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2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sens. KLEIN, KRUEGER, SAMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to candy and food products packaged as tobacco products or drug paraphernalia

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

1 Section 1. The general business law is amended by adding a new section
2 399-j to read as follows:
3 S 399-J. CANDY AND FOOD PRODUCTS PACKAGED AS TOBACCO PRODUCTS OR DRUG
4 PARAPHERNALIA. 1. NO CANDY, CONFECTION OR OTHER FOOD PRODUCT SHALL BE
5 SOLD, OFFERED FOR SALE OR DISTRIBUTED IN THIS STATE WHICH SHALL BE PACK-
6 AGED, SHAPED OR MANUFACTURED TO RESEMBLE ANY TYPE OF TOBACCO PRODUCT
7 INCLUDING, BUT NOT LIMITED TO, CIGARETTES, CIGARS, POWDERED TOBACCO OR
8 CHEWING TOBACCO, OR ANY DRUG PARAPHERNALIA INCLUDING, BUT NOT LIMITED
9 TO, GELATINE CAPSULES, GLASSINE ENVELOPES, VIALS, CAPSULES OR ANY OTHER
10 MATERIAL SUITABLE FOR THE PACKAGING OF NARCOTIC DRUGS OR STIMULANTS.
11 2. A VIOLATION OF THE PROVISIONS OF THIS SECTION SHALL CONSTITUTE A
12 VIOLATION AS DEFINED IN THE PENAL LAW.
13 S 2. This act shall take effect on the first of November next succeed-
14 ing the date on which it shall have become a law.

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

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