

State of Connecticut
Regulation of
Department of Consumer Protection
concerning
Bedding and Upholstered Furniture

Section 1. Sections 21a-235-1 to 21a-235-8, inclusive, of the Regulations of Connecticut State Agencies are amended to read as follows:

Sec. 21a-235-1. Application of regulations

The following regulations issued under authority of section 21a-235 of the Connecticut General Statutes pertain to the administration and enforcement of sections 21a-231 to 21a-235, inclusive, of the [general statutes] Connecticut General Statutes. [These regulations and the provisions herein set forth] Sections 21a-235-1 to 21a-235-25, inclusive, of the Regulations of Connecticut State Agencies apply to the manufacture, repair and renovation of all articles of bedding and upholstered furniture intended or offered for sale, [and to such articles when offered for sale or] resale, [or] exchange or lease, or consignment or delivery in consignment for sale, resale, auction, exchange or lease, and shall apply to all persons including manufacturing establishments, both wholesale and retail, when such articles are in their possession for such purpose.

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 produced 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 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 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 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.] As used in sections 21a-235-1 through 21a-235-25, inclusive, of the Regulations of Connecticut State Agencies:

- (1) "Antique furniture" means any article of bedding manufactured at least fifty years prior to the date on which it is offered for sale or exchange as an antique, and such articles shall be exempt from sections 21a-235-1 to 21a-235-25, inclusive, of the Regulations of Connecticut State Agencies provided substantial proof of the age of such articles shall be available to the commissioner;
- (2) "Bedding" has the same meaning as set forth in section 21a-231 of the Connecticut General Statutes;
- (3) "Commissioner" means the Commissioner of Consumer Protection or said commissioner's authorized representative;
- (4) "Department" means the Department of Consumer Protection;
- (5) "Expiration date" means April thirtieth of each year;
- (6) "Filling material" has the same meaning as set forth in section 21a-231 of the Connecticut General Statutes;
- (7) "Labels," "labeling" or "labeled" means the information printed on tags;

- (8) “License” means the formal permission granted by the commissioner for a person to act as a manufacturer, supply dealer, importer, renovator or secondhand dealer of bedding or filling material within the state of Connecticut for a period not to exceed twelve calendar months beginning on May first of each year and ending on April thirtieth of the following year;
- (9) “Licensee” means the person in whose name a license is recorded by the department;
- (10) “Manufacture”, “make” or “made” shall have the same meaning as in section 21a-231 of the Connecticut General Statutes;
- (11) “New” has the same meaning as in 21a-231 of the Connecticut General Statutes;
- (12) “Off sale” means any article of bedding designated by the commissioner as being noncompliant with section 21a-231, *et seq.* of the Connecticut General Statutes or sections 21a-235-1 to 21a-235-25, inclusive, of the Regulations of Connecticut State Agencies, or which in any other respect does not conform with the requirements of section 21a-231, *et seq.* of the Connecticut General Statutes or sections 21a-235-1 to 20-235-25, inclusive, of the Regulations of Connecticut State Agencies;
- (13) “Person” means an individual, partnership, corporation, firm or association, receiver, agent or other representative of such person;
- (14) “Registry number” means the number assigned by the commissioner to the person to whom a license is issued;
- (15) “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, which intent shall be presumed and evidenced by possession of any article of bedding or filling material by any maker or dealer or his agent or servant or other person in the course of business;
- (16) “Secondhand” means any article of bedding which has been subject to prior use in any manner whatsoever, including any article of bedding 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;
- (17) “Sterilize,” “sterilized” or “sterilization” means the cleaning, decontamination, or mitigation of any infective and deleterious substances including germs, fungi and insects from bedding or filling material by a process approved by the commissioner, by a person holding an active sterilization permit issued by the commissioner;
- (18) “Tag” or “identifying tag” means the tag of linen, muslin, flashspun high-density polyethylene fibers or equally durable fabric material required to be affixed to all articles of bedding, filling material or part thereof;
- (19) “Valid license” or “active license” means a license that has not expired, been suspended, revoked, or voluntarily returned to the department.

[(See G.S. § 21a-231.)]

Sec. 21a-235-3. [Inspection stamps] Off sale articles

[Inspection stamps are required on tags affixed to articles of bedding, upholstered furniture or filling material in the hands of retail furniture dealers or in transit to such dealers, on or before September 30, 1955, where such articles are offered for sale on October 1, 1955, or thereafter. Such articles may then be legally offered for sale by such dealers if in all other respects they conform to the provisions of statutes and regulations issued under the authority thereof, provided evidence can be furnished to substantiate the date of delivery or shipment and such evidence can be verified by the commissioner or his authorized representative.] The commissioner may order that any bedding or filling material be off sale if such bedding or filling material is not tagged or labeled as required by section 21a-231, et seq, of the Connecticut General Statutes or sections 21a-235-1 to 20-235-25, inclusive, of the Regulations of Connecticut State Agencies, or in any other respect does not conform with the requirements of section 21a-231, et seq, of the Connecticut General Statutes, or sections 21a-235-1 to 20-235-25, inclusive, of the Regulations of Connecticut State Agencies. No bedding or filling material ordered by the commissioner to be off sale shall be sold or used, nor shall such bedding or filling materials or contents thereof be altered or removed in whole or part, until released by the commissioner and the off sale tag or other designation is removed. All articles or materials ordered by the commissioner to be off sale are subject to frequent examination and shall be readily accessible at all times for examination upon demand of the commissioner. Nothing herein shall limit the authority of the commissioner to take such other actions as may be authorized by law.

Sec. 21a-235-4. License requirements

- (a) **Annual license.** No person shall sell or offer for sale or manufacture for sale, in the state of Connecticut, any article of bedding [or upholstered furniture] or filling material unless such person is licensed with the department and has been assigned a registry number and such license is valid at the time such article is sold or offered for sale in Connecticut. [A license shall be valid, unless suspended or revoked in the interim, for a period of twelve months beginning on October first of one year and ending on September thirtieth of the following year. In the instance of a new licensee or licensees who are changing to a different classification or type of license, a license may be issued and registry number assigned during any quarterly period beginning on January first, April first or July first, and such license shall be valid, unless suspended or revoked, until the thirtieth day of September next following date of issue, and in such cases the fee for the license shall be prorated from the first day of the quarter in which it is issued to September thirtieth next following. All licenses expire on September thirtieth next following the date of issue, and the assigned registry number shall be withdrawn unless the license has been renewed prior to the expiration date]. Except as otherwise provided in sections 21a-235-1 to 21a-235-25, inclusive, of the Regulations of Connecticut State Agencies [these regulations], all articles offered for sale [by the licensee or in behalf of the licensee subsequent to the expiration of a license] by, or on behalf of, a person who does not have a valid license shall be ordered ["off sale"] and the vendor shall be considered in violation. A license shall be valid only for the period specified on the license certificate and in no case shall a license become effective prior to the date upon which the application is approved by the department. Annual license fees shall be payable in advance with the application for the full year's period. [In the cases of prorated licenses, the fee shall be payable in advance from the beginning of the quarter in which the license is effective to September thirtieth next following the date of issue. License fees cannot be prorated if the licensee has been issued a license for any part of the previous license year.] No rebate of license fees shall be made in the event a license is revoked, suspended or voluntarily returned subsequent to its issue, and only in instances of error on the part of the department shall a licensee be entitled to refund of a license fee. [The annual fees for licenses shall be as follows: Manufacturer, fifty dollars; supply dealer, fifty dollars; renovator, twenty-five dollars; and second-hand dealer, twenty-five dollars.]

