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

3736

2013-2014 Regular Sessions

I N A S S E M B L Y

January 29, 2013

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

AN ACT to amend the agriculture and markets law, in relation to sanctions for violations of retail food store sanitary inspection provisions

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

Section 1. Subdivisions 2 and 4 of section 500 of the agriculture and markets law, as amended by section 8 of part I1 of chapter 62 of the laws of 2003, are amended to read as follows:

2. Each retail food store shall post a copy of the date and results of its most recent sanitary inspection by the department in a conspicuous location near each public entrance, as prescribed by the commissioner. Such copies shall also be made available to the public upon request. ANY RETAIL STORE THAT VIOLATES THE PROVISIONS OF THIS SUBDIVISION SHALL BE SUBJECT TO A PENALTY OF UP TO FIVE HUNDRED DOLLARS FOR EACH DAY OF VIOLATION.

4. The department shall inspect each retail food store at least once in every twelve month period. Any store that fails two consecutive inspections shall be inspected at least once in every six month period until it has passed two consecutive inspections. In the event that a retail food store fails three consecutive inspections, the department [may, in its discretion,] SHALL order such establishment to cease all retail operation until it passes inspection or suspend or revoke any license issued to such establishment pursuant to article twenty-C of this chapter.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately the commissioner of agriculture and markets is authorized to promulgate rules and regulations necessary to implement the provisions of this act on its effective date.

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

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