

8597

I N   A S S E M B L Y

January 27, 2014

---

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

AN ACT to amend the agriculture and markets law, in relation to the  
alteration of expiration and "use by" dates affixed to food and food  
products

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

1     Section 1. The agriculture and markets law is amended by adding a new  
2     section 214-o to read as follows:  
3     S 214-O. LABELING OF CERTAIN FOOD PRODUCTS. NO PERSON, FIRM, CORPO-  
4     RATION, PARTNERSHIP, ASSOCIATION OR ANY OTHER BUSINESS ASSOCIATION  
5     SHALL, WITH RESPECT TO ANY FOOD OR FOOD PRODUCT WHICH HAS AFFIXED TO IT  
6     ANY LABEL SETTING FORTH AN EXPIRATION OR "USE BY" DATE, WILLFULLY ALTER,  
7     MUTILATE, DESTROY, OBLITERATE OR REMOVE SUCH LABEL, UNLESS THE FOOD OR  
8     FOOD PRODUCT TO WHICH SUCH LABEL IS AFFIXED IS DESTROYED THEREWITH.  
9     LABELS SETTING FORTH EXPIRATION OR "USE BY" DATES SHALL BE IN PLAIN  
10    SIGHT WHEN AFFIXED TO A FOOD OR FOOD PRODUCT. ANY PERSON, FIRM, CORPO-  
11    RATION, PARTNERSHIP, ASSOCIATION OR ANY OTHER BUSINESS ASSOCIATION WHO  
12    VIOLATES THE PROVISIONS OF THIS SECTION SHALL BE SUBJECT TO A CIVIL FINE  
13    OF ONE THOUSAND DOLLARS FOR EACH SUCH VIOLATION. THE PROVISIONS OF THIS  
14    SECTION SHALL NOT AFFECT ANY PROVISION OF FEDERAL, STATE OR LOCAL LAW,  
15    ORDINANCE, RULE OR REGULATION REGARDING THE PLACING OF AN EXPIRATION OR  
16    "USE BY" DATE ON ANY FOOD OR FOOD PRODUCT.  
17    S 2. This act shall take effect on the sixtieth day after it shall  
18    have become a law.

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

LBD10558-02-3