



State of Utah

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Director, Regulatory Services

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Public Notice

Dear Stakeholder,

The Utah Department of Agriculture and Food (UDAF) is reaching out to you as an important member of Utah's Bedding, Upholstered Furniture and Quilted Clothing Program (Program).

With the exponential growth of online sales over the past few years, UDAF, through its Program, has been actively monitoring online sales to ensure equity, consumer safety and compliance with state regulations. As a result of these efforts, UDAF has serious concerns that many online retailers, suppliers and other parties are not in compliance with state regulations. On multiple occasions, UDAF has had to intervene to ensure that Utah consumers are not adversely affected by non-compliant practices.

As you are aware, Utah's laws do not differentiate between brick and mortar or online retailers in this industry. As such, products offered for sale or sold in Utah (online or at a physical location) are required to follow Utah's Bedding, Upholstered Furniture and Quilted Program Act, Title 4, Chapter 10 of the Utah Code.¹ While the program understands the complexity and burden this may pose to online retailers, online sales will be a permanent feature of regulatory compliance for the program.

As such, the Program will not only be increasing surveillance of online sales, but will be formalizing the inspection of online sales into routine inspections and enforcement in line with brick and mortar inspections and enforcement for the foreseeable future.

As part of this effort, UDAF is reaching out to stakeholders for assistance in developing reasonable industry standards, in coordination with state agencies responsible for regulating U.S. Law Labels and Textile Labels. Please submit your questions or comments to udaf-beddingcomments@utah.gov

Please be aware that the increased inspection and enforcement efforts for online retailers will formally begin on January 1, 2024.

We look forward to working with you during this process.

Travis Waller
Director, Regulatory Services
Utah Department of Agriculture and Food

¹ Please see: <https://le.utah.gov> (Title 4) and www.rules.utah.gov (Administrative Rules).