

Sec. 21a-235-2. Definitions

When used in these regulations, “commissioner” means the commissioner of consumer protection or his authorized representative; “department” means the consumer protection department; “article of bedding and upholstered furniture and filling material” means and includes such articles and parts thereof as fall within the scope of section 21a-231 of the general statutes; “sale,” “sell” or “sold” means offering or exposing for sale or resale, or exchange or lease, or consigning or delivering in consignment for sale, resale, exchange or lease, or holding in possession with like intent. The possession of any article of bedding or upholstered furniture or filling material by any maker or dealer or his agent or servant or other person in the course of business shall be presumptive evidence of intent to sell; “manufacture” means the making by hand or machine of an article of bedding or upholstered furniture or part thereof, including the assembling or processing or finishing of articles or parts produced by another and also including the processing or preparation of filling materials intended for use in the manufacture, renovation or repair of articles of bedding or upholstered furniture; “sterilize,” “sterilized” or “sterilization” means the cleaning or decontamination of any article of bedding or upholstered furniture or filling material by a process approved by the commissioner, by a person holding an active sterilization permit issued by the commissioner; “person” means an individual, partnership, corporation, firm or association, receiver, agent or other representative of such person; “license” means the formal permission granted by the commissioner to sell or manufacture for sale or remake, renovate or repair articles of bedding or upholstered furniture or filling materials within the state of Connecticut for a period not to exceed twelve calendar months beginning on October first of each year and such permission is conditioned upon the receipt and approval of an application for a license and the receipt of the required license fee; “licensee” means the person in whose name a license is recorded by the department; “valid license” or “active license” means a license which has not expired or been suspended or revoked, or voluntarily returned to the department during an annual license period; “expiration date” means September thirtieth of each year. No license is valid after said date, but licenses may be renewed in advance of the expiration date so as to become effective on October first, assuring a continuous active license; “registry number” means the number assigned by the commissioner to the person to whom a license is issued; “new” means any material or article which has not been previously used for any purpose and includes by-products mproduced in the processing of cotton or in the manufacture of new fabrics and materials reclaimed from new fabric and from new material, and also includes any article of bedding or upholstered furniture or filling material returned by the purchaser for exchange, alteration or correction within thirty days of the date of delivery of such article or material, provided the tags have not been removed and further provided substantial proof is at hand to determine the original date of delivery. If the article or material has been returned by the purchaser for exchange, such article or material may be sold as new provided it had not been used for any purpose. If the article or material has been used in any way it is considered as second-hand and shall comply with the provisions for second-hand merchandise. To be considered as having been returned by the purchaser for alteration or correction, the article or material shall be returned with the original tags intact and, when such alterations or corrections of error of manufacture are completed, the article may be returned to the original

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purchaser without sterilization but no such article may be sold as a new article; “second-hand” means any article or part thereof and any material which has been used in any manner whatsoever, including any article of bedding, upholstered furniture or filling material returned by a purchaser for exchange, alteration or correction after thirty days from the date of delivery of such articles to such person, and any article from which the tag has been removed or for which the date of original delivery to the purchaser cannot be substantiated; “antique furniture” means any article of bedding or upholstered furniture manufactured at least one hundred years prior to the date on which it is offered for sale or exchange as an antique, and such articles shall be exempt from these regulations provided substantial proof of the age of such articles shall be available to the commissioner or an authorized representative of the commissioner; “tag or identifying tag” means the tag of linen, muslin or equally durable material required to be affixed to all articles of bedding, upholstered furniture, filling material or part thereof; “labels,” “labeling” or “labeled” means the information printed on tags.

(See G.S. § 21a-231.)

(Effective July 27, 1984)