- (b) **Transferability.** Each license and the registry number assigned thereto by the commissioner is valid for use only by the licensee [person to whom it is issued] and is not transferable. The misuse of any license or any [registration] registry number or the use of such license or registry number by anyone other than the licensee [person to whom it was issued] shall be considered a violation and, after a hearing, the license may be [cancelled] suspended or revoked and the registry number may be suspended or revoked. It shall be the responsibility of each [person] licensee to take adequate precautions against the misuse of any license or registry number issued [in his] on the licensee's behalf.
- (c) **Application for license.** Each person who intends to sell or manufacture for sale in Connecticut any article of bedding[, upholstered furniture] or filling material shall apply to the commissioner for a license [on application forms to be provided] in a manner or on a form prescribed by the commissioner. The applicant may request that the registry number issued by a cooperating state be issued to [him] the applicant as a Connecticut registry number, for use as a uniform registry number, but the granting of such request shall be at the discretion of the commissioner. Each application for a license shall be complete and shall be [signed and the accuracy of the statements in the application] attested by the person to whom the license is to be issued, or the principal executive when the license is to be issued in the name of a firm, partnership, corporation, organization or association. The application, when [forwarded] submitted to the department, shall be accompanied by a payment made in a manner acceptable to the department, payable to the Treasurer, State of Connecticut [labor department], for the established fee for one full license year[, or for the prorated fee, if applicable]. Inaccurate or misleading statements on any application shall be sufficient cause to refuse a license, or, if such license has been issued, shall be sufficient cause to suspend or revoke such license and withdraw the registry number. If it is determined after a hearing that the misstatements were deliberate, the license and registry number may be revoked for the balance of the license period. The commissioner may refuse to license and issue a registry number to any person [when, in his opinion and] if, after a hearing, it is found by the commissioner that issuing such license and [the issue of a] registry number could result in danger to the life, health, comfort or economic well-being of [the people with whom such person may have contact] any person.
- (d) **Registry number.** Upon approval of [any] a license application [for a license], the commissioner shall assign a Connecticut registry number and such number shall appear on all tags required under the provisions of sections 21a-231 to 21a-236, inclusive, of the Connecticut General Statutes and regulations issued under authority thereof. The commissioner may issue, as a Connecticut registry number, the number which has been assigned to the person by any other state having similar standards for the inspection, manufacture and sale of bedding [and upholstered furniture] and filling material where such number is to be used as a uniform registry number[, if such state grants to Connecticut manufacturers the same privilege reciprocally. A Connecticut registry number is not transferable and its use by any unauthorized person shall be deemed a violation of statute, and such person shall be liable for prosecution]. Licensees who intend to continue operations in Connecticut shall apply for a license in advance of the expiration date of each annual license if they desire the same Connecticut registry number.
- (e) **Manufacturer's license.** Each person who manufactures for sale in Connecticut or for consignment or delivery in consignment any articles of bedding [or upholstered furniture] or filling material shall first secure a license with the department as a manufacturer and shall have been issued [to him] a manufacturer's license certificate and registry number. The person so licensed may manufacture for sale, at wholesale or retail, articles of bedding [and upholstered furniture] or filling materials subject to the laws and regulations relating to such manufacture and to such sale during the period for which the license is valid, and shall affix to such articles a

tag upon which shall appear the registry number assigned by the commissioner and such other information as may be required. A licensed manufacturer may also sell, at wholesale or retail, bedding material or filling material manufactured by [others than himself, including filling material] other manufacturers, and may remake or renovate such articles provided each such article shall be properly tagged and such tags shall bear a valid registry number and otherwise conform with the laws and regulations governing the sale of bedding [and upholstered furniture] and filling materials in Connecticut.

- (f) **Supply dealer.** Each person who sells, or offers for sale in Connecticut, or consigns or delivers in consignment for such purpose, filling material, whether processed or unprocessed, or who prepares or processes filling material in bulk intended for sale in the manufacture of articles of bedding [and upholstered furniture], shall first apply for a license as a supply dealer and shall have issued to him a supply dealer's license certificate and registry number, provided such person is not actively licensed as a manufacturer. The person issued a supply dealer's license may, while such license is valid, sell, offer for sale or consign for the purpose of sale filling materials for the use in the manufacture of articles of bedding [and upholstered furniture] subject to the provisions of statutes relating to the sale of bedding [and upholstered furniture] and filling materials and regulations issued under the authority thereof, and shall affix thereto a tag bearing the registry number assigned to such license. [The provisions of this regulation apply to jobbers and agents, unless the principal for whom they act is properly licensed and the material sold or offered for sale is properly tagged and otherwise conforms to all of the provisions of appropriate statutes and regulations.]
- (g) **Renovator.** Each person who [remakes, renovates or repairs any article of bedding or upholstered furniture or a part thereof] adds new filling material to articles of bedding for a fee, unless [he] such person holds an active manufacturer's license, shall first apply for a license with the department and have issued [to him] in such person's name a renovator's license certificate and a registry number. The person so licensed may then add new filling material to bedding [remake, renovate or repair articles of bedding and upholstered furniture for customers requiring such work to be done], provided [he] such licensee shall affix thereto a yellow tag bearing the assigned registry number and such other information as may be required by law or regulation. Licensed renovators may offer for sale secondhand articles of bedding, [upholstered furniture] or filling materials, provided they shall affix thereto a yellow tag bearing the assigned registry number and other such information as is required by law or regulation relating to the sale of [second-hand] secondhand articles. The registry number assigned to a renovator may not be used on any but yellow tags nor shall such licensed renovator manufacture or offer for sale any article as new unless such article bears an approved tag upon which shall appear the registry number of a properly licensed manufacturer or supply dealer.
- (h) **[Second-hand] Secondhand dealer.** Each person who sells or offers for sale any secondhand article of bedding[, upholstered furniture] or filling material or part thereof shall first apply for a license with the department and have issued to him a [second-hand] secondhand dealer's license certificate and registry number unless such person is actively licensed as a manufacturer, supply dealer or renovator. A person so licensed shall affix to [second-hand] secondhand articles of bedding [and upholstered furniture], a yellow tag on which shall appear the [words "second-hand"] word "secondhand" and on which shall also appear the registry number assigned to the licensee and such other information as may be required and may offer such articles for sale, provided each shall conform to the laws and regulations relating to the sale of [second-hand] secondhand articles of bedding [and upholstered furniture] in Connecticut. A [second-hand] secondhand dealer's license shall not authorize the manufacture, renovation or repair of any article of bedding [and upholstered furniture] nor shall such licensee offer for sale as new any

such article unless the articles [shall be] are tagged with a proper tag bearing the registry number of the manufacturer or supply dealer. The registry number assigned to a [“second-hand”] secondhand dealer shall not be used on any except a yellow tag upon which shall also appear the [words “second-hand”] word “secondhand.” This section shall not apply [to articles sold at public auction,] to the sale of antique furniture as herein defined or to the private sale from the home of the owner direct to the purchaser.

- (i) **Suspension or revocation of license.** When, in the opinion of the commissioner, any licensee is in violation of any provision of sections 21a-231 to 21a-236, inclusive, of the Connecticut General Statutes, or any regulations issued under the authority thereof, [he] the commissioner may summon the licensee to a hearing in accordance with Chapter 54 of the Connecticut General Statutes at which such licensee shall show cause why [his license shall not be revoked, for the balance of the license period] such licensee shall not be subject to a civil penalty or the license subject to suspension, revocation or nonrenewal. [The failure of a licensee to appear at a hearing, after receiving notice of such hearing, shall be considered sufficient cause for revocation of his license and the licensee shall be immediately notified of this action.] In any case where a license is suspended, [or] revoked or not renewed, all articles of bedding or [upholstered furniture or] filling materials bearing the registry number of such licensee shall be ordered [“off sale”] pending determination by the commissioner as to which, if any, of such articles may be legally sold and permission given to offer such articles for sale.
- (j) **Exceptions.** The foregoing rules regarding licensing shall not apply to retail dealers in articles of bedding [and upholstered furniture] or to persons acting as agents in the sale of such articles, provided every article sold or offered for sale by such retail dealer or such agent shall be otherwise in full compliance with the statutes relating to the sale of bedding [and upholstered furniture] and the regulations issued under the authority thereof. Any dealer or agent offering for sale any articles not properly tagged by a licensed manufacturer, supply dealer, renovator or [second-hand] secondhand dealer shall be [deemed] in violation of the provisions of statute and subject to prosecution as provided in section 21a- 236 of the [general statutes] Connecticut General Statutes, except that articles in the hands of dealers or in transit to them before the date on which the license of the manufacturer or supply dealer becomes invalid for any reason may be legally offered for sale after that date, provided evidence can be furnished and verified to substantiate the date of delivery or shipment.

