

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1082 Session of
1977

INTRODUCED BY THOMAS, HELFRICK, DeVERTER, SIRIANNI, WILT,
LAUGHLIN, YAHNER, RENWICK AND McCLATCHY, MAY 2, 1977

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, MAY 2, 1977

AN ACT

1 Amending the act of July 25, 1961 (P.L.857, No.372), entitled
2 "An act regulating the manufacture of stuffed toys intended
3 for sale, gift, or use in Pennsylvania; providing for
4 registration of such manufacturers, the paying of a fee for
5 such registration, the issuance of a seal of approval to such
6 manufacturers; providing that material used in such toys
7 shall be new and free from dangerous or harmful substances;
8 providing for disinfection of such material containing
9 products of animal origin; and prescribing penalties,"
10 providing for exclusions from the act and making editorial
11 changes.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. Clause (3) of section 2 and section 4, act of
15 July 25, 1961 (P.L.857, No.372), entitled "An act regulating the
16 manufacture of stuffed toys intended for sale, gift, or use in
17 Pennsylvania; providing for registration of such manufacturers,
18 the paying of a fee for such registration, the issuance of a
19 seal of approval to such manufacturers; providing that material
20 used in such toys shall be new and free from dangerous or
21 harmful substances; providing for disinfection of such material
22 containing products of animal origin; and prescribing

1 penalties," are amended to read:

2 Section 2. As used in this act--

3 * * *

4 (3) The term "person" shall include individuals,
5 partnership, associations, trusts, corporations, and any other
6 individual or any other business entity but shall not include an
7 individual having a gross income under one thousand five hundred
8 dollars (\$1,500.00) or a charitable or nonprofit institution
9 which makes stuffed toys to be sold or given for charitable or
10 nonprofit purposes.

11 * * *

12 Section 4. Upon receipt of the registration form, the
13 department shall, if the applicant is in compliance with this
14 act and the regulations of the department, issue a [seal of
15 approval] certificate of registration to the manufacturer, which
16 [seal] certificate must appear on each stuffed toy intended for
17 sale, gift or use in this Commonwealth. If the department fails
18 to issue such [seal of approval] certificate of registration or
19 renewal of the [seal] certificate, the applicant may appeal to
20 the Industrial Board which will hold a hearing to determine
21 whether or not the applicant is in compliance with this act and
22 the regulations thereunder. The procedure used in such hearing
23 shall be the same as that required in trial in assumpsit in the
24 courts of common pleas of this Commonwealth. Appeals from the
25 decision of the Industrial Board shall be to the [Court of
26 Common Pleas of Dauphin County] Commonwealth Court on questions
27 of law only.

28 Section 2. This act shall take effect immediately.