

# NEW JERSEY REGISTER



Official Publication of the State of New Jersey

WILLIAM T. CAHILL, Governor  
John K. Rafferty, Director of Administrative Procedure  
Peter J. Gorman, Rules Analyst  
John K. Barnes, Editor

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12/6/73

# NOTICES OF RULE-MAKING ACTIVITIES OF STATE AGENCIES

(a)

## AGRICULTURE

### STATE BOARD OF AGRICULTURE

#### Revisions Concerning Special Exemption For Florida Tomato Plants

The New Jersey State Board of Agriculture, pursuant to authority of N.J.S.A. 4:7-5, proposes to revise N.J.A.C. 2:17-4.2(c) concerning the special exemption for Florida tomato plants.

Full text of the proposed new N.J.A.C. 2:17-4.2(c) follows:

2:17-4.2(c) In order to control the movement into New Jersey of late blight (*Phytophthora infestans*) diseased tomato plants produced in greenhouse operations south of a quarantine line including all counties in Florida south of and including Pinellas, Hillsborough, Hardee, Highlands, Okeechobee and Indian River counties, the following specifications for admission of tomato plants so produced into New Jersey are hereby established:

1. The requirements listed below are to be considered as related to a partial waiver of variance of current regulations governing the movement into New Jersey of vegetable plants from Florida.

2. Production:

i. If soil or a soilless mix is used in production or shipment of the plants, the soil or mix must be sterile.

ii. During production and packing of the plants, the relative humidity of the greenhouse atmosphere immediately surrounding (within inches) the foliage must be kept below 90 per cent for 23 of every 24 hours.

iii. From the time the seedlings produced their first pair of true leaves they are to be sprayed on a three-day fungicide schedule of one or more of the following materials: maneb, manganese-zinc coordination product such as Dithane-M-45, Difolatan or Bravo. The fungicide is to be thoroughly dry on the plants before the foliage is wetted by overhead watering or the like. A final spray of one of the above fungicides is to be applied as nearly before packing for shipment as its drying will permit.

iv. For purposes of aphid, leafhopper, thrips, white fly, mite and other insect control, pesticide applications satisfactory to Florida State Department of Agriculture regulatory officials are to be made.

3. Inspection:

i. Starting with the time of first true leaf production, inspections of the developing plants are to be made at a regulatory interval (at least once a week, and daily if possible) by the official plant inspection service of the State of Florida, for detection and elimination of possible pest problems (especially late blight disease) and to assure proper care and development of the plants in all respects. The finding of any late blight within the greenhouse planting is to immediately disqualify all tomatoes in the entire greenhouse for New Jersey shipment.

ii. Starting at the same time as the above inspection, similar inspections of tomato plantings outside the greenhouse concerned (including adjacent greenhouses) are to be conducted within a radius of at least one-quarter mile. The finding of late blight within the radius would require immediate consultation with, the Division of Plant Industry, New Jersey Department of Agriculture, whose decision would be final and binding. Permanent cancellation of the shipments could be required.

iii. The plants are to be inspected by the official plant inspection service of the State of Florida on the day of pulling. Any late blight found disqualifies all tomato plants from the greenhouse of origin for shipment into New Jersey.

iv. During the period of three to ten days after any tomato plant shipment, any tomato plants remaining in the greenhouse(s) from which tomato plants were shipped into New Jersey, and also tomato plants within the outside "one-quarter-mile radius" of the greenhouse operation concerned, are to be inspected at a regular interval (daily if possible) by the official plant inspection service of Florida for detection of possible late blight infection. Any such infection found is to result in immediate halt of further shipment of plants into New Jersey, and immediate notification of, and consultation with, the Division of Plant Industry, New Jersey Department of Agriculture, whose decision is to be final and binding. Cancellation of all tomato shipments could be required.

4. Packing:

i. Packing of tomato plants is to be in such a place and in such a way as to satisfy the official inspection service of the State of Florida that the plants are not exposed to a greater risk of late blight infection than existed in the greenhouse during the growing period.

Interested persons may present statements or arguments

## NEW JERSEY REGISTER

The official publication containing notices of proposed rules and rules filed by State agencies pursuant to the New Jersey Constitution, Art. V, Sec. IV, Para. 6 and the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

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orally, in person or in writing relevant to the proposed action on or before December 26, 1973, to:

William M. Cranstoun  
Director, Division of Plant Industry  
Post Office Box 1888  
Trenton, New Jersey 08625  
Telephone: (609) 292-5440

The State Board of Agriculture, upon its own motion or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

Phillip Alampi  
Secretary of Agriculture  
Secretary, State Board of Agriculture

(a)

## BANKING

### CONSUMER CREDIT BUREAU

#### Proposed Revisions Concerning Pawnbroking Services Charges

Richard F. Schaub, Commissioner of Banking, pursuant to authority of N.J.S.A. 17:10-23, proposes to adopt revisions to N.J.A.C. 3:16-2.1 concerning pawnbroking services charges.

Full text of the proposed revisions follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

#### 3:16-2.1 Services charges

[On loans in amounts of less than \$25.00, which are secured by a pledge of clothing or bulky articles, such as trunks and handbags, a "hang up" or service charge may be levied to equal eight per cent on the amount of the loans, but such service charge shall not exceed the sum of \$.40. When such a charge is levied, it shall be done with the full knowledge and written consent of the pledgor.]

(a) On loans by the pledge of articles, other than rings, watches or other jewelry items, a service charge may be levied to equal eight per cent of the amount of a loan, but such service charge shall not exceed \$1.50.

(b) Such service charges shall only be levied once in any 12-month period.

(c) When any of the foregoing service charges are levied, it shall be done with the full knowledge and consent of the pledgor.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 26, 1973, to:

Roger F. Wagner  
Deputy Commissioner  
Division of Banking  
Department of Banking  
Trenton, New Jersey 08625

The Department of Banking, upon its own motion or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

Richard F. Schaub  
Commissioner  
Department of Banking

(b)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Revisions in Guide for Schoolhouse Planning And Construction

On November 8, 1973, Edward W. Kilpatrick, Acting Commissioner of Education and Acting Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:4-15 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions in the guide for schoolhouse planning and construction, as proposed in the Notice published October 4, 1973, at 5 N.J.R. 329(a).

Such revisions will be included in N.J.A.C. 6:22-8.4(g), 6:22-8.6(b), 6:22-13.1(p), 6:22-13.3(l) and 6:22-14.9(j).

An order adopting these revisions was filed and effective November 13, 1973, as R.1973 d.316.

John K. Rafferty  
Director of Administrative Procedure  
Department of State

(c)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Revisions Concerning High School Equivalency

On November 8, 1973, Edward W. Kilpatrick, Acting Commissioner of Education and Acting Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:50-12 through 18A:50-14, 18A:6-41 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the rules concerning high school equivalency, as proposed in the Notice published October 4, 1973, at 5 N.J.R. 330(a).

Such revisions will be included in the new Subchapter 6 in Chapter 44 of Title 6 in the New Jersey Administrative Code.

An order adopting these revisions was filed and effective November 13, 1973, as R.1973 d.317.

John K. Rafferty  
Director of Administrative Procedure  
Department of State

(d)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Rules for Adult High Schools (Accredited Evening High Schools)

On November 8, 1973, Edward W. Kilpatrick, Acting Commissioner of Education and Acting Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:48-1 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted new rules concerning adult high schools (Accredited evening high schools), as proposed in the Notice published October 4, 1973, at 5 N.J.R. 331(a).

Such rules will be included in the new Subchapter 7 of Chapter 44 in Title 6 of the New Jersey Administrative Code.

An order adopting these rules was filed and effective November 13, 1973, as R.1973 d.318.

John K. Rafferty  
Director of Administrative Procedure  
Department of State

(a)

## ENVIRONMENTAL PROTECTION THE COMMISSIONER

### Emergency Rules on Sulfur in Fuels

On November 20, 1973, Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 52:14B-4(c), adopted emergency rules concerning standards for sulfur in fuels.

Full text of the emergency rules follows:

#### ADMINISTRATIVE ORDER NO. THIRTY-NINE

##### (ADOPTION OF EMERGENCY RULE)

Whereas, N.J.A.C. 7:27-9 and 7:27-10 (formerly New Jersey Air Pollution Control Code, Chapters 10 and 10A), effective in May 1968, set forth standards for the maximum amount of sulfur permitted in commercial fuel oil and coal; and

Whereas, the President of the United States has indicated that a shortage of fuel oils for residential, commercial and industrial heating purposes appears imminent during the 1973-'74 heating season; and

Whereas, the New Jersey Legislative Energy Crisis Study Commission, Subcommittee on Immediate Energy Need, has concluded that there is potential for a fuel oil shortage in New Jersey during the 1973-'74 heating season; and

Whereas, the Governors Cabinet Energy Crisis Committee has recommended that for the period of the imminent fuel oil shortage the Department of Environmental Protection should temporarily amend its administrative regulations to permit the burning of fuels having a higher sulfur content than specified by current New Jersey regulations; and

Whereas, the New Jersey Clean Air Council, in view of the imminent fuel oil shortage, has recognized that sulfur in fuel requirements should be temporarily relaxed provided the outdoor air is monitored for sulfur dioxide levels and the state adopts and promotes meaningful fuel and energy conservation measures; and

Whereas, I am in possession of additional information which indicates that a shortage of No. 2 fuel oils for the heating of homes is likely to occur during the 1973-'74 heating season; and

Whereas, there is evidence that in order to meet New Jersey's needs for heating, electric generation and industrial fuels, it will be necessary to resort to the use of imported refined fuels and that such imported fuels are not normally refined to contain sulfur levels which meet New Jersey's standards; and

Whereas, under present New Jersey standards for sulfur in fuel oil of the type used in steam electric generating facilities and large industrial furnaces, it is a necessary practice to use substantial amounts of No. 2 fuel oil of the type normally used for residential heating; and

Whereas, a temporary relaxation of New Jersey's standards for sulfur in fuel during the period November 20, 1973 through March 15, 1974, will aid in preventing a fuel oil shortage for heating and electric power which could have a

very detrimental impact on the public health, welfare and economy; and

Whereas, allowing for the limited use of coal by public utilities may avert a shutdown of these vital facilities in the event of a severe shortage of fuel oils; and

Whereas, regulatory action taken by the State of New Jersey since 1968 to eliminate the threat to public health caused by sulfur dioxide in the outdoor air resulting from sulfur in fuels and from industrial manufacturing processes, has successfully reduced the concentration of sulfur dioxide in our air, in most areas of the state to levels well below that known to affect public health; and

Whereas, New Jersey's requirements for sulfur in fuel oil are more restrictive than the requirements of neighboring states (except New York City); and

Whereas, administration of the Federal mandatory fuel allocation program will be less complex if New Jersey's sulfur in fuel requirements are reasonably compatible with neighboring states; and

Whereas, it appears possible during the period of the predictable fuel oil shortage to allow for the limited burning of fuel oils or coal having a sulfur content greater than that prescribed in the New Jersey regulations in certain counties and under regulated conditions so as not to result in atmospheric sulfur dioxide concentrations which will be significantly in excess of levels known to be a threat to public health; and

Whereas, the air pollution monitoring system now operating in New Jersey is capable of continuously measuring and evaluating the level of sulfur dioxide in representative areas of the state; and

Whereas, relaxation of the sulfur in fuel requirements will increase the amount of fuel oil available and more particularly No. 2 type fuel oil used for residential heating; and

Whereas, there is no reliable data upon which to make judgment regarding the need for continuation of this relaxation of sulfur in fuel standards beyond the 1973-'74 heating season; and

Whereas, a public hearing was held on November 16, 1973 at the New Jersey State Museum Auditorium, 205 West State Street, Trenton after due public notice; and

Whereas, all testimony received at the public hearing has been carefully considered and in my opinion there was no compelling evidence supporting the need for amendment to the proposed order;

Now therefore, under the powers and duties conferred upon me by the New Jersey Administrative Procedure Act, N.J.S.A. 52:14B-4(c) and N.J.A.C. 15:15-4.18, et seq. which empowers the Commissioner of the Department of Environmental Protection to adopt, amend or repeal an administrative rule whenever the Commissioner determines that an imminent peril to public health, safety and welfare exists, I do hereby temporarily repeal the rules set forth in N.J.A.C. 7:27-9 and 7:27-10 (formerly Chapters 10 and 10-A of the New Jersey Air Pollution Control Code) and do hereby adopt the following rules:

#### SULFUR IN FUELS

##### N.J.A.C. 7:1-3.1 — Sulfur Content In Fuels

The provisions of N.J.A.C. 7:27-9 and 7:27-10 shall not apply on and after November 20, 1973 until and including March 15, 1974. On and after November 20, 1973 until and including March 15, 1974 the following provisions shall apply:

(a) No fuel merchant or coal merchant shall store, offer for sale, sell, deliver for use or exchange in trade

for use in New Jersey, and no person shall use, fuels which contain sulfur in excess of the percentages by weight set forth in the following table:

Fuel	Per Cent Sulfur By Weight	
	Class 1 County	Class 2 County
No. 2 and lighter grade fuel oils	0.3%	0.5%
No. 4 grade fuel oils	1.0%	1.0%
No. 5, No. 6 and heavier grade fuel oils	0.5%	1.0%
Crude oil	0.5%	1.0%
Bituminous coal	1.5%	1.5%
Anthracite coal	0.7%	0.7%
Coke	1.0%	1.0%

Class 1 Counties mean the counties of Bergen, Essex, Hudson, Union and Middlesex.

Class 2 Counties mean counties other than Class 1 Counties.

**N.J.A.C. 7:1-3.2 TEMPORARY VARIANCES FOR NO. 5, NO. 6 AND HEAVIER GRADE FUEL OILS, CRUDE OIL AND COAL**

(a) Any person responsible for the use of No. 5, No. 6 and heavier fuel oils, crude oil or coal who is unable to obtain an adequate supply of fuel containing sulfur equal to or less than the Percent Sulfur by Weight set forth in N.J.A.C. 7:1-3.1 may apply to the Commissioner of the Department of Environmental Protection for a temporary variance from any of the provisions of N.J.A.C. 27 (formerly New Jersey Air Pollution Control Code).

A request for a variance shall be by letter or telegram and shall provide the following information:

1. Name, address and nature of business
2. Designation of fuel burning unit
3. Type of fuel and amount normally burned per week
4. Number of days supply of conforming fuel on hand or available for use
5. Name and address of supplier(s)
6. Reasons given by supplier(s) for inability to deliver fuels meeting standards set forth in N.J.A.C. 7:1-3.1
7. Influences that a temporary variance would have on the capability of the fuel burning unit to comply with the provisions of N.J.A.C. 7:27-3 (formerly Chapter 4, New Jersey Air Pollution Code) Control And Prohibition Of Smoke From Combustion Of Fuel.
8. Influences that a temporary variance would have on the capability of the fuel burning unit to comply with the provision of N.J.A.C. 7:27-4 (formerly Chapter 5, New Jersey Air Pollution Control Code) Control And Prohibition Of Solid Particles From The Combustion Of Fuel.
9. The nature of actions which will be taken in the event of an air pollution alert, warning or emergency is proclaimed by the Governor in accordance with the provisions of N.J.A.C. 7:27-12 (formerly Chapter 12, New Jersey Air Pollution Control Code) Prevention And Control Of Air Pollution Emergencies.

**N.J.A.C. 7:1-3.3 Emergency temporary variances**

(a) The Commissioner may, upon application for a variance as provided in N.J.A.C. 7:1-3.2(a) authorize the applicant to use No. 5, No. 6 and heavier grade fuel oils or crude oil having a sulfur content not greater than 1.5 per cent in any Class 1 County or 3.0 per cent in any Class 2 County, or coal having a sulfur content not greater than 3.0 per cent in any Class 1 or Class 2 County, and the supplier(s) to store or to sell and deliver such fuel to persons in possession of a valid variance issued by the Commis-

sioner. Such authorization for a variance shall be subject to any and all conditions the Commissioner shall prescribe and no variance shall be issued to extend beyond March 15, 1974.

**N.J.A.C. 7:1-3.4 GENERAL PROVISIONS**

(a) All words and terms used in this order shall have the meanings as defined in N.J.A.C. 7:27-9 and 7:27-10.

(b) The provisions of N.J.A.C. 7:27-9 and 7:27-10 shall be in full force and effect on and after March 16, 1974.

(c) The requirements of this temporary order shall not preclude the use after March 15, 1974 of any fuel subject to this order on hand at the place of use on March 15, 1974.

An order adopting these rules was filed and effective November 21, 1973, as R.1973 d.326 (Exempt, Emergency Rule).

Richard J. Sullivan  
Commissioner  
Department of Environmental Protection

**(a)**

**ENVIRONMENTAL PROTECTION**

**THE COMMISSIONER**

**Proposed Revisions Concerning  
Lands, Waters and Facilities  
Under Jurisdiction of Bureau of Parks**

Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:8-20, proposes to revise the rules concerning lands, waters and facilities under the jurisdiction of the Bureau of Parks.

Full text of the proposed revisions follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

**7:2-2.8 Furred animals and pets**

(a) [Domestic] All furred animals or other pets are prohibited from bathing beaches and bathing waters and must be caged or kept on a leash (maximum length [seven] six feet) [and must be attended] and under immediate control of the owner at all times in areas where they are permitted.

(b) [Domestic] All furred animals or other pets [are not permitted in cabins, camp shelters, and leantos or on the bathing beaches or in the water] are prohibited in all overnight facilities, with the following exception: campers with a pet, seeking a family campsite and unaware of this restriction, may stay one night in a specific area designated by the officer-in-charge.

**7:2-2.17 Metal detectors**

The Use of metal detectors and similar devices is prohibited.

**SUBCHAPTER 7. CAMPING**

**Note: Repeal of Regulations**

All the provisions of Subchapter 7. concerning camping adopted October 21, 1971, by Commissioner Richard J. Sullivan are hereby repealed. The following revised regulations are proposed in their place:

**SUBCHAUTER 7. OVERNIGHT FACILITIES**

**7:2-7.1 Definition**

Overnight facilities are defined as and include all cabins, leantos, lodges, camp shelters, campsites and group campsites.