[(See G.S. § 21a-234.)]

Sec. 21a-235-5. Tags

Each article of bedding[, upholstered furniture] or filling material which is sold or offered for sale or exchange, or is in the possession of any [manufacturing or mercantile establishment] manufacturer or other person for such purpose, shall have affixed thereto an approved [identifying] tag upon which shall be imprinted the registration number of the licensed manufacturer, supply dealer, renovator or [second-hand] secondhand dealer, and such other information as may be required by statute or sections 21a-235-1 to 21a-235-25, inclusive, of the Regulations of Connecticut State Agencies [these regulations]. Each manufacturer, supply dealer, renovator or [second-hand] secondhand dealer shall supply his own tags and shall affix an approved tag to each article of bedding[, upholstered furniture] or [package of] filling material, sold or offered for sale by him or [in] on his behalf, in such a manner that the information thereon is completely visible and so that the tag cannot be removed without destroying such tag or rendering it unfit for further use. Articles of bedding[, upholstered furniture] or [packages of] filling material composed of separable parts shall be tagged as required on each part. Identifying tags shall be [of linen, muslin or other durable cloth material, which will not flake when abraded

and] approved by the department, shall not flake when abraded, be not less than six square inches in area, and shall comply with section 21a-233 of the Connecticut General Statutes. Paper face tags shall not be allowed, nor shall such be approved for use. Tags shall be printed [or stamped] on one side only in [fast] colorfast black letters. Tags shall be so located that the information contained thereon is completely visible to the purchaser at all times and shall be securely sewed to the cushions, pillows, mattresses and similar articles where sewing is possible. Otherwise the tags shall be attached to the article by tacking or pasting in such manner that it cannot be removed without destruction of the tag or so that it is not fit for further use. Each piece of [upholstered furniture and every piece of] bedding shall have a separate tag affixed thereto in the manner described, and any article which is composed of separable parts shall have a separate tag affixed to each such part, and each tag shall contain a statement of the filling materials used in the piece to which it is attached. If the filling material is hair, the tag shall indicate the animal from which the hair originates and shall be further classified according to the body of origin (e.g. "horse tail hair"). Use of the term "rubber products" is not permitted on the tag. Only such information as is required by sections 21a-235-1 to 21a-235-25, inclusive, of the Regulations of Connecticut State Agencies [these regulations] and by statute shall appear on any tag affixed to any article of bedding[, upholstered furniture] or filling materials. No advertisement, [trade mark] trademark, price tag or any matter other than the required statement shall appear on or be affixed to any tag[, nor shall any trade names or superfluous or substitute terms be used on such tag]. The appearance of any matter other than that required or authorized in sections 21a-235-1 to 21a-235-25, inclusive, of the Regulations of Connecticut State Agencies [these regulations] or by statute on any tag shall be sufficient cause to order ["off sale"] the article to which such tag is affixed. Each applicant for a license shall, on the original application or at any subsequent time that a change in tags is necessary, submit[, in duplicate,] a sample tag or tags, which shall be approved by the commissioner before use. Bulk filling material shall be tagged by the manufacturer or supply dealer who manufactures or processes such material and shall bear the registry number issued to such manufacturer or supply dealer, and such tags shall be affixed to each bale, bag, carton or other package of filling material when sold, exchanged, offered for sale or exchange, or delivered for use in Connecticut, except that cotton rolls, cotton bat and other filling material which are sold at retail to be used and consumed in the home of the purchaser for his personal use shall require tags as herein specified; however, any such materials that are sold for use in any article of bedding [or upholstered furniture] intended for sale, exchange or offer for sale shall be tagged as herein provided. Any person, including manufacturers, supply dealers or retailers, who sells or offers for sale any [untagged] article of bedding [or upholstered furniture] or [package of] filling materials except as herein provided without an approved and attached tag or who has such article in his possession for such purpose shall be [deemed] in violation of the provisions of statute and of sections 21a-235-1 to 21a-235-25, inclusive, of the Regulations of Connecticut State Agencies [these regulations].

[(See G.S. § 21a-233.)]

Sec. 21a-235-6. Description of tags

Articles of upholstered furniture which have been remade by removing old upholstery and adding new shall be tagged in the following manner:

- (a) All cushions or detachable parts which are made entirely of new material shall bear white tags, stating that such articles consist of all new materials.
- (b) A [second-hand] secondhand frame-work to which is attached new upholstery materials shall bear a yellow tag stating that such article consists of a [second-hand] secondhand frame of wood, iron or steel and filling materials, either new or [second-hand] secondhand.

- (c) If any [second-hand] secondhand filling material or cover is used in any article or part of an article, a yellow tag shall be attached stating that such article or part of an article is [second-hand] secondhand.

Sec. 21a-235-7. Labeling

[On each] Each identifying tag affixed to an article of bedding[, upholstered furniture] or [package of] filling material [the following information shall be printed or stamped, in the English language, on one side only, in fast black ink with letters not less than one-eighth inch in height] shall contain the information and utilize a font size and type as set forth in section 21a-233 of the Connecticut General Statutes, including:

- (a) The Connecticut registry number assigned to the licensed manufacturer, supply dealer, renovator or [second-hand] secondhand dealer and the name of such licensee or the name of the vendor.

[(b) The name and character of the filling material contained therein which shall be described only in approved terms as hereinafter provided.

- (c) When an article of bedding, upholstered furniture or package of filling materials contains two or more different kinds or types of filling material, the name and character and the percentage of each shall appear on the tag or the entire material shall be designated by the approved name of the lowest grade of material therein contained provided: (1)]

[(b) If an article of bedding, upholstered furniture or package of filling material contains two or more different kinds or types of filling material, [and] the percentage by weight of each [is so] shall be stated on the tag[,] and a tolerance of not more than ten per cent of the percentage of each kind or type of filling material named shall be allowed, [and (2)] except that no tolerance shall be allowed when filling material is described as “all,” “pure,” “100%” or terms of similar import.

[(d)] (c) On each identifying tag the word “new” or [“second-hand”] “secondhand” shall also appear, in addition to the approved terms for each filling material, except as otherwise herein provided.

[(e)] (d) [On each identifying tag affixed to any] Any article of bedding [or upholstered furniture] or package of filling material containing materials which in whole or in part have been subjected to prior use in any form, or containing material of animal or fowl origin, or containing material that is soiled, contaminated, unsanitary or that for any other reason requires sterilization in accordance with law or regulation, [there] shall be sterilized and [also be] shall have a tag that has imprinted thereon the words “contents sterilized” and the Connecticut permit number of the sterilizer.

[(f)] (e) On each [identifying] tag affixed to any article of bedding [or upholstered furniture or part thereof] that has been [remade, repaired or] renovated [and is to be returned to the owner,] shall be imprinted, in addition to all other requirements, a statement that the article contains the same material received from the [owner] person for whom it was renovated and a description of the kind, type and amount of filling material added, if any, and a statement that such is new or [second-hand] secondhand. [A statement that the article shall not be sold but shall be returned to the owner, and the words “contents sterilized” and the Connecticut permit number of the sterilizer shall also appear.]

