

**§ 264.12**

publications, and other materials of the Forest Service, U.S. Department of Agriculture.

**§ 264.12 Use without permission.**

Business or calling cards commercially prepared at employee expense for employees assigned to the Volcanic Monument may depict the official Monument symbol without special permission from Forest Service officials.

**§ 264.13 Unauthorized use.**

Except as provided in §§ 264.11 and 264.12, whoever manufactures, sells, or possesses the official symbol of the Mount St. Helens National Volcanic Monument may be subject to criminal penalty under 18 U.S.C. 701.

**PART 271—USE OF “SMOKEY BEAR” SYMBOL**

Sec.

- 271.1 Definitions.
- 271.2 Use of official campaign materials.
- 271.3 Public service use.
- 271.4 Commercial license.
- 271.5 [Reserved]
- 271.6 Review of licenses.
- 271.7 Power to revoke.
- 271.8 Consultation with Association of State Foresters and the Advertising Council.

AUTHORITY: 66 Stat. 92 (18 U.S.C. 711).

SOURCE: 27 FR 6928, July 21, 1962, unless otherwise noted.

**§ 271.1 Definitions.**

(a) The term *Smokey Bear* as used in the regulations in this part means the character *Smokey Bear* originated by the Forest Service of the United States Department of Agriculture in cooperation with the Association of State Foresters and The Advertising Council, or any facsimile thereof, or the name *Smokey Bear*, or any name or designation sufficiently similar as to suggest the character *Smokey Bear*.

(b) The term *Chief* means the Chief of the Forest Service, United States Department of Agriculture, or person designated to act for him.

(c) The term *Association of State Foresters* means the national organization of State Foresters.

(d) The term *The Advertising Council* is the Advertising Council, Inc., orga-

**36 CFR Ch. II (7–1–05 Edition)**

nized under the laws of the State of New York.

**§ 271.2 Use of official campaign materials.**

Official Cooperative Forest Fire Prevention materials may be used without express approval where such use is solely for the purpose of increasing public information regarding forest fire prevention.

**§ 271.3 Public service use.**

The Chief may authorize the use of *Smokey Bear* for non-commercial educational purposes, without charge, when such use is essentially as a public service, and will, in his judgment, contribute to public information and education concerning the prevention of forest fires.

**§ 271.4 Commercial license.**

(a) The Chief may authorize the commercial manufacture, importation, reproduction, or use of *Smokey Bear* upon the following findings:

(1) That the use to which the article or published material involving Smokey Bear is to be put shall contribute to public information concerning the prevention of forest fires.

(2) That the proposed use is consistent with the status of Smokey Bear as the symbol of forest fire prevention and does not in any way detract from such status.

(3) That a use or royalty charge which is reasonably related to the commercial enterprise has been established.

(b) Such other conditions shall be included as the Chief deems necessary in particular cases.

**§ 271.5 [Reserved]**

**§ 271.6 Review of licenses.**

The Chief will cooperate with the Association of State Foresters and the Advertising Council, and for this purpose may review with these organizations from time to time the nature and status of licenses granted under these regulations in this part.