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

6842--B

I N S E N A T E

February 26, 2016

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the agriculture and markets law, in relation to misbranding of certain fish species

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 201-i to read as follows:

S 201-I. MISBRANDING OF CERTAIN FISH SPECIES. 1. AS USED IN THIS SECTION: (A) "ESCOLAR" SHALL MEAN ANY VARIETY OF FISH KNOWN AS ESCOLAR, WALU, SNAKE MACKEREL, OR ANY OTHER COMMON NAME OF THE SCIENTIFIC SPECIES NAME LEPIDOCYBIUM FLAVORBRUNNEUM.

(B) "OILFISH" SHALL MEAN ANY VARIETY OF FISH KNOWN AS OILFISH OR ANY OTHER COMMON NAME OF THE SCIENTIFIC SPECIES NAME RUVETTUS PRETIOSUS.

(C) "WHITE TUNA" SHALL MEAN THE FISH SPECIES KNOWN AS ALBACORE TUNA, LONG FIN TUNA, OR THE SCIENTIFIC SPECIES NAME THUNNUS ALALUNGA.

2. NO PERSON, WHOLESALER, DISTRIBUTOR, RETAIL FOOD STORE OR FOOD SERVICE ESTABLISHMENT SHALL WILLFULLY SELL, OFFER FOR SALE, DISTRIBUTE, IMPORT, OR EXPORT THE SPECIES OF FISH COMMONLY KNOWN AS ESCOLAR OR OILFISH UNDER THE NAME TUNA, ALBACORE TUNA, WHITE TUNA, OR ANY OTHER SPECIES NAME, COMMON OR SCIENTIFIC, OTHER THAN THE RECOGNIZED COMMON OR SCIENTIFIC SPECIES NAMES FOR SUCH SPECIES DEFINED IN SUBDIVISION ONE OF THIS SECTION.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law, provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed by the commissioner of agriculture and markets on or before such effective date.

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

LBD06132-06-6