

# STATE OF NEW YORK

3535

2017-2018 Regular Sessions

## IN ASSEMBLY

January 27, 2017

Introduced by M. of A. COOK, ORTIZ, OTIS, BLAKE -- Multi-Sponsored by --  
M. of A. COLTON, DINOWITZ, GLICK, GOTTFRIED, GUNTHER, HIKIND, HOOPER,  
RIVERA -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to creating  
an advisory board on food safety protection and inspection programs in  
the department of agriculture and markets

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. The agriculture and markets law is amended by adding a new  
2 section 26-a to read as follows:

3 § 26-a. Advisory board on department food safety protection and  
4 inspection programs. 1. There is hereby established in the department  
5 an advisory board on food safety protection and inspection which shall  
6 consist of thirteen members. Seven members shall be appointed by the  
7 governor, including at least two representatives, with expertise in food  
8 safety, from New York state research universities, one representative of  
9 the retail food industry, one representative of the food manufacturing  
10 or processing industry, and one farmer. The speaker of the assembly and  
11 the temporary president of the senate shall each have two appointments.  
12 Each shall appoint a member who is a consumer or representative of  
13 consumer interests and each will appoint a member representing the food  
14 industry. The minority leaders of the assembly and the senate shall  
15 each have one appointment. In addition, representatives of the follow-  
16 ing agencies shall be invited to attend and participate in all meetings  
17 of the advisory board and, at their option, shall be ex officio members:

18 (a) a county or municipal health department;

19 (b) the U.S. Food and Drug Administration;

20 (c) the U.S. Department of Agriculture Food Safety Inspection Service;  
21 and

22 (d) the New York State Department of Health.

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

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1     2. It shall be the duty of the advisory board hereby established to  
2     advise, counsel and confer with the commissioner on matters of policy in  
3     connection with the administration and enforcement of laws and regu-  
4     lations relating to food safety. The advisory board shall specifically  
5     examine the adequacy of food safety protection and inspection by the  
6     department and recommend necessary changes in administration and staff-  
7     ing levels of food safety enforcement activities to ensure the  
8     protection of the public's health. The advisory board shall review  
9     existing and proposed state food safety laws and regulations and recom-  
10    mend to the commissioner, and the assembly and senate chairmen of the  
11    agriculture and health committees, necessary changes or additions to  
12    laws, regulations and department programs to improve food safety and the  
13    effectiveness of the department's food safety inspection and enforcement  
14    activities.

15    3. The commissioner may detail from time to time to the assistance of  
16    the advisory board such employees of the department as the commissioner  
17    deems necessary and shall provide necessary information and space for  
18    meetings of the advisory board. The advisory board shall adopt rules  
19    and regulations to govern its proceedings and keep a record of its meet-  
20    ings and recommendations.

21    4. The advisory board shall meet at the call of the commissioner and  
22    at such other times as it may deem necessary and at such places as may  
23    be convenient. An initial meeting shall be held within thirty days  
24    after all appointments to such board are completed.

25    § 2. This act shall take effect immediately, provided, however, that  
26    the appointments to the advisory board on the department of agriculture  
27    and markets food safety protection and inspection programs authorized by  
28    section 26-a of the agriculture and markets law, as added by section one  
29    of this act, shall be completed within 180 days after this act shall  
30    have become a law.