#### 7:2-7.2 Length of stay

The maximum length of stay per year by one person, family or group at any one park, forest or recreation area is 40 days.

#### 7:2-7.3 Maximum rental

Cabins, camp shelters, lean-tos, and the Belleplain lodge may not be rented for less than two days.

#### 7:2-7.4 Maximum occupancy

Not more than six persons may occupy a family campsite, lean-to or camp shelter unless they are all members of one family and specific permission is granted by the superintendent or officer-in-charge. (One family is defined as a man, wife and their children.)

#### 7:2-7.5 Group camping

(a) Group camping is restricted to areas specifically provided for this purpose.

(b) Not less than seven persons will be accepted as a group for use of group camping facilities.

(c) If group campsites are not available, during the period November 1 to March 31, groups may use up to 50 per cent of the available family campsites.

#### 7:2-7.6 Vehicle limit

Not more than two vehicles (including a trailer or tent trailer) may be parked at a campsite. Additional vehicles must be parked in a location designated by the superintendent or officer-in-charge.

#### 7:2-7.7 Visitors

Visitors at all overnight facilities will be permitted between the hours of 8:00 A.M. and 8:00 P.M. only. All visitors must pay the normal day use fees when passing toll booth to visit a facility.

#### 7:2-7.8 Wilderness campsites

Vehicles are prohibited at Lower Forge and Mullica River campgrounds at Wharton Forest and at the Wilderness campgrounds at Round Valley.

#### 7:2-7.9 Assignment

A permit and site number assignment is required prior to the camper occupying an overnight facility.

#### 7:2-7.10 Occupation of site

(a) All overnight facilities must be occupied by permittee as of the starting time and date indicated on the permit and must remain occupied by the permittee during the entire period of stay specified on the permit.

(b) The superintendent or officer-in-charge may have any and all equipment, on a site which has not been occupied for any consecutive 24-hour period or which is being used illegally for camping, inventoried, removed and stored until the owner is found. Payment of \$10.00 will be required from the owner before the equipment is returned.

(c) Each overnight facility must be occupied by at least one responsible person 18 years of age or older, and his or her name and address must be on file with the park, forest or recreation area office.

#### 7:2-7.11 Registration

Camper who wish to reregister for additional days must make a request before 10:00 A.M. on the expiration date of their permit. Requests will be granted provided they have not exceeded their maximum limit of stay and the site has not been reserved by another party prior to their request.

#### 7:2-7.12 Additional stay

All overnight facilities, whether occupied initially by reservation or on a first come first serve basis, are limited

to an initial length of stay of 14 days. Additional requested time will be granted at the end of this period in intervals of no more than seven days provided the maximum 40-day limit has not been exceeded and the site has not been previously reserved by another party.

#### 7:2-7.13 Reservations

(a) Overnight facilities are reservable for exactly seven or 14 days during the period June 15 through Labor Day.

(b) During the remainder of the year, overnight facilities may be reserved for a minimum of two to a maximum of 14 days.

(c) Application for reservation of cabins and camp shelters cannot be accepted or postmarked prior to January of the year in which facilities are to be used. All applications received from New Jersey residents will be acted upon on January 15 or the first working weekday thereafter. Applications from out-of-State residents will be acted upon on March 1 or the first working weekday thereafter.

(d) Applications for reservation of all other overnight facilities cannot be accepted or postmarked prior to November 1 of the year immediately preceding that in which the facility will be used. All these applications will be acted upon on November 15 or the first working weekday thereafter.

(e) A separate reservation application must be completed for each facility and period desired. Reservations are not in effect until confirmed.

(f) No telephone reservations will be accepted for any overnight facility.

(g) Not more than two non-consecutive reservations for overnight facilities may be in effect or use for any person or group at an individual park or forest at one time.

(h) A fee of \$2.00 (non-refundable) is charged for reserving any overnight facility.

(i) Full payment for the period requested (in addition to the reservation fee) must be submitted with each application for reservation of an overnight facility.

#### 7:2-11.2 North Brigantine

The use of beach buggies for the purpose of fishing is permitted at North Brigantine Natural Area provided they are operated only in designated areas on the open beach. Entry is permitted 24 hours a day year round. Driving on vegetation or on the sand dunes or behind the first or primary dune-vegetation line is prohibited.

7:2-15.29 (c) A limited number of seasonal boat storage spaces are available from April 1 through October 31 and a fee is charged for this storage. [Charges for each boat stored shall be at the rate of \$20.00 per season beginning April 1 through October 31]. Boat storage is not permitted from November 1 to March 31. [The area is only open weekends during the month of October]

#### 7:2-16.1 Special permits for Island Beach State Park

(a) 2. Beach buggy permits are available for a calendar year or for a 72-hour period. The 72-hour permits are limited to a total of 50 at any one time. Calendar-year permits are limited to a total of 550 in effect per year.

6. A beach buggy permit may be revoked, by the superintendent for the remainder of the calendar year in which issued and the right to apply for a permit for an additional period of three full calendar years may be revoked by the Director, Division of Parks and Forestry. [and] In addition a permittee may be prosecuted for violation of park regulations or New Jersey Statute law. No refunds are permitted when revocation occurs.

Note: The repeal or revision of regulations in Chapter 2, Subchapters 2, 7, 11, 15 and 16 shall not affect actions, proceedings or Departmental orders pending or outstanding on the effective date of the new regulation; said actions, proceedings or Departmental orders may be prosecuted, defended and continued in the same manner and to the same effect as if the new regulation had not been adopted.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 27, 1973, to:

Department of Environmental Protection  
Division of Parks and Forestry  
Post Office Box 1420  
Trenton, New Jersey 08625

The Department of Environmental Protection, upon its own motion or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

Richard J. Sullivan  
Commissioner  
Department of Environmental Protection

(a)

## ENVIRONMENTAL PROTECTION

### DIVISION OF MARINE SERVICES

### BOAT REGULATION COMMISSION

#### Proposed Revisions Concerning Reporting of Boating Accidents

The Boat Regulation Commission of the Division of Marine Services in the Department of Environmental Protection, pursuant to authority of N.J.S.A. 12:7-1 et seq., proposes to delete in its entirety the current text of N.J.A.C. 7:6-1.8 concerning the reporting of boat accidents and adopt new text in place thereof.

Full text of the proposed new rule follows:

(a) Pursuant to N.J.S.A. 12:7-34-36, 46 United States Code 1451, et seq. and 33 Code of Federal Regulations 1731.51 et seq., all boating accidents which result in the loss of life or the disappearance of a person from a vessel under circumstances that indicate death or injury or in which a person loses consciousness or receives medical treatment or is disabled for more than 24 hours, shall be reported to the New Jersey Marine Police within 48 hours. Such reports shall be in writing on forms furnished by the New Jersey Marine Police. In addition, the operator shall notify the nearest New Jersey Marine Police Station immediately by the quickest means available of the death of a person by a boating accident or of the disappearance of a person from a boat. When the operator cannot give the notice, each person on board shall be responsible for the notification or ascertaining that such notice has been given.

(b) If damage to the vessel and other property totals more than \$100.00, a written report shall be made within five days.

(c) Any person making any misstatement of fact in reporting a boating accident or giving a fictitious name or address shall be subject to the penalties prescribed in N.J.S.A. 12:7-34-51.

(d) This report shall include the following information:

1. The numbers and names of each vessel involved;
2. The name and address of each owner of each vessel involved;
3. The name of the nearest city or town, the county, the State and the body of water;
4. The time and the date of the casualty or accident;
5. The location on the water;
6. The visibility, weather, and water conditions;
7. The estimated air and water temperatures;
8. The name, address, age or date of birth, telephone number, vessel operating experience and boating safety training of the operator making the report.
9. The name and address of each operator of each vessel involved;
10. The number of persons on board or towed on skis by each vessel;
11. The name, address and date of birth of each person injured or killed;
12. The cause of each death;
13. Weather forecasts available to, and weather reports used by the operator before and during the use of the vessel;
14. The name and address of each owner of property involved;
15. The availability and use of personal flotation devices;
16. The type and amount of each fire extinguisher used;
17. The nature and extent of each injury;
18. A description of all property damage with an estimate of the cost of all repairs;
19. A description of each equipment failure that caused or contributed to the cause of the casualty;
20. A description of the vessel casualty or accident;
21. The type of vessel operation (cruising, drifting, fishing, hunting, skiing, racing or other), and the type of accident (capsizing, sinking, fire, or explosion or other);
22. The opinion of the person making the report as to the cause of the casualty;
23. The make, model, type (open cabin, house or other), beam width at widest point, length, depth from transom to keel, horsepower, propulsion (outboard, inboard, inboard outdrive, sail or other), fuel (gas, diesel or other) construction (wood, steel, aluminum, plastic, fiberglass or other), and year built (model year), of the reporting operator's vessel.
24. The name, address and telephone number of the witness;
25. The manufacturer's hull identification number, if any of the reporting operator's vessel;
26. The name, address and telephone number of the person submitting the report.

(e) The foregoing regulation will become effective January 1, 1974.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 26, 1973, to:

Division of Marine Services  
Department of Environmental Protection  
John Fitch Plaza  
Trenton, New Jersey 08625

The Department of Environmental Protection, upon its own motion or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

Richard J. Sullivan  
Commissioner  
Department of Environmental Protection

(a)

**ENVIRONMENTAL PROTECTION**  
**DIVISION OF ENVIRONMENTAL QUALITY**  
**BUREAU OF AIR POLLUTION CONTROL**

**Notice of Public Hearing—New Jersey State Implementation Plan to Achieve National Air Quality Standards for Photochemical Oxidants and Carbon Monoxide, to include Control and Prohibition of Air Pollution from Volatile Organic Substances.**

Take notice that the New Jersey Department of Environmental Protection, Division of Environmental Quality, will hold public hearing on control strategies designed to achieve national air quality standards for photochemical oxidants and carbon monoxide, to include control and prohibition of air pollution from volatile organic substances.

This hearing is authorized and will be held in accordance with Federal Register (Vol. 36, No. 158, dated August 14, 1971) and New Jersey Air Pollution Control Act (1954), as amended by Chapter 106, P.L. 1967.)

Hearing will be held:

January 7 (and 8, if day's testimony not completed), 1974 - 9:30 A.M. - 4:30 P.M. Room 212, 1100 Raymond Boulevard, Newark, New Jersey.

January 18, 1974 - 9:30 A.M., Law School Room 106, Corner 5th and Pennsylvania, Rutgers University, Camden, New Jersey.

Copies of proposal will be available for inspection from approximately December 15, 1973, until January 7, 1974, at:

Warren County Health Department  
151 West Washington Avenue  
Washington, New Jersey 07882

New Jersey Bureau of Air Pollution Control  
Metropolitan Field Office  
25 Route 22  
Springfield, New Jersey 07081

Atlantic County Health Department  
1200 Harding Highway  
Mays Landing, New Jersey 08330

New Jersey Bureau of Air Pollution Control  
Southern Field Office  
5635 Westfield Avenue  
Pennsauken, New Jersey 08110

New Jersey Bureau of Air Pollution Control  
Room 1108, Labor & Industry Building  
John Fitch Plaza  
Trenton, New Jersey 08628

All testimony offered to the Department orally or in writing at the hearing will be considered. Also, all testimony offered to the Department in writing and received by the Department within thirty (30) days of conclusion of hearing will be considered.

This Notice is published as a matter of public information.

John K. Rafferty  
Director of Administrative Procedure  
Department of State

(b)

**ENVIRONMENTAL PROTECTION**  
**THE COMMISSIONER**

**Extension of Wetlands Order**  
**To Cover Portions of Cape May County**

On November 19, 1973, Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:9A-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a rule which extended the coverage of the Wetlands Order to certain portions of Cape May County, as proposed in the Notice published August 9, 1973, at 5 N.J.R. 260(b).

Such rule may be cited as N.J.A.C. 7:7A-1.1(a)12.

An order adopting this rule was filed November 20, 1973, as R.1973 d.324 to become effective December 14, 1973.

John K. Rafferty  
Director of Administrative Procedure  
Department of State

(c)

**HEALTH**  
**THE COMMISSIONER**

**Proposed Revision Concerning Policy on Skilled Nursing and Intermediate Care Beds**

James R. Cowan, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and with the approval of the Health Care Administration Board, proposes to revise N.J.A.C. 8:33-1.11 concerning the policy on skilled nursing and intermediate care beds.

Full text of the proposed rules follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

**8:33-1.11 Policy on skilled nursing and intermediate care beds**

Effective immediately and until [March 31] **September 30, 1974**, certificates of need shall not be issued to health care facilities requesting additional skilled nursing or intermediate care beds, or proposing to construct new facilities to accommodate skilled nursing or intermediate care beds.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 26, 1973, to:

Arthur E. Brown  
Assistant Commissioner for Health Facilities  
State Department of Health  
John Fitch Plaza  
Trenton, New Jersey 08625

The Department of Health, upon its own motion or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

James R. Cowan  
Commissioner  
Department of Health

(a)

## HEALTH

### THE COMMISSIONER

#### Proposed Rules Concerning Production, Handling, Storage, Transporting, Display and Sale of Frozen Foods

James R. Cowan, Commissioner of Health, pursuant to authority of N.J.S.A. 24:2-1, proposes to adopt new rules governing the production, handling, storage, transporting, display and sale of frozen foods.

Full text of the proposed rules follows:

#### SUBCHAPTER 11. RULES AND REGULATIONS GOVERNING THE PRODUCTION, HANDLING, STORAGE, TRANSPORTING, DISPLAY AND SALE OF FROZEN FOODS

##### 8:21-11.1 Definitions

The following definitions shall apply in the interpretation of these rules.

"Accessible" means easily exposed for cleaning and inspection with the use of simple tools, such as those normally used by maintenance personnel.

"Air temperature" means the equilibrated temperature of the air environment in question.

"Break-up room" means any area, or space within a warehouse used for the purpose of organizing cased frozen food into lots for individual consignment on route delivery.

"Carrier" means any person, firm or corporation, operating or offering to operate a vehicle for the purpose of transporting frozen food.

"Display cases" means any case, cabinet or other facility, used for displaying frozen food for sale.

"Food product zone" means those surfaces with which food is normally in contact and those surfaces with which food may come in contact during processing, conveying, holding, refrigeration and packing, and which may drain onto product contact surfaces or into the product.

"Freezing cycle" means lowering of the internal product temperature of a food product to a temperature of 0°F. or lower.

"Frozen food" means any article used for food or drink for man, or other animals;

1. Which is processed;
2. Which is packaged and preserved by freezing in accordance with good commercial practices; and
3. Which is intended for sale in the frozen state. This excludes frozen desserts as defined in Chapter 10, Title 24, N.J.S.A.

"Frozen food plant" means a commercial establishment in which food is processed, packaged and preserved by freezing in accordance with good sanitary practices and which is intended for sale in the frozen state. This is exclusive of frozen desserts as defined in Chapter 10, Title 24, N.J.S.A.

"Internal product temperature" means the equilibrated product temperature of frozen food.

"Operator" means any person, firm or corporation, operating or maintaining a frozen food plant, warehouse or retail food establishment for the purpose of commercially preparing, storing, distributing and sale of frozen food.

"Readily (or easily) accessible" means easily exposed without the use of tools, for cleaning and inspection.

"Readily removable" means that component part shall

be capable of being separated from the principal part without the use of tools.

"Ready to eat frozen food" means a frozen food product which has been factory processed to the point at which it is ready for use as a food, and may or may not require further heating before use.

"Removable" means that a component part shall be capable of being separated from the principal part with the use of simple tools such as those normally used by maintenance personnel.

"Retail food establishment" means any fixed or mobile restaurant; coffee shop; cafeteria; short-order cafe; luncheonette; grill; tearoom; sandwich shop; soda fountain; tavern; bar; cocktail lounge; night club; roadside stand; industrial feeding establishment; private, public or non profit organization or institution serving food; catering kitchen; commissary; box lunch establishment; retail bakery; meat market; delicatessen; grocery store; public food market or similar place in which food or drink is prepared for retail sale or for service on the premises or elsewhere; and any other retail eating or drinking establishment or operation where food is served, handled or provided for the public with or without charge.

"Retail outlet" means any building, room or parts thereof where the sale of frozen food to the public is conducted.

"Route delivery" means the transportation of frozen food with frequent stops for partial unloading.

"Sale" means any and every transaction including the dispensing, giving, delivering, serving, exposing, storing or any other possessing of frozen food wherein frozen food is subject to transfer to another person.

"Storage room or facility" means any area or space, within a warehouse or retail food establishment used for the purpose of storing frozen food.

"Transportation" means the physical movement, or the acceptance for physical movement of frozen food by a carrier.

"Vehicle" means any van, truck, trailer, automobile, wagon, ship, barge, freight car, airplane or other means of transporting frozen food.

"Warehouse" means any structure, room or part thereof, used for the purpose of storing commercially manufactured frozen food, and as further defined in 24:9-21(b), N.J.S.A.

##### 8:21-11.2 Frozen food

(a) All frozen food shall be held at an air temperature of 0°F. or lower except for defrost cycles, loading and unloading, or for other temporary conditions beyond the immediate control of the person or company under whose care or supervision the frozen food is held; provided, that only those frozen foods destined for repackaging in smaller units may be defrosted for such purposes in accordance with good sanitary and food handling practices.

(b) The internal product temperature of frozen food shall be maintained at 0°F. or lower except when the product is subjected to the above mentioned conditions; then the internal product temperature shall not exceed 10°F., and such product shall be returned to 0°F. as quickly as possible.

1. Internal product temperature for any case of frozen food shall be determined in accordance with the following procedure:

i. Only when an accurate determination of internal product temperature fails without sacrifice of packaged frozen food, shall representative packages or units be opened to allow for inserting the sensing element for temperature measurement to the approximate center of the packages in question.

2. Internal product temperature of consumer packages

of frozen food shall be determined in accordance with the following procedure:

i. Open the top of the case and remove two corner packages.

ii. With an ice pick or similar tool punch a hole in the case from the inside. Do not use the stem of the thermometer.

iii. This hole is positioned so that, when the thermometer stem is inserted from the outside, it fits snugly between packages.

iv. Insert the thermometer stem about three inches. Replace the two packages. Close the case and place a couple of other cases on top to assure good contact on the sensing portion of the thermometer stem.

v. After five minutes, read the temperature.

