

2971

2013-2014 Regular Sessions

I N   S E N A T E

January 28, 2013

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Introduced by Sen. ADAMS -- 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 prohibiting the  
use of salt in the preparation of food by restaurants

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

1     Section 1. The general business law is amended by adding a new section  
2     399-ccc to read as follows:  
3     S 399-CCC. PROHIBITION ON SALT; RESTAURANTS. 1. NO OWNER OR OPERATOR  
4     OF A RESTAURANT IN THIS STATE SHALL USE SALT IN ANY FORM IN THE PREPARA-  
5     TION OF ANY FOOD FOR CONSUMPTION BY CUSTOMERS OF SUCH RESTAURANT,  
6     INCLUDING FOOD PREPARED TO BE CONSUMED ON THE PREMISES OF SUCH RESTAU-  
7     RANT OR OFF OF SUCH PREMISES.  
8     2. WHENEVER THERE SHALL BE A VIOLATION OF THIS SECTION AN APPLICATION  
9     MAY BE MADE BY THE ATTORNEY GENERAL IN THE NAME OF THE PEOPLE OF THE  
10    STATE OF NEW YORK TO A COURT OR JUSTICE HAVING JURISDICTION BY A SPECIAL  
11    PROCEEDING TO ISSUE AN INJUNCTION, AND UPON NOTICE TO THE DEFENDANT OF  
12    NOT LESS THAN FIVE DAYS, TO ENJOIN AND RESTRAIN THE CONTINUANCE OF SUCH  
13    VIOLATIONS; AND IF IT SHALL APPEAR TO THE SATISFACTION OF THE COURT OR  
14    JUSTICE THAT THE DEFENDANT HAS, IN FACT, VIOLATED THIS SECTION, AN  
15    INJUNCTION MAY BE ISSUED BY THE COURT OR JUSTICE, ENJOINING AND  
16    RESTRAINING ANY FURTHER VIOLATIONS, WITHOUT REQUIRING PROOF THAT ANY  
17    PERSON HAS, IN FACT, BEEN INJURED OR DAMAGED THEREBY. IN ANY SUCH  
18    PROCEEDING, THE COURT MAY MAKE ALLOWANCES TO THE ATTORNEY GENERAL AS  
19    PROVIDED IN PARAGRAPH SIX OF SUBDIVISION (A) OF SECTION EIGHTY-THREE  
20    HUNDRED THREE OF THE CIVIL PRACTICE LAW AND RULES, AND DIRECT RESTITU-  
21    TION. WHENEVER THE COURT SHALL DETERMINE THAT A VIOLATION OF THIS  
22    SECTION HAS OCCURRED, THE COURT MAY IMPOSE A CIVIL PENALTY OF NOT MORE  
23    THAN ONE THOUSAND DOLLARS FOR EACH VIOLATION. EACH USE OF SALT IN  
24    VIOLATION OF THIS SECTION SHALL CONSTITUTE A SEPARATE VIOLATION. IN  
25    CONNECTION WITH ANY SUCH PROPOSED APPLICATION, THE ATTORNEY GENERAL IS

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

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1 AUTHORIZED TO TAKE PROOF AND MAKE A DETERMINATION OF THE RELEVANT FACTS  
2 AND TO ISSUE SUBPOENAS IN ACCORDANCE WITH THE CIVIL PRACTICE LAW AND  
3 RULES.  
4 S 2. This act shall take effect on the thirtieth day after it shall  
5 have become a law.