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

4595

2009-2010 Regular Sessions

I N A S S E M B L Y

February 5, 2009

Introduced by M. of A. COOK, ORTIZ, GALEF, SCHROEDER -- Multi-Sponsored by -- M. of A. COLTON, CYMBROWITZ, GOTTFRIED, HOOPER, JACOBS, TOWNS -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the agriculture and markets law, in relation to expiration dates on meat, milk, cheese and perishable food items

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

Section 1. The agriculture and markets law is amended by adding three new sections 50, 96-k and 214-o to read as follows:

S 50. EXPIRATION DATE. ANY PERSON, FIRM OR CORPORATION OFFERING ANY DAIRY PRODUCT FOR SALE IN THIS STATE SHALL LABEL SUCH PRODUCT WITH AN EXPIRATION DATE CLEARLY VISIBLE IN A CONSPICUOUS LOCATION. SUCH DATE SHALL BE THE TIME AFTER WHICH SUCH ITEM IS UNFIT FOR HUMAN CONSUMPTION AS DETERMINED BY INDUSTRY STANDARDS. NO DAIRY PRODUCT SHALL BE ALLOWED TO REMAIN ON DISPLAY OR BE OFFERED FOR SALE AFTER SUCH DATE.

S 96-K. EXPIRATION DATE. ANY PERSON, FIRM OR CORPORATION OFFERING ANY MEAT, MEAT BY-PRODUCT OR MEAT FOOD PRODUCT FOR SALE IN THIS STATE SHALL LABEL SUCH PRODUCT WITH AN EXPIRATION DATE CLEARLY VISIBLE IN A CONSPICUOUS LOCATION. SUCH DATE SHALL BE THE TIME AFTER WHICH SUCH ITEM IS UNFIT FOR HUMAN CONSUMPTION AS DETERMINED BY INDUSTRY STANDARDS. NO MEAT PRODUCTS SHALL BE ALLOWED TO REMAIN ON DISPLAY OR BE OFFERED FOR SALE AFTER SUCH DATE.

S 214-O. EXPIRATION DATE. ANY PERSON, FIRM OR CORPORATION OFFERING ANY PERISHABLE FOOD ITEM, AS DEFINED IN SECTION SEVENTY-ONE-Y OF THIS CHAPTER, FOR SALE IN THIS STATE SHALL LABEL SUCH ITEM WITH AN EXPIRATION DATE CLEARLY VISIBLE IN A CONSPICUOUS LOCATION. SUCH DATE SHALL BE THE TIME AFTER WHICH SUCH ITEM IS UNFIT FOR HUMAN CONSUMPTION AS DETERMINED BY INDUSTRY STANDARDS. NO PERISHABLE FOOD ITEM SHALL BE ALLOWED TO REMAIN ON DISPLAY OR BE OFFERED FOR SALE AFTER SUCH DATE.

S 2. This act shall take effect on the thirtieth 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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