3. Thermometers or other temperature measuring devices shall have an accuracy of + or - 2°F.

(c) This Code shall not apply nor be deemed to apply to articles subject to the provision of Chapter 10, Title 24, N.J.S.A. and regulations promulgated thereunder relating to frozen desserts.

#### 8:21-11.3 Foods for freezing

(a) Raw products for use in frozen foods shall be harvested at optimum maturity, then delivered promptly to the plant, where they shall be prepared for freezing, frozen and packaged (or placed in proper bulk storage) with all reasonable speed. Similarly, frozen products to be used as ingredients in preparing frozen foods shall be of best quality for the intended purpose, handled at temperatures below 0°F. or lower at all points and only permitted to thaw for the time and extent necessary for their incorporation into the end product, consistent with sanitary manufacturing practice.

(b) Similar care shall be used by processors without freezing facilities in moving prepared or packaged product to refrigerated warehouses for freezing.

(c) Where processor has his own freezer and warehouse, product shall leave the warehouse at 0°F. or lower.

(d) In the movement from processor, who freezes but does not have sufficient warehouse space to complete freezing, the product shall leave the plant without delay at 10°F. or lower, in an insulated and refrigerated vehicle. Such movement to the warehouse for reduction of temperature to 0°F. or lower shall not exceed eight hours.

(e) Product temperature shall be reduced to 0°F. or lower without delay upon reaching the warehouse.

(f) Frozen food establishments shall be operated in compliance with Chapter XV, Title 24 of the Revised Statutes of New Jersey.

#### 8:21-11.4 Operating practices for the commercial manufacture of frozen food

(a) Regarding the handling and storage of materials, the following rules apply:

1. Food: All food ingredients received at the plant shall be wholesome. Storage shall be in rooms completely separate from food preparation and processing operations. Storage conditions shall preclude contamination from rodents, insects and other sources. Temperature or storage shall be in accordance with the following practices:

i. Ingredients requiring refrigeration shall be stored at an air temperature of 40°F. or lower;

ii. Frozen ingredients shall be stored at an air temperature of 0°F. or lower.

2. Packaging materials: Storage shall be in rooms completely separate from food preparation and processing operations. Conditions of storage shall preclude contamination from rodents, insects and other sources.

3. General housekeeping: Plant and premises shall be

maintained so as to present a neat and orderly appearance at all times.

(b) Rules concerning personnel hygiene include the following:

1. The services of an employee with any open sore on an exposed portion of the body or one afflicted with an infectious or contagious disease shall not be used. Provided that, services of employees with finger cuts, or with bandages, finger cuts and similar type coverings may be utilized on the condition that said employees wear rubber gloves. Any employee with an upper respiratory infection shall be assigned duties outside of the areas of food preparation, processing and packaging.

2. Visitors to food preparation, processing and packaging areas shall comply with employee requirements and such visits by unauthorized persons shall be restricted.

3. Practices for employees handling unpackaged food are:

i. Employees shall wear head covering and shall keep clothing in a clean condition consistent with the duty being performed.

ii. Before beginning work, after each absence from post of duty, and after contact with non-sanitized surfaces, each employee shall:

(1) Wash hands with liquid or powdered soap and warm water dispensed from a foot or elbow operated device;

(2) Rinse hands in chlorinated spray or other approved sanitizing agent;

(3) Dry hands with single-service towels.

iii. Minimize hand contact with food products.

iv. The use of a common dip bowl or tank is prohibited.

v. In the event that rubber gloves are used, they shall be cleaned and sanitized in accordance with hand washing specification in this paragraph.

vi. Using tobacco in any form, chewing gum or eating in rooms where food products are stored, handled or prepared shall not be permitted.

(c) Rules concerning plant and equipment-sanitation include the following:

1. Plant and equipment shall be clean when put into service.

2. All floors, tables, splash boards, work surfaces, equipment and utensils shall be cleaned and sanitized at the close of each shift. Critical areas and all food contact surfaces shall be cleaned and sanitized at least once during each shift.

3. Equipment such as pipes, pumps, fillers and valves shall be dismantled for cleaning and sanitizing; provided that effective in-place cleaning and sanitizing methods acceptable to the department may be used.

4. A thorough rinse with potable water shall follow any sanitizing operation that has been completed with a chemical sanitizing agent.

(d) Rules concerning preparation and processing include the following:

1. Fans, blowers or air cooling systems shall not move air from raw material or preparation rooms into processing rooms.

2. Only cleaned, prepared raw materials shall be introduced into areas where frozen pre-cooked foods are cooked and subsequently handled in processing operations.

3. Preparatory operations feeding to the packing line shall be so timed to permit expeditious handling of consecutive packages in production and under conditions to prevent contamination, loss of quality or spoilage.

4. When batter, egg wash or milk wash is an ingredient, it shall be maintained at a product temperature not to exceed 45°F. Cracked or flaked ice used to refrigerate batters shall meet bacterial standards for potable water. Batter remaining in machines and equipment at clean-up time which may leave a toxic residue shall be discarded.

5. Breeding materials that have come in contact with batter and have been removed by screening shall be discarded.

6. Food ingredients or mixtures that are capable of supporting rapid bacterial growth shall be maintained either at a product temperature above 140°F or below 45°F.

7. Cooked food such as meat, poultry, sauces and gravies shall be:

i. Refrigerated and incorporated into the finished product within one hour following preparation;

ii. Refrigerated within 30 minutes following preparation at an air temperature of 40°F. or less if the product is to be held from one to eight hours after preparation;

iii. Refrigerated within 30 minutes following preparation such that the internal temperature of the food product will be 45°F., or lower, within two hours of refrigeration if the food product has been comminuted, sliced or is a liquid, and if the food is to be held more than eight hours. Large solid food components such as those that must be cooled before slicing shall be refrigerated at an air temperature of 40°F. or lower.

8. Trays, pans or other containers of ingredients destined for incorporation into the finished product shall be protected with a clean cover unless these ingredients are used within 30 minutes of preparation. The cover shall not be of porous material.

9. Permanently legible code marks shall be placed on each immediate container or package at time of packing. Such code marks, as devised by management, shall include date of packing and establishment where packed.

10. The package product shall be placed in the freezer within 30 minutes of packaging. Placement of packages in cases before freezing is prohibited.

11. Refuse from the food operations shall be promptly placed in containers that are prominently marked "REF-USE" and equipped with lids. The handling of refuse shall be done in such a manner as not to constitute a nuisance. All refuse shall be removed from the premises on a daily basis and in such a manner as not to contaminate food products being manufactured within the plant. Refuse containers shall be thoroughly cleaned immediately after each emptying.

(e) Rules concerning in-plant freezing include the following:

1. During the freezing cycle products shall be cooled to 50°F. or lower within two hours and to 0°F. or lower within 36 hours.

2. Products shall be frozen by methods satisfactory to the State Department of Health.

3. The freezer shall be pre-cooled to an air temperature of 0°F. before loading. However, during loading, the freezer may rise to temperatures above 0°F. for short periods of time.

4. If cold air is used as the freezing medium, the product shall be arranged by staggering the individual items or by employing dunnage, spacers or other suitable methods to permit satisfactory circulation of cold air around the products. Also, the cold air shall be circulated by a positive method; natural air circulation is not satisfactory.

5. The freezer and associated equipment used for handling the product shall be maintained in a clean and sanitary condition at all times.

6. An indicating or recording instrument shall be used to measure the temperature of the cooling medium (that is, air, liquid, refrigerated plates or pipe coils).

7. Packaged items are to be frozen in a manner that will result in a minimum amount of bulging or distortion.

8. After the freezing cycle the frozen product shall be transferred to a storage facility without delay.

#### 8:21-11.5 Transportation

(a) Rules concerning equipment include the following:

1. Transportation vehicles shall be equipped:

i. With a combination of insulation and mechanical refrigeration system, or other refrigeration methods or facilities, capable of maintaining an air and product temperature of 0°F., or lower, while loaded with any frozen food; and

ii. With a thermometer or other appropriate means of temperature measurement indicating air temperature inside the vehicle. The dial or reading element of the thermometer shall be mounted on the outside of the vehicle

2. Vehicles used for route delivery shall comply with all equipment provisions herein specified for vehicles of transportation and shall be equipped with curtains or flaps in the doorway area, or with port doors, to maintain refrigeration during stops.

(b) Rules concerning handling practices for over-the-road transportation include:

1. Vehicles shall be pre-cooled to an air temperature of 20°F. or lower before loading.

2. Frozen food shipments shall not be accepted for transportation when the internal product temperature exceeds 0°F. except as provided in Section B. 1. a.

3. Frozen food shall be loaded within a vehicle of transportation to provide for free circulation of refrigerated air at the front, rear, top, bottom and both sides of the load, except for vehicles of envelope type construction wherein refrigerated air circulates within walls of said vehicles.

4. The mechanical refrigerating unit of vehicles shall be turned on and doors or vehicles shall be kept closed during any time interval when loading or unloading operations cease.

5. The average product temperature of any shipment of frozen food shall be determined during loading and unloading by temperature readings prescribed in Section B. 1. b(2).

(c) Rules concerning handling practices for route delivery include the following:

1. In addition to all provisions specified in subsection (b) of this Section, the following provisions shall be met:

i. Each lot for individual consignment shall be refrigerated by means of mechanical refrigeration, dry ice or by any other means capable of maintaining an air and product temperature of 0°F., or lower, except as provided in Section B. 1. a. and b.

ii. Insulated containers shall be pre-cooled to a temperature of 20°F., or lower, before being loaded with frozen food; and

iii. Doors of vehicles shall be kept closed during any time interval that loading or unloading operations cease.

(d) Rules concerning sanitary provisions include the following:

1. All interior surfaces of vehicles and devices used for transporting frozen food shall be clean and odor-free before being loaded with frozen food.

2. Frozen food shall be securely packaged or wrapped in a sanitary manner before being accepted for transportation.

#### 8:21-11.6 Warehousing

(a) Rules concerning equipment include the following:

1. Each warehouse shall be equipped with suitable mechanical refrigeration capacity to maintain, under extreme outside temperature and peak load conditions, an air temperature of 0°F. or lower.

2. Each storage room and part thereof shall be maintained at an air temperature of 0°F. or lower.

3. Each storage room shall be equipped with a thermo-

meter or other temperature measuring device which is easily visible.

i. The sensing element of thermometers and other temperature measuring and recording devices shall be located not more than six feet or less than five feet from the floor and not in a direct blast of refrigerated air or near entrance doors. When indicating thermometers only are used they shall be read and recorded at least once every 24 hours during each calendar day.

(1) Recording thermometers equipped with charts shall have a chart perforator. Charts so used shall designate an operating range of at least 10° above and 10° below 0°F. in graduations of one degree.

(2) The use of electric or hand wound clocks, as well as 24-hour or seven-day charts, for recording thermometers shall be optional at the operator's discretion.

ii. Each chart, or record of observed temperatures, shall be dated showing the time interval covered thereby and shall be kept on file for a period of at least one calendar year.

4. Each breakup room shall be maintained at a temperature not to exceed 20°F. Such room shall not be used for storage of food.

(b) Rules concerning handling practices include the following:

1. The operator of a warehouse shall not accept custody of a lot or shipment of frozen food if internal product temperature exceeds 0°F., except as provided in Section B. 1. a. and B. 1. b. of these regulations and such exception is duly recorded.

i. Notwithstanding this prohibition, custody of lots with an internal product temperature in excess of 10°F. may be accepted by the operator on request of the owner of said lot, provided said foods are detained from sale and the temperature of such product is promptly returned to and maintained at 0°F. or lower for the purpose of maintaining residual quality pending chemical, bacteriological or organoleptic examination.

2. Labeling and coding:

i. Before a lot of frozen food is placed in storage, it shall be marked or stamped with a code for effective identification.

ii. Before a lot of frozen foods is placed in a licensed refrigerated warehouse it shall be marked or stamped with a code for effective identification as required under N.J. S.A. 24:9-24, and 24: 9-26 to 33 inclusive.

3. Frozen food in storage shall be placed on pallets, racks or skids and shall be stored no closer than 18 inches to the ceiling and otherwise stored so as to permit free circulation of refrigerated air.

4. Frozen food shall be stored under good sanitary conditions that preclude injury and contamination from, or to, other food held within the warehouse.

5. During the defrosting of overhead coils in storage rooms, stacks of frozen food shall be effectively protected from contamination by condensation, drip or leakage.

6. Break-up rooms shall not be used for storage.

7. At time of removal from warehouse custody, the internal product temperature of frozen food shall not exceed 0°F.

8. All refrigerated warehouses as defined in N.J.S.A. 24:9-21(b) shall be licensed under provisions contained in N.J.S.A. 24:9-22.

(c) Rules concerning sanitary provisions include the following:

1. Floors, walls and ceiling of a warehouse shall be maintained in a good sanitary condition.

2. Premises of a warehouse shall be maintained in a sanitary condition.

3. Toilet, hand-washing and dressing room facilities:

i. Warehouses shall have water-flush toilets so located as to be convenient to employees. Toilet room or rooms shall be well lighted and ventilated and shall be maintained in a sanitary condition. The doors of all toilet rooms shall be full-length and self-closing.

ii. Adequate hand-washing facilities, including hot and cold or warm running water, powdered or liquid soap in a suitable dispenser, and single service towels, shall be provided in or adjacent to all toilet rooms. The use of a common towel is prohibited. Washrooms shall be well lighted and ventilated and shall be maintained in a sanitary condition.

iii. Warehouses shall have a dressing room or rooms for the changing and hanging of wearing apparel. If individual lockers are provided, they shall be well vented and maintained in a clean, sanitary condition and shall be free from disagreeable odors. The dressing room or rooms shall be adequately lighted and ventilated and shall be maintained in a clean, sanitary condition.

4. All warehouses in which frozen foods are stored shall comply with the provisions of N.J.S.A. 24:1 et seq.

#### 8:21-11.7 Retail

(a) Rules concerning equipment include the following:

1. Each storage facility shall be equipped with suitable mechanical refrigeration capacity to maintain, under extreme outside temperature and peak load conditions, an air temperature of 0°F. or lower.

2. When storage facilities of the cabinet type are used:

i. They shall be defrosted as frequently as necessary to maintain refrigeration efficiency specified; and

ii. They shall be equipped with a thermometer indicating a representative air temperature.

3. When storage facilities of the walk-in freezer type are used:

i. Frozen food in storage shall be on pallets, racks, or skids and shall be stored no closer than 16 inches to the ceiling and otherwise stored so as to permit free circulation of refrigerated air.

ii. They shall be equipped with a thermometer, the sensing element of which shall be located within the upper third of the distance between floor and ceiling. Said sensing elements shall not be placed in a direct blast of air from cooling units, cooling coils, and heat exchange devices, or near the entrance door; and

iii. They shall be equipped with an automatic mechanism for defrosting refrigerated coils when forced air blower type of refrigeration is used.

4. All frozen food display cases shall be designed, constructed, and equipped with mechanical refrigeration facilities capable of maintaining an air temperature of 0°F. or lower.

5. Frost on refrigerator coils and in air passages of display cases shall be removed as frequently as necessary to maintain refrigeration efficiency specified in subsection G. 1. d.

6. Each display case shall be equipped with a thermometer, the sensing element of which shall be located in an appropriate place within the path of refrigerated air being returned to the coils.

7. The product load line shall be designated by a distinctive line at inside terminal ends of each display case, and such lines shall be at the highest point of discharge and return of refrigerated air.

8. Each display case shall be equipped with separators to provide false walls located a minimum of one-half inch from terminal ends to provide for free circulation of refrigerated air between said terminal ends and displayed product.

9. All display cases in a retail outlet shall be so placed as to be relatively free:

- i. Of air currents resulting from door drafts, electric fans and other factors that adversely deflect the current of refrigerated air within the display case; and
- ii. Of heat elements such as lights, heating units and related devices that tend to raise the temperature of refrigerated air within the display case.

(b) Rules concerning handling practices include the following:

1. Frozen food shall not be accepted for delivery by a retail outlet when the internal product temperature exceeds 0°F., except as provided in Section B. 1. a. and B. 1. b. of these regulations, and such exceptions are duly recorded.

2. All frozen food received at a retail outlet shall be immediately placed in a storage facility or display case.

3. Each retail outlet shall be equipped with storage facilities of sufficient cubic displacement to accommodate the storage of frozen food.

4. Frozen food shall not be placed above the product food lines within any display case.

5. All frozen food in retail outlet shall be stored, and displayed under good sanitary conditions.

(c) Regarding the labeling of thawed foods, frozen foods which have been thawed under controlled conditions such as below 45°F. or in cracked ice, may be sold, provided, the foods so offered are labeled or placarded: "This food was previously frozen and thawed, should be treated as a fresh product for immediate consumption, should not be refrozen." Frozen foods thawed under controlled conditions under which the elevated temperature and time element are unknown, shall not be offered for sale. Bread, rolls, plain cake and similar type foods the wholesomeness of which would not be adversely affected by refreezing may be exempted upon specific request to and approval of the State Department of Health.

(d) Regarding compliance, all retail food establishments which handle frozen foods shall comply with the provisions of Chapter XII of the New Jersey State Sanitary Code.

#### 8:21-11.8 Labeling

Frozen foods in packaged form shall be labeled in accordance with provisions contained in N.J.S.A. 24:5-17.

#### 8:21-11.9 Penalties

Any person who shall violate any provision of these regulations or who shall refuse to comply with a lawful order or direction of the department or health authority shall be liable to penalties as provided by law or an injunctive action as provided by law, or both.

A public hearing respecting the proposed action will be held on January 22, 1974, at 10 A.M. in the auditorium of the Health-Agriculture Building, John Fitch Plaza, Trenton, New Jersey, at which time interested persons may present statements or comments.

Interested persons may also present statements or arguments in writing relevant to the proposed action on or before January 22, 1974, to:

Donald S. Kwalick, M.D.

Assistant Commissioner for Community Health Services  
State Department of Health

Post Office Box 1540

Trenton, New Jersey

The Department of Health, upon its own motion or at the instance of any interested party, may thereafter adopt these rules substantially as proposed without further notice.

