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New Jersey State
Department of Health
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NEW JERSEY REVISED STATUTES relating to MATTRESSES, BED SPRINGS, COTS, LOUNGES AND SOFAS

N.J.R.S.26:10-1 through 18

Article 1: Bed Springs, Cots, Lounges, and Sofas:

26:10-1. Forbidden material in manufacture. No cotton, wool or other material which has been used in, or has formed part of any mattress, bed spring, cot, lounge, or sofa used in or about a public or private hospital, or about any person having a contagious or infectious disease shall be used, in whole or in part, in the manufacture of any bed spring, cot, lounge or sofa.

26:10-2. Labeling required. No bed spring, cot, lounge or sofa which is not labeled as provided in sections 26:10-3 and 26:10-4 of this title, or which is falsely labeled, shall be sold, or offered for sale, delivered or held in possession with intent to sell or deliver.

26:10-3. Contents of label; "secondhand" defined. The label required by section 26:10-2 of this title shall:

(a) If the materials used in the manufacture of the article to which it is to be attached are entirely new, contain the following statement: "The materials used in the manufacture of this bed spring" (or other article as the case may be) "are entirely new."

(b) If the materials used are in whole or in part secondhand, contain the following statement: "The materials used in the manufacture of this bed spring" (or other article as the case may be) "are in whole or in part secondhand"; which statement must be followed by a specific enumeration and description of the secondhand materials used.

The term "secondhand" as here used shall include any material which has been used before in any of the articles above enumerated or in any article of household or wearing apparel, however afterwards treated.

26:10-4. Form of Label. The label shall be in the form of a cloth tag, not less than two and one-half by three inches which shall be sewed or otherwise securely attached to the article. The statements required by section 26:10-3 of this title shall be in plain print, in the English language, and in large type.

26:10-5. Violation; misdemeanor. Any person violating any of the provisions of this article shall be guilty of a misdemeanor.

Article 2: Mattresses:

26:10-6. "Mattress" defined. The term "mattress" as used in this article shall be construed to mean any quilted pad, mattress, mattress pad, bunk quilt, or cushion stuffed or filled with wool, hair, or other soft material, except feathers, to be used on a couch or other bed for sleeping or reclining purposes.

26:10-7. Forbidden material in manufacture. No person shall use in the making, remaking, or renovating of any mattress:

(a) Any material of any kind that has been used in, or has formed a part of, any mattress, bed spring, cot, lounge, or sofa, used in or about a public or private hospital or for or about any person having a contagious or infectious disease;

(b) Any material known as "shoddy", and made in whole or in part from old or worn clothing, carpets or other fabric, or material previously used, or any other fabric or material from which shoddy is constructed; or

(c) Any material, not otherwise prohibited by this article, of which prior use has been made, unless the material has been thoroughly sterilized and disinfected by a reasonable process approved by the state department.

26:10-8. Forbidden sales. No person shall sell, lease, offer to sell, lease or deliver, or consign in sale or lease, or have in his possession with intent to sell, lease deliver, or consign in sale or lease:

(a) Any mattress that has been used for or about any person having a contagious or infectious disease;

(b) Any mattress made, remade, or renovated in violation of section 26:10-7 of this title; or

(c) Any mattress, not otherwise prohibited by this article, of which prior use has been made, unless since last used it has been thoroughly sterilized and disinfected by a reasonable process approved by the state department.

26:10-9. Labeling requirement. No person shall, directly or indirectly, at wholesale or retail, or otherwise, sell, lease, offer to sell or lease or consign in sale or lease, or have in possession with intent to sell or lease, or consign in sale or lease, any mattress that shall not have plainly and indelibly written or printed thereon, or upon a plain muslin or linen label securely sewed to the covering thereof, a statement in the English language containing the items required by sections 26:10-10 to 26:10-12 of this title. This label shall not be less than three by four and one-half inches in size.

26:10-10. Contents and form of label. The label provided for in section 26:10-9 of this title shall contain the items specified below and be in substantially the following form:

"Official Statement"
Material used in filling
Made by
Address
Vendor (or successive vendors)
Address

This article is made in compliance with article 2 of Chapter 10 of the title Health and Vital Statistics of the Revised Statutes (26:10-6).

26:10-11. Special labeling requirements. In addition to the requirements of section 26:10-10 of this title, every mattress made from new material or from secondhand material, in whole or in part shall have printed on the label in the manner prescribed therein the following:

"The materials used in the manufacture of this mattress are entirely new (or in whole or in part secondhand, as the case may be.)"

26:10-12. Labeling secondhand mattress. In addition to the requirements of section 26:10-10 of this title every secondhand mattress shall have printed on the label in the manner prescribed in said section 26:10-10 the following:

(a) Date of sterilization and disinfection.
(b) Name of person performing same.
(c) Address of person performing same.

26:10-13. Additional information prohibited. No information other than that specified in this article shall be contained in the statement on the label.

26:10-14. Use of word "felt" on label. The word "felt", or words or like import, shall not be used in the description of materials on the label if there has been used in filling the mattress any material which is not felted and filled in layers, unless the statement shall plainly set forth all the different materials so used.

26:10-15. False description. The description on the label shall not contain any term of designation which is misleading or likely to mislead.

26:10-16. Removing or altering label. No person shall remove, deface, alter, or in any manner attempt the same, or shall cause to be removed, defaced, or altered, any label placed upon any mattress in accordance with the provisions of this article.

26:10-17. Each mattress a separate offense. The unit for a separate and distinct offense in violation of this article shall be each and every mattress made, remade, renovated, sold, offered for sale, delivered, consigned, or possessed with intent to sell, deliver or consign, contrary to the provisions of this article.

26:10-18. Violations, penalty; recovery. Any person violating any of the Provisions of this article shall be liable to a penalty of not more than one hundred dollars ($100.00) for each offense to be recovered in a civil action before a municipal court or county district court; provided, the violation occurs within the territorial jurisdiction of the court.

NOTE: These Statutes make no provision for licensing, issuing permits or registrations. However, strict adherence to the labeling requirements contained herein is required.