

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1333 Session of
2023

INTRODUCED BY DAWKINS, DALEY, MADDEN, R. MACKENZIE, HILL-EVANS,
KINSEY, HADDOCK, SANCHEZ, MENTZER, MALAGARI, GREEN AND
SHUSTERMAN, JUNE 7, 2023

SENATOR PITTMAN, RULES AND EXECUTIVE NOMINATIONS, IN SENATE, RE-
REPORTED AS AMENDED, JUNE 11, 2024

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 certificate of
6 registration to such manufacturers; providing that material
7 used in such toys shall be new and free from dangerous or
8 harmful substances; providing for disinfection of such
9 material containing products of animal origin; and
10 prescribing penalties," further providing for definitions,
11 for manufacturing, for materials and for enforcement; and
12 providing for labeling AND FOR REPORT. <--

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

15 Section 1. Section 2 of the act of July 25, 1961 (P.L.857,
16 No.372), referred to as the Stuffed Toy Manufacturing Act, is
17 amended by adding definitions to read:

18 Section 2. As used in this act--

19 * * *

20 The term "reclaimed material" shall mean any material that
21 would have otherwise been disposed of as waste and has been

1 collected and reclaimed as material input, in lieu of new
2 primary material, for recycling purposes.

3 The term "recycled material" shall mean any material that has
4 been reprocessed from reclaimed material by means of a
5 manufacturing process and made into a final product or into a
6 component for incorporation into a final product.

7 Section 2. Sections 3(a), 5 and 9 of the act are amended to
8 read:

9 Section 3. (a) Manufacturers of all stuffed toys
10 manufactured in this Commonwealth or intended for sale, gift or
11 use in this Commonwealth shall register with the department on
12 forms as provided by the department. The forms shall set forth,
13 among other items, the name and address of the manufacturer, the
14 type of stuffed toys manufactured, the composition of the
15 stuffing and such other information as the department may
16 require. A MANUFACTURER MAY NOT USE CHILD LABOR, FORCED LABOR OR <--
17 SLAVE LABOR IN THE PRODUCTION OR MAKING OF STUFFED TOYS. A fee
18 shall accompany each registration. This registration shall be
19 valid for a period of one (1) year and may be renewed, annually,
20 by filling out of such forms as shall be prescribed by the
21 department, which form shall be accompanied by payment of a fee.
22 [The department shall set the fees required under this section
23 by regulation.]

24 * * *

25 Section 5. All material used in stuffed toys shall be new or
26 recycled material and free from dangerous or harmful chemicals
27 or other substances and shall be free from oil, dirt, refuse and
28 similar substances. Manufacturers using material [in stuffed
29 toys containing products of animal origin must obtain a
30 certificate of disinfection from the department on forms

1 provided by the department.] either inside of the stuffed toys
2 or any part covering the outside of the stuffed toys that
3 contain products of animal origin must ensure that the material
4 has been properly sterilized by following a process approved by
5 the department. These manufacturers must also obtain a
6 certificate of disinfection from the department on forms
7 provided by the department. Such application shall contain with
8 it a random sample of the said product of animal origin as it is
9 contained in stuffed toys ready for market. In disinfection of
10 such material only processes approved by the department may be
11 used. In determining what processes shall be approved, the
12 department shall insure that the said product of animal origin
13 shall be clean and pure and neither harmful nor dangerous to
14 potential users thereof. Stuffed toys shall also be subjected to
15 a flammability test and any stuffed toy determined by the
16 department to be highly inflammable and dangerous shall not be
17 approved.

18 Section 9. [Prosecutions for violations of this act or the
19 regulations thereunder shall be in the form of summary
20 proceedings before a district justice. Any person who violates
21 any of the provisions of this act shall, in a summary
22 proceeding, be sentenced to pay a fine of not less than three
23 hundred dollars (\$300.00) nor more than five hundred dollars
24 (\$500.00) for each offense, and in default of payment thereof,
25 undergo imprisonment of not less than thirty days nor more than
26 sixty days.] The department has the authority to enforce this
27 act. An enforcement action for violations of this act or the
28 regulations thereunder is subject to the provisions of 2 Pa.C.S.
29 (relating to administrative law and procedure). Any person who
30 violates any of the provisions of this act shall pay a fine of

1 not less than three hundred dollars (\$300.00) nor more than five
2 hundred dollars (\$500.00) for each offense.

3 Section 3. The act is amended by adding ~~a section~~ SECTIONS <--
4 to read:

5 Section 9.1. (a) Each stuffed toy manufactured for sale,
6 delivered, consigned or possessed for sale, sold or offered for
7 sale, gift or use in this Commonwealth shall have securely
8 affixed to it a tag or label. The form, design, color or size of
9 the label is left to the discretion of the manufacturer or
10 importer. The information required on the label shall be clearly
11 legible and in sufficient size type so that it may be readily
12 discerned.

13 (b) The label of a stuffed toy shall bear the following
14 information:

15 (1) A statement that the type of material used in the
16 manufacture of the stuffed toy is new, recycled or a mix of new
17 and recycled materials.

18 (2) The registration number of the manufacturer or importer
19 assigned by the Commonwealth preceded by the abbreviations "REG.
20 NO. PA."

21 ~~(3) Certification that the manufacturer or importer of the~~ <--
22 ~~stuffed toy does not engage in child labor, forced labor or~~
23 ~~slave labor practices.~~

24 (c) No person other than the one granted a given
25 registration or the person's designated agent shall use the
26 registration number.

27 SECTION 10. (A) THE DEPARTMENT SHALL ISSUE A REPORT BY <--
28 MARCH 31 OF THE YEAR FOLLOWING THE EFFECTIVE DATE OF THIS
29 SECTION, AND EACH MARCH 31 THEREAFTER. THE REPORT SHALL INCLUDE:

30 (1) THE TOTAL NUMBER OF MANUFACTURERS REGISTERED.

1 (2) THE TOTAL NUMBER OF PENNSYLVANIA MANUFACTURERS
2 REGISTERED.

3 (3) THE TOTAL NUMBER OF MANUFACTURERS REGISTERED BY COUNTRY.

4 (4) THE TOTAL NUMBER OF STUFFED TOYS INSPECTED BY THE
5 DEPARTMENT BROKEN DOWN BY THE NUMBER OF STUFFED TOYS APPROVED
6 FOR SALE OR DISTRIBUTION AND THE NUMBER OF STUFFED TOYS REJECTED
7 FOR SALE OR DISTRIBUTION.

8 (B) THE REPORT SHALL BE PROVIDED TO:

9 (1) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE LABOR
10 AND INDUSTRY COMMITTEE OF THE SENATE.

11 (2) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE LABOR
12 AND INDUSTRY COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

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