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I N   S E N A T E

February 26, 2016

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Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the agriculture and markets law, in relation to misbranding of certain fish species

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. The agriculture and markets law is amended by adding a new  
2     section 201-i to read as follows:  
3     S 201-I. MISBRANDING OF CERTAIN FISH SPECIES. 1. AS USED IN THIS  
4     SECTION: (A) "ESCOLAR" SHALL MEAN ANY VARIETY OF FISH KNOWN AS ESCOLAR,  
5     WALU, SNAKE MACKEREL, OR ANY OTHER COMMON NAME OF THE SCIENTIFIC SPECIES  
6     NAME LEPIDOCYBIUM FLAVORBRUNNEUM.  
7     (B) "OILFISH" SHALL MEAN ANY VARIETY OF FISH KNOWN AS OILFISH OR ANY  
8     OTHER COMMON NAME OF THE SCIENTIFIC SPECIES NAME RUVETTUS PRETIOSUS.  
9     (C) "WHITE TUNA" SHALL MEAN THE FISH SPECIES KNOWN AS ALBACORE TUNA,  
10    LONG FIN TUNA, OR THE SCIENTIFIC SPECIES NAME THUNNUS ALALUNGA.  
11    2. NO PERSON, WHOLESALER, DISTRIBUTOR, RETAIL FOOD STORE OR FOOD  
12    SERVICE ESTABLISHMENT SHALL WILLFULLY SELL, OFFER FOR SALE, DISTRIBUTE,  
13    IMPORT, OR EXPORT THE SPECIES OF FISH COMMONLY KNOWN AS ESCOLAR OR OILF-  
14    ISH UNDER THE NAME TUNA, ALBACORE TUNA, WHITE TUNA, OR ANY OTHER SPECIES  
15    NAME, COMMON OR SCIENTIFIC, OTHER THAN THE RECOGNIZED COMMON OR SCIEN-  
16    TIFIC SPECIES NAMES FOR SUCH SPECIES DEFINED IN SUBDIVISION ONE OF THIS  
17    SECTION.  
18    S 2. This act shall take effect on the one hundred twentieth day after  
19    it shall have become a law, provided, however, that effective immediate-  
20    ly, the addition, amendment and/or repeal of any rule or regulation  
21    necessary for the implementation of this act on its effective date are  
22    authorized and directed to be made and completed by the commissioner of  
23    agriculture and markets on or before such effective date.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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