

DRAFT - NOT FOR FILING

4101:6-1-04 General requirements.

(A) Every article of bedding or upholstered furniture manufactured or wholesaled for sale, delivered, consigned, or possessed for sale, sold or offered for sale, remade, repaired, or renovated for return to the owner in this state, shall have securely attached thereto a tag or label made of such material as the superintendent prescribes. The tag or label shall bear, in plain print in the English language, such information and data as ~~shall be prescribed by~~ the superintendent prescribes. ~~Such tag or label shall contain in plain print in the English language such information and data as the superintendent prescribes.~~

Every stuffed toy manufactured or wholesaled for sale, delivered, consigned, or possessed for sale, or sold, or offered for sale in this state shall have securely affixed thereto 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~~ of sufficient size type so that it can be readily discerned.

The label of a stuffed toy shall bear the following information:

- (1) The registered name and address of the manufacturer, wholesaler, or importer, or, at the option of the manufacturer, wholesaler, or importer, the ~~license~~ registration 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; and
 - (2) A statement that "All new material" was used in the manufacture of the stuffed toy and also specifying the type of filling materials used in the stuffed toy.
- (B) All persons manufacturing, wholesaling, making, remaking, renovating, or repairing, except for their own use, or delivering for sale any article of bedding, upholstered furniture, or stuffed toy shall apply for a registration number. Application shall be made either by submitting the application via electronic mail to Ohio.Bedding@com.state.oh.us or by mailing the application to the superintendent, ~~"Division of Industrial Compliance, 6606 Tussing Road, P.O. Box 4009, Reynoldsburg, Ohio, 43068-9009."~~
- (C) No person shall use any false, untrue, or misleading statement, term, or designation on any tag or label.
- (D) Each tag or label attached to an article of bedding or upholstered furniture shall state the kind of materials used in filling said article, using terms defined by this chapter.
- (E) Every tag or label shall contain all information required by Chapter 3713. of the Revised Code and by this chapter.
- (F) No person, other than a purchaser for his or her own use and except as herein otherwise provided, shall remove, alter, or deface the tag or label nor ~~shall be~~ alter any statement on such tag or label.
- (G) Responsibility for properly designating the filling material used in a finished article is that of the manufacturer of the finished article.
- (H) "All," "pure," "one hundred percent," and "virgin" are definitive, and the slightest departure from the indicated quality makes the tag or label misleading and unlawful. No tolerance is allowed where such terms are used.
- (I) When more than one type of filler is used in an article of bedding or upholstered furniture, such fillers must be shown on the label in order of their predominance. When down, silk, latex products, or synthetic materials such as nylon are used in conjunction with other materials, the percentages by weight shall be shown on the

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label. A maximum tolerance of plus or minus ten per cent of the stated percentage may be allowed.