

56:4-3 ET AL.

LEGISLATIVE HISTORY CHECKLIST

NJSA 56:4-3 et al.  
Laws of 1975 Chapter 107  
Bill No. A1843  
Sponsor(s) Contillo & Others  
Date Introduced June 13, 1974  
Committee: Assembly Commerce, Industry & Professions  
Senate Labor, Industry & Professions

Amended during passage Yes ~~no~~ Amendments during passage denoted by asterisks

Date of passage: Assembly April 17, 1975  
Senate May 19, 1975

Date of approval May 29, 1975

Following statements are attached if available:

Sponsor statement	Yes	<del>no</del>
Committee Statement:	Assembly Yes	<del>no</del>
	Senate Yes*	<del>no</del>
Fiscal Note	Yes	No
Veto message	Yes	No
Message on signing	Yes	<del>no</del>
Following were printed:		
Reports	Yes	No
Hearings	Yes	No

\* Not enclosed - identical to Assembly Committee Statement

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CHAPTER 107 LAWS OF N. J. 192  
APPROVED 5-29-75

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**ASSEMBLY, No. 1843**

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# STATE OF NEW JERSEY

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INTRODUCED JUNE 13, 1974

By Assemblymen CONTILLO, MARTIN, SHELTON, SALKIND,  
VAN WAGNER, FROUDE, MARINO and GLADSTONE

Referred to Committee on Commerce, Industry and Professions

AN ACT to repeal the "Fair Sales Act," approved June 17, 1938 (P. L. 1938, c. 394)\***[** the "Unfair Cigarette Sales Act, 1948," approved June 30, 1948 (P. L. 1948, c. 188), the "Unfair Cigarette Sales Act of 1952," approved May 19, 1952 (P. L. c. 247)**]**\* and R. S. 56:4-3 through 56:4-6\*, *amending R. S. 56:4-1, and supplementing chapter 4 of Title 56 of the Revised Statutes\**.

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

1 1. The "Fair Sales Act," approved June 17, 1938 (P. L. 1938,  
2 c. 394; C. 56:4-7 to C. 56:4-16)\***[** the "Unfair Cigarette Sales  
3 Act, 1948," approved June 30, 1948 (P. L. 1948, c. 188; C. 56:7-1  
4 to C. 56:7-17), the "Unfair Cigarette Sales Act of 1952," approved  
5 May 19, 1952 (P. L. 1952, c. 247; C. 56:7-18 to C. 56:7-38)**]**\* and  
6 R. S. 56:4-3 through 56:4-6 are repealed.

1 \*2. R. S. 56:4-1 is amended to read as follows:

2 56:4-1. No merchant, firm or corporation shall appropriate for  
3 his or their own use a name, brand, trade-mark, reputation or good-  
4 will of any maker in whose product such merchant, firm or corpora-  
5 tion deals**[**, or discriminate against the same by depreciating  
6 the value of such products in the public mind, or by misrepresenta-  
7 tion as to value or quality, or by price inducement, or by unfair  
8 discrimination between buyers, or in any other manner whatsoever,  
9 except where such products do not carry any notice prohibiting  
10 such practices, and except in the case of a receiver's sale or a sale  
11 by a concern going out of business**]**\*.

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

1    \*3. (New section) Any contract provision that purports to  
2    restrain a vendee of a commodity from reselling such commodity  
3    at less than the price stipulated by the vendor or producer shall  
4    not be enforceable or actionable at law.\*

1    \*~~2.~~\* \*4.\* This act shall take effect \*~~immediately~~\* \*60 days  
2    after enactment\*.

ASSEMBLY, No. 1843

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STATE OF NEW JERSEY

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INTRODUCED JUNE 13, 1974

By Assemblymen CONTILLO, MARTIN, SHELTON, SALKIND,  
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Referred to Committee on Commerce, Industry and Professions

AN ACT to repeal the "Fair Sales Act," approved June 17, 1938 (P. L. 1938, c. 394), the "Unfair Cigarette Sales Act, 1948," approved June 30, 1948 (P. L. 1948, c. 188), the "Unfair Cigarette Sales Act of 1952," approved May 19, 1952 (P. L. 1952, c. 247) and R. S. 56:4-3 through 56:4-6.

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

1 1. The "Fair Sales Act," approved June 17, 1938 (P. L. 1938,  
2 c. 394; C. 56:4-7 to C. 56:4-16), the "Unfair Cigarette Sales Act,  
3 1948," approved June 30, 1948 (P. L. 1948, c. 188; C. 56:7-1 to  
4 C. 56:7-17), the "Unfair Cigarette Sales Act of 1952," approved  
5 May 19, 1952 (P. L. 1952, c. 247; C. 56:7-18 to C. 56:7-38) and  
6 R. S. 56:4-3 through 56:4-6 are repealed.

1 2. This act shall take effect immediately.

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STATEMENT

This bill repeals the "fair trade" laws as they apply to general merchandise and cigarettes.

ASSEMBLY COMMERCE, INDUSTRY, AND  
PROFESSIONS COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1843**

with Assembly committee amendments

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**STATE OF NEW JERSEY**

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DATED: APRIL 10, 1975

This bill repeals "fair trade" laws, the "Fair Sales Act", and provides that any contract provision that purports to restrain a vendee of a commodity from reselling such commodity at less than the price stipulated by the vendor or producer shall not be enforceable or actionable at law.

FROM THE OFFICE OF THE GOVERNOR

901  
561

MAY 29, 1975

FOR FURTHER INFORMATION

OR IMMEDIATE RELEASE

DICK CAMPBELL

Governor Brendan Byrne signed into law Thursday a bill designed to reduce prices to consumers in the market place.

The measure, A-1843, sponsored by Assemblyman Paul J. Contillo, D-Bergen, repeals the 1938 Fair Trade Act.

Byrne noted that he had called for the legislation in his annual message to the Legislature.

"In these days when we are trying to turn around the economy in the state and are expressing our concern with the kind of deal the consumer is getting, it is important that we have the opportunity to enact this kind of legislation," said the Governor in signing the bill.

The measure repeals the 1938 law which had established minimum prices on a wide variety of consumer products such as television sets.

"The burden of inflation falls unevenly on citizens of our State," Byrne said in his Annual Message. "For those most in need, State government has an obligation to review the impact of its policies and laws on the level of prices and the cost to consumers of necessities for daily living."

"I believe it is time for legislative review in several areas where our laws hold prices at artificially high levels."

The Fair Trade repeal bill, which is effective in 60 days, is part of a package of consumer protection legislation proposed by the Governor.

Other measures include bills to permit the advertising of prescription drugs and eye glasses, and a bill which would authorize counties and municipalities to establish offices of consumer affairs with the power to enforce laws and regulations affecting consumers.

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