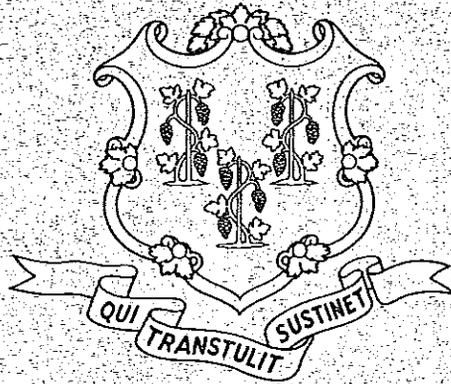


# Connecticut General Assembly



## Legislative Program Review and Investigations Committee

### SUNSET REVIEW

#### Regulation of Bedding, Upholstered Furniture and Second Hand Hats

Vol. II-5

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CONNECTICUT GENERAL ASSEMBLY

LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE

The Legislative Program Review and Investigations Committee is a joint, bipartisan, statutory committee of the Connecticut General Assembly. It was established in 1972 as the Legislative Program Review Committee to evaluate the efficiency and effectiveness of selected state programs and to recommend improvements where indicated. In 1975 the General Assembly expanded the Committee's function to include investigations and changed its name to the Legislative Program Review and Investigations Committee. During the 1977 session, the Committee's mandate was again expanded by the Executive Reorganization Act to include "Sunset" performance reviews of nearly 100 agencies, boards, and commissions, commencing on January 1, 1979.

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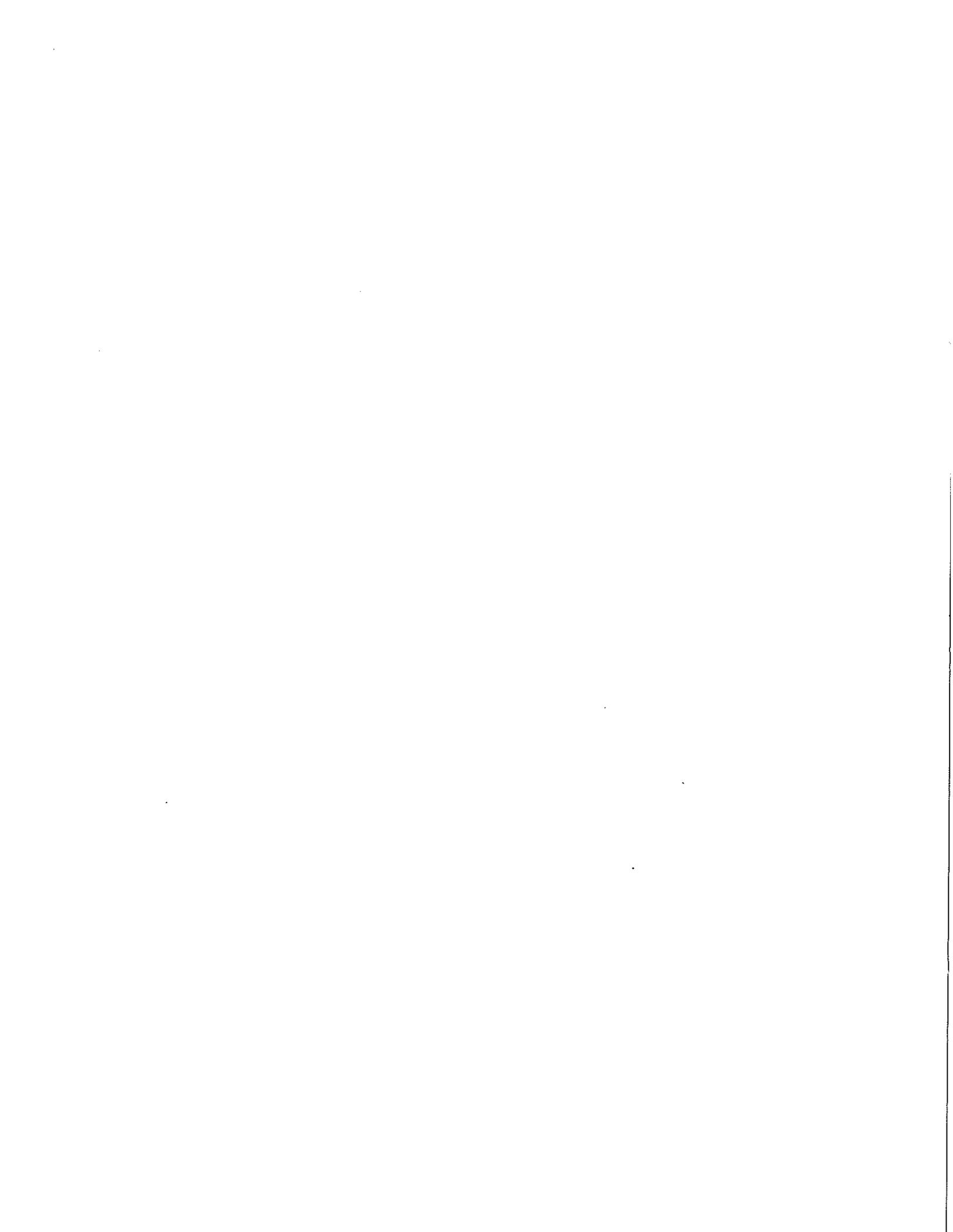
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## SUMMARY

