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

3947

2009-2010 Regular Sessions

I N S E N A T E

April 7, 2009

Introduced by Sen. OPPENHEIMER -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the agriculture and markets law, in relation to requiring disclosure labels on dairy products derived from cows injected with a certain synthetic bovine growth hormone

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 a new section 50 to read as follows:

S 50. DAIRY PRODUCTS FROM MILK FROM COWS TREATED WITH RBST; DISCLOSURE LABELS. 1. DAIRY PRODUCTS MADE WHOLLY OR IN PART FROM MILK FROM COWS INJECTED WITH BOVINE SOMATOTROPIN REQUIRED TO BE LABELED PURSUANT TO SECTION TWO HUNDRED FIFTY-SIX-C OF THIS CHAPTER SHALL NOT BE SOLD IN THIS STATE EXCEPT UNDER A LABEL WHICH CLEARLY INSCRIBES IN LETTERS NO LESS THAN EIGHT POINT TYPE: "THIS DAIRY PRODUCT IS DERIVED FROM COWS INJECTED WITH SYNTHETIC BOVINE GROWTH HORMONE".

2. FOR THE PURPOSES OF THIS SECTION:

A. "DAIRY PRODUCTS" MEANS ANY PRODUCT INTENDED FOR USE AS HUMAN FOOD WHICH IS MADE WHOLLY OR IN PART FROM MILK, EXEMPTING PRODUCTS WHICH CONTAIN MILK ONLY IN A RELATIVELY SMALL PROPORTION OR WHICH HISTORICALLY HAVE NOT BEEN CONSIDERED BY CONSUMERS AS DAIRY PRODUCTS, AND WHICH ARE EXEMPTED FROM DEFINITIONS AS A DAIRY PRODUCT BY THE COMMISSIONER UNDER SUCH CONDITIONS AS THE COMMISSIONER MAY PRESCRIBE.

B. "RBST" MEANS RECOMBINANT BOVINE SOMATOTROPIN, A RECOMBINANT BOVINE GROWTH HORMONE USED WITH LACTATING DAIRY COWS TO INCREASE THE PRODUCTION OF MARKETABLE MILK.

S 2. The agriculture and markets law is amended by adding a new section 256-c to read as follows:

S 256-C. MILK FROM COWS WHICH WERE INJECTED WITH RBST. MILK FROM COWS WHICH WERE INJECTED WITH RBST SHALL NOT BE SOLD OR SUPPLIED FOR HUMAN CONSUMPTION IN THIS STATE, EXCEPT UNDER A LABEL CLEARLY LISTING THE

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

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FOLLOWING IN LETTERS NOT LESS THAN EIGHT POINT TYPE: "THIS MILK IS FROM COWS INJECTED WITH SYNTHETIC BOVINE GROWTH HORMONE". FOR PURPOSES OF THIS SECTION, "RBST" MEANS RECOMBINANT BOVINE SOMATOTROPIN, A RECOMBINANT BOVINE GROWTH HORMONE USED WITH LACTATING DAIRY COWS TO INCREASE THE PRODUCTION OF MARKETABLE MILK.

S 3. This act shall take effect on the first of October next succeeding the date on which it shall have become a law.