[(g)] (f) Each [identifying] tag affixed to any article of bedding[, upholstered furniture] or package of filling materials, except as otherwise provided by law or regulation, shall, in addition to all other requirements, have imprinted thereon a statement certifying that the filling materials contained in such article are described according to law[and such tag, when attached to articles of bedding, upholstered furniture or package of filling material that contain all new material, shall be imprinted with the statement “date of delivery” and a space left following this statement for the insertion of the delivery date by the vendor or retail dealer].

[(h)] (g) The [identifying] tag attached to new articles of bedding [and upholstered furniture] or [bales, packages or cartons of] filling materials shall [, in addition to all other requirements,] be white in color. No [previously used] secondhand materials may be contained in articles or packages to which a white tag is attached.

[(i)] (h) The identifying tag attached to articles of bedding[, upholstered furniture or bales, packages] or [cartons of] filling material that contain any [previously used material] secondhand materials or that have been renovated shall [, in addition to all other requirements,] be yellow in color.

[(j)] (i) The identifying tag attached to articles of bedding or upholstered furniture that has been [remade] reworked or renovated shall, in addition to all other requirements, be yellow in color.

(j) The identifying tag attached to articles of bedding or upholstered furniture shall identify feather mixtures by name, color, character and percentage of each kind present in the mixture or the entire mixture shall be designated by the name of the lowest grade material used together with the color of the mixture. The grades of material shall be listed in descending order on the tag as follows: Goose down, duck down, goose feathers, duck feathers, turkey feathers, and chicken feathers.

Sec. 21a-235-8. Use of terms and definitions relating to filling materials

Terms used to describe filling materials shall adopt by reference the terms defined by [include only those set forth and defined in these regulations] the International Association of Bedding and Furniture Law Officials (“IABFLO”) in the document entitled “Classification [and Terminology] of Filling Materials” (“IABFLO Classification”), as from time to time amended. The IABFLO Classification can be found at <http://iabflo.org>. Filling materials for which [there is] the IABFLO Classification has no term or definition [herein] may not be used until the term [and] or definition [have] has been approved by the department or included within the IABFLO Classification, and such term or definition shall thereafter be used to describe such material on any tag affixed to an article, bale or package containing such material. Terms set forth and defined within the IABFLO Classification shall apply unless a term is otherwise defined within section 21a-235-8(a) of the Regulations of Connecticut State Agencies.

(a) [General terms.]

- (1) The word “colored” shall [precede] come before any terms used to designate a filling material, if such material has been artificially dyed or colored.
- (2) In the terms used to describe feathers and/or down, the color of the material shall precede the term. If mixed colors are used, “colored” shall precede the descriptive term.
- (3) The term “shredded clippings” means any material that has been made into fabric and subsequently cut up, torn up, broken up or ground up but which has not been run through a

garnett machine. The name of the material need not be included in this term but, if included, shall be as stated.

- (4) The term “garnetted clippings” means any material that has been shredded and further processed by passing through a garnett machine. The name of the material need not be included in this term but, if included, shall be as stated.
- (5) The word “oily” shall precede any term used to designate a filling material, if such material contains more than five per cent oil.
- (6) The term “felt” or “batting” shall have the meanings set forth in the IABFLO Classification [means fiber that has been carded in layers or sheets by a garnett or felting machine]. The terms “felt” or “batting” by themselves shall not be used but shall be combined with the name of the material from which they are made. If the felt has been repicked, or consists of small pieces of scrap felt, or is not readily distinguishable from unfelted material, the term “felt” or “batting” shall not be included in the descriptive term.

[(7) The word “napper” means the lint removed during the process of raising the face of a cloth and shall be preceded by the name of the textile fiber or fibers from which it is made.]

[(8)] (7) The presence of “down fiber” or “feather fiber” in excess of ten per cent shall be set forth on the tag, together with the kind, color and percentage.

[(9)] (8) The terms “rubberized” or “resin treated” shall be combined with the required descriptive term only when each hair or fiber of the specified filling material has been thoroughly coated with the stated material, rubber or resin. The terms “rubber coated” or “resin coated” shall be combined with the required descriptive term when the surface only of a filling material has been thoroughly coated with the stated material, rubber or resin. If a filling material pad is coated on one side only, the required descriptive term shall include the notation “(one side only).”

[(10)] (9) The word “pad” shall be included in the descriptive term only when a hair or fiber filling material has been processed into pad forms.

(b) **Cotton.**

[(1) “Staple cotton” means the staple fibrous growth as removed from the cotton seed in the usual process of ginning (first cut) containing no foreign material. The term “cotton” by itself shall not be used.]

[(2)] (1) The terms “cotton card strips,” “cotton comber,” “cotton fly,” “cotton picker,” “cotton noils” and “cotton motes” may be used to describe these cotton by-products removed by the various machine operations necessary in the manufacture of cotton yarn up to, but not including, the process of spinning. If the exact name of the cotton by-product is not used, such material shall be described as “cotton fiber.”

[(3) “Cotton linters” shall be used to describe the fibrous growth removed from cotton seed subsequent to the usual process of ginning. The term “linters” alone shall not be used.]

[(4)] (2) The terms “blended cotton felt” or “cotton felt” are acceptable for the description of mixture of cotton by-products, up to the process of spinning, that are further processed by a garnett machine.

(c) Wool.

[(1) “Wool” or “virgin wool” means the fleece of sheep or lambs, which has been scoured and carbonized or scoured. It shall not be the by-product of any process of manufacturing nor shall it have sustained prior use. It shall be free from kemp and vegetable matter or other foreign material.]

[(2) The terms “wool drawing laps,” “wool card waste,” “wool card strips” and “wool doffer waste,” shall be used to designate new wool fibers removed from the various machine operations necessary in the manufacture of wool yarn up to but not including the process of spinning and shall include noils, fulling flocks, wool pills and shank and tag wools. If the appropriate mill term is not used, the material shall be described as “wool fiber wastes.”]

[(3) “Tanners wool” means wool reclaimed from tanned sheepskin.]

[(4)] (1) [“Wool felt” or “virgin” “Virgin wool felt” means wool fiber that meets the requirements of the definition of “wool” or “virgin wool” and has been further processed by a garnett machine.

[(5) “Blended wool felt” means mill wastes from the various manufacturing operations, up to but not including the process of spinning, that has been further processed by a garnett machine.]

[(6)] (2) All material having the term “wool” in its approved name shall contain not less than ninety-five per cent wool fibers.

(d) Feathers and down.

[(1)] [“Down” means the soft undercoating of waterfowl consisting of the light fluffy filaments grown from one but without any quill shaft. This term] Tags using the terms “down” or “feather,” or any variation thereof shall be combined with the name of the [water fowl] waterfowl or bird from which the down or feather were obtained, together with the color of the down or bird from which the feather was obtained [, e.g. “white goose down,” “grey duck down,” etc].

(2) “Down fiber” means the barbs of down plumes separated from the quill points and such term shall be combined with the kind and color of the water fowl from which obtained.

(3) “Feathers” means the appendages growing out of the skin of birds. This term shall be combined with the name and color of the bird from which obtained.

(4) “Feather fiber” means the barbs of feathers separated by any process from the quills, but free from quills. The name and color of the bird from which it is obtained shall be combined with this term.

(5) “Stripped feathers” means the feather barbs stripped from the main stem or quill but not to the extent of separating the barbs into feather fiber. The term “stripped feathers” shall also be combined with the name and color of the bird from which obtained.

(6) “Crushed feather” means feathers which have been processed through a so-called curling machine that has changed the original form of the feather, but has not removed the quill. This term shall also be combined with the name and color of the bird from which obtained and the percentage of each kind of crushed feathers shall be given, in the order of predominance, if the crushed feathers are part of a mixture.

