SUBCHAPTER 3A REGISTRATION OF WHOLESALE DISTRIBUTORS OF DRUGS

§ 8:21-3A.1 Scope

This subchapter sets forth standards for the registration and operation of any person, partnership, corporation or business firm engaging in the wholesale distribution of drugs.

HISTORY

HISTORY:

Amended by R.2006 d.391, effective November 20, 2006.

See: 37 N.J.R. 3899(a), 38 N.J.R. 4857(b).

Deleted "human prescription" preceding "drugs".

Chapter Notes

§ 8:21-3A.2 Purpose

(a) The purpose of this subchapter is to:

1. Implement the requirements of the Federal Prescription Drug Marketing Act of 1987, 21 U.S.C. § 351, 353, 371 and 374, and 21 CFR 205 for the benefit of the health and safety of the ultimate consumers of prescription drugs;

2. Implement, as appropriate in New Jersey, the National Association of Boards of Pharmacy's "Model Rules for the Licensure of Wholesale Distributors (March 18, 2005)," available by written request to National Association of Boards of Pharmacy, 1600 Feehanville Drive, Mount Prospect, Illinois 60056, telephone (847) 391-4406, for the benefit of the health and safety of the ultimate consumers of drugs; and

3. Establish standards for the wholesale distribution of OTC and non-prescription drugs for the benefit of the health and safety of the ultimate consumers of OTC and non-prescription drugs.

HISTORY

HISTORY:

Amended by R.2006 d.391, effective November 20, 2006.

See: 37 N.J.R. 3899(a), 38 N.J.R. 4857(b).

Rewrote the section.

Chapter Notes

§ 8:21-3A.3 Definitions

The words and terms used in this subchapter shall have the following meanings, unless the context clearly indicates otherwise:

"Authorized distributor" or "authorized distributor of record" means a wholesale distributor with whom a manufacturer has established an ongoing relationship to distribute the manufacturer's product. An ongoing relationship is deemed to exist when the wholesale distributor, or any member of its affiliated group, as defined in section 1504 of the Internal Revenue Code of 1986 (26 U.S.C. § 1504):

1. Is listed on the manufacturer's list of authorized distributors;

2. Has a written agreement currently in effect with the manufacturer; or

3. Has a verifiable account with the manufacturer and meets or exceeds the following transaction or volume requirement thresholds:

i. Five thousand sales units per company within 12 months; or

ii. Twelve purchases by invoice at the manufacturer's minimum purchasing requirement per invoice within 12 months.

"Blood" means whole blood collected from a single donor and processed either for transfusion or further manufacturing.

"Blood component" means that part of blood separated by physical or mechanical means.

"Broker" means a person participating in the wholesale distribution of a drug that buys and sells the drug but does not take physical possession such that the drug is "sold to" the broker and "shipped to" a third party. A "broker only" cannot take possession of drugs under any circumstances.

"Contraband drug" means a drug which is counterfeit, stolen, misbranded, obtained by fraud, purchased by a non-profit institution for its own use and placed in commerce in violation of the own use agreement for that drug.

"Counterfeit drug" means a controlled substance, or other drug which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number, or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person or persons who in fact manufactured distributed, or dispensed such substance and which thereby is falsely purported or represented to be the product of, or to have been distributed by, such other manufacturer, distributor, or dispenser. A counterfeit drug shall include any counterfeit substance.

"Department" means the New Jersey Department of Health.

"Designated representative" means an individual who is designated by a wholesale prescription drug distributor to serve as the primary contact person for the wholesale distributor with the Department, and who is responsible for managing the company's operations at that licensed location.

"Drug" shall have the meaning set forth at N.J.S.A. 24:1-1 and as used throughout this subchapter shall include both non-prescription and prescription drugs.

"Drug sample" means a unit of a prescription drug that is not intended to be sold and is intended to promote the sale of the drug.

"Manufacturer" means anyone who is engaged in the manufacturing of drugs or devices, as defined in N.J.S.A. 24:6B-12, or engaged in the manufacturing, preparing, propagating, compounding, processing, packaging, repackaging, or labeling of a drug.

"Misbranded drug" shall be deemed to be misbranded if the label is false or misleading in any particular; or the label does not bear the name and address of the manufacturer, packer, or distributor and does not have an accurate statement of the quantities of the active ingredients in case of a drug; or do not show an accurate monograph for legend drugs; or other considerations as noted under N.J.S.A. 24:5-18 and in the Federal Food, Drug and Cosmetic Act, 21 U.S.C. §§ 301 et seq.

