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

3976

2009-2010 Regular Sessions

I N A S S E M B L Y

January 29, 2009

Introduced by M. of A. MAYERSOHN, ALFANO, BARRA -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to the sale of over-the-counter drugs

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

Section 1. The article heading of article 38-A of the general business law, as added by chapter 697 of the laws of 1986, is amended to read as follows:

SALE OF OUTDATED
AND LABEL OBSTRUCTED OVER-THE-COUNTER DRUGS

S 2. Subdivision 2 of section 820 of the general business law, as added by chapter 697 of the laws of 1986, is amended to read as follows:

2. to knowingly alter, mutilate, destroy, obliterate or remove by means of a price sticker or otherwise the whole or any part of [the expiration date displayed on] the label [or packaging], INCLUDING WHERE APPLICABLE THE EXPIRATION DATE DISPLAYED THEREON, of any over-the-counter drug OR COSMETIC. FOR PURPOSES OF THIS SUBDIVISION, THE TERM "LABEL" SHALL MEAN THE LABEL REQUIRED BY THE STATUTES APPLICABLE TO AND REGULATIONS ISSUED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION.

S 3. This act shall take effect immediately.

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

LBD04373-01-9