

00008



SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

AUG 1 1975

TO: American Consumer Indus, Inc.
Rule - 144
274
DATE: 9-12-75

Act	33
Section	
Rule	144
Public Availability	9-12-75

3

Mr. John Lewis
5701 Blanco Apt. 222
San Antonio, Texas 78216

**BEST COPY AVAILABLE
FROM SEC PUBLIC FILES**

Re: American Consumer Industries, Inc.

Dear Mr. Lewis:

This is in response to your letter of July 28, 1975 concerning the volume restrictions which would be applicable under Rule 144(e) of the Securities Act of 1933 ("the Act") with respect to your sale of shares of restricted common stock of American Consumer Industries, Inc. ("American").

You state that you received the shares on February 1, 1973 when the stock was traded in the over-the-counter market. In January, 1974 American's stock was listed on the Pacific Coast Stock Exchange which brought the volume limitations of paragraph (e)(1)(i) of the rule into operation. It is your position that the lesser standard provided by paragraph (e)(1)(ii) of the rule should be applicable in your situation since your stock was purchased prior to the January, 1974 exchange listing.

It should be noted that limitations on the amount of securities sold pursuant to the rule relate to circumstances at the time of sale, not on the date of acquisition of such securities. Accordingly, it is this Division's view, based upon the information provided, that the provisions of paragraph (e)(1)(i) of the rule would be applicable to your sales of American securities pursuant to Rule 144.

Sincerely,

Mark L. Lezell
Attorney Adviser