Regulation of mattresses, pillows and other filled items was initiated in Connecticut in 1915 with a statute requiring that they be labeled with the name and address of the manufacturer, the kind of filling used and, if used materials were incorporated, the words "Made Over." Any items used by or near a person who had had a contagious disease was prohibited from sale. In 1917 the commissioner of labor and factory inspection was mandated to inspect premises to ascertain that regulations were followed. Labeling and inspection of second-hand hats were initiated in 1933. In 1937 the statute was expanded to include upholstered furniture and other items, and sterilization procedures for second-hand items were delineated. Businesses engaged in the sale, manufacture, and/or renovation of the items covered by this statute were required to register and pay a fee. In 1972 the supervision of the regulation of bedding, upholstered furniture and second-hand hats was transferred to the Department of Consumer Protection, where it remains today.

The Department of Consumer Protection has, currently, one full-time and one part-time inspector assigned to the regulation of bedding and upholstered furniture. The primary purpose of these regulations is to provide standards for the manufacture, labeling, sterilization and sale of these items. In order to maintain these standards, the Department of Consumer Protection performs the following functions:

- collects license and permit fees from businesses that manufacture, renovate, reupholster and sterilize bedding and upholstered furniture;
- inspects sterilization facilities and determines whether proper procedures are used;
- determines whether bedding and upholstered furniture are accurately labeled as to contents.

The inspectors spend 50 percent of their time during October, November, December and January collecting license fees from businesses that have not attended to their renewal and ten to 15 percent of their time collecting sterilization permit fees during the remainder of the year. The inspection procedures, which vary with the type of business, include checking labeling, examining filling for contamination, ascertaining that the filling on labels is indeed the kind that is used, and making sure correct sterilization procedures are followed. No inspection of second-hand hat facilities have been conducted for several years.

The committee identified two issues for consideration:

- o termination/continuation/change of the regulation of the manufacture and sale of bedding and upholstered furniture and the sale of second-hand hats;
- o degree of enforcement of regulations.

After thoroughly analyzing material gathered in the investigation of these issues, the Legislative Program Review and Investigations Committee made the following recommendations:

*The Legislative Program Review and Investigations Committee recommends that regulation of all bedding and upholstered furniture remain unchanged and the regulation of second-hand hats be terminated.*

*The Legislative Program Review and Investigations Committee recommends that the size of the staff within the Department of Consumer Protection remain unchanged, with the resultant number of inspections unaltered.*

## INTRODUCTION

### Purpose and Authority for the Sunset Review

Chapter 28 of the Connecticut General Statutes provides for the periodic review of certain governmental entities and programs and for the termination or modification of those which do not significantly benefit the public health, safety, or welfare. This so-called "sunset" law was enacted in response to a legislative finding that there had been a proliferation of governmental entities and programs without sufficient legislative oversight.

The authority for undertaking the initial review in this oversight process is vested in the Legislative Program Review and Investigations Committee. This committee is charged under the provisions of section 2c-3 of chapter 28 with conducting a performance audit of each entity or program scheduled for termination. This audit must take into consideration, but is not limited to, the four criteria set forth in section 2c-7. These criteria include: (1) whether termination of the entity or program would significantly endanger the public health, safety, or welfare; (2) whether the public could be adequately protected by another statute, entity or program or by a less restrictive method of regulation; (3) whether the governmental entity or program produces any direct or indirect increase in the cost of goods or services and, if it does, whether the public benefits attributable to the entity or program outweigh the public burden of the increase in cost; and (4) whether the effective operation of the governmental entity or program is impeded by existing statutes, regulations or policies, including budgetary and personnel policies.

In addition to the criteria just outlined, the Legislative Program Review and Investigations Committee is required, when reviewing regulatory entities or programs, to consider, among other things: (1) the extent to which qualified applicants have been permitted to engage in any profession, occupation, trade, or activity regulated by the entity or program; (2) the extent to which the governmental entity involved has complied with federal and state affirmative action requirements; (3) the extent to which the governmental entity involved has recommended statutory changes which would benefit the public as opposed to the persons regulated; (4) the extent to which the governmental entity involved has encouraged public participation in the formulation of its regulations and policies; and (5) the manner in which the governmental entity involved has processed and resolved public complaints concerning persons subject to review.

In accordance with its legislative mandate the Legislative Program Review and Investigations Committee reviewed twelve entities and programs scheduled to terminate July 1, 1981. Contained in this report to the General Assembly is the result of the committee's review of the

### Methodology

The Legislative Program Review and Investigations Committee's sunset review began with the transformation of the general and regulatory specific criteria into an analytical framework consisting of fifteen broadly based research questions. The questions, or areas of inquiry, were directed at uncovering information about the background, purpose, functions and results of each entity or program being reviewed.

