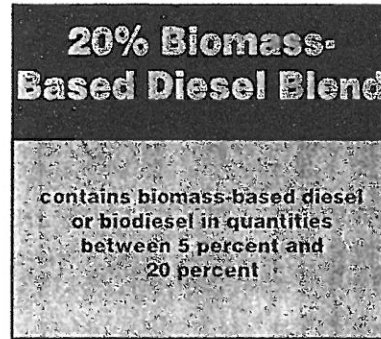
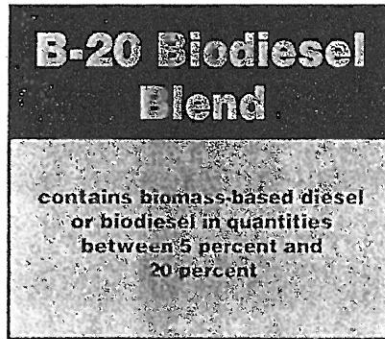
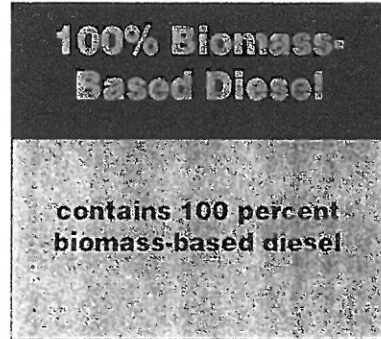
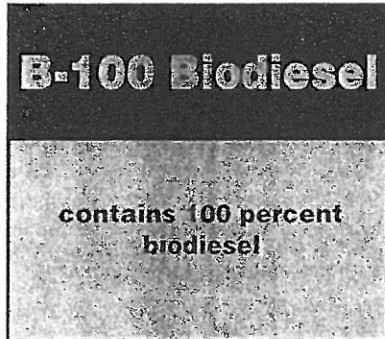


M-85
MINIMUM
85%
METHANOL

LPG
MINIMUM
90% PROPANE
2% BUTANE

LPG
MINIMUM
90%
PROPANE

E-100
MINIMUM
95%
ETHANOL



[58 FR 41375, Aug. 3, 1993, as amended at 73 FR 40163, July 11, 2008; 76 FR 19691, Apr. 8, 2011]

APPENDIX A TO PART 306—SUMMARY OF LABELING REQUIREMENTS FOR BIO-DIESEL FUELS

(Part 1 of 2)

Fuel type	Blends of 5 percent or less	Blends of more than 5 but not more than 20 percent		
		Header	Text	Color
Biodiesel	No label required	Either "B-XX Biodiesel Blend" or "Bio-diesel Blend"	contains biomass-based diesel or biodiesel in quantities between 5 percent and 20 percent	Blue

(Part 1 of 2)

Fuel type	Blends of 5 percent or less	Blends of more than 5 but not more than 20 percent		
		Header	Text	Color
Biomass-Based Diesel	No label required	Either "XX% Biomass-Based Diesel Blend" or "Bio-mass-Based Diesel Blend"	contains biomass-based diesel or biodiesel in quantities between 5 percent and 20 percent	Orange

(Part 2 of 2)

Fuel type	Blends of more than 20 percent			Pure (100%) Biodiesel or Biomass-Based diesel		
	Header	Text	Color	Header	Text	Color
Biodiesel	B-XX Biodiesel Blend	contains more than 20 percent biomass-based diesel or biodiesel	Blue	B-100 Biodiesel	contains 100 percent biodiesel	Blue
Biomass-Based Diesel	XX% Biomass-Based Diesel Blend	contains more than 20 percent biomass-based diesel or biodiesel	Orange	100% Biomass-Based Diesel	contains 100 percent biomass-based diesel	Orange

[73 FR 40164, July 11, 2008]

PART 307 [RESERVED]**PART 308—TRADE REGULATION
RULE PURSUANT TO THE TELEPHONE
DISCLOSURE AND DISPUTE
RESOLUTION ACT OF 1992**

Sec.

- 308.1 Scope of regulations in this part.
 308.2 Definitions.
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 308.4 Special rule for infrequent publications.
 308.5 Pay-per-call service standards.
 308.6 Access to information.
 308.7 Billing and collection for pay-per-call services.
 308.8 Severability.
 308.9 Rulemaking review.

AUTHORITY: Pub. L. 102-556, 106 Stat. 4181 (15 U.S.C. 5701, et seq.)

SOURCE: 58 FR 42400, Aug. 9, 1993, unless otherwise noted.

§ 308.1 Scope of regulations in this part.

This rule implements titles II and III of the Telephone Disclosure and Dispute Resolution Act of 1992, to be codified in relevant part at 15 U.S.C. 5711-14, 5721-24.

§ 308.2 Definitions.

(a) *Bona fide educational service* means any pay-per-call service dedicated to providing information or instruction relating to education, subjects of academic study, or other related areas of school study.

(b) *Commission* means the Federal Trade Commission.

(c) *Pay-per-call service* has the meaning provided in section 228 of the Communications Act of 1934, 47 U.S.C. 228.¹

(d) *Person* means any individual, partnership, corporation, association, government or governmental subdivision or agency, or other entity.

(e)(1) *Presubscription or comparable arrangement* means a contractual agreement in which

(i) The service provider clearly and conspicuously discloses to the consumer all material terms and conditions associated with the use of the

¹ Section 228 of the Communications Act of 1934 states:

(1) The term *pay-per-call services* means any service—

(A) In which any person provides or purports to provide—

(i) Audio information or audio entertainment produced or packaged by such person;

(ii) Access to simultaneous voice conversation services; or

(iii) Any service, including the provision of a product, the charges for which are assessed on the basis of the completion of the call;

(B) For which the caller pays a per-call or per-time-interval charge that is greater than, or in addition to, the charge for transmission of the call; and

(C) Which is accessed through use of a 900 telephone number or other prefix or area code designated by the (Federal Communications) Commission in accordance with subsection (b)(5) (47 U.S.C. 228(b)(5)).

(2) Such term does not include directory services provided by a common carrier or its affiliate or by a local exchange carrier or its affiliate, or any service the charge for which is tariffed, or any service for which users are assessed charges only after entering into a presubscription or comparable arrangement with the provider of such service.