(7) “Chopped feathers” means feathers which have been processed through a chopping machine which has cut the feathers into small pieces. The name and color of the bird from which they are obtained shall be combined with this term. If part of a mixture, such chopped feathers shall be indicated in the order or predominance and percentages stated.

(8) “Broken feathers” shall be so described, together with the name and color of bird from which obtained and the percentage, if the amount of broken feathers exceeds ten per cent of the feather content.

(9) The term “quill” means the main shaft or axis of a feather.

(10) The term “quill feather” means a wing feather or tail feather and shall be combined with the name and color of the bird from which obtained. Feather mixtures shall be designated by name, color, character and percentage of each kind present in the mixture or the entire mixture shall be designated by the name of the lowest grade material used together with the color of the mixture. The grades of material in descending order are as follows: Goose down, duck down, goose feathers, duck feathers, turkey feathers, and chicken feathers.

(11) Feather mixtures shall be designated by name, color, character and percentage of each kind present in the mixture or the entire mixture shall be designated by the name of the lowest grade material used together with the color of the mixture. The grades of material in descending order are as follows: Goose down, duck down, goose feathers, duck feathers, turkey feathers, chicken feathers.]

[(e) Hair.

(1) “Hair” means the coarse, filamentous epidermal outgrowth of such animals as horses, cattle, hogs and goats. When used in the manufacture of upholstered furniture, bedding or filling material, hair shall be clean, properly cured, free from epidermin, excreta, or foreign or objectionable substances or odors. In addition to the word “hair,” the tags shall also indicate from what kind of animal the hair originates, and its condition or appearance as hereinafter described.

(2) “Horse hair” means the strands of hair from the mane or tail of horses and shall be further described as “horse tail hair” or “horse mane hair.”

(3) “Cattle hair” means the strands or filaments of hair from the body or tail of cattle and shall be further described as “cattle tail hair” or “cattle body hair.”

(4) “Hog hair” means the bristle or body hair of swine.

(5) “Curled hair” means any hair that has been curled. The appropriate designation shall appear on the tag preceded by the word “curled.”

(6) The term “shredded rubberized hair” means new rubberized hair that has been processed through a shredding machine. The term “curled” is not permitted in connection with shredded hair.]

[(f)] (e) Rubber.

[(1) The term “rubber” shall apply to the following synthetic rub-berlike materials as well as to natural rubber: Chloroprene, styrene-butadiene copolymers, butadiene-acrylonitrile copolymers,

polymerized isobutylene, with or without comonomers present, and thioplasts (any of the polysulfide rubbers consisting of organic radicals linked through sulfur). Use of the term “rubber products” is not permitted on the tag.]

- (1) [“Sponge rubber” means sponge products made from rubber which have previously been coagulated or solidified. “Sponge rubber” shall be indicated on the tag as follows: (a) “Sponge rubber.”] The [use of this] term “sponge rubber” shall be mandatory for inclusion on a tag for a sponge rubber product consisting of not more than two inserts of [unlaminated] nonlaminated prime material for attaining desired height, nor more than one vertical splice in every three square feet of top surface area excluding those permitted for T’s and U’s, and not more than one splice in every three linear feet of added side-walls or in lieu thereof in each corner, excepting side-walls that are irregular in contour in which case the number of splices shall be subject to the approval of the labor department. [(b) “Molded sponge rubber.” The use of this term may be applied to a sponge rubber product which has been molded in the form in which it is intended to be used. (c) “Sponge rubber pieces.” This term shall apply to a sponge rubber product which consists of mere pieces or otherwise fails to conform to the requirements for “sponge rubber” but shall not apply to sponge rubber which has been subjected to a shredding process. (d) “Cemented sponge rubber pieces.” The use of this term may be applied to sponge rubber pieces which have been cemented together. (e) “Shredded sponge rubber.” This term shall be applied to sponge rubber which has been subjected to a shredding process. (f) “Cemented shredded sponge rubber.” This term may be applied to shredded sponge rubber which has been cemented together.]
- (2) [“Latex foam rubber” means a foam product made from rubber latex which previously has not been coagulated or solidified. “Latex foam rubber” shall be indicated on the tag as follows: (a) “Latex foam rubber.”] The [use of one of the terms set forth below shall be mandatory for a latex foam rubber] term “latex foam rubber” shall be mandatory for inclusion on a tag for a latex foam rubber product consisting of not more than two inserts of [unlaminated] nonlaminated prime material for attaining desired height, not more than one vertical splice in every three square feet of top surface area, except for T’s and U’s, but not more than two vertical splices regardless of top surface area excluding those permitted for T’s and U’s, and not more than one vertical splice in every three linear feet of vertical side-walls or in lieu thereof in each corner, excepting side-walls that are irregular in contour in which case the number of splices shall be subject to the approval of the labor department. [(b) “Molded latex foam rubber.” The use of this term may be applied to a latex foam rubber product which has been molded in the form in which it is intended to be used. (c) “Latex foam rubber pieces.” This term shall apply to a latex foam rubber product which consists of mere pieces or otherwise fails to conform to the requirements for “foam rubber,” but shall not apply to foam rubber which has been subjected to a shredding process. (d) “Cemented latex foam rubber pieces.” The use of this term may be applied to latex foam rubber pieces which have been cemented together. (e) “Shredded latex foam rubber.” This term shall be applied to latex foam rubber which has been subjected to a shredding process. (f) “Cemented shredded latex foam rubber.” This term may be applied to shredded foam rubber which has been cemented together.]
- [(4) The term “foam” without the word “rubber” means a polymerized material consisting of a mass of thin-walled cells produced chemically or physically and such non-rubber shall be designated on the tag as “foam,” together with the name of the organic base from which it is made, e.g., “urethane foam,” “vinyl foam.”
- (5) The term “urethane foam” or “polyurethane” may be applied to a cellular urethane product which is created by the interaction of an ether or an ester and a carbamic acid derivative. If

the foam is of the ether type, it may be designated as “polyether foam.” If the foam is of the ester type, it may be designated as “polyester foam.”

- (6) The term “polystyrene foam” shall be applied to foam produced during the polymerization of a styrene monomer.
- (7) The term “vinyl foam” shall be applied to a foam produced from vinyl.
- (8) The term “molded” may precede the terms set forth above whenever such foam product has been made in a mold in the shape in which it is intended to be used.
- (9) The term “pieces” follows the terms set forth in subdivision (4) of this subsection whenever the foam product consists of mere pieces or otherwise fails to conform to the requirements set forth in subdivision (3) above, but does not apply to a foam product which has been subjected to a shredding process.
- (10) The term “shredded” shall precede or follow the terms set forth above whenever the foam product has been subjected to shredding process.
- (11) The term “cemented” shall be applied to a shredded foam which has been cemented together, e.g., “cemented shredded urethane foam.”]
- [(12)] (3) When a fabric-topped foam product or sponge used as a cover for an article of bedding is in excess of ten per cent of the weight of the entire filling material, it shall be disclosed on the tag and its percentage given.
- [(13) The term “polyester foam” means a foam produced by a polymerized reaction product of esters (i.e., a compound formed by the replacement of the acid hydrogen of an acid, organic or inorganic, by a hydro-carbon radical).
- (14) The term “polyether foam” means a foam produced by a polymerized reaction product of ethers (i.e., hydro-carbons in which one or several hydrogen atoms are replaced by alkoxy groups).]

