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

4501

2009-2010 Regular Sessions

I N  A S S E M B L Y

February 4, 2009

Introduced by M. of A. ESPAILLAT, COOK, JOHN -- Multi-Sponsored by -- M. of A. COLTON, DIAZ, ORTIZ, TOWNS -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to giving notice of the hazard of early childhood tooth decay upon the sale of baby-bottles and sippy cups

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

Section 1. The general business law is amended by adding a new section 391-q to read as follows:

S 391-Q. SALE OF BABY-BOTTLES AND OTHER VESSELS COMMONLY KNOWN AS SIPPY CUPS OR DUCK-BILLED CUPS OR VESSELS HAVING BILL-SHAPED EXTENSIONS OR BILL-SHAPED SPOUTS; NOTICE REQUIRED. 1. IT SHALL BE UNLAWFUL FOR ANY PERSON, FIRM OR CORPORATION TO SELL BABY-BOTTLES OR OTHER VESSELS COMMONLY KNOWN AS SIPPY CUPS OR DUCK-BILLED CUPS OR VESSELS HAVING BILL-SHAPED EXTENSIONS OR BILL-SHAPED SPOUTS UNLESS SUCH ITEMS INCLUDE WRITTEN OR PRINTED NOTICE IN LIKE OR SIMILAR TERMS TO THE FOLLOWING: "WARNING: ALLOWING YOUR CHILD TO GO TO BED, OR TO SPEND PROLONGED PERIODS OF TIME, DRINKING MILK, FORMULA, FRUIT JUICES, OR OTHER SWEETENED LIQUIDS MAY CAUSE EARLY CHILDHOOD TOOTH DECAY."

2. A VIOLATION OF THIS SECTION SHALL BE PUNISHABLE BY A CIVIL PENALTY OF NOT MORE THAN TWO HUNDRED FIFTY DOLLARS FOR THE FIRST OFFENSE AND NOT MORE THAN ONE THOUSAND DOLLARS FOR EACH SUBSEQUENT OFFENSE.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

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