

ASSEMBLY, No. 2734

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED MAY 19, 2008

Sponsored by:

Assemblyman **RALPH R. CAPUTO**

District 28 (Essex)

Assemblyman **ALBERT COUTINHO**

District 29 (Essex and Union)

Co-Sponsored by:

Assemblywoman Angelini

SYNOPSIS

Prohibits sale of certain products using advertisements alluding to controlled dangerous substances or analogs.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/24/2008)

1 AN ACT concerning the sale of products using certain
2 advertisements and supplementing P.L.1960, c.39 (C.56:8-1 et
3 seq.).

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. It shall be an unlawful practice for any person to sell, or offer
9 for sale, any merchandise which uses any advertisement, on its
10 packaging or elsewhere, which directly or indirectly links the
11 product to, or otherwise alludes to, any controlled dangerous
12 substance or analog:

- 13 a. To a person under 18 years of age; or
14 b. If the product is a food, beverage, or intended to be ingested
15 or inhaled.

16
17 2. This act shall take effect on the first day of the third month
18 following enactment.

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20
21 STATEMENT

22
23 This bill would prohibit the sale of certain items which use
24 advertisements linked or alluding to controlled dangerous
25 substances or analogs. The bill would ban the sale of any food,
26 beverage, or other product meant to be ingested or inhaled which
27 uses such advertisement on its packaging or elsewhere. The bill
28 would further prohibit the sale of any product using such
29 advertising, regardless of the product's intended use, to a person
30 under 18 years of age.

31 The bill specifies that violations would be unlawful practices.
32 An unlawful practice under the Consumer Fraud Act is punishable
33 by a monetary penalty of not more than \$10,000 for a first offense
34 and not more than \$20,000 for any subsequent offense. In addition,
35 a violation can result in cease and desist orders issued by the
36 Attorney General, the assessment of punitive damages and the
37 awarding of treble damages and costs to the injured.