

SENATE, No. 1230

STATE OF NEW JERSEY

INTRODUCED JUNE 3, 1996

By Senator SINAGRA

1 AN ACT concerning the sale and distribution of non-tobacco related  
2 items that contain tobacco product references and supplementing  
3 Chapter 8 of Title 56 of the Revised Statutes.

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

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8 1. No person shall sell, offer for sale, distribute, give away or  
9 otherwise make available in this State any item that contains a  
10 tobacco product brand name, logo, character or selling message, which  
11 is not specifically tobacco-related.

12 For the purposes of this act: a. prohibited items shall include  
13 articles of clothing such as hats, tee shirts or jackets, tote or gym  
14 bags, recreational items such as sports equipment and any other item  
15 with a tobacco product brand name, logo, character or selling message  
16 whose primary use is not directly related to the use of a tobacco  
17 product; b. tobacco product means cigarettes, cigars, smokeless  
18 tobacco and loose tobacco; and c. tobacco-related includes tobacco  
19 products, lighters, ashtrays, cigarette paper and other similar items  
20 intended for the smoking or other use of a tobacco product.

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22 2. The provisions of this act shall be enforced by the Attorney  
23 General pursuant to P.L.1960, c.39 (C.56:8-1 et seq.), and violations  
24 of this act shall be subject to the penalties prescribed in P.L.1960,  
25 c.39 (C.56:8-1 et seq.) and section 1 of P.L.1967, c.97 (C.56:8-3.1).

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27 3. This act shall take effect 60 days after enactment.  
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30 STATEMENT  
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32 This bill prohibits the sale, distribution, giving away or otherwise  
33 making available in this State of any items that contain tobacco  
34 product brand names, logos, characters or selling messages which are  
35 not specifically tobacco-related.

36 Items prohibited from sale and distribution in the State include  
37 articles of clothing such as hats, tee shirts or jackets, tote or gym

1 bags, recreational items such as sports equipment and any other item  
2 with a tobacco product brand name, logo, character or selling message  
3 whose primary use is not directly related to the use of a tobacco  
4 product. Tobacco-related items include tobacco products, lighters,  
5 ashtrays, cigarette paper and other similar items intended for the  
6 smoking or other use of a tobacco product.

7 The prohibition on the sale and distribution of non-tobacco related  
8 items is for the purpose of reducing the attractiveness of tobacco  
9 products to minors and, therefore, their use of these products. These  
10 provisions are consistent with recent proposals made by Philip Morris  
11 USA for curbing use of tobacco products by minors.

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16 Prohibits sale or distribution of items with tobacco product logos that  
17 are not for use of tobacco products.