Several methods were used by the committee and staff to obtain information. These included: (1) a review of the Connecticut statutes, records, minutes and history related to each entity or program; (2) a review of the relevant policies and statutes of selected states; (3) staff observations of selected meetings held by each entity between January and August of 1980; (4) surveys of persons serving on, staffing, or affected by each entity or program; (5) interviews of selected persons serving on, staffing or affected by each entity or program; and (6) written or oral testimony obtained at public hearings and workshops.

The general sequence adhered to in conducting the review was for the committee staff to collect quantitative and qualitative data from documents (e.g., statutes, records, minutes, etc.), surveys, observations of meetings and interviews. This information, after being organized by the staff, was given to each committee member. Subsequently, it was discussed with the full committee at briefing sessions held prior to public hearings.

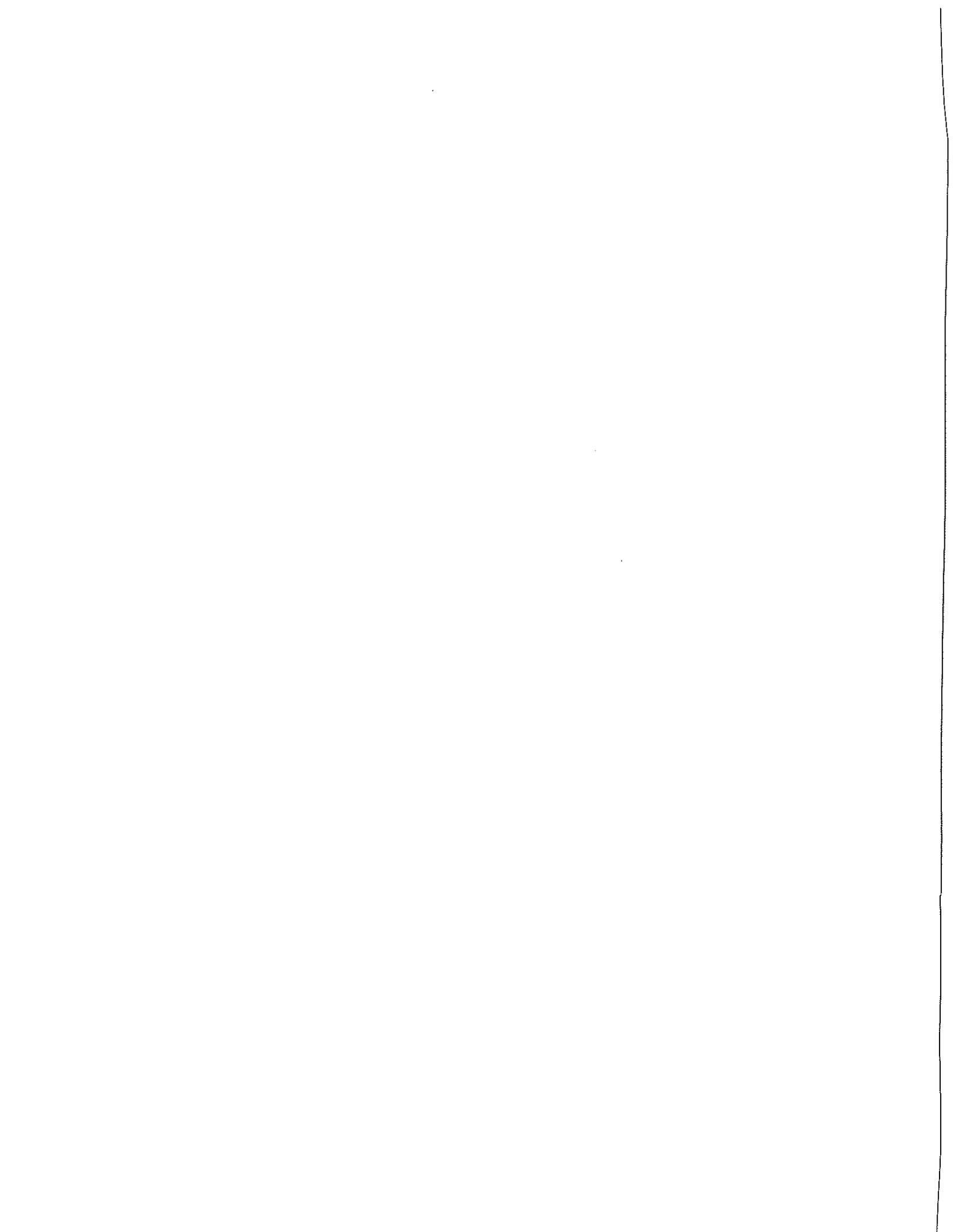
A total of five public hearings were held. Four were confined to specific topics and one was a general session. The hearings gave persons connected with each entity or program being reviewed an opportunity to discuss with committee members the public need for its reestablishment. In two instances, one involving the Commission on Hospitals and Health Care and the other involving the mental health boards, the committee held an additional workshop session with invited individuals. The purpose of these sessions was to obtain information not covered during the two scheduled public hearings.

