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

10482

I N A S S E M B L Y

May 29, 2012

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

AN ACT to amend the agriculture and markets law, in relation to posting sanitary inspections on the doors of retail food stores

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

Section 1. Subdivisions 2 and 4 of section 500 of the agriculture and markets law, as amended by section 8 of part I1 of chapter 62 of the laws of 2003, are amended to read as follows:

2. Each retail food store shall post a copy of the date and results of its most recent sanitary inspection by the department [in a conspicuous location near] ON THE DOOR OF each public entrance, as prescribed by the commissioner. Such copies shall also be made available to the public upon request.

4. (A) THE COMMISSIONER SHALL ESTABLISH A SYSTEM FOR GRADING INSPECTION RESULTS FOR RETAIL FOOD STORES. SUCH SYSTEM SHALL USE AND POST LETTERS A, B, OR C TO IDENTIFY AND REPRESENT SUCH GRADING AND CLASSIFICATION WITH ALL OTHER LOWER GRADES BEING DEEMED TO BE FAILING GRADES. IN ESTABLISHING SUCH SYSTEM OF GRADING, THE COMMISSIONER SHALL TAKE INTO ACCOUNT THE PROVISIONS OF THIS CHAPTER AND THE PROVISIONS OF THE STATE SANITARY CODE TO ESTABLISH A GRADING SYSTEM THAT REFLECTS THE SAFETY AND SANITATION OF THE PREMISES AND FOOD HANDLING PRACTICES TO ENSURE COMPLIANCE WITH STATE AND LOCAL HEALTH LAWS.

(B) The department shall inspect each retail food store at least once in every twelve month period. Any store that fails two consecutive inspections shall be inspected at least once in every six month period until it has passed two consecutive inspections. In the event that a retail food store fails three consecutive inspections, the department may, in its discretion, order such establishment to cease all retail operation until it passes inspection or suspend or revoke any license issued to such establishment pursuant to article twenty-C of this chapter.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that effective immediate-

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

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ly, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.