

**State of California  
Office of Administrative Law**

In re:  
Bureau of Household Goods and Services

**Regulatory Action:**

**Title 04, California Code of Regulations**

**Adopt sections:** 1137  
**Amend sections:** 1101, 1103, 1104, 1105,  
1135, 1137, 1181, 1182,  
1209, 1210, 1211, 1238,  
1247, 1251, 1300, 1316,  
1329, 1330

**Repeal sections:** 1136

**NOTICE OF APPROVAL OF CHANGES  
WITHOUT REGULATORY EFFECT**

**California Code of Regulations, Title 1,  
Section 100**

**OAL Matter Number: 2025-0407-03**

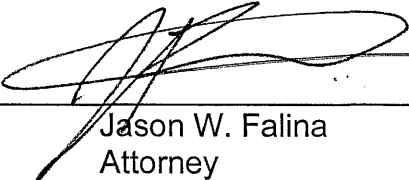
**OAL Matter Type: Nonsubstantive (N)**

---

This action without regulatory effect by the Bureau of Household Goods and Services reorganizes and renumbers multiple sections within title 4 of the California Code of Regulations which house universal definitions and labeling terms of use. Additionally, this action corrects spelling and format errors as well as updating outdated references.

OAL approves this change without regulatory effect as meeting the requirements of California Code of Regulations, title 1, section 100.

Date: May 19, 2025

  
\_\_\_\_\_  
Jason W. Falina  
Attorney

For: Kenneth J. Pogue  
Director

Original: Nicholas Oliver, Bureau Chief  
Copy: Eileen Yap

## NOTICE PUBLICATION/REGULATIONS SUBMISSION

STD. 400 (REV. 10/2019)

OAL FILE NUMBERS	NOTICE FILE NUMBER <b>Z-</b>	REGULATORY ACTION NUMBER <b>2025-0407-03</b>	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY Bureau of Household Goods and Services			

For use by Secretary of State only

**ENDORSED - FILED**  
in the office of the Secretary of State  
of the State of California

MAY 19 2025

2:03 PM  
*[Signature]*

**A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)**

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER	PUBLICATION DATE	

**B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)**

1a. SUBJECT OF REGULATION(S) Reorganization of Definitions and Technical Clean-Up		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)	
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)			
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT 1137	PER AGENCY REQUEST JF	
	AMEND 1101, 1103, 1104, 1105, 1135,	1137 (renumbered to 1136) (cont'd)	
TITLE(S) 4	REPEAL 1136	PER AGENCY REQUEST JF	PER AGENCY REQUEST JF
3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input checked="" type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)			
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> File & Print <input type="checkbox"/> Print Only			
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1) <input type="checkbox"/> Other (Specify) _____			
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1) N/A			
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input type="checkbox"/> Effective on filing with Secretary of State <input checked="" type="checkbox"/> \$100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify) _____			
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal			
<input checked="" type="checkbox"/> Other (Specify) <u>Kimberly Kirchmeyer, Director, Department of Consumer Affairs</u>			
7. CONTACT PERSON Eileen J. H. Yap	TELEPHONE NUMBER (279) 224-0694	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) eileen.yap@dca.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE

DATE

3/27/2025

TYPED NAME AND TITLE OF SIGNATORY

Claire Goldstene, Deputy Bureau Chief

For use by Office of Administrative Law (OAL) only

**ENDORSED APPROVED**

MAY 19 2025

Office of Administrative Law

**TITLE 4. BUSINESS REGULATIONS**  
**DIVISION 3. BUREAU OF HOUSEHOLD GOODS AND SERVICES**  
**PROPOSED REGULATORY LANGUAGE**  
**SECTION 100 FILING - REORGANIZATION OF DEFINITIONS AND TECHNICAL  
CLEAN-UP**

**Attachment to STD. 400**

Addition to Section B(2) (Submission of Regulations):

