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

8220

2013-2014 Regular Sessions

I N A S S E M B L Y

October 24, 2013

Introduced by M. of A. SILVER, JAFFEE, ABBATE, BRINDISI, CAHILL, CLARK, COLTON, CUSICK, CYMBROWITZ, DINOWITZ, ENGLEBRIGHT, LAVINE, MAGNARELLI, MARKEY, MILLMAN, MORELLE, PEOPLES-STOKES, ROBERTS, ROSA, ROSENTHAL, SCARBOROUGH, SCHIMEL, SEPULVEDA, THIELE, TITONE, ZEBROWSKI -- Multi-Sponsored by -- M. of A. ABINANTI, BRAUNSTEIN, BUCHWALD, FARRELL, GLICK, GOTTFRIED, HEVESI, JACOBS, LENTOL, MAGEE, McDONALD, MILLER, MOSLEY, MOYA, NOLAN, OTIS, ROBINSON, RODRIGUEZ, SIMOTAS, SWEENEY, WEINSTEIN, WEISENBERG -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to certain inspections

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 23-a to read as follows:

S 23-A. INSPECTIONS OF ENTITIES INVOLVING FOOD. NOTWITHSTANDING ANY OTHER LAW, RULE OR REGULATION, THE DEPARTMENT SHALL MAKE AVAILABLE AND PROMINENTLY POST ON ITS WEBSITE, OR ANOTHER AGENCY OR EXECUTIVE WEBSITE, ANY VIOLATION, FOR THE MOST RECENT THREE YEARS FOR WHICH DATA IS AVAILABLE, RESULTING FROM AN INSPECTION CONDUCTED BY THE DEPARTMENT, OF RETAIL OR WHOLESALE ENTITIES INVOLVED IN HANDLING FOOD INCLUDING, BUT NOT LIMITED TO, RETAIL FOOD STORES, FOOD WAREHOUSES, FOOD MANUFACTURERS AND FOOD PROCESSORS. SUCH INFORMATION SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

1. THE NAME AND BUSINESS ADDRESS OF THE VIOLATOR, INCLUDING THE NAME OF THE BUSINESS AND ADDRESS OF THE PREMISES WHERE THE VIOLATION TOOK PLACE IF DIFFERENT;

2. FOR A MANUFACTURER OR PROCESSOR, THE BRAND NAMES OF PRODUCTS PRODUCED, MANUFACTURED, OR PROCESSED AT THE PREMISES WHERE THE VIOLATION OR VIOLATIONS OCCURRED, PROVIDED HOWEVER, IF THE DEPARTMENT DETERMINES

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

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THAT ANY PRODUCTS WERE NOT AFFECTED BY SUCH VIOLATIONS THE NAME OF SUCH PRODUCTS NEED NOT BE LISTED;

3. THE DATE OF INSPECTION OF THE PREMISES BY THE DEPARTMENT;

4. THE VIOLATION OR VIOLATIONS THAT OCCURRED; AND

5. THE PENALTY WHICH HAS BEEN IMPOSED BY THE DEPARTMENT.

S 2. This act shall take effect on the sixtieth day after it shall have become a law.