



Stuffed Toy Licensing and Labeling Laws

This is an update of the applicable laws and regulations in the states of Pennsylvania, Massachusetts and Ohio affecting stuffed toys and dolls. This summary replaces The Toy Association Bulletin No. S-26 of 1994 on this subject.

NOTE: Maine repealed its law regulating stuffed toys on July 1, 2001.

Uniform Label for Stuffed Toys

It is possible for manufacturers to utilize a uniform stuffed toys label which is good in all three states (Ohio, Pennsylvania and Massachusetts) that require the licensing of stuffed toy manufacturers and the labeling of stuffed toys. The uniform label, to be effective for all States, should contain the following information.

1. The Pennsylvania license number of the manufacturer or vendor.
NOTE: Because Pennsylvania requires a Pennsylvania license number to be on the label and does not accept the use of the name and address of the manufacturer or the use of any other State's licensing number, the uniform label must utilize the Pennsylvania license number. Ohio and Massachusetts will accept the use of a Pennsylvania toy registration number if that Pennsylvania number is registered within these states and their fees are paid.
2. The name and principal place of business (City and State) of the manufacturer or vendor.
3. A statement that "All new Material" (with type of material) or "All New (type) Material" was used in the manufacture of the stuffed toy.

There is no color, size or type requirement for the UNIFORM LABEL provided the print is legible and can be readily discerned. The label must be affixed to the stuffed toy itself.

[Pennsylvania Laws](#) | [Massachusetts Laws](#) | [Ohio Laws](#)

Pennsylvania

The Pennsylvania statute has been in effect since 1961. The requirements are as follows:

License Fee

\$25 initial registration
\$25 annually thereafter

Labeling Requirements

Manufacturers must submit detailed information as to filler content of their stuffed toys, and specimens of such toys selected at random, to Pennsylvania licensing authorities. There is no color, size or type requirements with respect to the label, provided it is legible and can be readily discerned. The following information must appear in the label:

1. A statement that "All New Material" or "All New (type) Material" was used in the manufacture of the stuffed toys.
2. The manufacturer's registration number assigned by Pennsylvania preceded by the abbreviations "REG.NO.PA" (the registered name and address of the manufacturer alone cannot be used). No person other than the one granted a given registration, or his designated agent, shall use the registration number.

The regulation provides that stuffed toys are "unfit for sale" should they contain:

1. Material of sufficient size to visibly reveal a pattern, weave or other mechanical unification of threads to indicate prior use of a previous manufacturing process.
2. Dirt and/or other foreign matter in excess of one percent (1%) by weight.
3. More than one percent (1%) oil or grease.
4. More than 0.002% lead as (Pb) - (20 parts per million).
5. More than 0.0002% arsenic - (2 parts per million).
6. More than 5.0% ammonia.
7. More than 1.0% urea.
8. Plastic or metal ornaments such as eyes, nose, etc., not of a safe design or not attached to the stuffed toys in such manner as to prevent removal.
9. Stones or other hard materials having jagged or sharp edges.
10. Material bearing electrostatic charge with adherence characteristics which when exposed could lodge in the windpipe, ears or nostrils.
11. Filing material which surface burns at a rate of less than three (3) seconds for twelve (12) square inches...

Registration Requirements for Foreign Manufacturers

1. The manufacturer may register directly with the Department at the foreign manufacturer's location. This is identical to the requirement for domestic manufacturers, or
2. An importer may hold a stuffed toy registration on behalf of each foreign manufacturer represented. The Department does not permit "pooling" of registrations.