Sections Affected – Amend: 1181 (renumber to 1139), 1182 (renumber to 1138), 1209 (renumber to 1140), 1210 (renumber to 1141), 1211 (renumber to 1142), 1238 (renumber to 1143), 1247 (renumber to 1144), 1251, 1300, 1316, 1329 (renumber to 1145), 1330 (renumber to 1146)

DEPARTMENT OF CONSUMER AFFAIRS  
Bureau of Household Goods and Services

**TITLE 4. BUSINESS REGULATIONS**

**PROPOSED REGULATORY LANGUAGE**  
**Reorganization of Definitions and Technical Clean-Up**

<b>Legend:</b>	Added text is indicated with an <u>underline</u> . Deleted text is indicated by <del>strikeout</del> .
----------------	---

Pursuant to section 100, title 1 of the California Code of Regulations, the Bureau of Household Goods and Services (Bureau) proposes to move Section 1136 from Article 3 to Article 1 and renumber it to subsection (c) under Section 1101; renumber Section 1137 to Section 1136; move subsection (a) of Section 1182 from Article 4 to Article 3 and renumber it to new Section 1137; renumber Sections 1181 and 1182 to Sections 1138 and 1139, re-title them, and move them from Article 4 to Article 3; re-title Sections 1209 and 1210, renumber Sections 1209, 1210, and 1211 to Sections 1140, 1141, and 1142, and move them from Article 6 to Article 3; renumber Section 1238 to Section 1143, re-title and amend it, and move it from Article 7 to Article 3; renumber Section 1247 to Section 1144, re-title it, and move it from Article 8 to Article 3; renumber Sections 1329 and 1330 to 1145 and 1146, re-title them, and move them from Article 11 to Article 3. The Bureau also proposes to amend Sections 1101, 1103, 1104, 1105, 1135, 1251, 1300, and 1316 to read as follows:

**1. Amend Section 1101 of Article 1 of Division 3 of Title 4 of the California Code of Regulations to read as follows:**

**§ 1101. Definitions of Bureau and Act.**

For the purposes of these rules and regulations, the following terms shall mean:

(b) "Bureau" means the Bureau of Household Goods and Services;

(a) and the term "aAct" means Chapter 3 of Division 8 of the Business and Professions Code, which chapter is also cited as the Home Furnishings and Thermal Insulation Act.

(c) Definitions of Types of Bedding:

(1) Box Springs shall mean an article designated to support a mattress, consisting of coiled springs on a wood, metal, plastic, or any such combination thereof, frame upholstered on top with filling material and covered on top and sides with fabric.

(2) Matching Box Springs shall mean an article designated to support a mattress, consisting of coiled springs on a wood, metal, plastic, or any such combination thereof, frame, upholstered on top with filling material and covered on top and sides with the same fabric as the mattress.

(3) Foundation shall mean any structure designed to support a mattress.

Note: Authority cited: Section 19034, Business and Professions Code. Reference: Sections 19000, 19004, 19007, and 19030, Business and Professions Code.

**2. Amend Sections 1103, 1104 and 1105 of Article 1 of Division 3 of Title 4 of the California Code of Regulations as follows:**

**§ 1103. "Separate Service to the Trade."**

As used in Section 19014 of the Act, includes any of the following services by the parent house, when rendered by a subsidiary establishment:

(a) Sale of Goods. Except for the display and sale of goods in an established furniture mart or exchange when the subsidiary establishment is the principal place of business of the wholesaler maintaining the display and service.

(b) Delivery of goods sold in the subsidiary establishment with local stock and independent of the parent house.

(c) Entire or partial billing for goods sold and delivered.

(d) Entire or partial billing and collection for goods sold and delivered.

Note: Authority cited: Section 19034, Business and Professions Code. Reference: Section 19014, Business and Professions Code.

**§ 1104. The Term "On His or Her Own Account."**

As used in Sections 19060.5 and 19060.6 of the Act, the term "on his or her own account" is intended to limit the requirement for a license to the person who is obligated as a principal in contracts to sell or contracts to render services. The requirement for a license does not extend to salesmen, factors, agents, solicitors, factory representatives or those who act only in a representative capacity for others.