James R. Cowan

Commissioner

Department of Health

(a)

## HEALTH

### THE COMMISSIONER

#### Proposed Revisions to Manual of Standards For Intermediate Care Facilities

James R. Cowan, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and with the approval of the Health Care Administration Board, proposes to revise the manual of intermediate care facilities. The revised manual, if adopted, will be included in the new Chapter 37 of Title 8 in the New Jersey Administrative Code.

The proposed revisions concern the quality and quantity of care, criteria for level of care, definitions, patient activities, social services and general revisions.

The full text of approximately 40 pages of revisions may be obtained from:

Arthur E. Brown

Assistant Commissioner for Health Facilities

State Department of Health

John Fitch Plaza

Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 26, 1973 to the Department of Health at the above address.

The Department of Health, upon its own motion or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

James R. Cowan

Commissioner

Department of Health

(b)

## HEALTH

### THE COMMISSIONER

#### Emergency Rule Concerning Control of Mecloqualone

On November 20, 1973, James R. Cowan, Commissioner of Health, pursuant to authority of N.J.S.A. 24:21-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an emergency rule concerning the control of Mecloqualone.

Full text of the rule follows:

#### 8:65-10.1(a)4. Mecloqualone

i. Any material, compound, mixture, or preparation which contains any quantity of the following substance having a depressant effect on the central nervous system:

(1) Mecloqualone, its salts, derivatives, homologues and analogues; or

(2) Salts of its homologues, analogues and derivatives.

The above rule is an interim emergency rule until such a time as a public hearing is conducted respecting this action. A public hearing with respect to making this rule a permanent rule will be held on Friday, December 28, 1973, at 10:00 A.M. in Room 805, Health-Agriculture Building, John Fitch Plaza, Trenton, New Jersey.

Interested persons may also present statements or arguments in writing relevant to the proposed action on or before December 27, 1973, to:

Robert B. Stites, Director  
Division of Narcotic and Drug Abuse Control  
State Department of Health  
109 West State Street  
Trenton, New Jersey 08625

An order adopting this rule on an interim emergency basis was filed and effective November 20, 1973, as R.1973 d.325 (Exempt, Emergency Rule).

John K. Rafferty  
Director of Administrative Procedure  
Department of State

(a)

## INSTITUTIONS AND AGENCIES

### THE COMMISSIONER

#### Proposed Interim State Plan For Service Programs

Maurice G. Kott, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:1-11, proposes to adopt an Interim State Plan for Services Programs under Titles I, IXA, X and XIV of the Social Security Act.

The proposed plan concerns public agencies and services purchased from each, public assistance allowances (ADC Program), public assistance allowances (Working Poor Program), staff development and services to additional families or individuals.

Copies of the full text of 15 pages of the Interim State Plan may be obtained from:

Division of Youth and Family Services  
One South Montgomery Street  
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 26, 1973 to the Department of Institutions and Agencies, Division of Youth and Family Services, at the above address.

The Department of Institutions and Agencies, upon its own motion or at the instance of any interested party, may thereafter adopt this plan substantially as proposed without further notice.

Maurice G. Kott  
Acting Commissioner  
Department of Institutions and Agencies

(b)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Proposed Manual for Chiropractic Services

Maurice G. Kott, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to adopt a new manual for chiropractic services.

The proposed manual concerns the provisions of chiropractic services to eligible recipients of the New Jersey

Health Services Program and outlines definitions, general policies and procedures for authorization and eligibility for billing to obtain reimbursement under the New Jersey Health Services Program.

Such rules, if adopted, will be included in the new Chapter 66 in Title 10 of the New Jersey Administrative Code.

Copies of the full text of the proposed manual totaling 28 pages may be obtained from:

Administrative Analyst  
Division of Medical Assistance and Health Services  
324 East State Street  
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 27, 1973, to the Division of Medical Assistance and Health Services at the above address.

The Department of Institutions and Agencies, upon its own motion or at the instance of any interested party, may thereafter adopt this manual substantially as proposed without further notice.

Maurice G. Kott  
Acting Commissioner  
Department of Institutions and Agencies

(c)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Proposed Rules Concerning Abortions

Maurice G. Kott, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to adopt new rules concerning abortions.

Full text of the proposed rules follows:

#### 10:49-1.23 Abortions

(a) Abortion procedure(s) are reimbursable under the New Jersey Health Services Program when performed by a qualified physician when, in his best clinical judgment, he has established that an abortion is medically indicated and when the abortion procedure is performed in the out-patient or in-patient department of a hospital licensed as a general hospital and certified as a Medicaid provider, or in a licensed independent clinic certified as a Medicaid provider.

(b) Reimbursement shall be pursuant to reimbursement formulae established by the Commissioner of the Department of Institutions and Agencies.

Interested persons may present statements or arguments in writing relevant to the proposed rules on or before December 27, 1973, to the Division of Medical Assistance and Health Services to:

Administrative Analyst  
324 East State Street  
Trenton, New Jersey 08625

The Department of Institutions and Agencies, upon its own motion or at the instance of any interested party, may thereafter adopt these rules substantially as proposed without further notice.

Maurice G. Kott  
Acting Commissioner  
Department of Institutions and Agencies

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Proposed Manual for Psychological Services

Maurice G. Kott, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to adopt a new manual for psychological services.

The proposed manual concerns the provisions of psychological services to eligible recipients of the New Jersey Health Services Program and cites definitions, general policies and procedures for authorization and eligibility for billing to obtain reimbursement under the New Jersey Health Services Program.

Such rules, if adopted, will be included in the new Chapter 67 in Title 10 of the New Jersey Administrative Code.

Copies of the full text of the 30 pages of the proposed manual may be obtained from:

Administrative Analyst  
Division of Medical Assistance and Health Services  
324 East State Street  
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 27, 1973, to the Division of Medical Assistance and Health Services at the above address.

The Department of Institutions and Agencies, upon its own motion or at the instance of any interested party, may thereafter adopt this manual substantially as proposed without further notice.

Maurice G. Kott  
Acting Commissioner  
Department of Institutions and Agencies

(b)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Rule Concerning Factoring

On October 30, 1973, Maurice G. Kott, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a rule concerning the prohibition of factoring and uniform claim forms, substantially as proposed in the Notice published June 7, 1973, at 5 N.J.R. 188(b), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Institutions and Agencies.

These substantive changes involve the addition of the words "Uniform claim forms" to the title of this new rule and the deletion of the words "if written" from the last sentence of the proposed text of the rule.

Such rule may be cited as N.J.A.C. 10:49-1.22.

An order adopting this rule was filed and effective November 1, 1973, as R.1973 d.313.

John K. Rafferty  
Director of Administrative Procedure  
Department of State

(c)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Revisions Concerning Income Standard For Eligibility for Long Term Medical Care

On November 12, 1973, Maurice G. Kott, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6, 44:10-3 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted emergency revisions to N.J.A.C. 10:82-4.3 concerning the income standard for eligibility for long term medical care.

Full text of the adopted revisions follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

**10:82-4.3(b) An adult whose physical condition is such as to require care in one of the above institutions shall be eligible for such care through the Medicaid program when his total monthly income does not exceed \$510.00.**

[(b)] (c) When an eligible adult is receiving purchased care in one of the above institutions, a personal allowance shall be recognized by the County Welfare Board on such individual's PA-3A form. Payments for these costs shall be made in the following order:

1. From resources of the eligible adult, if any;
2. By actual money payment.

[(c)] (d) The personal allowance shall be \$9.00 per month plus an amount for clothing as required, not to exceed \$132.00 per year. Clothing needs shall be reviewed at regular intervals of not more than six months.

An order adopting these revisions was filed November 12, 1973, as R.1973 d.315 (Exempt, Emergency Rule) to become effective November 15, 1973.

John K. Rafferty  
Director of Administrative Procedure  
Department of State

(d)

## INSTITUTIONS AND AGENCIES

### DEVELOPMENTAL DISABILITIES COUNCIL

#### 1974 State Plan Annual Revision

On October 30, 1973, Catherine Rowan, Executive Director of the New Jersey Developmental Disabilities Council in the Department of Institutions and Agencies, pursuant to authority of Executive Order Number 20 of 1971, Number 49 of 1973 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the annual revision to the 1974 State Plan, as proposed in the Notice published September 6, 1973, at 5 N.J.R. 305(b).

Such rules will be included in a new Subtitle N of Title 10 of the New Jersey Administrative Code as the new Chapter 140.

An order adopting this revision was filed and effective November 16, 1973, as R.1973 d.321.

John K. Rafferty  
Director of Administrative Procedure  
Department of State

# INTERIM INDEX FOR NEW JERSEY ADMINISTRATIVE CODE

This regular monthly index is a special service for subscribers to the New Jersey Administrative Code, providing an up-to-date check-list of new rules adopted by the various State Departments.

The index is current, and will be adjusted the month following the mailing to Code subscribers of update pages for Titles.

First publication and update services have been distributed for all 19 Departmental Titles except Title 10—Institutions and Agencies.

Since the most recent update, for rules adopted through March 31, 1973, these 18 Departments have adopted the following additional rules not yet included in current pages of the Code:

## RULES NOT YET PRINTED IN CODE

<u>N.J.A.C. Citation</u>		<u>Document Citation</u>	<u>Notice of Adoption N.J.R. Citation</u>
<b>AGRICULTURE — TITLE 2</b>			
2:2-2.10	Times established for Brucellosis tests	R.1973 d.273	5 N.J.R. 327(c)
2:2-2.15(b)	Indemnification for brucellosis	R.1973 d.64	5 N.J.R. 102(b)
2:2-3.3	Times established for tuberculin tests	R.1973 d.274	5 N.J.R. 327(d)
2:2-3.6	Indemnification for tuberculosis	R.1973 d.65	5 N.J.R. 102(c)
2:2-4.34(a)	Method of appraisal for indemnity purposes	R.1973 d.305	5 N.J.R. 363(b)
2:2-9.1	Fees; immunodiffusion test	R.1973 d.57	5 N.J.R. 102(a)
2:5-2.1	Quarantining, handling of infected equine infectious anemia horses	R.1973 d.233	5 N.J.R. 327(a)
2:17-4.2(c)	Special exemption for Florida tomato plants	R.1973 d.101	5 N.J.R. 135(a)
2:32-1.1	Sire stakes program	R.1973 d.154	5 N.J.R. 214(b)
2:53-2.1	Amendment to equipment rules	R.1973 d.87	5 N.J.R. 134(b)
2:53-2.3	Amendment to equipment rules	R.1973 d.87	5 N.J.R. 134(b)
2:54-3.2	Suspension of portions of Milk Marketing Order	R.1973 d.257	5 N.J.R. 327(b)
2:69-1.11	Revisions concerning commercial values	R.1973 d.198	5 N.J.R. 255(c)
2:71-1.38	Labeling of eggs	R.1973 d.275	5 N.J.R. 328(a)
2:73-2.2 et seq.	State Seal program for eggs	R.1973 d.88	5 N.J.R. 134(c)
<b>BANKING — TITLE 3</b>			
3:1-1.1	Interest rate	R.1973 d.191	5 N.J.R. 258(b)
3:1-2.1(b)	Amend population estimate rules	R.1973 d.229	5 N.J.R. 328(b)
3:1-2.9 et seq.	Revise procedural rules	R.1973 d.217	5 N.J.R. 298(a)
3:1-2.13	Financial reports of bank incorporators	R.1973 d.202	5 N.J.R. 258(e)
3:1-2.13(b)	Financial reports	R.1973 d.281	5 N.J.R. 364(d)
3:1-5.1 et seq.	Mortgage applicant's birth control practices	R.1973 d.166	5 N.J.R. 216(b)
3:6-7.1	Banking offices notation	R.1973 d.201	5 N.J.R. 258(d)
3:8-3.1	Required reserve	R.1973 d.252	5 N.J.R. 328(e)
3:8-5.1	Required reserve; savings banks	R.1973 d.251	5 N.J.R. 328(d)
3:10-1.1	Limitation on mortgage loans	R.1973 d.174	5 N.J.R. 258(a)
3:10-6.1 et seq.	Out-of-State mortgages	R.1973 d.200	5 N.J.R. 258(c)
3:11-1.1	Approval to exceed ten per cent limitation	R.1973 d.116	5 N.J.R. 136(b)
3:11-6.3	Approval of investment in Student Loan Marketing Association	R.1973 d.250	5 N.J.R. 328(c)
3:11-7.1 et seq.	Limitation on liability to a bank	R.1973 d.58	5 N.J.R. 103(b)
3:18-6.1 et seq.	Solicitation of business	R.1973 d.280	5 N.J.R. 364(c)
3:18-7.1 et seq.	Advertising rules	R.1973 d.133	5 N.J.R. 183(a)
3:18-7.6	Verbal advertisement	R.1973 d.282	5 N.J.R. 365(a)
3:31-2.1	Minimum requirements	R.1973 d.124	5 N.J.R. 183(b)
<b>COMMUNITY AFFAIRS — TITLE 5</b>			
5:10-2.2	Revised definitions of building and multiple dwelling	R.1973 d.310	5 N.J.R. 369(a)
<b>EDUCATION — TITLE 6</b>			
6:11-12.3	Vocational-technical coordinator; co-op industrial education	R.1973 d.269	5 N.J.R. 333(c)
6:21-5.11	Color; school bus	R.1973 d.123	5 N.J.R. 185(a)
6:21-6.9	Color; school bus body	R.1973 d.123	5 N.J.R. 185(a)
6:21-6.24 et seq.	Lamps, signals, seats and drills	R.1973 d.73	5 N.J.R. 104(c)
6:21-6.31(e)	Stanchions and guard rails	R.1973 d.267	5 N.J.R. 333(a)
6:21-7.1	Limit of apportionment of State aid	R.1973 d.267	5 N.J.R. 333(a)
6:21-11.1	Requirements for drivers of school buses	R.1973 d.161	5 N.J.R. 220(a)
6:21-11.2	Requirements for drivers of small vehicles	R.1973 d.180	5 N.J.R. 260(a)
6:21-11.6	Procedures at railroad grade crossings	R.1973 d.98	5 N.J.R. 139(a)
6:21-18.25	Stanchions and guard rails	R.1973 d.267	5 N.J.R. 333(a)
6:22-8.4 et seq.	Revised guide for schoolhouse planning and construction	R.1973 d.316	5 N.J.R. 403(b)
6:24-1.16	Additional revisions concerning written decisions	R.1973 d.266	5 N.J.R. 332(b)

6:24-1.16	Written decisions	R.1973 d.232	5 N.J.R. 332(a)
6:27-1.4	Graduation	R.1973 d.268	5 N.J.R. 333(b)
6:27-1.13	Definitions	R.1973 d.268	5 N.J.R. 333(b)
6:29-6.3(c)	Revisions concerning athletic personnel	R.1973 d.223	5 N.J.R. 298(b)
6:39-1.1 et seq.	Statewide assessment	R.1973 d.72	5 N.J.R. 104(b)
6:44-6.1 et seq.	High school equivalency		
6:44-7.1 et seq.	Adult high schools (accredited evening high schools)		
6:46-4.1 et seq.	Private vocational schools	R.1973 d.71	5 N.J.R. 104(a)
6:68-2.10 et seq.	Revisions to library incentive grant programs	R.1973 d.99	5 N.J.R. 139(b)

#### ENVIRONMENTAL PROTECTION — TITLE 7

7:1-3.1 et seq.	Emergency rules on sulfur in fuels	R.1973 d.326	5 N.J.R. 404(a)
7:2-16.1	Special permits for Island Beach State Park	R.1973 d.138	5 N.J.R. 187(a)
7:6-1.38	Lifesaving devices	R.1973 d.271	5 N.J.R. 337(b)
7:6-5.1 et seq.	Hull identification numbers	R.1973 d.136	5 N.J.R. 186(c)
7:7A-1.1(a)6	Extension of wetlands order to portions of Cape May County	R.1973 d.81	5 N.J.R. 106(a)
7:7A-1.1(a)7	Wetlands order; Atlantic County	R.1973 d.134	5 N.J.R. 186(a)
7:7A-1.1(a)8	Wetlands order; Burlington County	R.1973 d.135	5 N.J.R. 186(b)
7:7A-1.1(a)9	1973-74 Game Code	R.1973 d.164	5 N.J.R. 221(b)
7:7A-1.1(a)10	Extension of wetlands order to Mercer County	R.1973 d.167	5 N.J.R. 222(a)
7:7A-1.1(a)11	Extension of wetlands order to Camden County	R.1973 d.168	5 N.J.R. 222(b)
7:7A-1.1(a)12.	Extend wetlands order to parts of Cape May County	R.1973 d.324	5 N.J.R. 408(b)
7:9-9.1 et seq.	Sealing abandoned wells	R.1973 d.299	5 N.J.R. 370(b)
7:25-1.5	Extension of Wetlands Order to Gloucester County	R.1973 d.204	5 N.J.R. 261(c)
7:25-2.15	Rules for controlled hunting in certain areas	R.1973 d.293	5 N.J.R. 370(a)
7:25-5.1 et seq.	Field trials	R.1973 d.75	5 N.J.R. 105(c)
7:25-5.20(f)	Great Swamp National Wildlife Refuge hunting	R.1973 d.226	5 N.J.R. 304(b)
7:25-5.27	Waterfowl hunting	R.1973 d.263	5 N.J.R. 336(b)
7:25-5.28	Use of conibear traps	R.1973 d.263	5 N.J.R. 336(b)
7:25-6.1 et seq.	1974 Fish Code	R.1973 d.265	5 N.J.R. 337(a)
7:25-6.14	Amend 1973 Fish Code	R.1973 d.264	5 N.J.R. 336(c)
7:25-7.3	Conservation order (March 28, 1973)	R.1973 d.85	5 N.J.R. 140(b)
7:25-7.4	Conservation order effective May 14, 1973	R.1973 d.86	5 N.J.R. 141(a)
7:25-7.5	Conservation order; Mullica River	R.1973 d.102	5 N.J.R. 141(c)
7:25-7.6	Conservation order; reef bed	R.1973 d.301	5 N.J.R. 370(d)
7:25-9.1(g)	Opening of shellfish beds	R.1973 d.94	5 N.J.R. 141(b)
7:25-9.1(h)	Rescind portions of prior resolution	R.1973 d.303	5 N.J.R. 371(b)
7:25-10.1	Resolution dated September 19, 1973	R.1973 d.302	5 N.J.R. 371(a)
7:26-1.5	Waste collected out-of-State	R.1973 d.245	5 N.J.R. 336(a)
7:26-5.1 et seq.	Rules of practice & procedure of Bureau of Solid Waste Management	R.1973 d.300	5 N.J.R. 370(c)
7:27A-1.1 et seq.	Bureau of Air Pollution Control's rules of practice	R.1973 d.165	5 N.J.R. 221(c)

