

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

House Document

No. 339

H. P. 1055 House of Representatives, Feb. 12, 1929.

Referred to Committee on Legal Affairs and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Carleton of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-NINE

AN ACT Relating to the Manufacture and Sale of Bedding
and Upholstered Furniture.

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

Section 1. No person shall manufacture for the purpose
2 of sale, sell, offer or expose for sale, or have in possession
3 with intent to sell, any article of bedding or upholstered
4 furniture, manufactured after the date when this law takes
5 effect, unless there in plainly marked upon each such ar-
6 ticle, or upon a tag of some durable substance sewed there-
7 on, or otherwise securely attached thereto, a statement in
8 the English language of the kind of material used for fill-
9 ing in the manufacture of such article, the name of the

10 manufacturer or vendor, and, also, if the material has pre-
11 viously been used, the words "second hand" and, unless, if
12 any such article is enclosed in a bale, box, crate or other
13 receptacle, there shall be plainly marked upon such recep-
14 tacle, or upon a durable tag securely attached thereto, a
15 statement that the contents of the package are marked as
16 herein required. Whoever renovates or remakes any mat-
17 tress shall attach a tag thereto bearing the word "remade"
18 and a statement of the kind of material used for filling.
19 Possession of any article of bedding or upholstered furni-
20 ture not marked as provided herein, by any person engaged
21 in the business of manufacturing, selling or offering for
22 sale any such article, shall be prima facie evidence that such
23 article is being manufactured, remade or renovated, or is
24 offered or exposed for sale, in violation of the provisions
25 of this section. If none of the material used for filling any
26 article of bedding or upholstered furniture shall have been
27 previously used the label shall in addition bear the words
28 "manufactured of new material." The label required by
29 this section shall be of muslin or linen, or in the case of
30 upholstered furniture, of paper or cloth permanently pasted
31 or attached to each such article and shall be in such form
32 as shall be prescribed by the department of public health.
33 If what is known in the trade as "sweeps" or "sweepings"
34 is used in the filling of any article of bedding, such material
35 shall be named "mill sweepings" on any label required un-
36 der this section and if material known in the trade as "oily

37 sweeps” or “oily mill sweepings” is used in the filling of
38 any article of bedding such material shall be named “oily
39 mill sweepings” on any label required under this section.
40 The label shall be securely sewed at least by one edge to
41 the outside seam of the ticking or cover of every article of
42 bedding to be manufactured, before the material used for
43 filling has been placed inside the ticking or cover. No label
44 shall bear any misleading term or description.

Sect. 2. No person shall use, in the manufacture of any
2 article of bedding or upholstered furniture for purposes of
3 sale, or sell or offer or expose for sale, or have in possession
4 for the purpose of such use or for sale or for use in the
5 remaking, or renovating of any such article, any material
6 which has previously been used in or about a hospital, or
7 on or about the person of any one having an infectious or
8 contagious disease, nor shall any person sell, or offer or
9 expose for sale, any such article containing materials which
10 have previously been so used.

Sect. 3. No person shall sell or offer for sale any second
2 hand hair, down, feathers, wool, cotton, kapok, or other
3 materials commonly used for filling articles of bedding or
4 upholstered furniture, representing the same to be new ma-
5 terial. No person engaged in the business of selling any
6 such materials shall ship any box, crate, package or other
7 container in which is placed any such hair or other material
8 above specified unless there is attached thereto a tag con-
9 taining a statement of the contents of the package together

10 with the name of the vendor, and if the material has been
11 used before, with the words "second hand."

Sect. 4. The department of public health, whenever there
2 is reason to believe that any provision of sections two hun-
3 dred and seventy to two hundred and seventy-seven, in-
4 clusive, is being violated in any factory, shop, warehouse,
5 store or other place, shall cause an investigation to be made
6 of any such place, and for this purpose any member or duly
7 authorized employee of the said department may enter such
8 building or other place at all reasonable times. If, upon
9 investigation, articles of bedding or upholstered furniture,
10 or materials for use in the manufacture, remaking or reno-
11 vation of the same, shall there be found, which have been
12 previously used in or about a hospital, or on or about the
13 person of any one having an infectious or contagious dis-
14 ease, such materials or articles, whether manufactured, re-
15 made or renovated or in process of manufacture, remaking
16 or renovation, shall be marked by the said department with
17 labels bearing the word "unclean" in conspicuous letters,
18 and the said department, with or without notice to the
19 owner or supposed owner may order the removal and de-
20 struction of the said materials or articles or make such
21 other order relating thereto as the circumstances of the case
22 require.

Sect. 5. Whoever violates any provision of this act, or
2 obstructs, hinders or in any way interferes with any duly
3 authorized employee of the department in the performance

4 of his official duties under this and the following section
5 shall for the first offense be punished by a fine of not more
6 than fifty dollars and for a subsequent offense by a fine of
7 not more than one hundred dollars.