[(g) **Synthetic fibers.**

- (1) “Acetate fiber” is a specific term used for man-made fibers, monofilaments and continuous filament yarns composed of acetylated cellulose, with or without lesser amounts of non-fiber-forming material. The term “acetate fibers” or the term “cellulose acetate fibers” shall be used for filling materials made of acetate.
- (2) The term “rayon fiber” is a generic term for man-made fibers, monofilaments and continuous filament yarns composed of regenerated cellulose, with or without lesser amount of non-fiber-forming materials. The term “rayon fibers” shall be used to designate man-made fibers composed of regenerated cellulose.
- (3) Synthetic fibers (other than acetate and rayon). When different long-chain synthetic polymers and/or copolymers are joined either chemically or physically to form a filament or fiber, a disclosure of the polymers and/or copolymers contained therein shall be made in the descending order of their percentage in the fiber by weight, e.g., “polystyrene fibers,” “vinyl-acrylic fibers.”
- (4) The term “acrylic fibers” shall be used for a long-chain synthetic polymer which contains not less than eighty-five per cent acrylonitrile and which is formed into a filament.

- (5) “Azlon fiber” is a generic term for fibers or filaments manufactured from modified proteins or derivatives thereof, with or without lesser amounts of non-fiber-forming materials. The term “azlon fiber” or “protein fibers” shall be used to designate fibers manufactured from azlon.
- (6) “Nylon fiber” is a generic term for any long-chain synthetic polymeric amide which has recurring amide groups as an integral part of the main polymer chain, and which is capable of being formed into a filament in which the structural elements are oriented in the direction of the axis. The term “nylon fibers” shall be used to designate fibers manufactured from nylon.
- (7) The term “polyethylene fibers” shall be used to designate fibers made from polymers and/or copolymers of ethylene.
- (8) The term “polyester fiber” means a fiber produced by a polymerized reaction product of esters (i.e., a compound formed by the replacement of the acid hydrogen of an acid, organic or inorganic, by a hydrocarbon radical).
- (9) The term “polyether fiber” means a fiber produced by the polymerized reaction product of others (i.e., hydrocarbons in which one or several hydrogen atoms are replaced by alkoxy groups).
- (10) The term “polystyrene fiber” shall be applied to the fibers resulting from the polymerization of styrene monomers.
- (11) The term “polyvinylidene fiber” means fibers produced by the copolymer of vinylidene chloride and other monomers.
- (12) The term “vinyl” shall be applied to homopolymers or copolymers of vinyl chloride.
- (13) The term “vinyl fibers” shall be used to designate fibers or filaments manufactured from vinyl.

(h) **Miscellaneous filling materials.**

- (1) “Cat-tail plant fibers” shall be so designated on the tag.
- (2) “Cellulose and/or wood fiber” means fibers reduced from wood or other vegetable growth to a cellulose or fibrous state, and shall be described as “cellulose fiber” or “wood fiber.”
- (3) “Coco husk fiber” means the fibrous growth obtained from the husk of the cocoanut.
- (4) “Excelsior” means shredded threadlike wood fibers, and shall not include waste products such as shavings, sawdust or similar waste.
- (5) “Flax tow” means the course, broken and refuse parts of flax separated from the fine fibrous parts in preparing the fibers for spinning.
- (6) “Fur fiber” means the fine, soft under fur, with or without the usual guard hair, removed from the tanned or untanned pelt of animals of the class of furbearers. The name of the animal may be stated and when so indicated on the label shall be a true statement.
- (7) “Glass fiber” means the very fine filaments or fibers made of glass.
- (8) “Hay” means any grass, properly dried or cured, free from dust, burrs, sticks or other objectionable material.

- (9) “Jute fiber” means the fiber derived from any species of the Corchorus plant.
- (10) “Jute tow” means the broken and refuse parts of jute separated from the fibrous parts in preparing the fibers for spinning.
- (11) “Kapok” means the mass of fibers investing the seed of the Kapok trees (Ceiba Pentandra). Any additional term descriptive of the geographical origin or of the quality of such fibers shall be a true statement when set forth on the tag.
- (12) “Milkweed fiber” means the surface fiber from the inside of the seed pods of milkweed plants (Asclepias).
- (13) “Moss” means the vegetable fibers processed from the moss growth found in swamps and on trees.
- (14) “Palm fiber” means the fibrous material obtained from the leaf of a palm, palmetto or palmyra tree.
- (15) “Silk fiber” means silk filaments or fibers, including the by-products of any manufacturing or preparing operation up to but not including spinning.
- (16) “Sisal fiber” means the leaf fiber derived from the “Agave Sisalana” and similar species of Agaves.
- (17) “Sisal fiber tow” means the residual fibers left after the extraction of the spinnable sisal fiber from the leaf. For the purpose of these regulations, this includes the products known as “Bagassi.” It shall not contain over three per cent pulp.
- (18) “Fiber pads” means a fiber interwoven or punched on burlap or any other woven material or otherwise fabricated into a pad, and when the term “fiber pad” is used, the name of the fiber as herein defined shall be included.
- (19) “Tula fiber” means the leaf fiber derived from the “Tula Istle” and similar species of agaves.
- (20) “Straw” means the stalk or stem of grain, such as wheat, rye, oats, rice, and the like, after threshing. The kind of straw may be stated, but when indicated shall be a true statement. It shall be free from beards, chaff, bristles, husks, glumes, dirt or extraneous matter.
- (21) “Sea grass” means any material obtained from maritime plants or seaweeds.
- (22) “Shoddy” means any material created from the processing of secondhand materials, clothing or used rags.]

Sec. 21a-235-9. Cleansing and sterilization of materials required

The bedding and upholstered furniture laws require the cleansing and sterilization of all articles and materials that have become soiled or contaminated in any manner or that come from an animal or fowl or that are infested with germs of any kind or that are unsanitary or that are [second-hand] secondhand. This provision includes all mill wastes, scraps, clippings and other wastes of manufacture which have become soiled or contaminated by falling upon the floor or in any other manner. All sterilization shall be in full compliance with the specifications regarding sterilization promulgated under the authority of section 21a-235 of the [general statutes] Connecticut General Statutes.

[(See. G.S. § 21a-232 (a), (b), (f).)]

Sec. 21a-235-10. Sterilization permit

Each person who undertakes to do sterilizing work shall secure a sterilization permit which requires a detailed description of the processes to be employed and the payment of a twenty-five dollar license fee.

[(See. G.S. § 21a-232 (m).)]

Sec. 2. Sections 21a-235-11 to 21a-235-13, inclusive, of the Regulations of Connecticut State Agencies are amended to read as follows:

Sec. 21a-235-11. Records of permit holders

Each person to whom a sterilization permit is issued shall keep an accurate record of the name and address of each person other than the holder of such permit for whom sterilization is done, together with the kind and amount of articles and/or materials sterilized and the date of such sterilization. All records shall be open at all times during business hours for examination by the commissioner or by inspectors of the department, and certified copies of such records shall be furnished to the department not later than the fifth of each month, covering the preceding month.

[(See G.S. § 21a-232.)]

Sec. 21a-235-12. Sterilization in own plant or by permit holder. [Cooperative sterilization plants]

[(a)] A maker or vendor of [second-hand] secondhand articles or materials, or new materials that have been contaminated, may sterilize such articles or materials in his own approved plant or have them sterilized by [any concerning having] a person with a sterilization permit. Every article of bedding or filling material offered for sale shall include a tag with the information required by section 21a-233 of the Connecticut General Statutes. [The permit number of the approved process shall be printed or stamped on each tag attached to any sterilized article or material.

(b) Persons who do a small amount of business in remaking, renovating or selling second-hand furniture may not wish to set up a sterilization plant and to pay the twenty-five dollar annual fee for a sterilization permit. Such small operators and dealers may get sterilization done by a commercial plant or may band together to set up a cooperative sterilization plant to take care of their needs.]

