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

1147--C

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 -- recommitted to the Committee on Agriculture in accordance with Senate Rule 6, sec. 8 -- 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 wholesalers

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

Section 1. Subdivision 2 of section 190 of the agriculture and markets law, as added by chapter 874 of the laws of 1977, is amended to read as follows:

2. All food and food products which are sold, offered or exposed for sale by wholesalers, packers, distributors or jobbers shall be sold, or offered or exposed for sale by net weight, standard measure or numerical count and shall be plainly marked, in such form or manner as may be prescribed by the commissioner, by such person offering the food or food products for sale except that, UNLESS REQUIRED PURSUANT TO THE PROVISIONS OF SECTION TWO HUNDRED FOURTEEN-O OF THIS CHAPTER, it shall not be necessary to so mark meat, meat products or fish, other than shellfish in natural form, provided the net weight be stated on a written invoice and on the shipping container of the meat, meat product or fish.

S 2. The agriculture and markets law is amended by adding a new section 214-o to read as follows:

S 214-O. LABELING REQUIREMENTS FOR FISH WHOLESALERS. 1. ANY WHOLESALER THAT SELLS, OFFERS FOR SALE, TRANSPORTS OR TRANSACTS IN THE PURCHASE OR SALE OF FISH FOR HUMAN CONSUMPTION AND PACKAGES SUCH FISH IN

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

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SEALED CONTAINERS, SHALL CAUSE SUCH CONTAINERS TO BE CLEARLY LABELED WITH THE FOLLOWING:

(A) THE IDENTITY AND THE WEIGHT, STANDARD MEASURE OR NUMERICAL COUNT OF THE FISH;

(B) THE NAME AND ADDRESS OF THE SHIPPER, PACKER OR DISTRIBUTOR THEREOF; AND

(C) THE STATE OF THE ORIGIN THEREOF.

2. THE PROVISIONS OF THIS SECTION SHALL BE DEEMED TO COMPLY WITH AND SHALL BE IMPLEMENTED IN ACCORDANCE TO ANY FEDERAL LAW, RULE OR REGULATION RELATING TO FISH.

S 3. This act shall take effect on the one hundred eightieth 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 on or before such effective date.