

9956

I N   A S S E M B L Y

February 19, 2010

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Introduced by M. of A. BENEDETTO -- read once and referred to the  
Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to sanc-  
tions for violations of retail food store sanitary inspection  
provisions

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

1     Section 1. Subdivisions 2 and 4 of section 500 of the agriculture and  
2 markets law, as amended by section 8 of part 11 of chapter 62 of the  
3 laws of 2003, are amended to read as follows:  
4     2. Each retail food store shall post a copy of the date and results of  
5 its most recent sanitary inspection by the department in a conspicuous  
6 location near each public entrance, as prescribed by the commissioner.  
7 Such copies shall also be made available to the public upon request.  
8 ANY RETAIL STORE THAT VIOLATES THE PROVISIONS OF THIS SUBDIVISION SHALL  
9 BE SUBJECT TO A PENALTY OF FIVE HUNDRED DOLLARS FOR EACH DAY OF  
10 VIOLATION.  
11     4. The department shall inspect each retail food store at least once  
12 in every twelve month period. Any store that fails two consecutive  
13 inspections shall be inspected at least once in every six month period  
14 until it has passed two consecutive inspections. In the event that a  
15 retail food store fails three consecutive inspections, the department  
16 [may, in its discretion,] SHALL order such establishment to cease all  
17 retail operation until it passes inspection or suspend or revoke any  
18 license issued to such establishment pursuant to article twenty-C of  
19 this chapter.  
20     S 2. This act shall take effect on the one hundred twentieth day after  
21 it shall have become a law. Effective immediately the commissioner of  
22 agriculture and markets is authorized to promulgate any and all rules  
23 and regulations and take any other measures necessary to implement this  
24 act on its effective date.

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

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