Sec. 21a-235-13. Sterilization of new materials of animal origin

Any process used for cleaning and curing feathers, cleaning and curling hair, cleaning wool, or cleaning or curing any other material derived from an animal or fowl, shall not be deemed to afford proper and thorough sterilization unless such process effectually removes all disease spores, germs and bacilli, all insects and insect [nits] eggs, all animal matter subject to decay and all manner of dirt and filth.

- (a) **New feathers.** To be approved by the commissioner, a sterilization or sanitation process shall demonstrate [Application for a sterilization permit shall show] that feathers are thoroughly

washed and rinsed and that live steam and dry heat are applied. The product shall pass all tests for [cleanness] cleanliness and freedom from [nits] insect eggs and germs.

- (b) **New hair.** To be approved by the commissioner, a sterilization or sanitation process [Application for a sterilization permit] shall show the entire process used for washing and curling (if curled) and that at some point during the process the hair remains in live steam or boiling water a sufficient period to kill all dangerous spores and germs.
- (c) **New wool.** To be approved by the commissioner, a sterilization or sanitation process [Application for a sterilization permit] shall indicate whether raw wool or previously scoured and carbonized wool is to be treated. Processes for raw wool shall be set forth in detail and indicate that the wool has been subjected to steam or boiling water for a sufficient time to kill all dangerous spores and germs.

[(See Reg. § 21a-235-18.)

(See G.S. § 21a-232.)]

Sec. 3. Section 21a-235-15 of the Regulations Connecticut State Agencies is amended to read as follows:

Sec. 21a-235-15. Sterilization before use

All [second-hand] secondhand materials and all new materials which have been exposed to contamination shall be sterilized before being put through a picker or [a gar-netting] Garnett machine.

Sec. 4. Section 21a-235-18 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 21a-235-18. Sterilization processes

["Sterilization," in reference to chapter 420a of the general statutes, means the destruction of all bacilli and spores of bacilli as well as insects and insect eggs (nits).] Only those sterilization processes and agencies which destroy all disease germs, insects and insect eggs shall be approved by the commissioner [accepted as effective sterilization processes or agencies under the law]. [There are five effective sterilization processes recognized: (1) Live steam under pressure; (2) live steam streaming from a boiler carrying not less than fifteen pounds pressure; (3) boiling water; (4) hot air, and (5) caustic solution of standard strength for sterilizing metal articles and parts.] The methods of sterilization [types of apparatus and processes] described below [are accepted sterilizers and], when shown to be effective, shall be approved by the commissioner.

- (a) **Steam pressure.** [The most efficient process of sterilization is the steam pressure process when properly applied.] Live steam, applied in a steam tight chamber from which the air has been expelled so as to penetrate to all parts of any article or material treated, and maintained at a pressure of at least fifteen pounds per square inch and a temperature of at least 250°F. at the point of lowest temperature for a period of not less than thirty minutes is an effective sterilizer. If the pressure is maintained at twenty pounds per square inch, the time of treatment may be

reduced to twenty minutes. The articles or materials treated shall be placed on racks so as to allow free access of steam to all surfaces and parts. Materials treated shall not be compacted or compressed to a density greater than that of ordinary cotton felt used for filling material. The sterilizing chamber shall be strong enough to withstand the pressure indicated and shall be equipped with a standard steam gauge plainly visible at all times from the working floor. Temperature control shall be maintained by means of a recording temperature gauge. [A Diac sterilizer control or equally effective control may be used until a recording temperature gauge can be installed.]

- (b) **Streaming steam.** A stream of live steam applied to articles or materials in the condition described above is acceptable as a sterilizing process, provided the steam shall have a temperature of at least 212°F. and shall be applied for a period of not less than three hours. Streaming steam may be used in two applications of one and one-half hours each with an interval of six hours but not more than twenty-four hours between each application. The steam chamber shall be steam tight with outlet valves at top and bottom which shall be kept open to prevent pressure in the chamber. Condensed steam shall be drawn off.
- (c) **Boiling water.** Boiling water is acceptable as a sterilizing process if uncompact materials are immersed in it for a period [of not less than two hours] sufficient to ensure that pests, pest eggs and pathogens are eliminated. The operator may be required to submit documentation demonstrating adequate application of time and temperature to effectuate elimination.
- (d) **Hot air.** [Hot air may be accepted as a sterilizer under proper conditions although it is not as effective as steam or boiling water. A] For a hot air sterilizing process to be approved by the commissioner, it shall safely produce a temperature of 250°F. at the point of lowest temperature in the chamber. Temperature shall be automatically controlled and shall be maintained for a period of at least two and one-half hours. [Temperature] The temperature shall be generated by means of properly guarded electric heating units or by steam pipes carrying live steam. An indirect gas heating system may be used if the material cannot be ignited by the gas flame. Hot air may be used for sterilizing material which is not compressed to a degree in excess of the customary compression of cotton felt. Articles shall be so spaced as to allow free circulation of hot air.
- (e) [**Caustic soda.** For sterilizing second-hand metal used in springs, cribs, cots, etc., the commissioner will approve a caustic solution of one-half pound of caustic soda (76% sodium hydroxide) to each gallon of water. The solution shall be used in a tank impervious to the action of the solution and of sufficient size to permit the complete submersion of material. Metal shall remain in a cold solution for a period of at least twenty-four hours but, if the solution is kept at the boiling point, this period may be reduced to three hours. In using such caustic process, all plugs and obstructions shall be removed so as to permit free passage of the solution to the inside of all tubing and to all other parts. After sterilization all metal articles shall be thoroughly washed with clean water until all of the caustic solution is removed.] **Ultraviolet Sterilization.** The effectiveness of germicidal ultraviolet radiation depends on the length of time a microorganism is exposed to such radiation, the intensity and wavelength of such radiation, the presence of particles that might protect the microorganism from the radiation, and a microorganism's ability to withstand the radiation during its exposure. Ultraviolet sterilization may be an effective mechanism for surface sterilization provided that exposure is appropriate to the microorganism slated for elimination.
- (f) **Chemical sterilization.** An approved chemical germicide may be used under proper conditions. Application of such chemicals and contact time shall be appropriate and in

accordance with the manufacturer's directions for use for the desired elimination of target microorganisms and pests.

(g) **Compliance.** To determine proper application of sterilization methods, the commissioner may employ test equipment such as black lights.

Sec. 5. Section 21a-235-21 of the Regulations of Connecticut State Agencies is amended to read as follow:

Sec. 21a-235-21. Steam, water and hot air as sterilizers

Application of steam, water and hot air sterilizers and contact times shall be appropriate and in accordance with the manufacturer's directions for use for the desired elimination of target microorganisms and pests. Evidence of adequate operation may be required. [Live steam under pressure, live streaming steam, boiling water, and hot air at a temperature of not less than 212°F. are both germicides and insecticides. All articles and materials which are susceptible of treatment by any of these methods need no further treatment to render them free of all germs and insect life. Dry hot air is not so effective as steam or boiling water in killing either germs or insects. Hence, hot air chambers shall be kept at 250°F. for a period of two and one-half hours to insure complete sterilization. Steam at pressure of fifteen pounds per square inch giving a temperature of 250°F. is effective with an exposure of thirty minutes; at pressure of twenty pounds (temperature of about 300°), the time is twenty minutes. Streaming steam at a temperature of not less than 212°F. is fairly effective with an exposure of three hours. Boiling water is effective with two hours of exposure.]

Sec. 6. Sections 21a-235-23 to 21a-235-25, inclusive, of the Regulations of Connecticut State Agencies are amended to read as follows:

Sec. 21a-235-23. Fumigation: Germicides

[(a) Formaldehyde is in common use and is accepted as a germicide (not an insecticide). The commissioner shall permit the use of a proper formaldehyde process until further notice, provided this process is used in conjunction with an approved insecticide process. (See section 21a-235-20.)