Clarification of the Registration Requirements for Foreign Manufacturers

	No nap, pile, tufting, flock or other type raised fiber surface	Napped, pile, tufted, flocked or other type raised fiber surface
Class I (Relatively slow burning)	When time of flame spread is 20 seconds or more for 12 square inches.	When time of flame spread is over 7 seconds for 12 square inches.
Class II (Moderately flammable)	When time of flame spread is 8 to 19 seconds for 12 inch square.	Burns with a rapid surface flash in less than 7 seconds for 12 square inches, with no fusing or ignition of base fabric.
Class III (Relatively flammable)	When time of flame spread is 3 to 7 seconds for 12 square inches.	When time of flame spread is from 4 to 7 seconds, both inclusive, for 12 square inches with fusing or ignition of base fabric.
Class IV (Rapid and intense burning)	When time of flame spread is less than 3 seconds for 12 square inches.	When time of flame spread is less than 4 seconds for 12 square inches with fusing or ignition of base fabric.

The chief of the Pennsylvania Department of Labor and Industry has attempted to "clarify" the foreign manufacturers' registration provision by letter. The letter states that **the Department is not requiring registration of each plant of domestic manufacturers but only to insure that each foreign manufacturer is separately registered.** In a telephone conversation with The Toy Association General Counsel, the chief also indicated that a domestic manufacturer who has product manufactured abroad for it and who supplies designs or materials to the foreign source also need not register the foreign plant.

In addition, the bedding chief indicated that he was only requiring registration of foreign plants if the foreign manufacturer sells products totally made from its own design to the American importer.

The Toy Association has consistently maintained that registration by a single manufacturer or importer in its own name is all that is required under the Pennsylvania statute and its regulations and that requiring multiple foreign plant registrations for suppliers of a registered U.S.A. manufacturer or imported constitutes a broadening and misinterpretation of the regulations in a manner which is inconsistent with prior interpretation and practices of the Department.

Classification of Flammability Fabrics

Non-Fabric

Non-fabric materials include plastics, paints, and non-fabric portions of a stuffed toy. These materials which meet the requirements in Class V are accepted as having no unusual burning characteristics. Materials which have burning characteristics as set forth in Class VI are considered dangerously flammable and recognized as unsuitable for stuffed toys because of their rapid burning and intense burning. The classification shall be as follows:

- **Class V** -- Such materials shall be classified as normal flammability when a 9 square inch sample does not burn or flash the full area during a 4-second flame exposure.
- **Class VI** -- Such materials shall be classified as rapid-burning when a 9-square inch sample burns or flashes the full area during a 4-second flame exposure.

16 CFR 1500.44, and CPSC enforcement regulations which permit 16 CFR 1610 application of textile flammability standards, may preempt the Pennsylvania flammability requirements if the Pennsylvania requirement is not identical to the federal regulation applicable to toys.

Regulatory Agency

Department of Labor & Industry
Bedding and Upholstery Section
Room 1619
7th and Forster Street
Harrisburg, PA 17120
Tel: (717) 787-6848, Fax: (717) 787-6925

Stuffed Toys

<http://www.dli.pa.gov/Individuals/Labor-Management-Relations/bois/Pages/Stuffed-Toys.aspx>

Stuffed Toys Regulations

<http://www.dli.pa.gov/Individuals/Labor-Management-Relations/bois/Pages/Stuffed-Toys-Regulations.aspx>

Bedding and Upholstery / Stuffed Toy Forms

<http://www.dli.pa.gov/Individuals/Labor-Management-Relations/bois/Pages/Bedding-and-Upholstery-Forms.aspx>

Massachusetts

License Fee

\$300 initial registration

\$300 annual renewal

Labeling Requirements

The following information shall appear on the manufacturer's label:

1. Name and principal place of business (City and State) of the manufacturer; or at the option of the manufacturer, the manufacturer's Massachusetts license number.
2. The statement "All New Material" (with type of material) or "All New (type) Material" was used in the manufacture of the toy.
3. The form, design, color or size of labels is left to the manufacturer's discretion, provided the information and type size is legible. No special method of affixing labels (string tags would suffice) is required. The information must be "clearly visible" so that, if the label is beneath doll's clothing, the required information must appear on the box: "All labels required by this law shall be securely attached to the article during the process of manufacture at the factory. Such labels shall be fixed in such position that they may be conveniently examined."