Each public hearing or workshop was followed by a debriefing session. Here, questions arising from any of the committee's previous meetings were discussed with the staff. The primary focus of these discussions was to identify issues that the committee felt it needed to address.

At the completion of the issue identification stage, the staff researched and developed a range of options related to each issue. The particular option recommended by the staff, along with all the other options, were then given to the committee members for their discussion and action.

### Organization of the Report

This introductory section of the Legislative Program Review and Investigations Committee's sunset report on the regulation of bedding, upholstered furniture and second-hand hats provides an overview of the scope, methods, and organization of the report itself. In the second section, Entity Profile, the background and purpose of the regulations and the structure and activities relating to their enforcement within the Department of Consumer Protection are described. The third section, Analysis and Issue Identification presents the information gathered from records, interviews, surveys and public hearing testimony. Evaluation of this information, which led to the committee's identification of sunset review issues is also included. Section IV, Findings and Recommendations, lists each issue considered by the committee, followed by possible options, the committee's recommendation, and its rationale for this recommendation. The appendices, which constitute the final section, include the questionnaires used in conducting the performance audit, with tabulated responses, a list of the requisite changes for implementation of the recommendations, and selected additional materials considered by the Legislative Program Review and Investigations Committee during this sunset review.



## ENTITY PROFILE

### A. Background

The first public act regarding the manufacture and sale of "mattresses, pillows, cushions, muf beds, down quilts, or bags containing hair, down, or feathers" was passed in Connecticut in 1915.<sup>1</sup> It required that each of these items be labeled with "the name and address of the manufacturer and of the kind of material used in the manufacture,...and if the material used therein has been previously used...it shall be branded 'Made Over.'" Prohibited from sale were any items that had previously been used "in or about a...hospital or sanitarium, or in any room, tenement, or apartment where any person has had any contagious or infectious disease." The penalties for violation were a fine of "not more than one hundred dollars" or imprisonment for "not more than sixty days, or both."

When the General Assembly met again in 1917, it amended the statutes to provide that all premises where mattresses, pillows and other items were manufactured or sold be inspected by the commissioner of labor and factory inspection.<sup>2</sup> In 1933, the labeling of second-hand hats was required by statute and the commissioner was mandated to inspect "all premises where... [they were] manufactured, sold, offered for sale or traded."<sup>3</sup> In 1937, the statutes were expanded considerably to include, for the first time, upholstered furniture as well as additional items of bedding. Furthermore, sterilization procedures had become sufficiently advanced so that all material "that comes from an animal or fowl" and all second-hand material was required to be sterilized.<sup>4</sup> The prohibition of the sale of material "contaminated in any manner by filth, infection or contagion of any kind" was removed, conditional upon such material having been sterilized (p.470). In addition, every "person, firm or

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<sup>1</sup> Connecticut Public Acts, 1913-1915, Chapter 59, p. 42.

<sup>2</sup> General Statutes of Connecticut, Revision of 1918, Part 1, Title 22, Chapter 137, Sec. 2684, p. 809.

<sup>3</sup> Cumulative Supplement to the General Statutes, January Sessions, Chapter 147, p. 286.

<sup>4</sup> 1939 Supplement to the General Statutes, Chapter 147, p. 470.

corporation" engaged in the sale or manufacture of bedding or upholstered furniture was required to register and pay a fee (p. 473). Fines for violations after the first could be up to 500 dollars. In 1972, the supervision of bedding and upholstered furniture was transferred to the Department of Consumer Protection (Public Act No. 121); since that time no major changes have been made in the statute.

#### B. Structure

The Department of Consumer Protection administers the regulation of the manufacture and sale of bedding and upholstered furniture and the sale of second-hand hats as delineated in Chapter 357, Sec. 19-419 to Sec. 19-425 of the Connecticut Statutes (revised to 1979, pp. 665 to 669). In FY 1979 the department assigned one full-time inspector to the enforcement of these statutes; in FY 1980 one full-time and one half-time inspector were assigned to such enforcement. In addition, the department has regularly provided supervisory and clerical personnel.

#### C. Purpose and Functions

The purpose of Sections 19-419 to 19-425 of the Connecticut Statutes, "Manufacture of Bedding and Upholstered Furniture. Secondhand Hats" is to regulate the manufacture, labeling, sterilization and sale of these items. In order to do so, the Department of Consumer Protection performs the following functions:

- collects license and permit fees from businesses that manufacture, renovate, reupholster and sterilize bedding and upholstered furniture;
- inspects sterilization facilities and determines whether proper sterilization procedures are used;
- determines whether bedding and upholstered furniture are accurately labeled as to contents.

