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

8812

I N A S S E M B L Y

(PREFILED)

January 4, 2012

Introduced by M. of A. CASTRO -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to restricting the display of certain foods and beverages in certain places

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

Section 1. The public health law is amended by adding a new section 264 to read as follows:

S 264. RESTRICTIONS ON THE DISPLAY OF CERTAIN FOODS AND BEVERAGES. 1. FOR THE PURPOSES OF THIS SECTION:

A. "CANDY" SHALL MEAN A CONFECTION MADE WITH SUGAR OR SUGAR SUBSTITUTE AND CONSISTING OF OR COMBINING CHOCOLATE, FRUIT OR NUTS.

B. "SUGARED BEVERAGE" SHALL MEAN ANY SOFT DRINK, COLA, FRUIT CONCENTRATE OR CARBONATED BEVERAGE MADE WITH SUGAR OR SYRUP.

2. GROCERY STORES, MARKETS, SUPERMARKETS OR GENERAL STORES, THAT SELL GROCERIES OR FOODSTUFFS SHALL BE PROHIBITED FROM DISPLAYING CANDY OR SUGARED BEVERAGES AT THE CHECKOUT COUNTER OR AISLE.

3. NOTWITHSTANDING SUBDIVISION TWO OF THIS SECTION, STORES EMPLOYING LESS THAN TEN EMPLOYEES SHALL BE EXEMPT FROM SUCH REQUIREMENTS.

4. THE COMMISSIONER SHALL ISSUE RULES AND REGULATIONS TO IMPLEMENT THIS SECTION.

S 2. This act shall take effect June 1, 2012.

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

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