Note: Authority cited: Section 19034, Business and Professions Code. Reference: Sections 19060.5 and 19060.6, Business and Professions Code.

**§ 1105. Exemptions.**

Articles which are not clearly upholstered furniture or bedding, as described in the Act, may be declared exempt from the provisions of the Act and these regulations, except that when exempted articles are labeled they become subject to the Act and the regulations and must be labeled in conformity therewith. No questionable articles shall be considered as exempt, however, until the articles or photographs thereof, have been submitted to the Bureau for inspection and final authority for exemption has been granted.

Note: Authority cited: Section 19034, Business and Professions Code. Reference: Sections 19006, 19007 and 19034, Business and Professions Code.

**3. Amend Sections 1135, 1136, and 1137 and Add Sections 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, and 1146 of Article 3 of Division 3 of Title 4 of the California Code of Regulations to read as follows:**

### **Article 3**

#### **Universal Labeling Definitions and Labeling Description of Filling Materials**

##### **1135. ~~Terms of~~ General Definitions and Label Requirements.**

The following terms shall be stated on the law label when applicable in addition to other labeling nomenclature required by these regulations.

- (a) "Batting" shall mean fibers which have been carded or garnetted into layer form.
- (b) "Bleached" shall mean any product whose intrinsic color had been removed and whiteness improved by treating with a chemical compound.
- (c) "Colored" or "Dyed" shall mean any filling material which has been treated and impregnated with coloring material.
- (d) "Damaged" shall mean any filling material or article, which has been adversely affected by machine processing or by exposure to fire, water or other elements or source.
- (e) "Fibers of Unknown Kind" shall mean miscellaneous new textile materials of unknown origin, and for practical purposes, unknown fiber content.
- (f) "Gel" is any filing material of a semi-solid form, typically encased in a leak proof fabric cover and consisting of a mixture of water or other liquid base, dissolved chemicals and/or a suspension of other chemicals, which provides special ergonomic and resiliency properties.
- (g) "Pad" shall mean any filling material which is interwoven, punched, pressed, shaped, or otherwise fabricated into pad form.
- (h) "Resinated" or "Resin Treated" shall mean any filling material treated with a combination of synthetic resin or a combination of synthetic resin and latex.
- (i) "Rubberized" shall mean any filling material which had been treated with a latex compound.
- (j) "Shredded" shall mean any filling material which has been cut or torn into pieces.

(k) "Trash" shall mean shell, shale, stick, stem, leaf, boll, seed and foreign matter.

(l) "Waste" shall mean filling material with any of the following characteristics.

(1) Trash content in excess of 7.0%.

(2) Grease and oil content in excess of 2.0%.

(3) Bits or scraps of cellulose wadding, paper, or other foreign matter.

(4) Variable diameter fiber.

(5) Pulp and undecorticated fiber in excess of 10.0%.

(6) Bits or scraps of fabric.

(m) "Recycled Fibers" shall mean new fibers which are the by-product resulting from a textile processing method. Such recycled fibers shall not have a thread content in excess of 5.0%.

Note: Authority cited: Section 19034, 19088 and 19150, Business and Professions Code. Reference: Sections 19080, 19081, 19088 and 19089, Business and Professions Code.

#### **§ 1136. Definitions of Types of Bedding.**

~~(a) Box Springs shall mean an article designated to support a mattress, consisting of coiled springs on a wood, metal, plastic, or any such combination thereof, frame upholstered on top with filling material and covered on top and sides with fabric.~~

~~(b) Matching Box Springs shall mean an article designated to support a mattress, consisting of coiled springs on a wood, metal, plastic, or any such combination thereof, frame, upholstered on top with filling material and covered on top and sides with the same fabric as the mattress.~~

~~(c) Foundation shall mean any structure designed to support a mattress.~~

~~Note: Authority cited: Section 19034, Business and Professions Code. Reference: Section 19007, Business and Professions Code.~~

#### **11361437. Care Instructions.**

Effective October 1, 1977, all sleeping bags, mattress pads, comforters, bedspreads, coverlets, quilts and similar articles shall have a label sewn onto the article stating instructions for laundering and cleaning.

