

1147--B

2015-2016 Regular Sessions

I N S E N A T E

January 9, 2015

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 labeling requirements for fish and seafood wholesalers

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

- 1 Section 1. Subdivision 2 of section 190 of the agriculture and
2 markets law, as added by chapter 874 of the laws of 1977, is amended to
3 read as follows:
4 2. All food and food products which are sold, offered or exposed for
5 sale by wholesalers, packers, distributors or jobbers shall be sold, or
6 offered or exposed for sale by net weight, standard measure or numerical
7 count and shall be plainly marked, in such form or manner as may be
8 prescribed by the commissioner, by such person offering the food or food
9 products for sale except that, UNLESS REQUIRED PURSUANT TO THE
10 PROVISIONS OF SECTION TWO HUNDRED FOURTEEN-O OF THIS CHAPTER, it shall
11 not be necessary to so mark meat, meat products or fish, other than
12 shellfish in natural form, provided the net weight be stated on a writ-
13 ten invoice and on the shipping container of the meat, meat product or
14 fish.
15 S 2. The agriculture and markets law is amended by adding a new
16 section 214-o to read as follows:
17 S 214-O. LABELING REQUIREMENTS FOR FISH AND SEAFOOD WHOLESALERS. 1.
18 ANY WHOLESALER THAT SELLS, OFFERS FOR SALE, TRANSPORTS OR TRANSACTS IN
19 THE PURCHASE OR SALE OF FISH OR SEAFOOD FOR HUMAN CONSUMPTION SHALL
20 PACKAGE SUCH FISH OR SEAFOOD IN SEALED AND CLEARLY LABELED CONTAINERS.
21 THE LABEL ON EACH SUCH CONTAINER SHALL INCLUDE THE FOLLOWING:
22 (A) THE IDENTITY AND THE WEIGHT OF THE FISH OR SEAFOOD;

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

LBD02239-07-5

1 (B) THE NAME AND ADDRESS OF THE SHIPPER, PACKER OR DISTRIBUTOR THERE-
2 OF;

3 (C) THE STATE OF THE ORIGIN THEREOF; AND

4 (D) DATE OF HARVEST.

5 2. THE PROVISIONS OF THIS SECTION SHALL BE DEEMED TO COMPLY WITH AND
6 SHALL BE IMPLEMENTED IN ACCORDANCE TO ANY FEDERAL LAW, RULE OR REGU-
7 LATION RELATING TO FISH OR SEAFOOD.

8 S 3. This act shall take effect on the one hundred eightieth day after
9 it shall have become a law; provided, however, that effective immediate-
10 ly, the addition, amendment and/or repeal of any rule or regulation
11 necessary for the implementation of this act on its effective date are
12 authorized and directed to be made and completed on or before such
13 effective date.