

# STATE OF NEW YORK

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3227

2021-2022 Regular Sessions

## IN SENATE

January 28, 2021

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Introduced by Sen. PERSAUD -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to requiring the department of agriculture and markets to post the results of its graded inspections on their website

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

1 Section 1. Paragraph (b) of subdivision 1 and subdivision 2 of section  
2 500 of the agriculture and markets law, as amended by section 8 of part  
3 11 of chapter 62 of the laws of 2003, are amended and a new subdivision  
4 6 is added to read as follows:

5 (b) "Retail food store" means any establishment or section of an  
6 establishment where food and food products are offered to the consumer  
7 and intended for off-premises consumption, including, but not limited  
8 to, a supermarket, grocery store, convenience store, bodega or delica-  
9 tessen. The term does not include establishments which handle only pre-  
10 packaged, non-potentially hazardous foods, roadside markets that offer  
11 only fresh fruits and fresh vegetables for sale, food service establish-  
12 ments, or food and beverage vending machines. For the purposes of this  
13 section, "bodega" shall mean a small grocery or convenience store and  
14 "delicatessen" shall mean a store selling cold cuts, cheeses, and a  
15 variety of salads, as well as a selection of unusual or foreign prepared  
16 foods.

17 2. Each retail food store shall post a copy of the date and results of  
18 its most recent sanitary inspection by the department in a conspicuous  
19 location near each public entrance, as prescribed by the commissioner.  
20 Such copies shall also be made available to the public upon request and  
21 placed on the department's website. Any retail food store that fails to  
22 post such results shall be fined by the department one hundred dollars  
23 for each day of violation.

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

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1     6. The department shall post the results of its graded inspections on  
2 their website, including the retail food store's name, address, date of  
3 inspection, grade and a list of any violations cited within fourteen  
4 days of a graded inspection. The department shall provide on their  
5 website information as to where a customer may file a consumer report.  
6 If a consumer report is filed with the department regarding a retail  
7 food store, such consumer report and contact information shall be  
8 included on the graded inspection report provided to such retail food  
9 store.

10     § 2. This act shall take effect immediately.