



City of San Antonio

Agenda Memorandum

File Number: 15-3299

Agenda Item Number: 7.

Agenda Date: 5/20/2015

In Control: Governance Committee

DEPARTMENT: Health

DEPARTMENT HEAD: Dr. Thomas L. Schlenker

COUNCIL DISTRICTS IMPACTED: City Wide

SUBJECT:

San Antonio Mattress Consumer Protection

SUMMARY:

Council Member Alan Warrick, II, submitted a Council Consideration Request (CCR) on April 1, 2015 asking City staff to research and recommend measures to mitigate and prevent San Antonio consumers from purchasing unlabeled and/or untreated secondhand/recycled mattresses. The CCR requests the City of San Antonio adopt an ordinance implementing certain consumer protection regulations that would require businesses engaged in the sale of secondhand/recycled or re-used mattresses or bedding to register with the City and adhere to certain notification requirements.

BACKGROUND INFORMATION:

Currently, secondhand bedding sales are governed under Texas Administrative Code Chapter 205, Subchapter A, Bedding Rules. Under this regulation, if you sell, manufacture, distribute/wholesale, or import bedding products into the state of Texas, and/or you renovate, or germicidally treat used bedding you are required to register through Texas Department of State Health Services, Regulatory Licensing Unit. Failure to register, properly treat and/or display untreated/unlabeled products can result in Administrative penalties. Complaints and inspections regarding this industry are currently regulated under the Texas Department of State Health Services.

ISSUE:

Secondhand and untreated mattresses may contain perspiration, urine, feces, blood, dust mites, bedbugs and

skin cells. San Antonio residents have the right to know if they are purchasing one of these regulated items and the potential health concerns associated with an untreated mattress.

ALTERNATIVES:

As an alternative, the Governance Committee could choose to continue to allow the Texas Department of State Health Services to provide oversight and respond to complaints associated with this industry as currently stated under the Texas Administrative Code Bedding Rules.

FISCAL IMPACT:

The fiscal impact associated with this CCR request is not yet fully known, however, initial assessments indicate it would require additional health inspection staff to enforce and provide response to complaints. A more detailed estimate will be prepared for presentation at a future Quality of Life City Council Committee meeting.

RECOMMENDATION:

Staff recommends forwarding the issue of mattress consumer protection to the Quality of Life committee for further discussion on solutions to mitigate and prevent San Antonio consumers from purchasing unlabeled and/or untreated secondhand/recycled mattresses.