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NJ anti-smoking law bans indoors scientific research on cigarettes

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TRENTON — New Jersey's **Smoke Free Air Act** was intended to improve public health by banning smoking in most indoor public places.

But it has had an unintended impact, according to one state lawmaker. Medical and scientific laboratories studying the effects of smoking are also banned from indoor research under the law.

Now state Sen. Jennifer Beck (R-Monmouth) introduced a bill (S2988) to exempt them from the ban.

Beck put forward the legislation after Neptune's business administrator told her a clinical research company with a facility in town, Celerion, was afraid that it would violate the law in a study it wants to conduct an active research study on smoking with Canadian company Inflamm Research. The study, which would examine the health effects of traditional cigarettes versus vapor-based "e-cigarettes," would mean jobs in Monmouth County, Beck said. But that's not all.

"It's highly ironic he thought that the law, which his intended to protect people from second-hand smoke, is also the reason why we might not be able to get to the bottom of why e-cigarettes may or may not be a dangerous addition to the world of smoking," she said.

The business administrator, Vito Galadetta, said that Inflamm planned to develop a new facility in Neptune for the project, and that it might be conduct more than just one study. And Celerion, he said, made it known that they might leave without a change in law.

"The discussions we had with Celerion management, there was a potential likelihood that we were going to lose a viable company here from Neptune, and those jobs were going to go along with them," he said.

Galadetta said he didn't know the details of the study, like who exactly is funding

it. Celerion did not immediately respond to a request for comment.

New Jersey's 10-year-old indoor smoking ban includes a few exceptions: private residences, cars, casinos, cigar bars, tobacco stores or tobacco businesses that test products. Beck's bill would add to those "laboratories and other facilities that have been approved by the Department of Health to permit smoking for the purpose of medical or scientific health-related research."

Beck said Illinois recently enacted a similar change to its indoor smoking ban.

But Karen Blumenfeld, executive director of New Jersey Global Advisors on Smokefree Policy, said she opposes any bill that would permit more indoor smoking.

"They can do the study outside, just like everybody else has to," Blumenfeld said.

Blumenfeld also felt that the bill was far too broad in not saying exactly what criteria the Department of Health would use to approve the facilities.

"What is the criteria the Department of Health uses to decide whether or not there's a location that would be deemed appropriate to do this?" Blumenfeld said. "In addition to that, for the purpose of medical, scientific and health-related research is so vague and ambiguous it could be any type of company or research study."

Beck said that she assumes the company has reasons it needs to conduct the study indoors or it wouldn't seek to go through the complicated legislative process. For instance, she said the study could be conducted in the winter months.

"We have a group of folks from the scientific community coming to us and saying that we would like to do detailed research of what is a very prescient issue of the e-cigarette," Beck said. "I am assuming if they could do it outdoors, and that was the simple solution, they would do it outdoors."

http://www.nj.com/politics/index.ssf/2015/06/nj_anti-smoking_law_bans_indoor_scientific_research.html