

ASSEMBLY, No. 1538

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 15, 1996

By Assemblywoman TURNER

1 AN ACT concerning the packaging of certain food and beverage items
2 and supplementing P.L.1960, c.39 (C.56:8-1 et seq.).

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

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7 1. It shall be an unlawful practice for any person to sell or offer to
8 sell any beverage container containing a juice drink that is packaged
9 in a design or shape that is routinely used in the packaging of alcoholic
10 beverages or any food, candy or confectionery product that is
11 packaged in a design or shape that is routinely used in the packaging
12 of cigarettes or other tobacco products.

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14 2. The Director of the Division of Consumer Affairs in the
15 Department of Law and Public Safety shall adopt rules and regulations
16 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
17 (C.52:14B-1 et seq.), as are necessary to effectuate the purposes of
18 this act.

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20 3. This act shall take effect on the first day of the second month
21 after enactment.

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STATEMENT

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26 This bill provides that it is an unlawful practice under the consumer
27 fraud law, P.L.1960, c.39 (C.56:8-1 et seq.), for any person to sell or
28 offer to sell any beverage container containing a juice drink that is
29 packaged in a design or shape that is routinely used in the packaging
30 of alcoholic beverages or any food, candy or confectionery product
31 that is packaged in a design or shape that is routinely used in the
32 packaging of cigarettes or other tobacco products.

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34 Violators are subject to the penalties set forth in the consumer fraud
35 law. Those penalties may include a fine of no more than \$7,500 for a
36 first offense and no more than \$15,000 for any subsequent offense. In
37 addition, the Attorney General is authorized to seek and obtain in a
summary action an injunction prohibiting any violator from continuing

1 to engage in the unlawful practice.

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6 Prohibits sale of certain packaged food and beverage items.

WITHDRAWN

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