



State of Utah

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Director, Regulatory Services

September 28, 2023

Public Notice – Update

Online Sales of Bedding, Upholstered Furniture and Quilted Clothing

Dear Stakeholder,

On April 21st, 2023, the Utah Department of Agriculture and Food (UDAF) issued a Public Notice to inform stakeholders of its intention to enhance surveillance of online sales and formalize the inclusion of online sales in routine inspections. UDAF also plans to apply enforcement actions to online retailers, similar to those applied to brick-and-mortar retailers.

In the April public notice, it was communicated that this initiative would officially commence on January 1, 2024. Although this date remains unchanged, we have received numerous concerns from industry stakeholders regarding the nature and specifics of enforcement.

In light of these concerns, UDAF has decided to implement a period of "soft enforcement" for the initial six months, from January 1 to June 1, 2024. This initial phase will primarily serve as an educational period. During this time, UDAF will issue Notices of Violation to firms found to be in violation of Utah's Bedding, Upholstered Furniture, and Quilted Program Act, Title 4, Chapter 10 of the Utah Code.

A Notice of Violation is a crucial tool for educating and informing stakeholders about observed violations, providing them with an opportunity to rectify the issues without UDAF taking civil or administrative actions. However, it also establishes a regulatory basis for UDAF to take punitive measures if the stakeholder continues to disregard the violations beyond the six-month educational period.

Please feel free to send your questions or comments to udaf-beddingcomments@utah.gov.

We look forward to working with you during this process.

Respectfully,

A handwritten signature in blue ink that reads "Travis Waller".

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