S T A T E O F N E W Y O R K

3026

2009-2010 Regular Sessions

I N A S S E M B L Y

January 22, 2009

Introduced by M. of A. BENJAMIN, ALFANO -- Multi-Sponsored by -- M. of A. BARRA, HOOPER, MILLER -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the education law, in relation to adulterated and misbranded cosmetics

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

Section 1. Subdivision 1 of section 6818 of the education law is amended by adding a new paragraph f to read as follows:

F. IF IT IS REPACKAGED OR RESOLD AFTER BEING RETURNED BY A DISSATISFIED CUSTOMER.

S 2. Paragraph b of subdivision 2 of section 6818 of the education law, as added by chapter 987 of the laws of 1971, is amended to read as follows:

b. If in package form, unless it bears a label containing (1) the name and place of business of the manufacturer, packer, or distributor; [and] (2) an accurate statement of the [quantity of the] contents INCLUDING QUANTITIES in terms of weight, measure, or numerical count[: Provided] AND ALLERGENS, INCLUDING BUT NOT LIMITED TO, GLUTEN; PROVIDED, that under [clause (2)] SUBPARAGRAPH TWO of this paragraph reasonable variations shall be permitted, and exemptions as to small packages shall be established by regulations; AND (3) AN ACCURATE STATEMENT OF THE SHELF-LIFE OR THE EXPIRATION DATE.

S 3. This act shall take effect immediately.

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

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