

7886

2009-2010 Regular Sessions

I N   A S S E M B L Y

April 28, 2009

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

AN ACT to amend the agriculture and markets law, in relation to the  
confidentiality of certain information submitted to the department of  
agriculture and markets

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

1     Section 1. Section 95-a of the agriculture and markets law, as amended  
2     by chapter 271 of the laws of 2001, is amended to read as follows:  
3     S 95-a. Animal ear tags or other identification. 1. A person who with-  
4     out authorization by the commissioner, (a) cuts out, removes, obliter-  
5     ates or destroys a New York state department of agriculture and markets  
6     official ear tag or other official New York state identification tag,  
7     device or mark on any cattle, camelid, deer, sheep, goats or swine, as  
8     defined in this article, other than such identification which may be  
9     used for the owner's own records in the state of New York, or (b)  
10    inserts or attaches to the ear of any cattle, camelid, deer, sheep,  
11    goats or swine, as defined in this article, in the state of New York a  
12    New York state department of agriculture and markets official ear tag or  
13    inserts in or attaches to any such animal any other official New York  
14    state identification tag, device or mark other than such identification  
15    which may be used for the owner's own records that has not been duly  
16    issued for said animal by the department is guilty of a misdemeanor.  
17    2. (A) THE FOLLOWING INFORMATION AND DATA COLLECTED AND MAINTAINED BY  
18    THE DEPARTMENT RELATED TO THE REGISTRATION AND IDENTIFICATION OF PREM-  
19    ISSES AND ANIMALS IS CONFIDENTIAL AND NOT SUBJECT TO PUBLIC DISCLOSURE:  
20    (I) THE NAMES AND ADDRESSES OF OWNERS AND PREMISES CONTACTS;  
21    (II) THE LOCATION OF PREMISES WHERE ANIMALS ARE KEPT;  
22    (III) THE IDENTIFICATION NUMBER OF A PREMISES OR AN ANIMAL; AND  
23    (IV) ALL BUSINESS, PRODUCTION AND INVENTORY DATA FOR ANIMAL PRODUCTION  
24    UNITS.

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

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1 (B) THE DEPARTMENT MAY DISCLOSE THE DATA REFERRED TO IN PARAGRAPH (A)  
2 OF THIS SUBDIVISION TO ANY AGENCY OR THE PUBLIC IF IT DETERMINES THAT  
3 SUCH DISCLOSURE WILL AID IN THE LAW ENFORCEMENT PROCESS OR THE  
4 PROTECTION OF PUBLIC OR ANIMAL HEALTH AND SAFETY.

5 (C) THE DEPARTMENT MAY DISCLOSE SUMMARY DATA ON THE STATE OF ANIMAL  
6 HEALTH ON FARMS IN THE STATE. SUCH SUMMARY DATA MAY DESCRIBE CURRENT  
7 ANIMAL HEALTH STATUS AND TRENDS, BUT SHALL NOT PUBLICLY IDENTIFY INDI-  
8 VIDUAL FARMS OR PRODUCERS.

9 S 2. This act shall take effect immediately.