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

5551

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

Introduced by M. of A. TITUS, J. RIVERA, JAFFEE, COOK, JEFFRIES, ESPAILLAT, CLARK, ROBINSON, MILLMAN, N. RIVERA, CYMBROWITZ -- Multi-Sponsored by -- M. of A. BENJAMIN, COLTON, DIAZ, DINOWITZ, FARRELL, MAYERSOHN, McENENY, NOLAN, SCARBOROUGH, SEMINERIO, TOWNS, WEISENBERG, ZEBROWSKI -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to labeling of juice containers

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 399-ff to read as follows:

S 399-FF. WARNING LABELS ON JUICE CONTAINERS. 1. ON EACH JUICE CONTAINER, COMMONLY KNOWN AS A "JUICE BOX", SOLD OR DELIVERED BY A MANUFACTURER OR DISTRIBUTOR WITHIN THIS STATE, THERE SHALL BE PRINTED THEREON OR ATTACHED THERETO A WARNING LABEL. SUCH LABEL SHALL CONTAIN THE FOLLOWING STATEMENT: WARNING: "THE STRAW'S PACKAGING INCLUDED WITH THIS PRODUCT IS A CHOKING HAZARD FOR CHILDREN AND SHOULD BE DISPOSED OF IMMEDIATELY."

2. FOR PURPOSES OF THIS SECTION "JUICE CONTAINER" SHALL MEAN AND INCLUDE JUICE CONTAINERS IN EITHER BOX OR POUCH FORM WHICH INCLUDE A STRAW ENCASEMENT.

3. ANY PERSON, FIRM, CORPORATION OR ASSOCIATION WHO VIOLATES THIS SECTION SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN ONE THOUSAND DOLLARS FOR EACH SUCH VIOLATION.

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

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

LBD07560-01-9