#### D. Activities

The two primary activities conducted by the Department of Consumer Protection in its supervision of bedding and upholstered furniture are the collection of license and permit fees and the inspection of premises where such items are sold, renovated and/or manufactured. The percentage of working time spent by inspectors on each of these activities varies

from month to month. All licenses expire on September 30 of each year. However, approximately ten percent of the manufacturers and 40 to 50 percent of the second-hand dealers and upholsterers do not, of their own volition, renew their licenses. Therefore, during October, November, December and January, 50 percent or more of the inspectors' time is taken up with visiting these businesses and collecting license fees. Since sterilization permits expire one year from whatever date they are issued, during the remainder of the year, inspectors spend 10 to 15 percent of their working time collecting permit fees. The activities of inspectors during the last two months of 1979 and the first four months of 1980 are charted below:

<u>Dates</u>	<u>Fee Collection: Percentage of Time</u>	<u>Number of Inspections</u>	<u>In Compli- ance (%)</u>	<u>In Viola- tion (%)</u>
November 1979	50%	119	5 (4%)	114 (96%)
December 1979	50%	227	162 (71%)	65 (29%)
January 1980	50%	241	153 (63%)	88 (37%)
February 1980	10-15%	826	302 (37%)	524 (63%)
March 1980	10-15%	806	331 (41%)	475 (59%)
April 1980	10-15%	675	490 (73%)	185 (27%)

During the period from November 1979 to April 1980, violations reached a high of 96 percent in November and a low of 27 percent in April. The variation is linked to the types of businesses inspected during a particular month. Since approximately 85 percent of the second-hand dealers are found in violation and 20 to 25 percent of the manufacturers and renovators are found in violation, the rate rises during those months that mostly second-hand dealers are inspected.

The inspection process itself varies with the type of establishment being inspected. Retail stores need no license, but furniture is inspected to make certain appropriate tags are attached. Manufacturing premises are inspected to ascertain that the firm is indeed licensed and that all furniture produced is tagged. In examining the plant itself, the inspector makes certain that all filling found on the premises is listed on tags and that no filling material is contaminated in any way. Sometimes upholstered furniture is opened to check the contents of the filling. The most elaborate inspections occur at businesses where sterilization of used materials is required.

After ascertaining that the business has the proper license and permit and checking the tags, the inspector determines whether the furniture and filling have been correctly sterilized. This procedure requires the use of a "black light" which picks up the reflection from the crystal residue left by the fluids used in the sterilization process.

There has been no implementation of the regulation of second-hand hats for several years.

## ANALYSIS AND ISSUE IDENTIFICATION

In attempting to evaluate the public need for the regulation of bedding, upholstered furniture and second-hand hats, the Legislative Program Review and Investigations Committee was primarily concerned with whether termination "would significantly endanger the public health, safety or welfare" (General Statutes of Connecticut, revised to 1979, Sec. 2c-7a). To date, there have been no studies at all made on the correlation between lack of regulation and spread of either communicable diseases or vermin. A random sampling of businesses engaged in sterilization indicated the cost of such procedures to be minimal, averaging one-quarter of one percent of gross sales (see appendix B, question 10). Since there was no great increase in cost of goods or services which would outweigh possible benefits (a criterion under Sec. 2c-7c of the Connecticut statutes), the committee concluded that in the interest of public health and safety, the sterilization of used items should continue to be mandated by statute.

The committee also considered whether the inspection of new bedding and upholstered furniture should be considered. Information gathered from states with larger consumer protection staffs and more elaborate and sophisticated inspection procedures reveal that mislabeled and fraudulently labeled items containing filling are uncovered with astonishing frequency. Gordon H. Damount, Chief of the California Department of Consumer Affairs maintains that "in the past lack of control and/or enforcement has resulted in chaos in the industry and a nightmare for the unsuspecting consumer."<sup>5</sup> Herbert L. Grossman, Executive Vice President of the National Association of Bedding Manufacturers believes that the termination of regulations could lead to conditions in which "the state could become a dumping ground for any unscrupulous operators who wanted to sell used bedding as 'new.'" Grossman asserts that regulation is important to manufacturers "in terms of fair competition, and to the consumer, in terms of truth in advertising and fair trade practices."<sup>6</sup> After evaluating surveys, written testimony

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<sup>5</sup> Letter to Toby Moore, Legislative Program Review and Investigations Committee, February 8, 1980.

<sup>6</sup> Letter to Toby Moore, Legislative Program Review and Investigations Committee, May 16, 1980.

and the testimony at the public hearing, the committee decided to maintain the current regulation of bedding and upholstered furniture in the interest of the health, safety and welfare of the citizens of Connecticut. However, the committee concluded the regulation of second-hand hats, which has not been enforced for some time, with no ill effect, should be terminated.

The committee then considered whether any changes should be made in staffing in the Department of Consumer Protection, thereby increasing or decreasing the degree of enforcement. While the committee has no reason to believe that Connecticut is different from those states in which more frequent and far-reaching inspections uncover a higher rate of fraud than in Connecticut, it felt that current fiscal constraints and citizen concern with excessive government spending precluded enlarging the inspection staff at the Department of Consumer Protection at this time.