Note: Authority cited: Section 19034 and 19081, Business and Professions Code.

Reference: Sections 19080 and 19081, Business and Professions Code.

**1137. Definition of "Cotton"**

"Cotton" shall mean a vegetable seed fiber consisting of unicellular hairs attached to the seed of several species of the genus Gossypium of the family Malvaceae.

Note: Authority cited: Section 19034 and 19089, Business and Professions Code.

Reference: Section 19080, 19081, 19088, 19089 and 19150, Business and Professions Code.

**11381482. Definitions of Types of Cotton.**

~~(a)~~ "Cotton" shall mean a vegetable seed fiber consisting of unicellular hairs attached to the seed of several species of the genus Gossypium of the family Malvaceae.

~~(a)(e)~~ "Comber" shall mean the cotton waste resulting from running card sliver through a combing machine.

~~(b)(d)~~ "Fly" shall mean the cotton waste resulting when cotton is introduced to the carding machine.

~~(c)(e)~~ "Gin Flues" shall mean the cotton waste resulting from staple cotton in the ginning mill.

~~(d)(h)~~ "Linters" shall mean the fibrous growth resulting from the first cut of the cottonseed (subsequent to the usual first process of ginning) in the cotton oil mill.

~~(e)(f)~~ "Picker" shall mean the cotton waste remaining after cotton has been run through the picker in the cotton mill.

~~(f)(i)~~ "Second Cut Linters" shall mean the fibrous growth resulting from the second cut of cottonseed in the cotton oil mill.

~~(g)(b)~~ "Staple" shall mean the staple fibrous growth as removed from cottonseed in the usual process of ginning (first cut from seed).

~~(h)(g)~~ "Strips" shall mean the cotton waste produced by or removed from the carding cloth following the carding process.

Note: Authority cited: Section 19034 and 19089, Business and Professions Code.

Reference: Section 19080, 19081, 19088, 19089 and 19150, Business and Professions Code.

**11391481. "Blended Cotton" Optional Labeling.**



In lieu of the requirement set forth in Section 1125 of these regulations, any cotton filling material may be designated on the law label as "Blended Cotton" without stating the types of cotton present.

Note: Authority cited: Section 19034, Business and Professions Code. Reference: Section 19080, 19081, 19088, 19089 and 19150, Business and Professions Code.

**11401209. Definition of "Wool."**

Shall mean the fleece of sheep which has been scoured and carbonized. It shall be free of kemp and vegetable matter.

Note: Authority cited: Section 19034 and 19089, Business and Professions Code. Reference: Section 19080, 19081, 19088, 19089 and 19150, Business and Professions Code.

**11411210. Definition of "Hair."**

Shall mean the coarse filamentous epidermal outgrowth of such mammals as horses, cattle, hogs and goats.

Note: Authority cited: Section 19034 and 19089, Business and Professions Code. Reference: Section 19080, 19081, 19088, 19089 and 19150, Business and Professions Code.

**11421211. Classification of Hair.**

Hair shall be classified and labeled as follows:

"Horse Tail Hair"

"Horse Mane Hair"

"Hog Hair"

"Cattle Tail Hair"

"Cattle Hide Hair"

"Goat Hair"

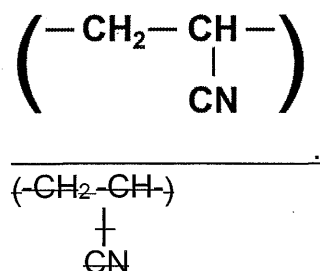
Note: Authority cited: Section 19034 and 19089, Business and Professions Code. Reference: Section 19080, 19081, 19088, 19089 and 19150, Business and Professions Code.

**11431238. Kinds Definitions of Man-Made Fibers.**

The following terms shall be stated on the law label when applicable in addition to other labeling nomenclature required by these regulations for defining the chemical composition of manufactured fibers.