#### HEALTH — TITLE 8

8:21-7.2 et seq.	Definitions and standards of frozen desserts	R.1973 d.74	5 N.J.R. 107(b)
8:21-9.1 et seq.	Definitions of regulations, food and cosmetic manufacturing	R.1973 d.89	5 N.J.R. 143(a)
8:31-4.1 et seq.	Expediting certificate of need in transfer of ownership	R.1973 d.69	5 N.J.R. 107(a)
8:31-4.3 et seq.	Guidelines for certificate of need in transfer of ownership	R.1973 d.184	5 N.J.R. 263(a)
8:31-5.1	Schedule of filing fees	R.1973 d.129	5 N.J.R. 188(a)
8:31-5.2	Annual licensure fees for health care facilities	R.1973 d.150	5 N.J.R. 222(e)
8:33-1.11	Policy on skilled nursing and intermediate care beds	R.1973 d.246	5 N.J.R. 337(d)
8:33-2.2(a)	Revise part V in table	R.1973 d.90	5 N.J.R. 143(b)
8:35-1.1	Revise criteria for mixed obstetric and gynecologic floors	R.1973 d.152	5 N.J.R. 223(b)
8:35-1.1 et seq.	1973 State plan for hospitals and related health care facilities	R.1973 d.151	5 N.J.R. 223(a)
8:48-1.1 et seq.	Revised administrative policies	R.1973 d.289	5 N.J.R. 375(d)
8:49-1.1 et seq.	Administration and supporting services	R.1973 d.288	5 N.J.R. 375(c)
8:49-2.1 et seq.	Environmental sanitation	R.1973 d.288	5 N.J.R. 375(c)
8:65-10.1(a)3	Addition of methaqualone as controlled dangerous substance	R.1973 d.147	5 N.J.R. 222(d)
8:65-10.1(a)4.	Emergency rule on control of mecloqualone	R.1973 d.325	5 N.J.R. 413(b)

#### HIGHER EDUCATION — TITLE 9

9:2-8.10	Health requirements for admission to New Jersey state colleges	R.1973 d.78	5 N.J.R. 108(a)
9:2-9.1 et seq.	Tenure policies in State Colleges	R.1972 d.239	5 N.J.R. 8(e)
9:2-9.1 et seq.	Tenure policies for State Colleges	R.1973 d.208	5 N.J.R. 265(a)
9:2-4.1	Alternate benefit program	R.1973 d.175	5 N.J.R. 263(e)
9:3-1.1 et seq.	Standards and approval procedures	R.1973 d.282	5 N.J.R. 376(a)
9:4-1.1 et seq.	Revised regulations and standards for Community Colleges	R.1973 d.287	5 N.J.R. 376(b)
9:4-3.55 et seq.	Revisions to manuals for State-supported county colleges	R.1973 d.160	5 N.J.R. 223(d)

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# INTERIM INDEX FOR NEW JERSEY ADMINISTRATIVE CODE

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9:4-3.70 et seq.	Cost distribution to programs	R.1973 d.79	5 N.J.R. 109(a)
9:4-6.1 et seq.	Tenure policies for Community Colleges	R.1973 d.209	5 N.J.R. 265(b)
9:2-10.1	Student loans	R.1973 d.77	5 N.J.R. 107(d)
9:2-10.2 et seq.	Code of Ethics; Department of Higher Education	R.1973 d.190	5 N.J.R. 265(c)
9:9-1.1 et seq.	Guidelines on outside employment	R.1973 d.189	5 N.J.R. 264(a)
9:11-1.1 et seq.	Financial aid guidelines	R.1973 d.121	5 N.J.R. 188(b)

## INSURANCE — TITLE 11

11:1-1.1	Organization of Department (Chart)	R.1973 d.195	5 N.J.R. 282(c)
11:1-2.1 et seq.	Format of filings	R.1973 d.120	5 N.J.R. 190(b)
11:2-1.1(a)	Educational requirements	R.1973 d.141	5 N.J.R. 229(c)
11:3-6.2(b)	Identification insurance cards	R.1973 d.140	5 N.J.R. 229(b)
11:3-6.2(b)4.viii.	Amend rules on insurance identification cards	R.1973 d.247	5 N.J.R. 350(b)
11:3-9.1	Rating information on automobile insurance for private cars	R.1973 d.206	5 N.J.R. 282(b)
11:4-7.1 et seq.	Consent to higher rate filings	R.1973 d.82	5 N.J.R. 113(b)
11:5-1.2	Salesman's age regarding licenses	R.1973 d.214	5 N.J.R. 316(a)
11:5-1.5	Examination rules	R.1973 d.306	5 N.J.R. 388(a)
11:5-1.6	Examinations; failures	R.1973 d.306	5 N.J.R. 388(a)

## LABOR AND INDUSTRY — TITLE 12

12:15-1.3	Maximum weekly benefit rates	R.1973 d.219	5 N.J.R. 316(c)
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## LAW AND PUBLIC SAFETY — TITLE 13

13:1A-4.1 et seq.	Implementation of Emergency Services Act of 1972	R.1973 d.203	5 N.J.R. 284(a)
13:2-1.1 et seq.	Revised rules of the Division	R.1973 d.234	5 N.J.R. 356(a)
13:2-34.2(j)	Cash discounts to retailers	R.1973 d.312	5 N.J.R. 426(a)
13:13-10.1	Repeal rule on notification of interstate securities offerings	R.1973 d.230	5 N.J.R. 356(b)
13:18-1.5(c)	Revised fees for overdimensional or overweight vehicles	R.1973 d.261	5 N.J.R. 357(a)
13:18-1.16	Permits for overdimensional or overweight vehicles	R.1972 d.210	4 N.J.R. 277(b)
13:18-2.1	Uninsured's current financial status	R.1973 d.278	5 N.J.R. 390(b)
13:18-4.1 et seq.	Administration of and compliance with Motor Fuels Tax Act	R.1973 d.215	5 N.J.R. 317(b)
13:18-4.15	Exceptions for motor fuels use tax	R.1973 d.291	5 N.J.R. 390(c)
13:18-6.1	Insurance coverage termination	R.1973 d.62	5 N.J.R. 120(b)
13:18-7.1 et seq.	Bus excise tax	R.1973 d.188	5 N.J.R. 290(e)
13:19-10.9	Delete rule on financial responsibility	R.1973 d.63	5 N.J.R. 119(b)
13:21-17.1 et seq.	Special road crossing permits	R.1973 d.103	5 N.J.R. 166(a)
13:22-4.1(d)	Safety belts	R.1973 d.131	5 N.J.R. 195(b)
13:22-5.2(d)	Vehicle equipment	R.1973 d.131	5 N.J.R. 195(b)
13:22-8.1 et seq.	Snowmobile events	R.1973 d.131	5 N.J.R. 195(b)
13:22-9.1 et seq.	Reports	R.1973 d.131	5 N.J.R. 195(b)
13:22-10.1 et seq.	Special age provisions	R.1973 d.131	5 N.J.R. 195(b)
13:30-1.1 et seq.	Examinations for licensure	R.1973 d.194	5 N.J.R. 291(c)
13:30-1.5(b)	Foreign dentistry graduates	R.1973 d.114	5 N.J.R. 166(c)
13:30-2.1 et seq.	Examinations for licensure to practice dental hygiene	R.1973 d.193	5 N.J.R. 291(b)
13:32-1.4(b)	Interest protected by plumber bond	R.1973 d.170	5 N.J.R. 239(c)
13:35-1.1 et seq.	Repeal of certain rules	R.1973 d.192	5 N.J.R. 291(a)
13:36-1.8 et seq.	Record-keeping and itemizing funeral expenses	R.1973 d.119	5 N.J.R. 195(a)
13:36-2.1 et seq.	Revisions concerning trainees and mortuaries	R.1973 d.181	5 N.J.R. 290(c)
13:37-9.2(c)	Education requirements for practical nursing	R.1973 d.177	5 N.J.R. 290(b)
13:37-10.5	Language comprehension examinations	R.1973 d.143	5 N.J.R. 239(a)
13:39-6.3 et seq.	Prescriptions and pharmacies	R.1973 d.59	5 N.J.R. 120(a)
13:39-6.7	Copies of prescriptions	R.1973 d.255	5 N.J.R. 356(e)
13:39-7.19	Requirements for permit for pharmacy in facilities not hospitals	R.1973 d.254	5 N.J.R. 356(d)
13:39-7.20	Guidelines for use of drug-dispensing devices	R.1973 d.255	5 N.J.R. 356(e)
13:39-8.4	Change of ownership	R.1973 d.253	5 N.J.R. 356(c)
13:39-8.14	Pharmacist-in-charge	R.1973 d.253	5 N.J.R. 356(c)
13:39-9.14	Permits for prescription departments	R.1973 d.115	5 N.J.R. 166(b)
13:45-4.3(b)	Time and place of Consumer Affairs hearing	R.1973 d.207	5 N.J.R. 291(d)
13:45-5.1(b)	Hearing examiner's decision	R.1973 d.207	5 N.J.R. 291(d)
13:45A-1.1 et seq.	Deceptive mail order practices	R.1973 d.176	5 N.J.R. 290(a)
13:45A-2.1 et seq.	Motor vehicle advertising practices	R.1973 d.183	5 N.J.R. 290(d)
13:45A-3.1 et seq.	Retail sales of meat	R.1973 d.169	5 N.J.R. 239(b)
13:45A-4.1 et seq.	Banned hazardous products	R.1973 d.222	5 N.J.R. 317(c)

13:45A-5.1 et seq.	Deceptive practices in delivery of household furniture, furnishings	R.1973 d.262	5 N.J.R. 357(b)
13:45A-7.1 et seq.	Automobile repair work and advertising practices	R.1973 d.307	5 N.J.R. 390(d)
13:45A-8.1 et seq.	Deceptive practices by tire distributors or dealers	R.1973 d.309	5 N.J.R. 390(e)
13:75-1.12 et seq.	Violent Crimes Compensation Board revisions	R.1973 d.137	5 N.J.R. 195(c)

#### PUBLIC UTILITIES — TITLE 14

14:2-2.2	Public movers certificates	R.1973 d.186	5 N.J.R. 292(a)
14:3-5.3	Emergency telephone numbers	R.1973 d.187	5 N.J.R. 292(b)
14:3-9.6	Rates different than the filed tariffs	R.1973 d.157	5 N.J.R. 240(a)
14:4-6.1 et seq.	Reimbursement of student fares to autobus operators	R.1973 d.185	5 N.J.R. 291(e)
14:5-4.1 et seq.	Electrical inspection authorities	R.1973 d.106	5 N.J.R. 167(a)
14:9-4.2	Property, equipment and facilities	R.1973 d.270	5 N.J.R. 357(d)
14:17-1.1 et seq.	Rules of practice; cable television	R.1973 d.117	5 N.J.R. 200(a)
14:18-1.1 et seq.	Regulations; cable television	R.1973 d.117	5 N.J.R. 200(a)

#### TRANSPORTATION — TITLE 16

16:6-1.1 et seq.	Relocation assistance	R.1973 d.256	5 N.J.R. 358(a)
16:13-1.1 et seq.	Revisions for local government aid	R.1973 d.56	5 N.J.R. 94(a)
16:14-1.1 et seq.	Revisions to State Aid Road System Program	R.1973 d.311	5 N.J.R. 426(b)
16:25-1.1 et seq.	Utility accommodation policy	R.1973 d.205	5 N.J.R. 292(c)
16:26-1.1 et seq.	Transportation operations	R.1973 d.76	5 N.J.R. 123(c)
16:38-2.2	Responsibility	R.1973 d.283	5 N.J.R. 391(a)
16:40-1.1 et seq.	Snow and ice control	R.1973 d.283	5 N.J.R. 391(a)
16:41-1.1 et seq.	Permits	R.1973 d.283	5 N.J.R. 391(a)
16:27-1.1 et seq.	Traffic engineering	R.1973 d.76	5 N.J.R. 123(c)
16:27-1.3	Reduction of rates of speed; ratification of such rules	R.1973 d.319	5 N.J.R. 426(c)
		R.1973 d.320	5 N.J.R. 426(c)
16:41-8.1 et seq.	Outdoor advertising on interstate system	R.1973 d.100	5 N.J.R. 167(b)
16:42-1.1 et seq.	Road equipment rental agreements	R.1973 d.283	5 N.J.R. 391(a)

#### TREASURY GENERAL — TITLE 17

17:1-1.1	Foreword, Chapter 1	R.1973 d.258	5 N.J.R. 358(b)
17:1-2.13 et seq.	Alternate benefit program	R.1973 d.171	5 N.J.R. 294(a)
17:1-6.1 et seq.	Delete entire Subchapter	R.1973 d.258	5 N.J.R. 358(b)
17:2-1.4	Election of member-trustees	R.1973 d.118	5 N.J.R. 204(a)
17:3-1.1 et seq.	Revisions to Teachers' Pension and Annuity Fund	R.1973 d.49	5 N.J.R. 95(b)
17:3-1.4(b)	Election of Teachers' Pension member trustees	R.1973 d.196	5 N.J.R. 294(d)
17:7-1.1 et seq.	Revisions to Prison Officers' Pension Fund	R.1973 d.45	5 N.J.R. 95(a)
17:7-3.2 et seq.	Revisions concerning Prison Officers' Pension Fund	R.1973 d.314	5 N.J.R. 429(a)
17:8-1.1 et seq.	Revisions to supplemental annuity collective trusts	R.1973 d.46	5 N.J.R. 95(c)
17:9-3.3 et seq.	Revisions in administration of Health Benefits Program	R.1973 d.285	5 N.J.R. 393(a)
17:9-2.14	Effective date of maternity benefits	R.1973 d.148	5 N.J.R. 247(b)
17:16-5.2 et seq.	Amendments concerning classification of funds	R.1973 d.158	5 N.J.R. 247(c)
17:16-5.3	Static group fund classifications	R.1973 d.70	5 N.J.R. 126(b)
17:16-13.5	Legal papers	R.1973 d.125	5 N.J.R. 204(b)
17:16-17.1 et seq.	Revisions concerning permissible investments	R.1973 d.44	5 N.J.R. 94(b)
17:16-35.9	Admission date	R.1973 d.126	5 N.J.R. 204(c)
17:20-5.10	Agent's compensation	R.1973 d.179	5 N.J.R. 294(c)
17:20-10.1	Consignment or sale of lottery tickets to agent	R.1973 d.178	5 N.J.R. 294(b)
17:20-5.10	Agent's compensation	R.1973 d.80	5 N.J.R. 124(a)
17:21-1.4	Provision for special lotteries	R.1973 d.227	5 N.J.R. 322(a)
17:21-10.1 et seq.	Clover Club reservation plan	R.1972 d.94	4 N.J.R. 142(b)

#### TREASURY TAXATION — TITLE 18

18:3-1.1 et seq.	Revisions concerning Alcoholic Beverage Tax Law	R.1973 d.297	5 N.J.R. 393(d)
18:4-1.1 et seq.	Revisions concerning retail licenses and Alcoholic Beverage Tax Act	R.1973 d.296	5 N.J.R. 393(c)
18:5-3.2	Types of stamps available	R.1973 d.54	5 N.J.R. 96(a)
18:5-3.4	Purchase of stamps	R.1973 d.54	5 N.J.R. 96(a)
18:5-6.7	Wholesale dealer's license	R.1973 d.54	5 N.J.R. 96(a)
18:5-6.10	Retail dealer's vending machine license	R.1973 d.54	5 N.J.R. 96(a)
18:5-6.17	Duplicate and amended license	R.1973 d.54	5 N.J.R. 96(a)
18:12-5.1 et seq.	Property tax appeals time extension	R.1973 d.144	5 N.J.R. 247(a)
18:15-6.1 et seq.	Revise definitions on agricultural use	R.1973 d.295	5 N.J.R. 393(b)
18:16-4.7	Calculation of fee where transfer is subject to construction mortgage	R.1973 d.54	5 N.J.R. 96(a)

(Continued on next page)

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Amendments to the Hospital and Special Hospital Manuals

On November 14, 1973, Maurice G. Kott, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to various portions of Chapters 52 and 53 in Title 10 of the New Jersey Administrative Code concerning the hospital and special hospital manuals, as proposed in the Notice published October 4, 1973, at 5 N.J.R. 338(a).

An order adopting these amendments was filed November 19, 1973, as R.1973 d.322 to become effective January 1, 1974.

John K. Rafferty  
Director of Administrative Procedure  
Department of State

(b)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Rule on Multi-Location Providers

On November 14, 1973, Maurice G. Kott, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applic-

able provisions of the Administrative Procedure Act of 1968, adopted a new rule concerning multi-location providers, as proposed in the Notice published October 4, 1973, at 5 N.J.R. 339(a).

Such rule may be cited as N.J.A.C. 10:49-1.20.

An order adopting this rule was filed November 19, 1973, as R:1973 d.323 to become effective March 1, 1974.

John K. Rafferty  
Director of Administrative Procedure  
Department of State

(c)

## LAW AND PUBLIC SAFETY

### DIVISION OF ALCOHOLIC BEVERAGE CONTROL

#### Proposed Amendments of Division Rules

Robert E. Bower, Director of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 33:1-23.1 and 33:1-39, proposes to revise the rules concerning definitions, late payment fees and interest on wholesale sales.