Regulatory Agency

Department of Public Health

Food and Drug Division

Furniture & Bedding Inspection Section

305 South Street

Jamaica Plain, MA 02130

Tel: (617) 983-6700

Application for Licensure for the Manufacture and Sale of Stuffed Toys in
Accordance with M.G.L. C.94, § 271 and 105 CMR 620.000

<http://www.mass.gov/eohhs/docs/dph/environmental/foodsafety/toy-app.pdf>

Ohio

License Fee

The regulations of the Division of Bedding and Upholstered Furniture of the Ohio Department of Industrial Relations require that manufacturers of stuffed toys pay an annual fee of \$50 and file quarterly reports accompanied by a tax of four (4) cents per item sold in the State of Ohio in the preceding quarter (effective July 1, 1989).

Labeling Requirements

A label securely affixed to the stuffed toy or doll which contains the following:

1. The registered name and address of the manufacturer or importer.
2. At the option of the manufacturer or importer, the license number assigned to registrants by the State of Ohio which shall be the registered license number of the manufacturer or importer in any other state in which he is registered.
3. A statement that "All New Material" (with type of material) or "All New (type) Material" was used in the manufacture of the stuffed toy. The form, design, color or size of the label is left to the discretion of the manufacturer or importer, provided that the information required on the label is clearly legible and in sufficient size type so that it can be readily discerned. The label must be affixed to the stuffed toy itself.

Requirements for registration numbers:

- It is the requirement of the State of Ohio that the manufacturer's registration number be preceded by the name of the state issuing the registration number and be followed by the abbreviated name of the state in which the plant is located.
- If you are requesting recognition of a uniform registration number, be sure to provide the complete registration number along with a copy of the license issued from the issuing state. The abbreviation of the plant location must be noted as a suffix to the registration number if the location is different than the issuing state.
- If you are requesting the issuance of an Ohio registration number provide the location of the state in which the plant is located if it is outside the state of Ohio.
- Each license registration number is plant location specific. If you are using more than one plant in different states, you will need more than one license and registration number requiring additional license fees.
- When applying for more than one registration number, due to different state plant locations the registration number issued will be the same except that the suffixes will be abbreviated to represent each different state plant location.
- If you are using overseas plant locations, the above applies as well.

Testing Fees

Effective January 13, 1992, the Division of Bedding and Upholstered Furniture Inspection assesses a laboratory fee for tests and analyses performed on materials used in the manufacture of stuffed toys. The fees and charges to be paid for making any such test and analysis, shall be assessed on the basis of the material type or filling content being tested and analyzed.

The fee schedule is as follows:

Test and Analysis	Cost per sample (\$)
Fiber Composition 100% one fiber	50
Mechanical Separation	50
Microscopical Analysis (per fiber)	40
Combined Chemical and Microscopical Analysis (per fiber)	90
Additional Charge For Percentage	40
Fiber Identification Only Common Fibers	50
Macroscopic Evaluation Sample and/or Article	40
Feather & Down Analysis:	
• Content w/out Species	125
• Content and Species	170
• Down and Natural and/or Synthetic Fiber Separation	90
• Feather and/or Down and Natural and/or Down and Natural and/or Synthetic Fiber Separation	90

Regulatory Agency

Department of Industrial Compliance
Division of Bedding and Upholstered Furniture
And Stuffed Toy
6606 Tussing Road
P.O. Box 4009
Reynoldsburg, OH 43068-2428
Tel: (614) 644-2236
www.com.state.oh.us

Chapter 3713: Bedding and Stuffed Toys

<http://codes.ohio.gov/orc/3713>

Bedding, Upholstered Furniture & Stuffed Toys Annual License Application

http://www.com.ohio.gov/documents/dico_BeddingApplication.pdf