(a) "Acetate": a manufactured fiber in which the fiber-forming substance is cellulose acetate. Where not less than 92% of the hydroxyl groups are acetylated, the term triacetate may be used as a generic description of the fiber.

(b) "Acrylic": a manufactured fiber in which the fiber-forming substance is any long chain synthetic polymer composed of at least 85% by weight of acrylonitrile units-

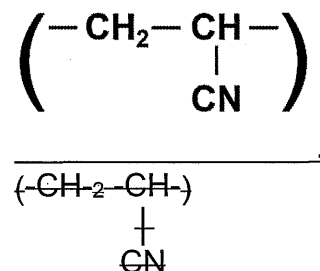


(c) "Azlon": a manufactured fiber in which the fiber-forming substance is composed of any regenerated naturally occurring proteins.

(d) "Glass": a manufactured fiber in which the fiber-forming substance is glass.

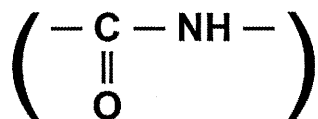
(e) "Metallic": a manufactured fiber composed of metal, plastic-coated metal, metal coated plastic or a core completely covered by metal.

(f) "Modacrylic": a manufactured fiber in which the fiber-forming substance is any long chain synthetic polymer composed of less than 85% but at least 35% by weight of acrylonitrile units



(g)(h) "Nitrile": a manufactured fiber containing at least 85% of a long chain polymer of vinylidene dinitrile ( $\text{CH}_2-\text{C}(\text{CN})_2-$ ) where the vinylidene dinitrile content is no less than every other unit in the polymer chain.

(h)(g) "Nylon": a manufactured fiber in which the fiber-forming substance is any long chain synthetic polyamide having recurring amide groups ( $-\text{C}-\text{NH}-$ )



\_\_\_\_\_ as any integral part of the polymer chain.



(i) "Olefin": a manufactured fiber in which the fiber-forming substance in any long chain synthetic polymer composed of at least 85% by weight of ethylene, propylene or other olefin units.

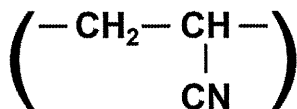
(j) "Polyester": a manufactured fiber in which the fiber-forming substance is any long chain synthetic polymer composed of at least 85% by weight of any ester of a dihydric alcohol and terephthalic acid ( $p\text{-HOOC-C}_6\text{H}_4\text{-COOH}$ ).

(k) "Rayon": a manufactured fiber composed of regenerated cellulose, as well as manufactured fibers composed of regenerated cellulose in which substituents have replaced not more than 15% of the hydrogen of the hydroxyl groups.

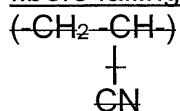
(l)(p) "Rubber": a manufactured fiber in which the fiber-forming substance is comprised of natural or synthetic rubber, including the following categories:

(1) A manufactured fiber in which the fiber-forming substance is a hydrocarbon such as natural rubber, polyisoprene, polybutadiene, copolymers of dienes and hydrocarbons, or amorphous (non-crystalline) polyolefins.

(2) A manufactured fiber in which the fiber-forming substance is a copolymer of acrylonitrile and diene (such as butadiene) composed of not more than 50% but at least 10% by weight of acrylonitrile units

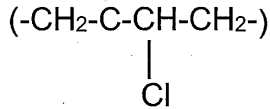


\_\_\_\_\_. The term "laetrite" may be used as a generic description for fibers falling within this category.



~~for fibers falling within this category.~~

(3) A manufactured fiber in which the fiber-forming substance is a polychloroprene or a copolymer of ~~chlorophene~~-chloroprene in which at least 35% by weight of the fiber-forming substance ~~is~~ composed of chloroprene units



~~(m)~~(l) "Saran": a manufactured fiber in which the fiber-forming substance is any long chain synthetic polymer comprised of at least 80% by weight of vinylidene chloride units  $(-\text{CH}_2\text{CCL}_2-)$ .