The committee essentially considered two issues. The first was whether any statutory changes should be made in the regulation of bedding, upholstered furniture and second-hand hats or whether such regulation should be terminated. The second was whether any staffing changes should be made in the Department of Consumer Protection to alter the degree of enforcement of the regulations.

## FINDINGS AND RECOMMENDATIONS

### I. TERMINATION/CONTINUATION/CHANGE OF THE REGULATION OF THE MANUFACTURE AND SALE OF BEDDING AND UPHOLSTERED FURNITURE AND THE SALE OF SECOND-HAND HATS

The Legislative Program Review and Investigations Committee was essentially concerned about any danger to public health, safety, or welfare that might ensue as a result of the termination of statutory provisions making the sterilization of used bedding, upholstered furniture, and second-hand hats and the labeling of all bedding, upholstered furniture, and second-hand hats mandatory.

*The Legislative Program Review and Investigations Committee recommends that regulation of all bedding and upholstered furniture remain unchanged and the regulation of second-hand hats be terminated.*

After evaluation of staff research and public hearing testimony the committee concluded that the statutes regulating bedding and upholstered furniture as they now exist afford sufficient protection to the health, safety, and welfare of the citizens of Connecticut. They provide for the sterilization of any used materials in bedding or upholstered furniture as a protection against contamination by vermin and communicable disease. The labeling requirements help to protect the welfare of the public by attempting to ascertain that consumers are fully cognizant of the type of filling contained in items purchased and whether such materials are new or used.

The committee decided to terminate the regulation of second-hand hats, as inspection of such items had not occurred for some years, and there had been no outbreak of disease or infestation by vermin to indicate such regulation is necessary.

### II. DEGREE OF ENFORCEMENT OF REGULATIONS

The Legislative Program Review and Investigations Committee considered whether the degree of enforcement of the regulation of bedding and upholstered furniture should be altered by increasing or decreasing the current staff level within the Department of Consumer Protection and, thus, the number of inspections or whether the degree of enforcement should remain unchanged.

*The Legislative Program Review and Investigations Committee recommends that the size of the staff within the Department of Consumer Protection remain unchanged, with the resultant number of inspections unaltered.*

The Legislative Program Review and Investigations Committee evaluated information from states having both larger and smaller consumer protection departments. Those having larger departments and more elaborate inspection procedures had a higher rate of detection of fraudulently labeled merchandise and, thereby, presumably, were able to better protect the consumers' economic welfare. However, since the number of complaints received by the Department of Consumer Protection in Connecticut is minimal and the public health is not endangered by current practices, the Legislative Program Review and Investigations Committee, recognizing the citizens' concern with increasing governmental expenditures, chose to maintain the Department of Consumer Protection's inspection of bedding and upholstered furniture at its present level.

APPENDIX A  
Sunset - 1981  
Summary Sheet

Name: Regulation of Bedding, Upholstered Furniture, and Second Hand Hats

Year Begun: 1933

Organizational Location: Department of Consumer Protection

Purpose: To regulate the sterilization, labeling, and sale of bedding, upholstered furniture, and second hand hats.

Functions:

- Collect license and permit fees from businesses that manufacture, renovate, reupholster, and sterilize bedding and upholstered furniture
- Inspect sterilization facilities and determine whether appropriate sterilization procedures are used
- Determine whether bedding and upholstered furniture are accurately labeled as to contents

General Description:

Costs FY '79	
Inspector:	\$13,259
Clerical:	5,000
Printing licenses:	871
Miscellaneous:	870
TOTAL	\$20,000

Number of Inspectors  
FY '79: 1  
FY '80: 1 1/2

	<u>Revenue</u>	<u>Licenses and Permits Issued</u>
Manufacturer's License	\$59,350	1,206
Second Hand Dealer's License	5,837	238
Renovator's License	1,956	82
Supply Dealer's License	1,100	21
Sterilization Permits	13,450	538
TOTALS	<u>\$81,693</u>	<u>2,085</u>

Regulation of Bedding, Upholstered Furniture,  
and Second Hand Hats (continued)

2.

Costs of Licenses & Permits

Manufacturer's License	\$50
Second Hand Dealer's License	\$25
Renovator's License	\$25
Supply Dealer's License	\$50
Sterilization Permits	\$25

Average Number of Complaints Per Year: 6

Discussion Areas

1. The need to protect the public from fraudulent labeling or mislabeling. A California investigation of nationally distributed brands revealed that of those items made in the U.S. and Canada 63% failed test specifications and of those items made in other countries 96% failed. Although question 14 of the attached questionnaire indicates 14 out of 35 respondents believe consumers can evaluate the filling in bedding and upholstered furniture, research indicates that in many cases even trained inspectors must rely on laboratory tests.
2. The need to safeguard public health by the sterilization of all previously used components in upholstered furniture and bedding.
3. In relation to both of the above, does the Department of Consumer Protection have the personnel or the facilities to do the job adequately?

