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

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The agriculture and markets law is amended by adding a new section 214-o to read as follows:

S 214-O. LABELING OF CERTAIN FOOD PRODUCTS. NO PERSON, FIRM, CORPORATION, PARTNERSHIP, ASSOCIATION OR ANY OTHER BUSINESS ASSOCIATION SHALL, WITH RESPECT TO ANY FOOD OR FOOD PRODUCT WHICH HAS AFFIXED TO IT ANY LABEL SETTING FORTH AN EXPIRATION OR "USE BY" DATE, WILLFULLY ALTER, MUTILATE, DESTROY, OBLITERATE OR REMOVE SUCH LABEL, UNLESS THE FOOD OR FOOD PRODUCT TO WHICH SUCH LABEL IS AFFIXED IS DESTROYED THEREWITH. LABELS SETTING FORTH EXPIRATION OR "USE BY" DATES SHALL BE IN PLAIN SIGHT WHEN AFFIXED TO A FOOD OR FOOD PRODUCT. ANY PERSON, FIRM, CORPORATION, PARTNERSHIP, ASSOCIATION OR ANY OTHER BUSINESS ASSOCIATION WHO VIOLATES THE PROVISIONS OF THIS SECTION SHALL BE SUBJECT TO A CIVIL FINE OF ONE THOUSAND DOLLARS FOR EACH SUCH VIOLATION. THE PROVISIONS OF THIS SECTION SHALL NOT AFFECT ANY PROVISION OF FEDERAL, STATE OR LOCAL LAW, ORDINANCE, RULE OR REGULATION REGARDING THE PLACING OF AN EXPIRATION OR "USE BY" DATE ON ANY FOOD OR FOOD PRODUCT.

S 2. This act shall take effect on the sixtieth day after 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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