

4101:6-1-05

**Label requirements for articles of bedding, upholstered furniture, and stuffed toys, manufactured of all new material.****(A) Bedding and upholstered furniture:**

- (1) Material: Shall be of white vellum cloth, or a cloth or ~~tyvek~~ Tyvek of comparable quality ~~which that~~ will not flake out when abraded, or such other material as prescribed or authorized by the superintendent.
- (2) Size: Not less than two by three inches, exclusive of the portion required to affix the label to the article.
- (3) Color of material: White is required.
- (4) Color of printing: Black is required.
- (5) Each article shall have one or more labels.
- (6) Each label shall state in the English language in black type not less than - one-eighth of one inch high:
  - (a) The words  
  
"All New Material"
  - (b) The filling contents in the article employing the terms and provisions set forth in these regulations. When fillings other than those defined are used, a true description of such fillings shall be stated.
    - (i) An article consisting of a main body and one or more accompanying cushions requires that the filling contained in the body and in the cushions be stated separately and identified on one or more attached labels. The number of cushions must also be stated.
    - (ii) An upholstered article made with the back separate from the seat requires that the fillings of each be stated separately and identified on the label.
  - (c) The manufacturer's registration number; proceeded by the name of the state issuing the registration number and followed by the abbreviated name of the state in which the plant is located. Each manufacturing location or plant shall have a separate registration number.

- (d) The registered name and address of the manufacturer, maker, distributor, or vendor of the article with the appropriate name and address identifier. Post office box numbers are not acceptable.
- (7) The label shall be securely fastened and clearly visible. Mattresses, box springs, pillows, pads, comforters, bolsters, quilts, mattress protectors, and other such articles shall have the tag sewn into one of the outside seams thereof. Upholstered furniture with detachable cushions should have the tag attached to the front of the platform supporting the cushions where it may be seen when the cushions are raised. Upholstered furniture that does not have detachable cushions should have the tag attached to the front of the bottom in such manner that it is in plain view and may be seen when the article is in normal position, except that; on such items where this would place the label next to the floor, it may be attached to the outside back at the top of the item. Chairs, benches, and other articles that may be readily lifted for inspection may have the tag attached to the bottom of the seat.
- (8) "Illustration I" shows the arrangement and form of the label suggested for use on articles containing "All New Material," as defined in this chapter.

(B) Stuffed toys:

- (1) Every stuffed toy manufactured or wholesaled for sale, delivered, consigned, or possessed for sale, sold, or offered for sale in this state shall have securely affixed there-to a tag or label. The form, design, color, or size of the label is left to the discretion of the manufacturer or importer, provided that the information required on the label is clearly legible and in sufficient type so that it can be readily discerned.
- (2) The label of the stuffed toy shall bear the following information:
  - (a) The registered name and address of the manufacturer, wholesaler, or importer, or, at the option of the manufacturer, wholesaler, or importer, the license number assigned to the registrant by this state, which shall be the ~~registered license~~registration number of the manufacturer, wholesaler, or importer in any other state in which the registrant is registered.
  - (b) A statement that "All new material" was used in the manufacture of the stuffed toy and also specifying the types of filling materials used in the stuffed toy.

- (c) A person required to register and attach a tag or label to a non-compliant article may apply to the superintendent for a temporary variance pending laboratory validation. The request shall be in writing, demonstrate a good cause for the variance, the number of items involved, and that the labeling infraction will be corrected on any future shipments into this state.

Effective:

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Certification

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Date

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