"Non-prescription" or "Non-legend" or "O.T.C." drugs mean drugs directly available to the consumer over the counter, without a physician's prescription.

"Prescription drug" means any human drug required by Federal law or regulation to be dispensed only by a prescription, including dosage forms and active ingredients subject to section 503(b) of the Federal Food, Drug and Cosmetic Act.

"Readily available" and "readily retrievable" mean that records, either hard copy or computerized, are organized in such a manner that they can be quickly and easily retrieved during an inspection; individual records can be produced within minutes of the request. Required records that are kept by automatic data processing systems or other electronic or mechanized recordkeeping systems are kept in such a manner so that they can be separated out from all other records in a reasonable time.

"Repackage" includes repacking or otherwise changing the container, wrapper, quantity, or labeling of a drug to further the distribution of the drug.

"Wholesale distribution" means the distribution of drugs or devices to persons other than a consumer or patient, but does not include:

1. Intracompany sales;

2. The purchase or other acquisition by a hospital or other health care entity that is a member of a group purchasing organization, of a drug or device for its own use from the group purchasing organization or from other hospitals or health care entities that are members of such organizations;

3. The sale, purchase, or trade of a drug or device or an offer to sell, purchase, or trade a drug or device by a charitable organization described in section 501(c)(3) of the Internal Revenue Code of 1954 to a nonprofit affiliate of the organization to the extent otherwise permitted by law;

4. The sale, purchase, or trade of a drug or device or an offer to sell, purchase, or trade a drug or device among hospitals or other health care entities that are under common control; for purposes of this definition "common control" means the power to direct or cause the direction of the management and policies of a person or an organization, whether by ownership of stock, voting rights, by contract, or otherwise;

5. The sale, purchase or trade of a drug or device or an offer to sell, purchase, or trade a drug or device for emergency medical reasons; for purposes of this definition, "emergency medical reasons" includes transfers of prescription drugs by a retail pharmacy to another retail pharmacy to alleviate a temporary shortage;

6. The sale, purchase, or trade of a drug, an offer to sell, purchase, or trade a drug, or the dispensing of a drug pursuant to a prescription;

7. The distribution of drug or device samples by manufacturers' representatives or distributors' representatives; or

8. The sale, purchase, or trade of blood and blood components intended for transfusion.

"Wholesale distributor" means anyone engaged in wholesale distribution of drugs including, but not limited to, manufacturers; repackagers; own-label distributors; private label distributors; jobbers; brokers; warehouses, including manufacturers' and distributors' warehouses, chain drug warehouses, and wholesale drug warehouses; and independent wholesale drug traders, but does not include a retail pharmacy whose sales of prescription drugs to other than the ultimate user, including physicians for office use, nursing homes, institutions, etc. does not exceed five percent of the total gross annual sales of prescription drugs of the pharmacy.

HISTORY

HISTORY:

Amended by R.2006 d.391, effective November 20, 2006.

See: 37 N.J.R. 3899(a), 38 N.J.R. 4857(b).

Inserted definitions "Authorized distributor", "Broker", "Contraband drug", "Counterfeit drug", "Designated representative", "Drug", "Misbranded drug", "Readily available" and "Repackage"; in definition "Manufacturer", deleted "prescription" preceding "drug"; and in definition "Wholesale distributor", deleted "prescription" following "distribution of".

Chapter Notes

§ 8:21-3A.4 Application requirements; reciprocity

(a) The Department may permit an out-of-State wholesale distributor to satisfy the registration requirements of this subchapter on the basis of reciprocity provided that such out-of-State wholesale distributor possesses a valid license or registration granted by another state pursuant to legal standards comparable to those which must be met by a registrant of this State as prerequisites for satisfying the registration requirements under the laws of this State.