~~(n)~~(m) "Spandex": a manufactured fiber in which the fiber-forming substance is a long chain synthetic polymer composed of at least 85% of segmented polyurethane.

~~(o)~~(n) "Vinyl": a manufactured ~~finer~~ fiber in which the fiber-forming substance is any long chain synthetic polymer composed of at least 50% by weight of vinyl alcohol units  $(-\text{CH}_2-\text{CHOH}-)$ , and in which the total of the vinyl alcohol units and any one or more of the various acetal units is at least 85% by weight of the fiber.

~~(p)~~(o) "Vinyon": a manufactured fiber in which the fiber-forming substance is any long chain synthetic polymer composed of at least 85% by weight of vinyl chloride units  $(-\text{CH}_2-\text{CHCL}-)$ .

Note: Authority cited: Section 19034 and 19089, Business and Professions Code.  
Reference: Section 19080, 19081, 19088, 19089 and 19150, Business and Professions Code.

#### **11441247. Terms and Definitions of Vegetable Fibers.**

The following terms shall be stated on the law label when applicable in addition to other labeling nomenclature required by these regulations for defining the chemical composition of natural fibers.

(a) "Buckwheat hulls" shall mean the outer shell covering of the buckwheat seed (fagopyrum).

(b) "Cellulose Fiber" shall mean wood or other vegetable growth reduced to a fibrous state.

(c) "Coco Fiber or Coir Fiber" shall mean the stiff elastic fiber obtained from the outer husk of the coconut.

(d) "Corrugated Fiber Board" shall mean the thick coarse paper, corrugated to give it elasticity.

(e) "Excelsior" shall mean shredded threadlike wood fibers, but shall not include waste

products such as shavings, sawdust, or similar waste.

(f) "Flax Fiber" shall mean the fiber derived from the plant of the genus *Lignum Usitatissimum* raised primarily for fiber.

(g) "Jute Fiber" shall mean the fiber derived from several species of the *Corchorus* plant.

(h) "Kapok" shall mean the mass of fibers investing the seed of the kapok tree (*Ceiba Pentandra*).

(i) "Milkweed Fiber" shall mean the surface fiber from the inside of the seed pods of milkweed plants (*Asclepias*).

(j) "Moss" shall mean the processed fibers of epiphytic plants forming pendant tufts from trees.

(k) "Palm Fiber" shall mean the fibrous material obtained from the leaf of a palm, palmetto, or palmyra tree.

(l) "Sisal Fiber" shall mean the leaf fiber derived from the *Agave Sisalana* and similar species of *Agaves*.

(m) "Tula Fiber" shall mean the fiber derived from the *Tula Istle* and similar species of *Agaves*.

Note: Authority cited: Section 19034 and 19089, Business and Professions Code.  
Reference: Section 19080, 19081, 19088, 19089 and 19150, Business and Professions Code.

#### **11451329. Definitions and Grades of "Latex Foam".**

(a) Latex foam is used as a filling material in various bedding products including mattresses, futons, and bed pillows. The term "Latex Foam" or "Latex Foam Rubber" may be used interchangeably and shall mean filling material made from synthetic latex foam (polychloroprene), natural latex foam, reclaimed rubber or rubber-like materials or a mixture of the above. The cured foam shall consist of a network of open or inter-connecting cells uniform in size and character. Latex foam may be used as a molded fill containing an outer skin or as slabstock fill (sheets, strips or other specific shapes) cut to specific sizes and containing no skin. Latex foam rubbers may be either cored or solid.

(b) The term "first quality" may be used in conjunction with the terms latex foam or latex foam rubber provided the foam does not exceed a minor level of physical defects such as a surface or internal voids of up to one inch, loose skin up to 16 square inches, foreign materials up to 1/8 inch in diameter, shrinkage marks up to 1/8 inch in depth,

pock marks or pour patterns up to 1/8 inch in depth.