Full text of the proposed amendments follows (additions indicated in boldface thus):

13:2-34.2(a) Manufacturers and wholesalers of alcoholic beverages, other than malt alcoholic beverages, intending to sell such alcoholic beverages to wholesalers, shall file with the Director not later than the fifteenth day of February, May, August and November of each year, to become effective for each respective subsequent quarter-annual period, price and discount listings as provided for and as limited in this rule, containing as to each alcoholic beverage listed:

1. Its correct brand or trade name;
2. Its nature and type;

## INTERIM INDEX FOR NEW JERSEY ADMINISTRATIVE CODE

(Continued from previous page)

18:17-1.5	Review of examination procedures	R.1973 d.109	5 N.J.R. 171(a)
18:24-4.4	Repeal of rule on purchase of machinery	R.1973 d.139	5 N.J.R. 246(b)
18:24-21.1 et seq.	Accounting procedures	R.1973 d.60	5 N.J.R. 126(a)
18:26-5.4	Classification of property as real or personal	R.1973 d.224	5 N.J.R. 321(b)
18:26-6.14	Federal pensions	R.1973 d.224	5 N.J.R. 321(b)
18:26-6.15	State pensions	R.1973 d.224	5 N.J.R. 321(b)
18:26 Appendix A	Revised list of inheritance tax supervisors	R.1973 d.298	5 N.J.R. 393(e)

#### OTHER AGENCIES — TITLE 19

19:2-1.1 et seq.	Rules of Atlantic City Expressway	R.1973 d.42	5 N.J.R. 96(b)
19:2-7.1 et seq.	Purchasing regulations of Expressway Authority	R.1973 d.284	5 N.J.R. 396(a)
19:7-1.1	Sanitary landfill requirements in Hackensack Meadowlands	R.1973 d.220	5 N.J.R. 322(c)
19:8-1.9	Amend limitations on use of Parkway	R.1973 d.140	5 N.J.R. 247(e)
19:9-1.9(a)23.	Amend limitations on use of Turnpike	R.1973 d.145	5 N.J.R. 247(d)
19:9-2.1 et seq.	Procedures for prequalification and award on construction contracts	R.1973 d.173	5 N.J.R. 295(b)
19:11-1.10	Posting of notice of PERC petitions	R.1973 d.110	5 N.J.R. 171(c)
19:11-1.13	Intervention, PERC	R.1973 d.110	5 N.J.R. 171(c)
19:11-1.15	Timeliness of petitions, PERC	R.1973 d.110	5 N.J.R. 171(c)
19:13-1.1 et seq.	Delete entire Chapter of PERC rules	R.1973 d.248	5 N.J.R. 358(c)

#### IN ADDITION —

First publication—but no update service as yet—has been completed for all but Title 10—Institutions and Agencies.

Rules since adopted by this one Department are not included in this index; they will be added following initial updating of this Title 10.

3. Its age and proof of alcoholic content when stated on the label;
4. The number of unit containers per case;
5. The capacity of each unit container; and
6. The wholesale bottle and standard case prices, and at the option of the manufacturer or wholesaler, the one-half and one-quarter standard case prices, which prices shall be individual for each alcoholic beverage and not in combination with any other alcoholic beverage.

(b) Said listing may contain a statement of any discount to be allowed. Said listing may also contain a statement of any late payment fee or interest to be charged when payment for deliveries is not made within the applicable credit period. Price and discount listings so filed with the Director shall be deemed to be a new filing for each succeeding quarter-annual period for which no new listing is thereafter timely filed with the Director. Manufacturers and wholesalers filing price and discount listings shall serve upon each wholesaler to whom they intend to sell such alcoholic beverages a copy of such listings on or before the fifteenth day of the month of filing, or shall mail to each such wholesaler such a copy on or before the twelfth day of the month of filing, and shall file with the Director certification thereof on or before the last day for filing such listings.

13:2-34.2(i) Manufacturers and wholesalers of alcoholic beverages other than malt alcoholic beverages, intending to sell such alcoholic beverages to retailers, shall file with the Director not later than the twentieth day of February, May, August and November of each year price and discount listings as provided for and as limited in this rule, containing as to each alcoholic beverage listed:

1. Its correct brand or trade name;
2. Its nature and type;
3. Its age and proof of alcoholic content when stated on the label;
4. The number of unit containers per case;
5. The capacity of each unit container; and
6. The wholesale bottle and standard case prices, and at the option of the manufacturer or wholesaler, the one-half and one-quarter standard case prices, which prices shall be individual for each alcoholic beverage and not in combination with any other alcoholic beverage.

(j) Said listing may contain a statement of any discount to be allowed; provided, however, that a discount allowed to a retailer shall not exceed one per cent, to be allowed uniformly for payment in cash (including money order, certified check or a cashier's or treasurer's or similar bank officer's check, but excluding ordinary check) at or before delivery or within seven days thereafter, to be applicable to the total purchase price of a single complete delivery of an entire purchase order exclusive of State sales tax, but not applicable to any retailer whose name appears on the Division's default list in effect on the date of delivery. Said listing may also contain a statement of any late payment fee or interest to be charged when payment for deliveries is not made within the applicable credit period. Price and discount listings so filed with the Director shall be deemed to be a new filing for each succeeding quarter-annual period for which no new listing is thereafter timely filed with the Director.

#### 13:2-37.1 Definitions

"Payment" means the full legal discharge of the debt and of any late payment fee or interest due thereon, by cash or its equivalent, including ordinary and recognized means for discharge of indebtedness excepting notes, pledges or other promises to pay at a future date and excepting credit memoranda issued for the purpose of cir-

cumventing these regulations. A check not promptly deposited for collection or a check dishonored on presentation for payment shall not be deemed payment.

"Payment in cash" means full legal discharge of a debt, and of any late payment fee or interest due thereon, by delivery of cash, money order, certified check, or a cashier's or treasurer's or similar bank officer's check. Ordinary checks may not be accepted as payment of a defaulted account, or as payment for any alcoholic beverages delivered to a retailer who is at time of delivery listed on the default list.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 27, 1973, to:

Division of Alcoholic Beverage Control  
25 Commerce Drive  
Cranford, New Jersey 07016

The Division of Alcoholic Beverage Control, upon its own motion or at the instance of any interested party, may thereafter adopt these amendments substantially as proposed without further notice.

Robert E. Bower, Director  
Division of Alcoholic Beverage Control  
Department of Law and Public Safety

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### Proposed Rules for Servicing and Repairing of Home Appliances

George F. Kugler Jr., Attorney General of the State of New Jersey, pursuant to authority under N.J.S.A. 56:8-4, proposes to adopt new rules concerning servicing of home appliances.

Take notice that proposed rules on this subject matter were proposed in the October 4, 1973 issue of the New Jersey Register at 5 N.J.R. 353(a). In accordance with statements and arguments offered regarding that proposal the Attorney General has revised the proposed rules and is now republishing the text of the rules as now published.

Full text of the proposed rule follows:

#### 13:45A-10.1 Definitions

For purposes of this rule:

"Home appliance" means any article produced or distributed for sale to a consumer for use or around a permanent or temporary household or residence. Home appliances shall include but not be limited to washers, dryers, dishwashers, televisions, refrigerators, ranges, fans, air conditioners and radios.

"Seller" means any person who in the ordinary course of business is engaged in the sale or lease of home appliances.

#### 13:45A-10.2 Required information

(a) Whenever a consumer purchases a home appliance, the seller must supply the consumer with a written copy of any information concerning:

1. Manufacturer's warranties, if any are still applicable;
2. Dealer's warranties, if any;
3. Dealer's service contract, if such is available, which must include a clear statement of any:
  - i. Basic "diagnostic" charges or any other set fee; and
  - ii. The methods used to determine the total charge including the charge for labor and parts.

### 13:45A-10.3 Service from someone other than seller

(a) Whenever a consumer requests service on a home appliance from someone other than the one from whom the appliance was purchased, the prospective supplier of services must disclose before the consumer becomes committed to any expense:

1. Any diagnostic charges or other set fees, and
2. The methods used to determine the total charge including the charges for labor and parts.

### 13:45A-10.4 Deceptive practice

(a) Without limiting the prosecution of any other practices which may be unlawful under the Consumer Fraud Act, N.J.S.A. 56:8-1, et seq., the following acts or omissions shall be deceptive practices in the conduct of the business of repairing and servicing home appliances:

1. Commencing work other than diagnostic work or work included in a diagnostic fee without having obtained the consumer's signature or the signature of the consumer's agent on a written itemized estimate of the labor and parts necessary, including specific notation of exchange price on parts where applicable. If such written consent cannot be obtained, repair work may be commenced only if the consumer has been advised of the estimate and has consented thereto and the person advising the consumer has noted the conversation on the estimate as well as the date, time and phone number at which he reached the consumer.

2. Failure to provide the consumer with a copy of the above authorization and any other servicer's receipt or document requiring the consumer's signature, as soon as the consumer signs such document.

3. Making false or unrealistic promises, groundless estimates, and so forth of a character likely to influence, persuade or induce a consumer to authorize the repair or service of a home appliance.

4. Charging the consumer for work done or parts supplied in excess of the estimated price without the oral or written consent of the consumer, which shall be obtained after it is determined that the estimated price is insufficient and before the work not estimated is done or the parts not estimated are supplied. If such consent is oral, the supplier of services shall make a notation on the documentation previously signed by the consumer of the date, time, name of the person authorizing the additional repairs and the telephone number, if any, together with a specification of the additional parts and labor and the total additional cost.

5. Failure to return replaced parts to the consumer at the time of completion of the work, provided that the parts by virtue of their size, weight or other similar factors or for any safety reasons are not practical to return, unless the estimate and bill make specific reference to an exchange price for a particular part.

### 13:45A-10.5 Exceptions

(a) The provisions of Sections 3 and 4 above shall not apply, if the repair or servicing required is such as to constitute an emergency which presents an imminent hazard or threat to life or health, to the repair and servicing of:

1. Gas or oil consuming appliances;
2. Central heating and cooling systems;
3. Heat pumps;
4. Self-contained combination heating and cooling systems.

### 13:45A-10.6 Violations

Without foreclosing the prosecution of any other practices which may be unlawful under the Consumer Fraud Act, N.J.S.A. 56:8-1 et seq., any violations of the provisions of this rule shall be subject to the sanctions contained in said Consumer Fraud Act.

Interested persons may present statements or arguments in writing relevant to the proposed rule on or before December 26, 1973, to Millicent H. Fenwick, Director, Division of Consumer Affairs, 1100 Raymond Boulevard, Newark, New Jersey.

The Attorney General of New Jersey, upon his own motion or at the instance of any interested party, may thereafter adopt these rules substantially as proposed without further notice.

George F. Kugler Jr.  
Attorney General  
State of New Jersey

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### Proposed Rules on Advertising and Marketing Practices

George F. Kugler Jr., Attorney General of the State of New Jersey, pursuant to authority under N.J.S.A. 56:8-4, proposes to adopt new rules concerning advertising and marketing practices.

Take notice that proposed rules on this subject matter were proposed in the October 4, 1973 issue of the New Jersey Register at 5 N.J.R. 351(a). In accordance with statements and arguments offered regarding that proposal the Attorney General has revised the proposed rules and is now republishing the text of the rules as now published.

Full text of the proposed rule follows:

#### 13:45A-9.1 Violations; unlawful practices

(a) Without limiting the application of N.J.S.A. 56:8-1 et seq. to any other practices which may be unlawful, the following retail store advertising and marketing practices shall be a violation of 56:8-2:

##### 1. Price advertisements:

i. The failure to maintain for the stated period or a reasonable time after publication if no period is stated, a supply of merchandise sufficient to meet reasonably anticipated consumer demand for any merchandise advertised for sale at a particular price; "provided, however, that it shall constitute a defense to a charge under subdivision i of this subparagraph if the retailer maintains records to show that advertised products were ordered to meet reasonably anticipated demands."

(1) This provision shall not apply to any advertisement in which there is clearly set forth language indicating a limitation in the availability of the advertised merchandise, such as a stated number of the items advertised;

(2) General disclaimers in advertising relating to product availability at some stores will not be considered to be in compliance with the disclosure provisions of this regulation. Only specific, clear and conspicuous statements of limited availability will be considered to be in compliance with the disclosure provisions of this regulation;

(3) The practice of distributing rain checks shall not by itself constitute compliance with the provisions of this regulation.

ii. The failure to post notice of the advertised prices in the store, conspicuously and in proximity to the advertised items, or conspicuously at all entrances to the store.

iii. The failure to issue rain checks when demand for advertised merchandise does not exceed that which could have been reasonably anticipated within the stated period or a reasonable period after publication of the advertisement.

iv. The issuance of a rain check to any consumer who attempts to purchase within the stated period or a reasonable period after publication of the advertisement, if no period is stated, any merchandise advertised for sale at a cost of \$10.00 or more unless such rain check includes the date of availability of the merchandise or unless the consumer is notified by mail or telephone the date the merchandise is or will be available for purchase at the advertised price and is being held for the consumer for a reasonable period of time.

v. The failure in any price advertisement to disclose the year, make and model, style, brand and the series if any such designation is commonly used to describe the merchandise.

## 2. Price reduction advertisements:

i. The advertising of any merchandise for sale where it is stated or implied that the sale price is a reduced price when in fact it is no less than the price at which the merchandise was offered for sale by the advertiser for a reasonable period of time, at least 30 days prior to the advertisement.

(1) The use of the terms sale, discounts, savings, price cut, clearance, reduced, regularly, usually, save, originally, half price or any percentage reduction, now, buy one get one free or at any reduced price, two or more at a certain price or any substantially similar terms will be construed as indications of a reduced price.

## 3. Guaranteed satisfaction, discount and quality claims:

i. The failure to make prompt refund of the full purchase price, upon presentation of proof of purchase, whenever the term satisfaction guaranteed or your money back, free trial period or any other similar term is used in connection with the advertisement or sale of any item unless the advertiser has clearly and conspicuously stated any conditions or limitations of such offer and the purchaser has failed to comply with such conditions or limitations.

ii. The use of any guarantee, warranty or any other representation regarding the quality of merchandise or part thereof which misrepresents the quality, durability, maintenance needs or any other material fact concerning any merchandise or part thereof.

## 4. General:

i. The use of difference in type, size, location, lighting or color as to obscure or make misleading any material fact in any advertisement.

ii. These rules shall apply to any advertisement uttered, issued, printed, disseminated, or distributed to any substantial extent within this State regardless of the location or the place of business from which the goods or services are sold or offered for sale, and to any advertisement uttered, issued, printed, disseminated, or distributed without this State concerning goods and services sold or offered for sale within this State, regardless of the domicile, residence, place of business or location of the principal office of the advertiser.

## 5. Substantiation of advertising claims:

i. The failure to provide, upon request, within a reasonable period of time, documentation supporting claims regarding safety, performance, efficiency, quality or comparative price of any merchandise advertised.

### 13:45A-9.2 Penalties

Violators of any of the provisions of this regulation shall be subject to the penalties set forth in N.J.S.A. 56:8-1 et seq.

Interested persons may present statements or arguments in writing relevant to the proposed rule on or before

December 26, 1973 to Millicent H. Fenwick, Director, Division of Consumer Affairs, 1100 Raymond Boulevard, Newark, New Jersey.

The Attorney General of New Jersey, upon his own motion or at the instance of any interested party, may thereafter adopt these rules substantially as proposed without further notice.

George F. Kugler Jr.  
Attorney General  
State of New Jersey

(a)

# LAW AND PUBLIC SAFETY

## DIVISION OF CONSUMER AFFAIRS

### STATE BOARD OF MEDICAL EXAMINERS

#### Proposed Rule for Testing and Diagnostic Centers

I. Edward Ornaf, M.D., Secretary of the State Board of Medical Examiners in the Division of Consumer Affairs of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:9-1, et seq., proposes to adopt the following new regulation concerning Health Testing Centers and Diagnostic Centers or Clinics.

The purpose of this regulation is to define and establish minimum standards for those centers or clinics which provide or purport to provide physical examinations and/or laboratory testing procedures, both activities which are presently regulated by N.J.S.A. 45:9-1, et seq.

Full text of the proposed regulation follows:

#### 13:35-7.1 Applicability

The provisions of this regulation shall be applicable to centers or clinics which provide or purport to provide physical examinations and/or testing procedures or laboratory testing procedures.

#### 13:35-7.2 Definitions

"Automated Health Testing Centers" (AHTC) means facilities used to screen patients by multiphasic methods. Such screening resulting in a determination which is less complete than a determination which would be arrived at by a complete physical examination performed by a licensed physician.

"Diagnostic center" (Center) means a center or clinic which is specifically staffed by one or more licensed physicians and the necessary facilities to render a complete medical service by establishing a diagnosis and/or treatment or recommended treatment of patients.

"Licensed physician" or "Licensee" means a duly licensed physician of the State of New Jersey who possesses a current unrestricted license to practice medicine and surgery.

#### 13:35-7.3. Automated health testing centers (AHTC)

(a) AHTC are facilities for screening patients through multiphasic methods. AHTC should not purport to offer a complete physical examination or to substitute for the services of a physician or complete medical service.

(b) The services provided by an AHTC must be under the control, supervision and direction of a licensed physician or group of licensed physicians offering services to the medical profession or to the public based on referral by a licensed physician.

(c) The licensee in charge and responsible for the supervision and direction of an AHTC must submit an application to and establish with the Board of Medical Examiners all

necessary credentials regarding its location, ownership, sponsorship, directorship, need, approved certificate of need, list of equipment, purpose and methodology and will be permitted to function only after establishing that such credentials have been approved by the Board.

1. The licensee in charge must possess a current unrestricted license to practice medicine and surgery.

2. If laboratory procedures are performed by the facility, the facility must possess a current bio-analytical laboratory license pursuant to N.J.S.A. 45:9-42.1, et seq.

(d) The AHTC shall submit all reports to the referring physician. It will be the responsibility and obligation of AHTC to procure a designated physician or list of recommended physicians to whom all reports shall be directed with the consent of the patient.

(e) As AHTC's purport to detect possible abnormalities in the screening procedure, AHTCs must therefore assume the following responsibilities:

1. Submit the full report to the referring physician and/or designated or recommended physicians with the consent of the patient.

2. Clearly identify all abnormalities to call to the attention of the physician.

3. Any report demonstrating any abnormality shall be made known to the referring physician or designated or recommended physician for clarification.

(f) Noncompliance with the above regulation may be considered gross malpractice or gross neglect by the licensee and may result in suspension or revocation of his license to practice medicine and surgery.