(b) Every wholesale distributor of drugs shall apply to the Department in accordance with the provisions of N.J.S.A. 24:6B-2 using forms supplied by the Department. In addition, every applicant shall complete the appropriate sections of the application, which shall include:

1. Name, full business address and telephone number of the applicant;

i. All trade or business names used by the registrant;

ii. Addresses, telephone numbers and name of the contact person for all facilities used by the registrant for the storage, handling and distribution of drugs;

2. The type of ownership or operation (that is, partnership, corporation, or sole proprietorship);

3. The name(s) of the owner and/or operator of the applicant, including:

i. If a person, the name of the person, date and place of birth, the last four numbers of social security number and the Federal identification number;

ii. If a partnership, the name of each partner, date and place of birth, the last four numbers of social security number, the name of the partnership and the Federal identification number;

iii. If a corporation, the name, and title of each corporate officer and director, the corporate names, date and place of birth, the last four numbers of social security number, the name of the State of incorporation, and the Federal identification number, and

iv. If a sole proprietorship, the full name of the proprietor, date and place of birth, the last four numbers of social security number, the name of the business entity and the Federal identification number;

4. The address of each location in New Jersey at which the business is to be conducted. If an applicant's business is not to be conducted within the State, the application shall give the name and address of an agent resident of this State on whom process against the applicant may be served;

5. If the business is to be conducted at more than one location in this State, the name and address of the individual in charge of each such location;

6. A description of the business;

7. The name and address of the individual or individuals on whom orders of the Commissioner may be served; and

8. A statement as to whether the registrant engages in the manufacturing, compounding, processing,

wholesaling, jobbing, distribution of any controlled dangerous substances as defined pursuant to N.J.S.A. 24:21-2.

HISTORY

HISTORY:

Amended by R.2006 d.391, effective November 20, 2006.

See: 37 N.J.R. 3899(a), 38 N.J.R. 4857(b).

Rewrote (a); in the introductory paragraph of (b) and in (b)1ii, deleted "prescription" preceding "drugs"; and rewrote (b)3i through (b)3iv.

Chapter Notes

§ 8:21-3A.5 Evaluation criteria

(a) In considering any application for registration, the Department shall consider, at a minimum, the following factors in reviewing the qualifications of those persons applying for registration as a wholesale drug distributor:

1. Any convictions of the applicant under any Federal, state, or local laws relating to drug samples, wholesale or retail drug distribution, or distribution of a controlled substance;

2. Any felony conviction under Federal laws, or the equivalent (under whatever statutory term) conviction under state or local laws;

3. The applicant's past experience in the manufacturing or distribution of drugs or controlled substances;

4. The furnishing of false or fraudulent material in any application made in connection with drug or device manufacturing or distribution;

5. Suspension or revocation by Federal, state or local government of any registration currently or previously held by the applicant for the manufacture or distribution of any drugs, including controlled substances;

6. Compliance with license and/or registration requirements under any previously granted license or registration, if any;

7. Compliance with requirements to maintain and/or make available to the Department or Federal or local law enforcement officials those records required by this subchapter; and

8. Any other factors or qualifications the Department considers relevant to and consistent with the public health and safety.

(b) Wholesale drug distributors shall operate in compliance with applicable Federal, State and local laws and regulations and where the wholesale drug distributor also deals in controlled dangerous substances, it shall also register with the Department and Drug Enforcement Administration (DEA) and also comply with all applicable State rules and DEA regulations.

(c) A retail pharmacy wishing to conduct a wholesale business shall operate the wholesale business under a separate name and at a separate location, other than that of the pharmacy name and address and the wholesale business will be subject to all of the requirements of a wholesale distributor.

HISTORY

HISTORY:

Amended by R.2006 d.391, effective November 20, 2006.

See: 37 N.J.R. 3899(a), 38 N.J.R. 4857(b).

In introductory paragraph of (a), deleted "prescription" preceding "drug"; and in (a)3, deleted "prescription" preceding "drugs".

§ 8:21-3A.6 Denial of application

The Department shall have the right to deny an application for registration if it determines the granting of such registration would not be in the public interest or for submitting false information on an application. Public interest considerations shall be based upon factors and qualifications that are directly related to the protection of the public health and safety as delineated in N.J.A.C. 8:21-3A.5.

HISTORY

HISTORY:

Amended by R.2006 d.391, effective November 20, 2006.

See: 37 N.J.R. 3899(a), 38 N.J.R. 4857(b).

Inserted "or for submitting false information on an application".

Chapter Notes

§ 8:21-3A.7 Personnel requirements

Personnel employed by a wholesale distributor shall have appropriate education and/or experience to assume responsibility for positions that would affect compliance with registration requirements.

