STATE OF NEW YORK

1010

2023-2024 Regular Sessions

IN ASSEMBLY

January 13, 2023

Introduced by M. of A. WEPRIN -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to the sale of over-the-counter drugs

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

Section 1. The article heading of article 38-A of the general business law, as added by chapter 697 of the laws of 1986, is amended to read as follows:

SALE OF OUTDATED
AND LABEL OBSTRUCTED OVER-THE-COUNTER DRUGS

§ 2. Subdivision 2 of section 820 of the general business law, as added by chapter 697 of the laws of 1986, is amended to read as follows:

2. to knowingly alter, mutilate, destroy, obliterate or remove by means of a price sticker or otherwise the whole or any part of [~~the expiration date displayed on~~] the label [~~or packaging~~]**, including where applicable the expiration date displayed thereon,** of any over-the-counter drug **or cosmetic. For purposes of this subdivision, the term "label" shall mean the label required by the statutes applicable to and regulations issued by the federal food and drug administration**.

§ 3. This act shall take effect immediately.

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

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