STATE OF NEW YORK

5227

2023-2024 Regular Sessions

IN ASSEMBLY

March 7, 2023

Introduced by M. of A. WILLIAMS -- read once and referred 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:

Section 1. Paragraph (b) of subdivision 1 and subdivision 2 of section 500 of the agriculture and markets law, as amended by section 8 of part I1 of chapter 62 of the laws of 2003, are amended and a new subdivision 6 is added to read as follows:

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

2. Each retail food store shall post a copy of the date and results of its most recent sanitary inspection by the department in a conspicuous location near each public entrance, as prescribed by the commissioner. Such copies shall also be made available to the public upon request **and placed on the department's website. Any retail food store that fails to post such results shall be fined by the department one hundred dollars 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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6. The department shall post the results of its graded inspections on their website, including the retail food store's name, address, date of inspection, grade and a list of any violations cited within fourteen days of a graded inspection. The department shall provide on their website information as to where a customer may file a consumer report. If a consumer report is filed with the department regarding a retail food store, such consumer report and contact information shall be included on the graded inspection report provided to such retail food store.

§ 2. This act shall take effect immediately.