

4-10-9 Sale of bedding, upholstered furniture, quilted clothing, or filling material -- Tag, stamp, or stencil required -- Secondhand material to bear tag -- Presumption -- Owner's own material to be tagged.

No wholesaler or retailer shall sell any bedding, upholstered furniture, quilted clothing, or prefabricated filling material, whether the point of origin of such article is inside or outside the state, unless it is appropriately tagged under Section 4-10-7, or unless it is appropriately stamped or stenciled under Section 4-10-7 or 4-10-8. A retailer who sells used articles shall attach a secondhand material tag before sale. Possession of an article by a person who regularly engages in the manufacture, repair, wholesale, or supply of such articles is presumptive evidence of intent to sell.

A person who repairs "owner's own material" shall immediately upon its receipt attach an owner's material tag to the article. The tag shall remain attached to the article until it is actually in the process of repair and shall be reattached upon completion of repair.

Enacted by Chapter 2, 1979 General Session