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AFFAIRS***

Agency

LAW AND PUBLIC SAFETY > DIVISION OF CONSUMER AFFAIRS

Administrative Code Citation

N.J.A.C. 13:45J-1.2

Text

**Limitations on and Obligations Associated with Prescriber
Acceptance of Compensation from Pharmaceutical Manufacturers**

Notice Regarding Modest Meals

Authorized By: Cari Fais, Acting Director, Division of Consumer Affairs.

Take notice that the Division of Consumer Affairs (Division) is publishing this notice to provide the regulated community with updated information regarding the dollar limits for "modest meals" at N.J.A.C. 13:45J-1.2. The rules set forth at N.J.A.C. 13:45J were promulgated by the Attorney General, in accordance with the statutory authority conferred pursuant to N.J.S.A. 45:1-17.b. See 50 N.J.R. 578(a). These rules "regulate the receipt and acceptance by prescribers of anything of value from pharmaceutical manufacturers to ensure that such relationships do not interfere with prescribers' independent professional judgment." N.J.A.C. 13:45J-1.1(a).

The rules permit prescribers who are not speaking or providing services at promotional activities to accept modest meals

provided by manufacturers through promotional activities. See N.J.A.C. 13:45J-1.2, 1.3(d), and 1.4(a)4. N.J.A.C. 13:45J-1.2 set the amount of "modest meals" at \$ 15.00 (for breakfast or lunch) and \$ 30.00 (for dinner) in 2018, for each prescriber.

The definition of "modest meals" contains a self-executing method for adjusting these amounts over time. This regulation states that "[i]n each succeeding calendar year after 2018, these amounts shall be adjusted if the Consumer Price Index reflects a sum, which, if rounded, consistent with the definition of 'Consumer Price Index,' would raise it by one dollar increments." N.J.A.C. 13:45JH-1.2 defines "Consumer Price Index" as "the annual average, rounded to the nearest dollar, of the Consumer Price Index for Food Away From Home--Northeast Urban, as posted in January for the preceding year by the U.S. Department of Labor Bureau of Labor Statistics at <http://www.bls.gov/>, or a successor index. To round, amounts under 50 cents shall be disregarded, and amounts of 50 cents or more shall be increased to the next dollar."

In 2022, the Division published a notice with the limits on "modest meals" for each year from 2018 to 2022, according to the self-executing formula set forth at N.J.A.C. 13:45J-1.2. The table below updates the 2022 notice with the "modest meals" limits for 2023 and 2024. As stated in the table below, the modest meal limits for 2024 are \$ 19.00 for breakfast and lunch and \$ 40.00 for dinner.

Table 1: Modest Meals Calculation Using Consumer Price Index (CPI)

Year	Annual Average CPI for Prior Year	Rounded Annual Average CPI for Prior Year	Percent Change in CPI (Prior Year over Two Years Prior)	Increase in Breakfast and Lunch Limit	Breakfast and Lunch Limit	Increase in Dinner Limit	Dinner Limit
2018	272.515	273	N/A	N/A	\$15.00	N/A	\$30.00
2019	280.042	280	2.564	\$0.39	\$15.00	\$0.77	\$31.00
2020	288.072	288	2.857	\$0.43	\$15.00	\$0.89	\$32.00
2021	298.490	298	3.472	\$0.52	\$16.00	\$1.11	\$33.00
2022	312.707	313	5.034	\$0.81	\$17.00	\$1.67	\$35.00
2023	334.242	334	6.709	\$1.14	\$18.00	\$2.35	\$37.00
2024	357.195	357	6.886	\$1.24	\$19.00	\$2.55	\$40.00

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