(c) Irregular Latex Foam or Irregular Latex Foam Rubber shall mean any foam which has a moderate level of physical defects, such as surface or internal voids 1 to 3 inches deep, 16 to 32 square inches of loose skin, foreign materials 1/8 to 1/4 inch in diameter, shrinkage marks between 1/8 and 1/4 inch in depth, pock marks or pour patterns 1/8 to 1/4 inch in depth.

Labeling example: Irregular Latex Foam Rubber

(d) Scrap Latex Foam or Scrap Latex Foam Rubber shall mean any foam which contains an excessive amount of physical defects such as surface or internal voids exceeding 3 inches, loose skin over 32 square inches, foreign materials over 1/4 inch in diameter, shrinkage marks over 1/4 inch in depth, pock marks or pour patterns over 1/4 inch in depth, and also means any latex foam product consisting of loose pieces of latex foam or assembled loose pieces of latex foam (excluding assembly of the molded half sections).

Note: Authority cited: Sections 19034, 19089 and 19150, Business and Professions Code. Reference: Sections 19081, 19085, 19088, 19089 and 19150, Business and Professions Code.

#### **11464330. Physical Requirements of "Latex Foam".**

Any latex foam which does not meet any one of the following minimum physical requirements shall be designated on the law label as "Scrap Latex Foam" or "Scrap Latex Foam Rubber."

(a) Adhesive Bond. The bond shall be stronger than the adjoining foam when separated by hand. The seam shall not be noticeably hard when felt with the palm of the hand.

(b) The latex foam shall be constructed of a single piece or, if used to construct a pillow insert, two molded half sections. Modifications which are designed to enhance a special feature of the product are acceptable when such modifications have been approved by the Bureau.

Note: Authority cited: Sections 19034, 19089 and 19150, Business and Professions Code. Reference: Sections 19081, 19085, 19088, 19089 and 19150, Business and Professions Code.

#### **4. Amend Section 1251 Article 9 of Division 3 of Title 4 of the California Code of Regulations to read as follows:**

##### **1251. Methods of Sanitization.**

(a) Any method of sanitization not provided for herein shall be submitted to the Bureau for testing and consultation with the State Department of ~~Health Services~~ Public Health before adoption or use.

(b) Unless otherwise specifically provided for, the chief of the bureau shall determine the method to be employed in the sanitization of any article or material subject to the provisions of the Aact and these regulations.

(c) Secondhand (used) fabrics shall not contain any of the following adulterants: visible soiling or stains, extraneous materials, sludge, oil, grease, fat, filth, excreta, skin, epidermis, blood, urine, feces, disagreeable odors or other contamination.

(d) Secondhand (used) materials which are contaminated shall be sanitized as set forth in Sections 1252 or 1253 of these regulations.

(e) Mattresses containing a porous material or fabric may be sanitized by using the dry heat method in Section 1252 or the chemical disinfectant, Steri-fab, as set forth in Section 1253.

(f) Baled filling materials shall not be sanitized while still in the bale.

(g) Detachable mattresses and pads within hide-a-beds shall be removed from such articles and sanitized.

Note: Authority cited: Section 19034, Business and Professions Code. Reference: Sections 19120, 19121, 19123.6 and 19124, Business and Professions Code.

**5. Amend Sections 1300 and 1316 of Article 10 of Division 3 of Title 4 of the California Code of Regulations to read as follows:**

**§ 1300. Application of Article.**

For the purposes of Sections 19150 and 19210 of the Aact, false or misleading advertising includes but is not limited to advertising, within the meaning of Section 17500 et seq. of the Business and Professions Code, which violates any provision of this article.

Note: Authority cited: Section 19034, Business and Professions Code. Reference: Sections 19088 and 19150, Business and Professions Code.

**1316. Secondhand Merchandise.**

No article which is secondhand, as defined in the Aact, shall be advertised in any manner which represents or implies that the article is new.

Note: Authority cited: Sections 19034 and 19088, Business and Professions Code.  
Reference: Sections 19008, 19008.5, 19008.6 and 19150, Business and Professions Code.