Chapter Notes

§ 8:21-3A.8 Facility

(a) All facilities at which drugs are stored, warehoused, handled, held, offered, marketed, or displayed shall:

1. Be of suitable size and construction to facilitate cleaning, maintenance, and proper operations;

2. Provide storage areas which include adequate lighting, ventilation, temperature, sanitation, humidity, space, equipment, and security conditions;

3. Provide a quarantine area for storage of outdated, damaged, deteriorated, misbranded or adulterated drugs, or drugs that are in immediate or sealed secondary containers that have been opened;

4. Be maintained in a clean and orderly condition; and

5. Be free from infestation by insects, rodents, birds, or vermin of any kind.

HISTORY

HISTORY:

Amended by R.2006 d.391, effective November 20, 2006.

See: 37 N.J.R. 3899(a), 38 N.J.R. 4857(b).

In introductory paragraph of (a), deleted "prescription" preceding "drugs"; and in (a)3, deleted "prescription" following "adulterated".

Chapter Notes

§ 8:21-3A.9 Security

(a) All facilities used for wholesale distribution shall be secure from unauthorized entry and shall provide the following additional security measures:

1. Access from outside the premises shall be kept at a minimum and shall be well controlled;

2. The outside perimeter of the premises shall be well-lighted; and

3. Entry into areas where prescription drugs are held shall be limited to authorized personnel.

(b) All facilities shall be equipped with an alarm system to detect entry after hours.

(c) All facilities shall be equipped with a security system that will provide suitable protection against theft and diversion, and shall provide, when appropriate, protection against theft or diversion that is facilitated or hidden by tampering with computers or electronic records.

Chapter Notes

§ 8:21-3A.10 Storage

(a) All drugs shall be stored at appropriate temperature and conditions in accordance with the requirements set forth in the labeling of such drugs or with the requirements of the current edition of an official compendium, such as the United Pharmacopoeia/National Formulary (USP/NF).

(b) If no storage requirements are established for a prescription drug, the drug may be held at controlled room temperature, as defined in an official compendium, to help ensure that its identity, strength, quality, and purity are not adversely affected.

(c) Appropriate manual, electromechanical or electronic temperature and humidity recording equipment, devices and/ or logs shall be utilized to document proper storage of drugs.

(d) For prescription drugs, a record must be maintained recording the date; time; thermometer temperature; and the initials of the person recording the data or reviewing the data if electronically monitored. This record and temperature reading must be recorded at least five days each week with the temperature readings taken between 1:00 P.M. and 5:00 P.M. E.S.T. Alternate times may be approved by the Department in writing. This record must be kept on file by the facility for at least two years.

HISTORY

HISTORY:

Amended by R.2006 d.391, effective November 20, 2006.

See: 37 N.J.R. 3899(a), 38 N.J.R. 4857(b).

In (a), deleted "prescription" preceding the first occurrence of "drugs"; in (c), deleted "prescription" preceding "drugs"; and added (d).

Chapter Notes

§ 8:21-3A.11 Examination of materials

(a) Upon receipt, each outside shipping container shall be visually examined for identity and to prevent the acceptance of counterfeit, misbranded, contraband or contaminated prescription drugs or prescription drugs that are otherwise unfit for distribution, and such examination shall be adequate to reveal container damage that would suggest possible contamination or other damage to the contents. If visual examination of the shipping container or other conditions surrounding the transaction suggest possible counterfeiting or contamination, the person has a duty to examine further the contents or conditions of sale.

(b) Each outgoing shipment of prescription drugs shall be carefully examined for the identity of the prescription drug products and to ensure that there is no delivery of prescription drugs that have been damaged in storage or held under improper conditions.

HISTORY

HISTORY:

Amended by R.2006 d.391, effective November 20, 2006.

See: 37 N.J.R. 3899(a), 38 N.J.R. 4857(b).

In (a), inserted "counterfeit, misbranded, contraband or" and inserted the last sentence.

Chapter Notes

§ 8:21-3A.12 Returned, damaged and outdated prescription drugs

(a) Prescription drugs that are outdated, damaged, deteriorated, misbranded, or adulterated shall be quarantined and physically separated from other prescription drugs until they are destroyed or returned to their supplier.

(b) Prescription drugs whose immediate or sealed outer or sealed secondary containers have been opened or used shall be identified as such, and shall be quarantined and physically separated from other prescription drugs until they are either destroyed or returned to the supplier.

