

P.L. 1997, CHAPTER 295, *approved January 8, 1998*  
Senate, No. 1573 (*First Reprint*)

1 **AN ACT** concerning certain itinerant vendors and supplementing  
2 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 an itinerant vendor to sell or  
8 offer to sell any of the following items:

9 a. Food manufactured and packaged for sale for consumption by  
10 a minor under the age of two years; <sup>1</sup>[or]<sup>1</sup>

11 b. Any non-prescription drug subject to expiration dating  
12 requirements issued by the federal Food and Drug Administration <sup>1</sup>; or

13 c. Any cosmetic as defined in subsection h. of R.S. 24:1-1<sup>1</sup>.

14 For purposes of this section, "itinerant vendor" means any merchant  
15 other than a merchant with an established retail store, who transports  
16 merchandise to a building, vacant lot or other location where it is sold  
17 or offered for sale, including a location where a fee is charged for the  
18 privilege of offering or displaying merchandise for sale or where a fee  
19 is charged to prospective buyers for admission to the area where  
20 merchandise is offered or displayed for sale, but shall not include  
21 persons who: sell by sample, catalog or brochure for future delivery;  
22 make sale presentations pursuant to a prior invitation issued by the  
23 owner or legal occupant; or are an authorized manufacturer's  
24 representative or authorized distributor.

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26 2. This act shall take effect on the 90th day following enactment.

**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 SCM committee amendments adopted May 8, 1997.

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3 Prohibits the sale of baby food and certain non-prescription drugs by

4 itinerant vendors.