

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

**HOUSE BILL**  
**No. 1761** Session of  
1977

---

INTRODUCED BY SCHMITT, THOMAS, YAHNER, MORRIS, ZELLER,  
C. GEORGE, SWEET, STUBAN, WENGER AND SHUMAN,  
OCTOBER 12, 1977

---

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, OCTOBER 12, 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 changing certain registration fees, exempting charitable and  
11 nonprofit organizations from payment of the registration fee  
12 and making editorial changes.

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

15 Section 1. The title and sections 2, 3, 4 and 6, act of July  
16 25, 1961 (P.L.857, No.372), entitled "An act regulating the  
17 manufacture of stuffed toys intended for sale, gift, or use in  
18 Pennsylvania; providing for registration of such manufacturers,  
19 the paying of a fee for such registration, the issuance of a  
20 seal of approval to such manufacturers; providing that material  
21 used in such toys shall be new and free from dangerous or  
22 harmful substances; providing for disinfection of such material

1 containing products of animal origin; and prescribing  
2 penalties," are amended to read:

3 AN ACT

4 An act regulating the manufacture of stuffed toys intended for  
5 sale, gift, or use in Pennsylvania; providing for  
6 registration of such manufacturers, the paying of a fee for  
7 such registration, the issuance of a [seal of approval]  
8 certificate of registration to such manufacturers; providing  
9 that material used in such toys shall be new and free from  
10 dangerous or harmful substances; providing for disinfection  
11 of such material containing products of animal origin; and  
12 prescribing penalties.

13 Section 2. As used in this act--

14 [(1)] The term "Department" shall mean the Department of  
15 Labor and Industry.

16 The term "manufacturer" shall mean any person engaged in the  
17 producing or making of stuffed toys for use outside the maker's  
18 household.

19 [(2)] The term "new" shall mean any article or material  
20 which has not been subjected to a previous manufacturing  
21 process, or which has not been previously used for any purpose.

22 [(3)] The term "person" shall include individuals,  
23 [partnership] partnerships, associations, trusts, corporations,  
24 and any other individual or any other business entity.

25 [(4)] The term "stuffed toy" shall mean any article intended  
26 for use by infants or children as a plaything which is filled  
27 with or contains any fiber, chemical or other stuffing.

28 Section 3. (a) Manufacturers of all stuffed toys  
29 manufactured in this Commonwealth or intended for sale, gift or  
30 use in this Commonwealth shall register with the department on

1 forms as provided by the department. The forms shall set forth,  
2 among other items, the name and address of the manufacturer, the  
3 type of stuffed toys manufactured, the composition of the  
4 stuffing and such other information as the department may  
5 require. A fee of [one hundred dollars (\$100.00)] twenty-five  
6 dollars (\$25.00) shall accompany each registration. This  
7 registration shall be valid for a period of one (1) year and may  
8 be renewed, annually, by filling out of such forms as shall be  
9 prescribed by the department, which form shall be accompanied by  
10 payment of a fee of twenty-five (\$25.00) dollars.

11 (b) Any manufacturer which demonstrates to the satisfaction  
12 of the secretary that it is a charitable or nonprofit  
13 organization is exempted from payment of the registration fee  
14 authorized in this section.

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

1       Section 6.   Only stuffed toys which have been issued a [seal]  
2   certificate as provided in section 4 of this act may be sold,  
3   distributed or given away in this Commonwealth.

4       Section 2.   This act shall take effect in 60 days.