(b) When approved by the commissioner, formaldehyde gas in the presence of moisture may be used for treating either loose materials or complete articles when the filling is not compressed to a degree in excess of the usual compression of cotton felt. Articles shall be so spaced as to allow free circulation of gas. The exhaust from the sterilizing room or cabinet shall be carried by a duct or a chimney flue extending above the roof of the building.

(c) Formaldehyde gas generated from one pint of formaldehyde solution (United States Pharmacopoeia standard) for each one thousand cubic feet of space in the sterilizing chamber is acceptable. Materials shall be treated with formaldehyde gas and moisture for at least ten hours. The minimum quantity of solution permitted is two ounces, regardless of how small the sterilizing chamber is. The solution shall be heated or boiled to release the gas. The safest and most convenient way to do this is to add to the solution one-half its weight of potassium permanganate. This boils the solution and releases the gas. To avoid boiling over, the mixing

should be done in a large pail. The gas shall be disseminated throughout the chamber so as to reach all parts of the materials treated.

Sufficient moisture in the chamber may be produced by thoroughly sprinkling the floor of the chamber with warm water before commencing to sterilize. The room shall be gas tight and equipped with air inlet and outlet. (An exhaust fan will greatly facilitate the removal of dead gases and fumes after sterilization is completed.) Tight closure gates or valves shall be provided for both inlet and outlet. Shelves shall be of lattice construction. This process is not suitable, and shall not be approved, for complete sterilization of any materials or articles. For complete sterilization, an approved insecticide shall be used in addition to formaldehyde.] Application of germicides and contact times shall be appropriate and in accordance with the manufacturer's directions for use for the desired elimination of target microorganisms and pests. Evidence of adequate operation may be required.

Sec. 21a-235-24. Fumigation: Insecticides

[The following substances and processes are approved as insecticides for use with formaldehyde or any accepted germicide.] Application of insecticides and contact times shall be appropriate and in accordance with the manufacturer's directions for use for the desired elimination of target microorganisms and pests. Evidence of adequate operation may be required for approval of this sterilization process.

[(a) **Ethylene oxide and carbon dioxide: "Carboxide."** A mixture of one part ethylene oxide at ordinary temperatures is a colorless gas with a faint odor of ether. At 50°F. it is a mobile colorless liquid. Concentrated vapors of ethylene oxide are inflammable or explosive. To overcome the fire and explosion hazard, carbon dioxide is added. This eliminates these hazards and about doubles the toxicity of the ethylene oxide gas to insects. Ethylene oxide gas penetrates deeply into articles and materials of bedding and upholstery and destroys insects and insect eggs effectively. It is not very toxic to man. "Carboxide" gas is nonexplosive and noninflammable and does not injure fabrics or furniture. The materials to be treated shall be placed in a gas tight chamber on open lattice racks so as to allow the free access of the gas to the materials. The gas should be released into the chamber in the form of a mist or spray. Three pounds of ethylene oxide-carbon dioxide (or "carboxide") per one thousand cubic feet in a gas tight chamber at a temperature of 75°F. will destroy insects and insect eggs in twelve hours; five pounds per one thousand cubic feet is effective in eight hours.

(b) **Hydrocyanic acid gas.** This gas is very dangerous as it is deadly poisonous to man and should be used only by expert operators, licensed by the local health authorities. (See Reg. 21a-235- 29.)

(c) **Methyl formate and carbon dioxides: "Malium."** This is a noninflammable liquid consisting of fifteen parts methyl formate and eighty-five parts carbon dioxide by weight. Have air tight room, except for vent pipe to go above roof. Release gas by connecting cylinder to a manifold outside the room with a discharge pipe to the inside room. Moisture in the room is undesirable. Keep the temperature in room at not less than 75°F. Means shall be provided for exhausting vapors after fumigation. Outlet should be above roof. Clear the room of gas before opening the door after fumigation.

(d) **Ethylene dichloride and carbon tetrachloride.** This is a noninflammable liquid mixture of seventy-five per cent of the former and twenty-five per cent of the latter by volume. Ethylene dichloride is inflammable, but the mixture with carbon tetrachloride is not. Use a gas tight room.

Place liquid in a shallow trough not more than two and one-half inches deep. Hang it about eighteen inches below the ceiling. The gas is heavy and travels downward. Use not less than fourteen pounds (five quarts) per one thousand cubic feet of air space in the room. Keep the temperature of room at not less than 75°F. nor more than 90°F. Moisture in the room is undesirable. Means shall be provided for exhausting vapors after fumigation. Outlet should be above the roof. Clear the room of gas before opening the door after fumigation.

(e) **Carbon tetrachloride.** Carbon tetrachloride is a thin, transparent, colorless, noninflammable liquid with an odor like chloroform. It is used as a fire extinguisher. Use an air-tight room equipped with a ventilating pipe which leads to a point above the roof. Have a gas-tight valve in the vent pipe. Place the tetrachloride in an open shallow pan at the top of the room. The gas is heavy and travels downward. The liquid evaporates on exposure to air. Use eight pounds per one thousand cubic feet of room space. Keep the temperature of the room at not less than 75°F. Clear the room of gas before opening the door after fumigation.

(f) **Sulphur dioxide.** This is sulphur fumes. The cheapest and simplest method of producing these fumes is the "pot" method. Use broad, shallow pots to assure rapid production of fumes. Use enough pots so that sulphur may be spread to a thickness of not more than two inches. Provide alcohol to start the sulphur burning. Provide a gas-tight room with fresh air inlet and exhaust pipe to outer air above the roof. Have tight valves in each pipe. Use one pound of sulphur to each one thousand cubic feet of room space. There is danger of fire from burning sulphur. Set the pots on brick or metal supports in a large pan of water. These fumes have a bleaching effect and also will tarnish metal. To light the sulphur quickly, sprinkle with alcohol and throw a lighted match in the pot. Keep the room dry—moisture is undesirable during fumigation. Clear the room of gas after the fumigation period before opening room door.]

Sec. 21a-235-25. [Application of insecticides and germicides] Off sale articles.

[Approved insecticides and germicides may be applied in either of two ways: (1) They may be applied in the form of a gas generated in a properly constructed gas tight vault or chamber; or (2) they may be applied with an approved spraying device.] The commissioner may order off sale and so tag any article of bedding, upholstered furniture or material therefor not tagged or labeled as required by section 21a-231, et seq, of the Connecticut General Statutes or sections 21a-235-1 to 20-235-25, inclusive, of the Regulations of Connecticut State Agencies, or which in any other respect does not conform with the requirements of section 21a-231, et seq, of the Connecticut General Statutes or sections 21a-235-1 to 20-235-25, inclusive, of the Regulations of Connecticut State Agencies, and may take such other action as may be authorized by statute. No article or material so ordered off sale shall be sold or used, nor shall such materials or articles or contents thereof be altered or removed in whole or part, until such articles or materials are released by the commissioner and the off sale tag removed. All articles or materials ordered off sale are subject to frequent examination and shall be so placed as to be readily accessible at all times for examination upon demand of the commissioner.

Sec. 7. The text of sections 21a-235-26 to 21a-235-32, inclusive, of the Regulations of Connecticut State Agencies are deleted and said regulation sections are reserved for future use.

Sec. 8. Sections 21a-235-9, 21a-235-10, 21a-235-14, 21a-235-19 and 21a-235-20 of the Regulations of Connecticut State Agencies are repealed.

Statement of Purpose

This proposed regulation updates and modernizes the existing regulatory sections related to the sale, renovation, and sanitizing of bedding products and upholstered furniture in Connecticut. This regulation includes standardized definitions created and codified by the International Association of Bedding and Furniture Law Officials (IABFLO), which are used world-wide by manufacturers, distributors, and government entities. The Department of Consumer Protection currently regulates this area.