

Title 26.  
Chapter 2.  
Part FF. Mercury  
Health Advisories  
and Consumption of  
Fish  
§1 - C.26:2-179  
§2 - Note

P.L. 2003, CHAPTER 174, *approved September 10, 2003*  
Senate, No. 1202 (*Second Reprint*)

1 AN ACT concerning health warnings about mercury contamination and  
2 supplementing <sup>2</sup>[Titles 26 and 13] Title 26<sup>2</sup> of the Revised  
3 Statutes.

4

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

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8 1. The Department of Health and Senior Services, in consultation  
9 with the Department of Environmental Protection, shall prepare a  
10 consumer's mercury alert notice for posting in all patient areas of  
11 professional medical offices that provide gynecological, obstetrical or  
12 pediatric care and in the patient or client areas of all maternal and child  
13 health and nutrition programs. The notice shall explain the danger to  
14 women who expect to become pregnant, women who are pregnant or  
15 breast feeding their children, and young children, of eating mercury  
16 contaminated fish. The notice shall summarize the State's and the  
17 federal government's most current mercury health advisories  
18 concerning fish consumption and shall contain such other information  
19 as the department deems appropriate. The notice also shall list <sup>2</sup>[the]  
20 any<sup>2</sup> telephone number <sup>2</sup>that may be<sup>2</sup> established <sup>2</sup>[pursuant to section  
21 3 of P.L. , c. (C. ) (pending before the Legislature as this bill)  
22 that] for<sup>2</sup> State residents <sup>2</sup>[may] to<sup>2</sup> call for further information about  
23 the health advisories.

24 The department shall distribute the notice, at no charge, to all  
25 professional medical offices that provide gynecological, obstetrical or  
26 pediatric care and to all publicly funded maternal and child health and  
27 nutrition programs in the State. The department shall update the  
28 notice as necessary, and shall make additional copies of the notice  
29 available to health care providers upon request.

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31 <sup>2</sup>[2. a. The Department of Environmental Protection, in  
32 consultation with the Department of Health and Senior Services, shall  
33 prepare a consumer's guide to mercury and other health advisories, as  
34 the department deems appropriate, for the consumption of <sup>1</sup>those

**EXPLANATION** - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Senate SHH committee amendments adopted September 26, 2002.

<sup>2</sup> Assembly AAN committee amendments adopted June 5, 2003.

1 species of marine, estuarine and<sup>1</sup> fresh water fish<sup>1</sup>, as the department  
2 deems appropriate,<sup>1</sup> and <sup>1</sup>[distribute sufficient] make<sup>1</sup> copies of the  
3 guide <sup>1</sup>available<sup>1</sup>, at no charge, to all public and private entities  
4 designated to issue fishing licenses. The department shall require that  
5 <sup>1</sup>[a copy of the guide be distributed to]<sup>1</sup> all applicants for a fishing  
6 license <sup>1</sup>be provided with a copy of the guide or advised how to obtain  
7 a copy of the guide, at no charge,<sup>1</sup> at the time the license is issued.

8 The department shall update the guide as necessary, and shall make  
9 copies of the guide available to other members of the public upon  
10 request.

11 The guide also shall list the telephone number established pursuant  
12 to section 3 of P.L. , c. (C. )(pending before the Legislature  
13 as this bill) that State residents may call for further information about  
14 the health advisories.

15 b. The Department of Environmental Protection shall include<sup>1,1</sup> on  
16 each fishing license issued in the State after the effective date of this  
17 act, the telephone number established pursuant to section 3 of P.L. ,

18 c. (C. )(pending before the Legislature as this bill) that licensees  
19 may call for further information about the health advisories.]<sup>2</sup>

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21 <sup>2</sup>[3. The Department of Environmental Protection, in consultation  
22 with the Department of Health and Senior Services, shall establish and  
23 maintain a telephone service to provide information to residents of the  
24 State about mercury health advisories for the consumption of fresh  
25 water fish.]<sup>2</sup>

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27 <sup>2</sup>[4.] 2.<sup>2</sup> This act shall take effect 60 days after enactment.

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32 Provides for notification to pregnant women about mercury health  
33 advisories in consumption of fish.