APPENDIX B

Legislative Program Review and Investigations Committee

1981 Sunset Review  
of

Regulation of Bedding, Upholstered Furniture, and Second Hand Hats

QUESTIONNAIRE

This questionnaire has been carefully constructed to elicit necessary information about the Regulation of Bedding, Upholstered Furniture, and Second Hand Hats. Please follow directions for each question as the entire results will not be valid unless you do so.

Please feel free to provide additional comments on a specific question or on the field in general. Such comment may be included directly on the questionnaire or on an attached sheet.

1. Does your business entail (check as many as are appropriate)

- 6 the sale of used bedding (mattresses, pillows, etc.)  
9 the sale of new bedding  
13 the sale of used upholstered furniture  
12 the sale of new upholstered furniture  
26 the renovation or reupholstery of used upholstered furniture  
12 the manufacture of new upholstered furniture  
 \_\_\_\_\_ the renovation or remaking of bedding

2. Does your business require the sterilization of materials, bedding, or furniture? (Please circle the appropriate number.)

34 Yes

3 No

3. If yes, do you have sterilization facilities on your premises?

32 Yes

4 No

4. If no, please print the name and address of the sterilization facilities you use below.

Use company van or truck.

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5. How many times have you been visited by an inspector in the last two years? (Please circle the number next to the appropriate answer.)

7 one time

14 two times

7 three times

7 not at all

0 other (please specify) \_\_\_\_\_

6. If you have been visited by an inspector within the last two years, which of the following took place during the inspection? (Choose as many answers as are appropriate, and circle the number next to each one.)

- 9 payment of fees for license or permit
- 7 examination of filling in upholstered furniture or bedding by opening one or more pieces
- 1 removal of filling from premises for testing
- 21 examination of furniture or bedding without opening any pieces
- 21 examination of sterilization facilities
- 3 other (please specify) Checked tags on new furniture; "Used a small box with blue light to examine furniture,"
- 
- 

7. Please circle the number to the left of each question which best indicates your opinion.

<u>Very Effective</u>	<u>Effective</u>	<u>Partially Effective</u>	<u>Ineffective</u>	<u>Don't Know</u>	
6	12	5	3	11	a. How effective is the inspection program in protecting the public from deceptive labeling?
9	11	3	4	10	b. How effective is the inspection program in protecting the public from health hazards (vermin, insects, contamination, etc.)?

8. Do you know if any consumers filed complaints against you in the past five years? (Circle the appropriate number.)

- 14 yes, I know
- 23 no, I don't know

9. If yes, how many? (Circle the appropriate numbers.)

18 none

0 \_\_\_\_\_ complaints (please specify number)

10. What have been the approximate costs, in percentage of gross sales, of complying with Connecticut regulations during the past year? (For example, if your gross sales are \$100,000 and you spend \$500 for required labeling, your answer would be 1/2%. Please fill in a percentage amount for each item that applies to you.)

1/4% average cost of sterilization room, equipment, materials and other items for process

1/4% average cost of labeling

Only 2 responses, 1% & 3% increased cost of filling due to regulations

\_\_\_\_\_ other (please specify) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

11. Does any facet of the regulations or inspection process impede the operation of your business? (Please circle the appropriate number.)

6 Yes

30 No

12. If yes, please describe.

Small and one-person businesses lose high percentage of productive time;

chemicals cause nausea and may reactivate with moisture in home of customer;

sterilization between rentals time consuming and unnecessary as motels do not

sterilize upholstered furniture and mattresses between use.

13. In your opinion, what are the major purposes of regulations pertaining to bedding and upholstered furniture? (If you choose more than one, number in order of descending importance. For example: 1 is most important; 2 is less important, etc.)
- 6 (all rated 1) to set industry standards
- 5 (2 rated 1) to standardize techniques and materials
- 7 (4 rated 1) to protect the public from poor workmanship
- 23 (18 rated 1) to protect the public from unsanitary material
- 10 (6 rated 1) to protect the public against mislabeling
- 5 (none rated 1) to provide a means of penalizing those who do not meet predetermined standards of workmanship and materials
- 6 (2 rated 1) to provide for the inspection of premises for the manufacture and sale of bedding and upholstered furniture
- 15 (6 rated 1) to ascertain that all items to be renovated or reupholstered are sterilized properly
14. Do you think consumers and users are able to evaluate the quality, cleanliness, and type of filling used in bedding and upholstered furniture? (Circle appropriate number.)
- 14 Yes
- 21 No
15. Do you think that the definitions and descriptions of materials and processes relevant to upholstered furniture and bedding are clear and helpful to you? (Circle appropriate number.)
- 25 Yes
- 6 No
16. Would you like to have more input into determining the qualifications and duties of inspectors? (Circle appropriate number.)
- 10 Yes
- 23 No

17. For each of the following, indicate the degree of input you would like to see members of your profession have by circling the appropriate number.