#### 13:35-7.4 Diagnostic centers or clinics

(a) Diagnostic centers or clinics shall be those centers that are specifically staffed with licensed physicians and necessary facilities to render a complete medical service in establishing diagnosis and/or treatment or recommended treatment.

(b) The diagnostic center and clinics under the control, supervision and direction of a licensed physician must assume the following express responsibilities:

1. Submit the full report to the referring physician and/or designated physician with the consent of the patient.

2. Clearly identify all abnormalities and call the abnormalities to the attention of the physician.

3. Any report demonstrating any abnormality shall be sent to the referring physician or designated physician as soon as possible but in no event longer than three days.

4. Notify the patient that any abnormality was detected as soon as possible but in no event longer than three days with a strong recommendation that he contact the referring or designated physician for clarification.

(c) Noncompliance with the above regulation may be considered gross malpractice or gross neglect and may result in suspension or revocation proceedings being instituted against the licensee.

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before January 7, 1974, to:

I. Edward Ornaf, M.D.  
Secretary  
New Jersey State Board of Medical Examiners  
28 West State Street  
Trenton, New Jersey 08625  
Telephone: (609) 292-4843

The New Jersey State Board of Medical Examiners upon its own motion or at the instance of any interested party,

may thereafter adopt the above rule substantially as proposed without further notice.

I. Edward Ornaf, M.D.  
Secretary  
New Jersey State Board of  
Medical Examiners  
Department of Law and Public Safety

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### STATE BOARD OF MEDICAL EXAMINERS

##### Proposed Rule on Licensure by Endorsement

I. Edward Ornaf, M.D. Secretary of the State Board of Medical Examiners in the Division of Consumer Affairs of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:9-1, et seq., proposes to amend N.J.A.C. 13:35-3.1 concerning endorsement-sister state examination and practice as follows (additions indicated in boldface thus):

N.J.A.C. 13:35-3.1 Endorsement-sister state examination and practice

The board shall grant without examination a license to practice medicine and surgery to any person who shall furnish proof that he can fulfill the requirements demanded in N.J.S.A. 45:9-1, et seq. relating to applicants for admission by examination, and furthermore provide with the application satisfactory evidence that he is a physician who has been licensed to practice medicine and surgery by examination in another state of the United States, and has been actively engaged in the reputable practice of medicine and surgery as a licensee in such state or other states for three or more years.

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before January 7, 1974, to:

I. Edward Ornaf, M.D.  
Secretary  
New Jersey State Board of Medical Examiners  
28 West State Street  
Trenton, New Jersey 08625  
Telephone: (609) 292-4843

The New Jersey State Board of Medical Examiners upon its own motion or at the instance of any interested party, may thereafter adopt the above rule substantially as proposed without further notice.

I. Edward Ornaf, M.D.  
Secretary  
New Jersey State Board of  
Medical Examiners  
Department of Law and Public Safety

(b)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### STATE BOARD OF MEDICAL EXAMINERS

##### Proposed Rule Regarding Internships

I. Edward Ornaf, M.D., Secretary of the State Board of Medical Examiners in the Division of Consumer Affairs of the Department of Law and Public Safety, pursuant to

authority of N.J.S.A. 45:9-2, proposes to adopt the following amended new rule to set standards for approved post-graduate medical training and education.

Take notice that proposed rules on this subject matter were published in the January 4, 1973 issue of the New Jersey Register at 5 N.J.R. 17(a). However, in accordance with statements and arguments offered regarding that proposal, the State Board of Medical Examiners has revised the proposed rules and is now republishing the text of the rules as now proposed.

Full text of the proposed rule follows:

#### SUBCHAPTER 9. INTERNSHIP STANDARDS

##### 13:35-9.1 Internship programs

(a) All proposed internship programs must be approved by the Board of Medical Examiners prior to their institution. Hospitals offering such internships shall be approved by the Joint Commission on Hospital Accreditation or by the American Osteopathic Hospital Accreditation Agency.

(b) Internship training programs approved by the American Medical Association and the American Osteopathic Association, may, upon application to the Board of Medical Examiners, be approved by the Board.

(c) Internship training programs approved by the Board shall be limited to general hospitals having a capacity of at least 150 beds, exclusive of bassinets, and having a minimum of 5,000 annual admissions, excluding the newborn, or A.M.A. or A.O.A. approved programs. The training program shall provide supervised practice in internal medicine and at least one of the following: surgery, pediatrics, obstetrics and gynecology, pathology, radiology, and experience in an active, well-organized out-patient department.

##### 13:35-9.2 Rotating internship

(a) A rotating internship may consist of as few as two services or as many as five. Simultaneous integration of the intern's activities or other services shall be limited.

(b) The time allotted to internal medicine may not be less than four months. No other assignment shall be less than two months in duration, and in such cases, the two months assignment shall be consecutive.

(c) A concurrently approved residency program is not a requirement for the approval of a rotating internship.

(d) A certificate by one of the specialty boards shall be acceptable in lieu of the rotating internship.

##### 13:35-9.3 Straight internship

(a) A straight internship is one which provides experience on a single service. Straight internships approved by the Board shall include those in internal medicine or a related subspecialty, or surgery, pediatrics, obstetrics and gynecology, pathology and radiology.

(b) To offer a satisfactory straight internship, a hospital must be approved for residency training in the specialties involved.

(c) The Board shall require one year of experience in the single service providing the hospital is properly accredited for residency training in the corresponding specialty.

The proposed rule shall take effect on July 1, 1976. Until such date, the present State approved internship training programs which require a M.D. or D.O. degree, and in the case of foreign graduates, proof of having passed the E.C.F.M.G. examination in addition to such degree, shall continue. It is the further intention of the Board to not limit the 5th Channel Pathway Clinical Clerkship Program.

On the effective date all rules and parts of rules inconsistent with any of the provisions of this rule are superseded to the extent of such inconsistencies.

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before January 7, 1974, to:

I. Edward Ornaf, M.D.  
Secretary, State Board of Medical Examiners  
28 West State Street  
Trenton, New Jersey 08625  
Telephone (609) 292-4843

The New Jersey State Board of Medical Examiners, upon its own motion or at the instance of any interested party, may thereafter adopt the above rule substantially as proposed without further notice.

I. Edward Ornaf, M.D.  
Secretary, New Jersey State  
Board of Medical Examiners  
Department of Law and Public Safety

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### STATE BOARD OF MEDICAL EXAMINERS

##### Proposed Rule On Bio-Analytical Laboratories

I. Edward Ornaf, M.D., Secretary of the State Board of Medical Examiners in the Division of Consumer Affairs of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:9-42 et seq., proposes to adopt the following new regulation concerning Bio-Analytical Laboratories.

The purpose of this regulation is to provide for the disclosure of the cost of laboratory services rendered for physicians and other practitioners to the recipient of the laboratory services.

Full text of the proposed regulation follows:

##### 13:35-1.5 Bio-analytical laboratories

(a) It shall be unprofessional or unethical conduct in accordance with N.J.S.A. 45:9-42.22 for any purveyor of clinical laboratory services doing business in this State, to bill or receive payment, reimbursement, compensation or fee from any person other than the recipient of the services, such recipient being the person upon whom the clinical services have been or will be rendered, directly or indirectly, through any person, firm, corporation or association or its officers or agents unless the charges and the amount of the charges for such clinical laboratory services have been disclosed with the name of the laboratory performing the services to the recipient of such services.

(b) The provisions of this Act shall be inapplicable to payment by:

1. A legal relative of the recipient of the services;
2. An insurance carrier designated by the recipient of the services;
3. A hospital on behalf of an in-patient or out-patient of such hospital having been the recipient of the services;
4. One purveyor to another purveyor for actual services rendered;
5. An industrial firm only for its own employees;
6. A trade union health facility only for its registered patients;
7. Governmental agencies and/or their specified public or private agent, agency or organization on behalf of the recipient of the services.

(c) Any violation of this regulation shall be considered unprofessional or unethical conduct as set forth in N.J.S.A.

45:9-42.22 and may result in revocation or suspension proceedings in accordance with N.J.S.A. 45:9-42.13.

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before January 7, 1974, to:

I. Edward Ornaf, M.D.  
Secretary, State Board of Medical Examiners  
28 West State Street  
Trenton, New Jersey 08625  
Telephone (609) 292-4843

The New Jersey State Board of Medical Examiners, upon its own motion or at the instance of any interested party, may thereafter adopt the above rules substantially as proposed without further notice.

I. Edward Ornaf, M.D.  
Secretary, New Jersey State  
Board of Medical Examiners  
Department of Law and Public Safety

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF ALCOHOLIC BEVERAGE CONTROL

#### Revisions in Cash Discounts to Retailers

On October 31, 1973, Joseph H. Lerner, Acting Director of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 33:1-23.1, 33:1-23.39 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to N.J.A.C. 13:2-34.2(j) concerning cash discounts to retailers, as proposed in the Notice published October 4, 1973, at 5 N.J.R. 350(c).

An order adopting these revisions was filed October 31, 1973, as R.1973 d.312 to become effective November 1, 1973.

John K. Rafferty  
Director of Administrative Procedure  
Department of State

(b)

## TRANSPORTATION THE COMMISSIONER

### Revisions Concerning State Aid Road System Program

On October 25, 1973, John C. Kohl, Commissioner of Transportation, pursuant to authority of N.J.S.A. 27:7-21 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the rules concerning the State Aid Road System Program, substantially as proposed in the Notice published July 5, 1973, at 5 N.J.R. 240(b), with only inconsequential structural or language changes, in the opinion of the Department of Transportation.

Such revisions will be included in various Sections in Chapter 14 of Title 16 in the New Jersey Administrative Code.

An order adopting these revisions was filed and effective October 30, 1973, as R.1973 d.311.

John K. Rafferty  
Director of Administrative Procedure  
Department of State

(c)

## TRANSPORTATION THE COMMISSIONER

### Rule On Reduction of Rates of Speed

On November 13, 1973, Jack Freidenrich, Acting Assistant Commissioner for Highways, pursuant to authority of N.J.S.A. 39:4-98 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an emergency rule concerning the reduction of rates of speed:

Full text of the adopted rule follows:

16:27-1.3 Reduction of rates of speed

(a) All regulations heretofore adopted pursuant to N.J.S.A. 39:4-98 designating speed limits on State highways in excess of 50 miles an hour are hereby repealed.

(b) Approval of any ordinance or resolution of any municipal or county authorities designating rates of speed in excess of 50 miles an hour with reference to highways under the jurisdiction of such authorities is hereby rescinded.

An order adopting this rule was filed and effective November 13, 1973, as R.1973 d.319 (Exempt, Emergency Rule).

This emergency rule was further ratified by John C. Kohl, Commissioner of Transportation, and this ratification was led and became effective November 14, 1973, as R.1973 d.320 (Exempt, Emergency Rule).

John K. Rafferty  
Director of Administrative Procedure  
Department of State

(d)

## TREASURY DIVISION OF PENSIONS

### Proposed Revisions Concerning Teachers' Pension and Annuity Fund

Norman E. Hardy, Deputy State Treasurer, pursuant to authority of N.J.S.A. 18A:66-56, proposes to revise the rules of the Division of Pensions in the Department of the Treasury concerning the Teachers' Pension and Annuity Fund.

Full text of the proposed revisions follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

17:3-1.5 (n) The nominating speech shall be limited to five minutes, with not more than one seconding speech of three minutes.

(o) A candidate to be elected must receive a majority of the total votes cast by the seated delegates or their alternates. In the event no candidate receives a majority, the candidate who has received the least number of votes shall be eliminated. This procedure shall be repeated on each succeeding ballot until one candidate has received a majority of the total vote.

[(n)] (p) The trustee for the three-year term commencing January 1, 1958, must be employed in a county in Group A; for the three-year term commencing January 1, 1959, in a county in Group B; for the three-year term commencing January 1, 1960, in a county in Group C, and so forth.

[(o)] (q) Only delegates with proper identification will be admitted to the main floor of the convention.

[(p)] (r) Alternates and visitors shall be seated in the balcony or gallery.

[(q)] (s) The secretary of the convention will conduct a roll call of the delegates. Alternates will be seated in the place of respective county absentee delegates in the order in which they are listed by the secretary of the county meeting.

1. Delegates, as well as alternates, shall be seated by 10:30 A.M.

2. The election of the member-trustee shall require a majority vote among the delegates actually seated in the convention.

[(r)] (t) A majority of all of the delegates entitled to seats in the convention shall constitute a quorum for transacting the business of the convention.

(u) The minutes of the convention will be forwarded to each delegate as soon as possible following the conclusion of the convention, but only those delegates who clearly identify themselves and the county they represent will be recorded in the minutes as having participated in the convention.

[(s)] (v) Visitors and alternates not seated at the convention will only be recognized during the convention at the discretion of the Chairman.

[(t)] (w) Delegates and alternates will be reimbursed for actual travel expense incurred in connection with the convention at the rate of \$0.10 per mile for travel by auto, actual tax exempt fare for travel by bus or train, and meals not in excess of \$2.00 per day.

#### 17:3-1.12 State employees; bi-weekly salaries

(a) Retirement and death benefits as well as service credit will be determined on the basis of bi-weekly pay periods for State employees paid by centralized payroll.

(b) In the event a member is reported on a combination of monthly and bi-weekly pay periods, his last year's salary or final compensation as well as his service credit will be computed on a proportional basis.

#### 17:3-3.3 Computation of insurance benefits

(a) Any member who is reported on a ten-month basis and who has not resigned or been discharged, shall be covered by his insurance benefits for the months of July and August provided he has filed a contract of employment for the next school year, or where the member has tenure. The death benefits shall be based on the base salary upon which contributions to the annuity savings fund were actually made during the 12 months or 26 bi-weekly pay periods immediately preceding his death. The salary, in the month or bi-weekly pay period in which no salary was paid, shall be counted as zero.

(b) Full salary credit will be given for the month or bi-weekly pay period in which a member dies, if he was paid salary to date of death and the salary paid was sufficient to permit a full normal month's or bi-weekly pension and insurance contribution deduction provided such deduction was made by the employer.

(c) If a member dies within the first year following the date of his enrollment, the contributory insurance benefit shall be two times the member's annual base salary on which he contributed or would have contributed immediately prior to his death. The noncontributory insurance benefit shall be 1½ times the actual base salary upon which contributions to the annuity savings fund were due from the date of enrollment to the date of death.

(d) For a member dying after the first year following his date of enrollment, both the noncontributory and contribu-

tory insurance benefit shall be determined on the base salary on which contributions to the annuity savings fund were made or would have been made during the 12-month [period] or 26 bi-weekly pay periods preceding death.

(e) If a member has contributed pension contributions for less than a year but his enrollment has been in effect for more than a year, only those wages upon which pension contributions were based can be used as salary to determine the value of the noncontributory insurance benefit, whereas the contributory insurance benefit will be based on the member's annual salary on which he last contributed.

(f) Where a post-audit of insurance claim payments indicates the pension contributions reported by an employer were incorrect and resulted in the overpayment of an insurance claim to a member's designated beneficiary or estate, the employer will be billed for the value of the overpayment of the insurance benefits. Where post-audits establish the insurance benefits were underpaid, an additional check would be sent to the beneficiary for the value of the underpayment.

(g) Refund of a deceased member's pension contributions will be made to the member's designated beneficiary or the employer after written confirmation is received from the employer setting forth the reason for the refund of pension contributions to either the beneficiary or to the employer.

(h) Members who prove their insurability for the group life insurance benefits shall have their insurance benefit calculated on the basis of the salary upon which pension contributions were based or received during their last year (10 and 12 months) of service prior to death, regardless of their effective date of insurance coverage.

(i) In computing the salary upon which pension contributions were based during a member's last year of service, in the case of a 12-month State employee reported on a bi-weekly basis, a total of 26 bi-weekly pays will be used, including any retroactive salary payments made within the prescribed period. The total salary will be adjusted by multiplying the total by 1.003831; such adjustment will compensate for State bi-weekly payroll schedules.

(j) In computing item "i" in the case of State employees reported on a 10-month basis, the total bi-weekly pays will include those pay periods in the third quarter of each year in which the member does not receive salary. The adjustment as specified in item "i" shall not be made.

(k) If a member was reported on a bi-weekly basis on any combination of 10- and 12-month contract years, the last year's salary prior to death or retirement shall be determined on a proportional basis. The bi-weekly pay periods for which no contributions were made shall be counted as zero.

#### 17:3-3.12 Beneficiary designation; pension contributions

Only a primary and a contingent designation of beneficiary may be made by the member for the payment of his accumulated pension contributions.

#### 17:3-4.2 Leave with pay

If a member is granted a leave of absence during the course of a school year with sufficient salary to cover a full normal contribution, including any arrears or loan payments, the privilege of the member to obtain credit for such leave shall not extend beyond [the termination of such school year] six months. If the leave with pay extends [into the succeeding school year] beyond six months, the member will receive credit and will be required to make contributions only if he is receiving 50 per cent or more of his regular base or contractual salary.

#### 17:3-4.13 Active employment; membership requirement

All employees, otherwise eligible, who are not actively employed on the date of their enrollment, will not be covered by the group life insurance program until they return to service.

#### 17:3-6.2 Effective date; changes

(a) A member shall have the right to withdraw, cancel or change an application for retirement at any time before his retirement allowance becomes due and payable; thereafter the retirement shall stand as approved by the Board.

(b) Except in the event of deferred retirement, if a member requests a change in his retirement application before his retirement allowance becomes due and payable, said change will require approval of the Board and the revised retirement allowance shall not become due and payable until 30 days have elapsed following the effective date or the date the Board met and approved the change in the member's retirement application, whichever is later.

(c) If the applicant should die within 30 days following the date the Board of Trustees approved the revised application, the member shall be considered to be retired on the basis of the originally approved application for retirement, provided that the initial 30-day requirement was satisfied.

(d) A deferred retirement shall become effective on the first of the month following the member's 60th birthday.

(e) In the case of deferred retirement, if an applicant desires to amend his retirement application, the amended application must be filed with the Fund a minimum of 30 days prior to his 60th birthday.