(c) If the conditions under which a prescription drug has been returned cast doubt on the drug's safety, identity, strength, quality or purity, then the drug shall be destroyed or returned to the supplier, unless examination, testing or other investigation proves the drug meets appropriate standards of safety, identity, strength, quality and purity. The wholesale distributor of prescription drugs shall consider, among other things, the conditions under which the drugs were held, stored, or shipped before or during their return and the condition of the drug and its container, carton, or labeling as a result of storage and shipping when considering that there is any doubt of the drug's safety, identity, strength, quality or purity.

Chapter Notes

§ 8:21-3A.13 Recordkeeping

(a) Wholesale distributors of prescription drugs shall establish and maintain inventories and records of all transactions regarding the receipt and distribution or other disposition of prescription drugs. Records shall include the following information:

1. The source of the prescription drugs, including the name and principal address of the seller or transferor, and the address of the location from which the prescription drugs were shipped;

2. The identity and quantity of the prescription drugs received and distributed or disposed of;

3. The dates of receipt and distribution or other disposition of the prescription drugs;

4. Invoices that shall reflect the amount billed per prescription drug product; and

5. Inventory: A complete and accurate record of all stock of prescription drugs on hand must be made annually by wholesale distributors.

i. A physical inventory of prescription drugs must be conducted at least annually unless perpetual inventory records are maintained, in which case the physical inventory may be conducted on a biennial basis.

ii. If a wholesale distributor does not maintain a perpetual inventory, the annual physical inventory shall be retained for a period of three years following their creation date.

iii. Significant inventory discrepancies shall be investigated, and handled in accordance with written policies and procedures;

(b) Originals or true copies of required records documentation of drugs shall be maintained by the person involved in the transaction, including brokers and agents.

1. If electronic methods are used to maintain records related to drugs and these methods do not maintain a true copy of the original record, such as the actual image of the original document, then the security system of the wholesale distributor must provide protection against tampering with computers or electronic records.

2. Originals, true copies and electronical methods of records involving drugs shall be readily available and readily retrievable for inspection by an authorized State official and any other governmental agency charged with enforcement of these rules.

(c) Wholesale distributors shall establish and maintain inventories and records of all transactions regarding the receipt and distribution, quarantine or other disposition of drugs.

(d) Wholesale distributors shall establish and maintain an ongoing listing of all retail and wholesale establishments with whom they purchase, acquire, sell, transfer, or dispose of drugs. At a minimum, this listing shall be updated monthly.

HISTORY

HISTORY:

Amended by R.2006 d.391, effective November 20, 2006.

See: 37 N.J.R. 3899(a), 38 N.J.R. 4857(b).

In (a)1 through (a)3, inserted "prescription" preceding "drugs"; in (a)2, deleted "and" from the end; added (a)4, (a)5, and (b) through (d).

Chapter Notes

§ 8:21-3A.14 Due diligence

(a) Prior to the initial purchase or acquisition of prescription drugs from another wholesale distributor, a wholesale distributor shall obtain the following information from the selling wholesale distributor:

1. Copies of all state and Federal regulatory licenses and registrations;

2. The wholesaler distributor's most recent facility inspection reports;

3. A list of other names under which the wholesale distributor is doing business or by which the wholesale distributor was formally known;

4. A list of corporate officers and managerial employees and designated representative; and

5. A verification of the selling wholesale distributor's status as an authorized distributor of record, if applicable.

(b) At least annually, a wholesale distributor that purchases prescription drugs from another wholesale distributor shall update the information set forth in (a) above.

(c) No purchase shall take place from any storage facility, manufacturer or wholesale distributor not having a current license or registration within the jurisdiction of the establishment location from where product is purchased.

(d) No purchase or acquisition shall be permitted from a firm that has not provided complete information as set forth in (a) above.

HISTORY

HISTORY:

New Rule, R.2006 d.391, effective November 20, 2006.

See: 37 N.J.R. 3899(a), 38 N.J.R. 4857(b).

Section was "Reserved".

Chapter Notes

§ 8:21-3A.15 Availability of records and inventories

(a) Records and inventories, including those related to any prescription drug salvage or reprocessing procedure, shall be made readily available and readily retrievable for inspection and photocopying by Federal, State or local law enforcement agencies shall be maintained for a period of three years following the disposition of the drugs.

(b) The records that are kept at the inspection site or that can be immediately retrieved by computer or other electronic means shall be readily available for authorized inspection during the retention period, and records kept at a central location apart from the inspection site and not electronically retrievable shall be made available for inspection within two working days of a request by an authorized official of a Federal, state or local enforcement agency.

