

# MAINE STATE LEGISLATURE

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SECOND SPECIAL SESSION

ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1839

H. P. 1310

House of Representatives, January 9, 1968

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

BERTHA W. JOHNSON, Clerk

Presented by Mrs. Kilroy of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-EIGHT

AN ACT Regulating Flammable Children's Clothing and Blankets.

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

**Sec. 1. R. S., T. 26, § 122, sub-§ 5-A, 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 section 5-A, to read as follows:

**5-A. Baby clothing.** "Baby clothing" shall mean any article intended for use by infants or children as clothing. Included in the above shall be articles of bedding such as pillows and blankets or comforters usually designed for use by infants or children.

**Sec. 2. 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 and amended by section 3 of chapter 74 of the public laws of 1967, is further 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 or baby clothing offered for sale in the State shall be clean and free from dangerous, flammable 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 of stuffed toys or baby clothes from manufacturers, importers, retailers or distributors thereof without compensation.

**Sec. 3. R. S., T. 26, § 125, amended.** Section 125 of Title 26 of the Revised Statutes, as enacted by section 3 of chapter 106 of the public laws of 1965 and amended by section 4 of chapter 74 of the public laws of 1967, is further amended to read as follows:

**§ 125. Violation; suspension and confiscation**

If any manufacturer or importer of stuffed toys **or baby clothing** or any stuffed toys **or baby clothing** are found in violation of this subchapter or the regulations thereunder, the department may suspend the sale of such toys **or baby clothing** by the manufacturer or importer and prohibit the sale or giving away of such toys **or baby clothes** by retailers, distributors or other persons having such toys **or baby clothing**. In pursuance of this section, the department may confiscate such toys **or baby clothes** pending an appeal, by any party injured, to the Superior Court and such appeal shall utilize procedures set forth in section 132.

**Sec. 4. R. S., T. 26, § 131, amended.** The first sentence of section 131 of Title 26 of the Revised Statutes, as enacted by section 3 of chapter 106 of the public laws of 1965 and amended by section 6 of chapter 74 of the public laws of 1967, is further amended to read as follows:

Manufacturers or importers of all stuffed toys **or baby clothing** manufactured in or imported into this State or intended for sale, gift or use in this State shall register with the department on forms provided by the department.

**Sec. 5. R. S., T. 26, § 133, amended.** The first 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 and amended by section 8 of chapter 74 of the public laws of 1967, is further amended to read as follows:

All material used in stuffed toys **or baby clothes** shall be new and free from dangerous, **flammable** or harmful chemicals or other substances and shall be free from oil, dirt, refuse and similar substances.

**Sec. 6. 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 and amended by section 9 of chapter 74 of the public laws of 1967, is further amended to read as follows:

**§ 134. Requirement of certificate of registration for sale**

Only stuffed toys **or baby clothes** 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.