

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2C:40-16 (Tampering with food, drugs or cosmetics-- establish as criminal offense)

LAWS OF: 1987 **CHAPTER:** 421

BILL NO: A1156

Sponsor(s): Rocco

Date Introduced: Pre-filed

Committee: **Assembly:** Judiciary
Senate: Judiciary

Amended during passage: Yes Amendments during passage denoted by asterisks.

Date of Passage: **Assembly:** May 12, 1986
Senate: January 11, 1988

Date of Approval: January 14, 1988

following statements are attached if available:

Sponsor statement: Yes (Below)

Committee statement: **Assembly** Yes
Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

Sponsor's statement:

This bill creates a separate criminal offense for tampering with a cosmetic, drug or food product and provides that the crime shall be one in the fourth degree.

1-14-88

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ASSEMBLY, No. 1156

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION

By Assemblyman ROCCO

AN ACT concerning cosmetic, drug or food product tampering and supplementing Title 2C of the New Jersey Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. As used in this act:

2 a. "Cosmetic" means any substance or other device which is used
3 for the treatment of the skin, hair or nails.

4 b. "Drug" means any over-the-counter or prescribed medicine.

5 c. "Food product" means ***[any food]*** **anything** sold for
6 human consumption*, *and includes tobacco products**.

7 d. "Tamper" means to adulterate a cosmetic, drug or food prod-
8 uct **by adding any poisons, deleterious or noxious substance which*
9 *may be injurious or detrimental to a person's health**.

1 2. A person who ***[recklessly]*** tampers with a cosmetic, drug
2 or food product is guilty of a crime of the fourth degree*, *except*
3 *that nothing herein shall be deemed to preclude a charge for a*
4 *greater crime under any other provision of Title 2C of the New*
5 *Jersey Statutes**.

1 3. This act shall take effect immediately **but shall remain in-*
2 *operative until enactment into law of Assembly Bill No. 1155 of*
3 *1986**.

CRIMES

Prohibits as a fourth degree crime the tampering with a cosmetic, food or drug product.

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

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly committee amendments adopted May 5, 1986.

ASSEMBLY, No. 1156

Introduced Pending Technical Review by Legislative Counsel
PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION

By Assemblyman ROCCO

ASSEMBLY, No. 70

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1984 SESSION

By Assemblymen ROCCO, SHUSTED, SCHUBER, KOSCO,
MARKERT, FRANKS, Assemblywoman OGDEN, Assemblymen
VISOTCKY, ROD, CHINNICI, KERN, BROWN, ZANGARI and
RILEY

AN ACT concerning cosmetic, drug or food product tampering and
supplementing Title 2C of the New Jersey Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. As used in this act:

2 a. "Cosmetic" means any substance or other device which is used
3 for the treatment of the skin, hair or nails.

4 b. "Drug" means any over-the-counter or prescribed medicine.

5 c. "Food product" means any food sold for human consumption.

6 d. "Tamper" means to adulterate a cosmetic, drug or food
7 product.

1 2. A person who recklessly tampers with a cosmetic, drug or food
2 product is guilty of a crime of the fourth degree.

1 3. This act shall take effect immediately.

STATEMENT

This bill creates a separate criminal offense for tampering with
a cosmetic, drug or food product and provides that the crime shall
be one in the fourth degree.

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ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1156

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MARCH 17, 1986

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 1156.

As amended, this bill makes it a crime of the fourth degree to tamper with a cosmetic, drug or food product by adding any poisonous, deleterious or noxious substance which may be injurious or detrimental to a person's health. Under the bill as amended, this would include tampering with tobacco products.

Another amendment makes the bill inoperative until enactment into law of Assembly Bill No. 1155, a companion bill.

This bill was pre-filed for introduction in the 1986 session pending technical review. As reported and amended, the bill includes the changes required by technical review which has been performed.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1156

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STATE OF NEW JERSEY

DATED: OCTOBER 2, 1986

The Senate Judiciary Committee reports favorably Assembly Bill No. 1156 OCR.

This bill would classify tampering with a cosmetic, drug, food or tobacco product by adding any poisonous, deleterious or noxious substance which may be injurious or detrimental to a person's health, as a crime of the fourth degree. The bill also includes language indicating that a charge for tampering would not preclude a charge for any greater offense under the penal code which resulted from the tampering.