

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 320

H. P. 230

House of Representatives, January 25, 1967

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Ewer of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Including Importers in Stuffed Toy Law.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 26, § 121, amended. Section 121 of Title 26 of the Revised Statutes, as enacted by section 3 of chapter 106 of the public laws of 1965, is amended to read as follows:

§ 121. Construction

This subchapter shall be construed to cover and apply to the manufacture, **importation**, sale and distribution of all stuffed toys and filled playthings of all types which are intended for sale, gift or use in the State.

Sec. 2. R. S., T. 26, § 122, sub-§ 6, additional. Section 122 of Title 26 of the Revised Statutes, as enacted by section 3 of chapter 106 of the public laws of 1965, is amended by adding a new subsection 6, to read as follows:

6. Importer. "Importer" shall mean any person or persons who brings or carries into this State, from abroad, stuffed toys intended for sale, gift or use in this State.

Sec. 3. R. S., T. 26, § 123, amended. Section 123 of Title 26 of the Revised Statutes, as enacted by section 3 of chapter 106 of the public laws of 1965, is amended to read as follows:

§ 123. Administration and rules and regulations

The department is charged with the administration and enforcement of this subchapter; and may make and enforce reasonable rules and regulations which will insure that stuffed toys offered for sale in the State shall be clean and free from dangerous or harmful substances and for the enforcement of this subchapter, and shall have the power through its officers or agents to take for

analysis samples or stuffed toys from manufacturers, **importers**, retailers or distributors thereof without compensation.

Sec. 4. R. S., T. 26, § 125, amended. The 1st sentence of section 125 of Title 26 of the Revised Statutes, as enacted by section 3 of chapter 106 of the public laws of 1965, is amended to read as follows :

If any manufacturer **or importer** of stuffed toys or any stuffed toys are found in violation of this subchapter or the regulations thereunder, the department may suspend the sale of such toys by the manufacturer **or importer** and prohibit the sale or giving away of such toys by retailers, distributors or other persons having such toys.

Sec. 5. R. S., T. 26, § 126, amended. The 2nd paragraph of section 126 of Title 26 of the Revised Statutes, as enacted by section 3 of chapter 106 of the public laws of 1965, is amended to read as follows :

Each article manufactured **or imported** for sale, sold, leased, offered for sale or leased or possessed with intent to sell or lease, contrary to this subchapter, or of the rules and regulations established thereunder shall constitute a separate offense and shall be punishable as provided in this section.

Sec. 6. R. S., T. 26, § 131, amended. The first 2 sentences of section 131 of Title 26 of the Revised Statutes, as enacted by section 3 of chapter 106 of the public laws of 1965, are amended to read as follows :

Manufacturers **or importers** of all stuffed toys manufactured **in or imported in** ~~into~~ this State or intended for sale, gift or use in this State shall register with the department on forms provided by the department. The forms shall set forth, among other items, the name and address of the manufacturer **or importer**, the type of stuffed toys manufactured **or imported**, the composition of the stuffing and such other information as the department may require.

Sec. 7. R. S., T. 26, § 132, amended. The 1st sentence of section 132 of Title 26 of the Revised Statutes, as enacted by section 3 of chapter 106 of the public laws of 1965, is amended to read as follows :

Upon receipt of the registration form, the department shall, if the applicant is in compliance with this subchapter and the regulations of the department, issue a certificate of registration to the manufacturer **or importer**.

Sec. 8. R. S., T. 26, § 133, amended. The 2nd sentence of section 133 of Title 26 of the Revised Statutes, as enacted by section 3 of chapter 106 of the public laws of 1965, is amended to read as follows :

Manufacturers **or importers** using material in stuffed toys containing products of animal origin or secondhand material must obtain a certificate of disinfection from the department on forms provided by the department.

Sec. 9. R. S., T. 26, § 134, amended. Section 134 of Title 26 of the Revised Statutes, as enacted by section 3 of chapter 106 of the public laws of 1965, is amended to read as follows :

§ 134. Requirement of certificate of registration for sale

Only stuffed toys for which the manufacturer **or importer** has been issued a certificate of registration as provided in section 132 may be sold, distributed or given away in this State.