HISTORY

HISTORY:

Amended by R.2006 d.391, effective November 20, 2006.

See: 37 N.J.R. 3899(a), 38 N.J.R. 4857(b).

In (a), inserted "readily" and "and readily retrievable", and substituted "three" for "two".

Chapter Notes

§ 8:21-3A.16 Policies and procedures

(a) Wholesale prescription drug distributors shall establish, maintain, and adhere to written policies and procedures which shall be followed for the receipt, security, storage, inventory, and distribution of prescription drugs, including policies and procedures for identifying, recording, and reporting losses or thefts, and for correcting all errors and inaccuracies in inventory. Wholesale drug distributors shall include in their policy and procedures the following:

1. A procedure whereby the oldest approved stock of a prescription drug is distributed first. The procedure may permit deviation from this requirement if the deviation is temporary and appropriate;

2. A procedure to be followed for, and which shall be adequate for, handling recalls and withdrawals due to:

i. Any action initiated by the request of the Food and Drug Administration or other Federal, state, local law enforcement or other government agency, including the State registering agency;

ii. Any voluntary action by the manufacturer to remove defective or potentially defective drugs from the market; or

iii. Any action undertaken to promote public health, and safety by replacing existing merchandise with an approved product or new package design.

3. A procedure to ensure that a wholesale distributor prepares for, protects against, and handles any crisis that affects security or the operation of any facility in the event of strike, fire, flood, or other natural disaster, or other situations of a local, State or national emergency; and

4. A procedure to ensure that outdated prescription drugs shall be segregated from other drugs and either returned to the manufacturer or destroyed. Such procedure shall provide for written documentation of the disposition of the outdated prescription drugs and shall be maintained for three years after disposition of the outdated prescription drugs.

HISTORY

HISTORY:

Amended by R.2006 d.391, effective November 20, 2006.

See: 37 N.J.R. 3899(a), 38 N.J.R. 4857(b).

In (a)4, substituted "three" for "two".

Chapter Notes

§ 8:21-3A.17 List of responsible persons

Wholesale drug distributors shall maintain a list of officers, directors, managers, designated representative and other persons in charge of wholesale distribution, storage, and handling of prescription drugs that include a description of their duties and a summary of their qualifications.

HISTORY

HISTORY:

Amended by R.2006 d.391, effective November 20, 2006.

See: 37 N.J.R. 3899(a), 38 N.J.R. 4857(b).

Inserted ", designated representative".

Chapter Notes

§ 8:21-3A.18 Inspection and auditing

Wholesale drug distributors shall permit the Department and authorized Federal, State and local law enforcement officials to enter and inspect their premises and delivery vehicles, and to audit their records and written operating procedures, at reasonable times and in a reasonable manner, to the extent authorized by law.

Chapter Notes

§ 8:21-3A.19 Salvage; reprocessing

Wholesale drug distributors shall be subject to the provisions of any applicable Federal, State or local laws, rules or regulations that relate to drug product salvaging or reprocessing.

HISTORY

HISTORY:

Amended by R.2006 d.391, effective November 20, 2006.

See: 37 N.J.R. 3899(a), 38 N.J.R. 4857(b).

Deleted "prescription" preceding "drug product".

Chapter Notes

§ 8:21-3A.20 Suspension; revocation

(a) The Department shall suspend or revoke any registration granted under this subchapter upon adjudication of civil liability or criminal conviction of the registrant of a violation of applicable Federal, State or local drug laws, rules or regulations.

(b) The Department may suspend or revoke any registration granted hereunder for any violation of this chapter, submitting false information on an initial or renewal application, falsification of records, or any good cause within the meaning and purpose of the law.

HISTORY

HISTORY:

Amended by R.2006 d.391, effective November 20, 2006.

See: 37 N.J.R. 3899(a), 38 N.J.R. 4857(b).

Rewrote (a); and added (b).

Chapter Notes

§ 8:21-3A.21 Penalties

The Department may provide for fines, imprisonment, or civil penalties as set forth in N.J.S.A. 24:6B-11 or 24:17.1.

Chapter Notes

§ 8:21-3A.22 Appeals

Prior to the suspension or revocation of a registration issued in accordance with this subchapter, the registrant shall have a right to prior notice and a hearing pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules N.J.A.C. 1:1.

Chapter Notes