<u>More Input</u>	<u>No Change</u>	<u>Less Input</u>	
7	19	4	a. Advising the legislature on appropriate regulations for your profession
6	26	4	b. Advising the Department of Consumer Affairs on the implementation of regulations
10	21	0	c. Advising the Department of Consumer Affairs about problems within the industry

18. For each of the following, indicate how strongly you agree or disagree by circling the appropriate number.

<u>Agree Strongly</u>	<u>Agree</u>	<u>Disagree</u>	<u>Disagree Strongly</u>	
10	19	4	1	a. All places which make, renovate, reupholster or sterilize furniture or bedding and places where material for bedding or upholstered furniture is manufactured should be inspected at least once a year.
2	10	23	20	b. Every inspection should include opening one or more articles of bedding or upholstered furniture to determine the kinds of materials used.
4	24	6	2	c. The inspector should have the authority to prohibit the sale of an article of upholstered furniture or bedding if the contents are not accurately described on the tag affixed or if such contents violate regulated standards.
6	25	4	1	d. All bedding and upholstered furniture for sale should be labeled as to whether it is new or used and should list the contents with appropriate percentages.
8	26	1	1	e. All second-hand material used in bedding or upholstered furniture offered for sale should be sterilized in accord with regulations

(Questions continued on next page.)

<u>Agree Strongly</u>	<u>Agree</u>	<u>Disagree</u>	<u>Disagree Strongly</u>	
4	29	2	1	f. All shipments or deliveries of materials used for filling articles of bedding or upholstered furniture should have a label indicating the contents with appropriate percentages and whether new or second-hand.
1	7	19	6	g. Inspectors should have the authority to impose fines for all violations of regulations.
2	25	7	1	h. All fees for licenses and permits not paid within sixty days of the due date should be subject to a penalty.
3	28	3	0	i. Retail dealers and their agents do not need to tag articles of upholstered furniture and bedding for sale provided such articles have been tagged by a licensed manufacturer, supply dealer, renovator, or second-hand dealer.
0	23	6	1	j. Connecticut regulations, which already include sleeping bags and pillows, should also cover other filled items, such as jackets, manufactured and sold in Connecticut.

19. Connecticut regulations pertaining to bedding and upholstered furniture have as their prime purpose (Circle one number.)

26 the protection of the health of the consumer

9 the economic protection of the consumer (making sure he gets what he pays for)

20. In Connecticut the regulations pertaining to bedding and upholstered furniture do not apply to the categories listed below. Circle the number which indicates whether you think each item should continue to be exempt or should be regulated.

<u>Exempt</u>	<u>Regulated</u>	
23	7	a. Antiques
18	13	b. Articles sold at public auction
24	4	c. Private sale from home of owner to purchaser
4	0	d. Other (please specify) <u>Commercial seating;</u> <u>rental equipment; where in conflict with</u> federal regulations such as U.S.C.G.

21. Do you believe visits from inspectors should be made (Circle one number only.)

- 12 regularly once a year
- 12 randomly once a year
- 0 regularly more than once a year
- 1 randomly more than once a year
- 0 less than once a year
- 3 randomly less than once a year
- 7 after a complaint
- 2 never

22. In order to implement regulations leading to higher industry standards and controls, would you be willing to have increased license and permit fees? (Circle appropriate number.)

- 3 Yes
- 30 No
- 1 Maybe

23. Are there better alternatives to the present regulations and inspections? (Circle appropriate number.)

- 11 Yes
- 19 No
- 1 Don't know

24. If yes, which of the following would you like to see? (You may check more than one.)

- 2   more frequent inspections
- 0   less frequent inspections
- 0   more frequent opening of bedding or upholstered furniture during inspections and testing of filling material
- 0  less frequent opening of bedding or upholstered furniture during inspections and testing of filling material
- 2   more stringent standards for sterilization facilities and procedures

(Options continued on next page.)

- 1 less stringent standards for sterilization facilities and procedures
- 3 suspension or revocation of license for non-compliance
- 3 greater fines for non-compliance
- 2 lesser fines for non-compliance
- 3 greater use by inspectors and the Department of Consumer Protection of the power to withhold from sale or seize any article of upholstered furniture or bedding that is in violation of regulations
- 1 allowing inspectors to condemn or destroy upholstered furniture or bedding that is in violation of regulations
- 0 greater limitations on the power of inspectors
- 5 the formation of a bedding and upholstered furniture advisory board to propose and promulgate regulation and inspection procedures and to exercise powers and duties necessary to enforce regulations and standards
- 1 the elimination of all regulations pertaining to bedding and upholstered furniture
- 2 the elimination of some regulations pertaining to bedding and upholstered furniture (please specify) Used commercial seating for restaurants; rental of hospital equipment
- 
- 5 other (please specify) Special regulations needed for medical field and surgical supplies; stronger regulation of out-of-state manufacturers; regulations should cover construction of upholstered furniture; sterilization unnecessary for reupholstering the customer's own furniture.

APPENDIX C

Legislative Changes

Repeal Section 19-425 of the General Statutes of Connecticut.

Delete from Chapter 357 of the Connecticut General Statutes all references to second-hand hats.