#### 17:3-6.6 Retirement credit

A member shall receive credit toward retirement for any month or bi-weekly pay period in which a full normal deduction is received by the Fund.

#### 17:3-6.11 Early retirement benefit

(a) The statutory reduction of  $\frac{1}{4}$  of one per cent applies to each month prior to the month in which the member attains age [60] 55 and for the month in which the member attains age [60] 55 if his [60th] 55th birthday occurs on or after the 15th day of the month.

(b) Retirement on the first of the month in which a member attains age 60 shall be classed as "Early" retirement[, although a reduction is not applied if his 60th birthday occurs before the middle of such month].

#### 17:3-6.15 Compulsory retirement

(a) All members shall be required to terminate their active memberships effective as of the first of the month in which they attain age 71. The actual payment of retirement benefits will be subject to the regular filing requirements set forth in Section 6.1 (Applications) of this Chapter.

(b) The Fund shall send written notice to the member and his employer between 120 and 180 days in advance of the date on which the member shall be required to retire.

(c) The tenure status of any member, for retirement purposes, shall terminate as of the first of the month in which they attain age 71, and he shall be retired automatically by the Board as of his compulsory retirement date.

(d) Should a member fail to file "Application for Retirement Allowance" before his compulsory retirement date he shall be granted the maximum allowance payable on his account; however, no retirement checks will be disbursed until he files the required application.

1. If an application is not filed with the Fund before a period of 30 days has elapsed after the Board has acted on his retirement, he shall not be eligible to exercise any of the available retirement survivorship options and his

retirement on maximum allowance shall stand as approved.

2. When such a member files his application with the Fund, he shall be eligible to receive retirement benefits for the months that have elapsed since his compulsory retirement date, provided satisfactory evidence is received to show that he terminated employment as of his compulsory retirement date.

3. No retirement benefits shall be paid for any period the member continued in service beyond his compulsory retirement date, nor shall he receive any credit for retirement purposes for salary received or for service rendered beyond his compulsory retirement date.

(e) If a member's death occurs after the 30-day waiting period has been satisfied, but before he has filed the required application for retirement, the member shall be considered to be retired on maximum allowance for death benefit purposes. His estate shall be entitled to the retroactive retirement allowance due, in addition to any retired insurance benefits payable.

#### 17:3-6.20 Final compensation [-bi-weekly]; 10- and 12-month members

(a) In order to determine the final compensation (three-year average) for benefits on a:

1. Member reported on a monthly basis under a 10-month contract [basis], use the creditable salaries upon which contributions were made to the Fund for his final 30 months of service.

2. Member reported on a monthly basis under a 12-month [basis] contract, use the creditable salaries upon which contributions were made to the Fund for his last 36 months of service.

[(b) In computing the salary received in the last year of service prior to death on State bi-weekly cases, the bi-weekly salaries are converted to annual and monthly salaries.]

(b) If a member was reported on any combination of 10- and 12-month contract years in such three-year period, the final average compensation shall be determined on a proportional basis.

(c) The months for which no contributions were made shall be counted as zero.

#### 17:3-6.21 Determination of [final compensation;] last year's salary; veterans (veteran one-half pay retirement)

[For a member employed 10 months each year, use the creditable salaries upon which contributions were made in the member's final 10 months of service preceding retirement; employed 12 months a year, the final 12 months of salary. If a combination of 10 and 12 months in the final year, use a proportional basis of computation. The months for which no contributions were made shall be counted as zero.]

For a member reported on a monthly basis under a 10-month contract use the creditable salaries upon which contributions were made in the member's final 10 months of service preceding retirement; on a 12-month contract basis, his final 12 months of service; combination of 10- and 12-month contracts, on a proportional basis. The months for which no contributions were made shall be counted as zero.

#### 17:3-6.25 Final compensation; bi-weekly salary computation for State employees reported by centralized payroll

(a) In computing "final compensation" upon which pension contributions were based, in the case of a 12-month State employee reported on a bi-weekly basis, a total of 78 bi-weekly pays will be used, including any retroactive salary payments made within the prescribed period.

(b) In computing item "a" the total salary will be adjusted by multiplying the total by 1.003831; such adjustment will compensate for State bi-weekly payroll schedules.

(c) In computing item "a" in the case of State employees reported on a 10-month basis, the total bi-weekly pays will include those pay periods in the third quarter of each year in which the member does not receive a salary. The adjustment as specified in item "b" shall not be made.

(d) If a member was reported on a bi-weekly basis on any combination of 10- and 12-month contract years, the final average compensation prior to retirement shall be determined on a proportional basis. The bi-weekly pay periods for which no contributions were made shall be counted as zero.

#### 17:3-6.26 Determination of last year's salary; State employee veterans reported by centralized payroll

(a) In computing the salary upon which pension contributions were based during a member's last year of service, in the case of a 12-month State employee reported on a bi-weekly basis, a total of 26 bi-weekly pays will be used, including any retroactive salary payments made within the prescribed period. The total salary will be adjusted by multiplying the total by 1.003831; such adjustment will compensate for State bi-weekly payroll schedules.

(b) In computing item "a" in the case of State employees reported on a 10-month basis, the total bi-weekly pays will include those pay periods in the third quarter of each year in which the member does not receive salary. The adjustment as specified in item "a" shall not be made.

(c) If a member was reported on a bi-weekly basis on any combination of 10- and 12-month contract years, the last year's salary prior to death or retirement shall be determined on a proportional basis. The bi-weekly pay periods for which no contributions were made shall be counted as zero.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 26, 1973, to:

Division of Pensions  
Department of the Treasury  
20 West Front Street  
Trenton, New Jersey 08625

The Department of the Treasury, upon its own motion or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

Norman E. Hardy  
Deputy State Treasurer  
Department of the Treasury

(a)

## TREASURY

### DIVISION OF PENSIONS

#### Revisions Concerning Prison Officers' Pension Fund

On October 25, 1973, Joseph R. Jablonski, Secretary of the Prison Officers' Pension Fund in the Department of the Treasury, pursuant to authority of N.J.S.A. 43:7-19 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to a portion of the rules concerning the Prison Officers' Pension Fund, as proposed in the Notice published September 6, 1973, at 5 N.J.R. 317(d).

Such revisions will be included in N.J.A.C. 17:7-3.2, 17:7-3.5, 17:7-3.11 and 17:7-3.12.

An order adopting these revisions was filed and effective November 8, 1973, as R. 1973 d.314.

John K. Rafferty  
Director of Administrative Procedure  
Department of State

# STATE NEWS OF PUBLIC INTEREST

Based on press releases from offices involved

## STATE'S TAX RECEIPTS JUMP 19 PER CENT OVER YEAR AGO

The Treasury Department's Division of Taxation collected a record \$1.7 billion in State taxes during the fiscal year ended June 30, Sidney Glaser, Division Director, has reported. The amount is 19 per cent, or \$277 million, over tax receipts in fiscal 1972.

The increase was ascribed by Glaser to the improved economic climate, the Division's stepped-up audit and enforcement program, and tax rate increases in some areas.

The Division's activities for fiscal 1973 were summarized in its 370-page annual report submitted last month to Gov. William T. Cahill and the State Legislature.

Glaser noted that while tax collections increased by 19 per cent, operating costs of the Division were up only 6.6 per cent and the ratio of operating costs to collections decreased one-tenth of one per cent.

The sales tax, greatest source of revenue for the State, produced the biggest dollar gain among major taxes collected. It rose to almost \$682 million, more than a third of total State revenues and \$102.4 million over 1972. Other substantial increases were in the motor fuels tax, up \$43.4 million to \$268.3 million; corporation franchise taxes, up \$75.4 million to \$249.6 million; and cigarette tax, up \$30.7 million to \$165 million.

The \$1.7 billion collected by the Division of Taxation represents 89.5 per cent of all major tax revenues of the State. The remaining 10.5 per cent, on \$201 million, consisted of motor vehicle fees and pari-mutuel, motor carriers road, outdoor advertising and boxing and wrestling taxes, all collected outside the Division by other agencies.

A breakdown of property taxes paid by each class of property in the State's 567 municipalities shows the tax against residential property made up \$1.5 billion of the \$2.5 billion collected by the municipalities, or 60 per cent.

As a result of the stepped-up enforcement program, field audit assessments more than doubled to \$15 million from \$6.5 million in 1971 and a newly-established contact section picked up \$2 million more through letters and telephone calls to delinquent taxpayers.

The Tax Director again urged an increase in penalty and interest rates and placing administration of the bank stock tax in a single agency. The bank stock tax is presently administered jointly by the Division of Taxation and the 21 county boards of taxation.

Among Glaser's recommendations for new legislation were these: increase the amount of assets which a corporation may have in order to qualify for use of the "short corporation tax form"; new "circuit-breaker" legislation to provide property tax relief to senior citizens, disabled persons and others handicapped; and legislation empow-

ering the Director to bring action to remove an uncertified local assessor from office.

Glaser noted that debate over property taxes and school finances can be expected to become dominant during the coming year. In anticipation of information requests, the Division has improved its data-gathering activities in the area of local property taxes, he said, and stands ready to develop other information as the need may arise.

## STATE STARTS NEW REHABILITATION PROGRAM FOR DECLINING HOME AREAS

Community Affairs Commissioner Lawrence F. Kramer recently announced approval of \$1,215,000 in grants to 15 communities under a new demonstration rehabilitation program designed to bring residential structures in declining but viable neighborhoods up to established code enforcement standards.

Municipalities initially participating in the program include Atlantic City, Carteret, East Orange, Englewood, Irvington, Jersey City, Maple Shade, Montclair, Mount Holly, New Brunswick, Oceanport, Paterson, Plainfield, Trenton and Vineland.

The State funds will be combined with almost \$3 million from private lending sources, according to Kramer, who said local banks in each of the communities have agreed to make such improvement loans available to eligible homeowners.

Under the new program, the bank loan will be coupled with an outright grant from the Department, which may not exceed 30 per cent of the total cost of necessary repairs. The Department grant, by reducing the monthly payment, has the effect of a low or below-market interest rate, he said.

"This program, which seeks to preserve and revitalize neighborhoods and existing housing, is representative of the State's continuing search for new and effective ways to provide decent and safe housing for our citizens," Kramer explained.

"By encouraging local financial institutions to reinvest in areas generally considered 'marginal' or 'high risk', the program also hopes to serve as a beginning in drawing financing back into the State's urban centers."

Kramer noted that the 15 communities in the demonstration program had been participating in the Federal "312" rehabilitation program for which loan funds have been terminated. The new State program was developed to offset the Federal action. Until sometime next year, however, the Federal government will continue to provide funds to meet administrative costs of the local rehabilitation efforts.

Under the State program, the local agency will inspect structures, primarily one- to three-family homes in designated target areas, and prepare a cost estimate of repairs needed to bring the buildings up to code standards. Loan and grant amounts will be based on this estimate and will go directly to the participating bank or the contractor employed to make the repairs.

## 21 QUALIFY TO BECOME MUNICIPAL TAX ASSESSORS

Fewer than half, or 21 persons, qualified to become municipal tax assessors by passing the Sept. 22 examination given by the State Division of Taxation, Sidney Glaser, Division Director, has announced.

The six-hour examination was taken by 58 persons and was held in accordance with the Assessor Certification and Tenure Act which requires that anyone assuming office as

a tax assessor on and after July 1, 1971 must hold a Tax Assessor Certificate.

Purposes of the assessor certification law is to promote professional administration of the property tax through training and examination and to provide tenure in office to qualified persons.

Glaser noted that the examinations are offered twice a year in March and September and cover the fields of property tax law, farmland assessment, tax exemptions and deductions, sales ratio and equalization programs and the three approaches to valuation of real property. He also pointed out that New Jersey is in the forefront among all states in its assessor qualification program.

Those who qualified are:

Burlington County: John J. Centinaro, Beverly City; Harry J. Supple Jr., Delran Township; William E. Birchall Jr., Hainesport Township; Roy J. Peck, Morrestown Township.

Camden County: Stanley H. Macelis, Lindenwold Borough; George D'Angelo Jr., Stratford Borough.

Essex County: Richard Marashlian, Verona Borough.

Gloucester County: Edward C. Kloss, Pitman Borough.

Middlesex County: Charles H. Hodulik, Dunellen Borough.

Morris County: Ernest F. Del Guercio, Mendham Borough.

Ocean County: G. David Hulse, Dover Township; Deborah A. Spettel, Little Egg Harbor; William H. O'Toole, Point Pleasant Borough.

Passaic County: Leslie J. Croland, Clifton City; Nathan F. Peraino, Passaic County.

Somerset County: Herbert W. Amundsen Jr., North Plainfield Borough.

Sussex County: Murray Brenner, Andover Borough.

Union County: Julia Palamara, Berkeley Heights Township; Robert J. Nixon, Elizabeth City; Leo T. Souza, Springfield Township.

State of New York: John J. Czech, New City.

## NEW DRUG THERAPEUTIC PROGRAM IN PROGRESS AT CLINTON FARMS

The first Federal-State therapeutic operation in the United States for female drug offenders has been established at the Correctional Institution for Women in Clinton, it was announced by the State Department of Institutions and Agencies.

The project, 75 per cent Federally funded and 25 per cent by the State, is called GENESIS and is a completely new concept in rehabilitation for female offenders, it is stated.

Participating on a voluntary basis, inmates are first screened by the project director and staff to insure that they meet mandatory criteria for inclusion in the program. To qualify, members must be drug free, not on medication, aware of restrictions placed on participants in the program and familiar with the fact that all privileges must be earned.

The daily program was initiated in late August with a few volunteers and a professional staff of three and as of November had an active membership of 43. Through encounter group therapy, peer group discussions, counseling and self evaluation, attempts are made to help the inmate modify her behavior and attitude.

She must learn to use her natural resources to be able to cope with her own feelings and change her outlook from negative to positive. Women may volunteer for more intensive therapy when they feel they are ready.

A steering committee of six members elected by fellow GENESIS members sets all rules and delegates individual

responsibilities. In addition to responsibility for at least one specific job, each participant must adhere to certain regulations, the violation of which will result in dismissal from the program.

Individuals are encouraged through the dynamics of a therapeutic environment to transfer their dependency on drugs to a dependency on people. Emphasis is placed on learning the difference between right and wrong, reality and fantasy, responsibility and irresponsibility.

In addition, 24-hour support is supplied by the trained professional and para-professional staff, which includes three ex-addict counselors, one in residence to provide counseling and support at any hour. An out-reach program is currently underway in an attempt to extend drug counseling therapy to other inmates at Clinton, many of whom are serving sentences as a result of drug-related offenses.

## HEALTH DEPARTMENT REMOVING HAZARDOUS TOYS FROM SHELVES

Dr. James R. Cowan, State Commissioner of Health, reported last month that because of preventive action by his Department at least 437 hazardous toys will not get into the hands of children this Christmas.

The program sent 12 investigators into 146 retail outlets in 25 cities to look for toys designated as hazardous by the United States Consumer Product Safety Agency, an independent regulatory agency.

As a result of conversations between investigators and responsible persons in the retail outlets, 131 toys were destroyed and 306 others returned to the source from which purchased.

Toys banned from sale included dolls with sharp wires, plastic Easter figures containing sharp springs, toys with easily removable parts that could be swallowed by small children, dolls with pins in them, rattles easily broken, breakable mirrors, improperly labeled archery sets, a baby walker with a potential for crushing a small child, an xylophone with sharp edges, a spin top with sharp edges and a rigid metal shaft, improperly labeled lawn dart sets, small objects in cracker jacks that can be swallowed, and numerous squeaker toys in which the squeaker could be removed and swallowed by a small child.

With a list of about 600 toys banned by the Consumer Product Safety Agency, the investigators visited outlets in Perth Amboy, Red Bank, Wayne, Livingston, Paterson, Paramus, Englewood, Hackensack, Burlington, Haddonfield, Flemington, Princeton, Toms River, Lakewood, Trenton, Bordentown, Bloomfield, South Orange, New Brunswick, Woodbridge, Camden, Moorestown, Newark, Jersey City and Hoboken.

Donald J. Foley, coordinator of the drug and device program in the Department, said that the Consumer Product Safety Agency estimates that in the year ended June 30, 1973 there were 142,989 toy-related injuries treated in hospital emergency rooms nationwide.

## CITIZEN COMMITTEE NAMED FOR YOUTH, FAMILY SERVICES

Eighteen people in the social service, legal, medical and educational fields along with concerned individuals were named last month to a new State-wide Advisory Committee on Youth and Family Services.

According to Frederick A. Schenck, Director of the Division of Youth and Family Services in the State Department

of Institutions and Agencies, the committee "will be a major vehicle for bringing the vast resources and knowledge of both the public and private sectors in New Jersey to bear on the work of this Division".

"I look to the committee to provide us with direction and guidance in developing quality social services for New Jersey families and children in need.

"Five members have had contact with Division services in the past, either as children, parents or adoptive parents, giving us an essential point of view," he added.

The committee of ten women and eight men includes three medical doctors and one priest.

The committee will review and analyze proposed policies of the Division as submitted by the Director; will advise the Division regarding new policies or modifications in existing programs in the field of child and family social

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## EARLY COPIES OF BILLS, LAWS AGAIN AVAILABLE FROM STATE

The service instituted by the State last year to provide subscribers with a copy of each new law within two weeks of enactment will again be available for the 1974 year following reconvening of the new Legislature next month.

Provided by the Laws and Commissions Section of the Office of the Secretary of State, it is known as the Advance Law Service. It is on six- by nine-inch pages punched to fit standard loose-leaf binders, with italics and brackets as contained in the bill as enacted. Subscription rate is \$75 per year but no binders are included.

The service supplements the Legislative Bill Service, long provided by the same office, which covers all new bills and resolutions as soon as printed. Rate for this service is likewise \$75 a year.

The official form below may be used for ordering

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### SUBSCRIPTION ORDER

To: Laws and Commissions Section  
Office of Secretary of State  
Room 101, State House  
Trenton, New Jersey 08625

(Make checks payable to the Secretary of State)

Enclosed is check for \$..... to cover:

ADVANCE LAW SERVICE (A copy of all laws within two weeks after enactment) - \$75 per year.

LEGISLATIVE BILL SERVICE (A copy of all bills and resolutions as soon as printed) - \$75 per year.

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