Ohio Administrative Code

Rule 4101:6-1-10 Labeling of hidden fillers.

Effective: November 5, 2021

(A) Percentages: Percentages, as herein specified, are based on the per cent by weight of the filling material required to be shown on the label. Percentages need not be stated for stuffed toys.

(B) Mixtures: The name and percentages of the component materials in a mixture must be shown on the label and listed thereon in the order of predominance. Percentages need not be stated for shredded clippings.

(C) Articles containing more than one type of filler: When more than one type of material is used in the construction of articles of bedding, stuffed toys, or upholstered furniture, each type of material used must be shown on the label, together with its per cent by weight, and listed thereon in the order of predominance, except as otherwise provided for in paragraph (I) of rule 4101:6-1-02 of the Administrative Code. No percentages are required for stuffed toys.

(D) Tolerance: A tolerance of plus or minus ten per cent by weight of the materials listed on the label shall be allowed. The ten per cent tolerance is allowed for the purpose of adjusting unintentional errors due to processing difficulties in arriving at exact percentages. Tolerance is not intended to permit deliberate admixture of inferior materials.

(E) "All," "pure," "one hundred percent": "All," "pure," "one hundred percent," or terms of similar import are permitted only if the material is as stated. No tolerance is allowed where such terms are used.

(F) Color of material: The natural color of any material used as a filler need not be stated on the label. When this is stated, it must be a true statement.

(G) Cleanliness: All fillings shall be clean and free from trash, excreta, and foreign or objectionable substances, and odors.

(H) Bleached: When any filling material has been bleached, it shall be so stated on the label.

(I) Resin treated, resinated, or rubberized filler: When any filling material has been resin treated, resinated, or rubberized, it shall be so stated on the label. The per cent of rubber or resin used as a binder or a filler need not be shown.

(J) Use of secondhand material: Secondhand filling, when used in whole or in part in the manufacture or renovation of bedding, stuffed toys, and upholstered furniture products, requires the use of the appropriate secondhand label as specified in rule 4101:6-1-06 of the Administrative Code and "Illustration II" of that rule. Secondhand material that has been used or formed a part of any article that has been used by, on, or about any person having an infectious or contagious disease shall not be used again in any manner whatsoever.

(K) Exclusions from labeling: The presence of any of the following need not be shown on the tag, provided such materials are new: burlap, muslin, tape, webbing, and metal insulators; and, if under ten per cent of the filling, the following are excluded: paper sheets used for separating or covering felts, the filling contained in a quilted ticking, glazed wadding, or trapunto embroidery when affixed to an article of bedding containing hidden filling, and the filling used in prebuilt border constructions; and mechanical, electronic, and noise makers in stuffed toys.

(L) Stiffening material: The presence of any stiffening material, such as fiberboard, wood, plastic, wire, or paper, shall be shown on the label.

(M) Innerspring unit: The presence of an innerspring unit shall be shown on the label.

(N) Name of fiber: Terms defined in these regulations shall be the proper terms to use in the labeling of bedding and upholstered furniture products. When it is desired to list the trade name in addition, this may be done at the bottom of the label, in the space for additional information.

(O) Presence of oil: Any material containing in excess of five per cent oil must be described as "oily."

(P) Dirt or foreign material: The presence of nonfibrous mineral matter in excess of five per cent in

any filling material shall be described as "dirt" and its percentage stated.