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## IN ASSEMBLY

(PREFILED)

## January 4, 2012

Introduced by M. of A. WEPRIN -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to the sale of over-the-counter drugs

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

Section 1. The article heading of article 38-A of the general business law, as added by chapter 697 of the laws of 1986, is amended to read as follows:

## SALE OF OUTDATED

AND LABEL OBSTRUCTED OVER-THE-COUNTER DRUGS

- S 2. Subdivision 2 of section 820 of the general business law, as added by chapter 697 of the laws of 1986, is amended to read as follows: 2. to knowingly alter, mutilate, destroy, obliterate or remove by means of a price sticker or otherwise the whole or any part of [the expiration date displayed on] the label [or packaging], INCLUDING WHERE APPLICABLE THE EXPIRATION DATE DISPLAYED THEREON, of any over-the-counter drug OR COSMETIC. FOR PURPOSES OF THIS SUBDIVISION, THE TERM "LABEL" SHALL MEAN THE LABEL REQUIRED BY THE STATUTES APPLICABLE TO AND REGU-
- LATIONS ISSUED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION.
  - S 3. This act shall take effect immediately.

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

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