

By Council Member Levine

A Local Law to amend the administrative code of the city of New York, in relation to restricting the sale of senna- and saffron-based products

Be it enacted by the Council as follows:

1 Section 1. Title 17 of the administrative code of the city of New York is amended by  
2 adding a new chapter 19 to read as follows:

3 CHAPTER 19

4 REGULATION OF SENNA AND SAFFRON PRODUCTS

5 § 17-1901 Definitions. As used in this chapter, the following terms have the following  
6 meanings:

7 Senna product. The term “senna product” means any product that is intended for human  
8 consumption that contains the leaves, flowers or fruit of the plants cassia acutifolia or cassia  
9 angustifolia, or extracts of the same. Such term includes any component, part or accessory of  
10 such product but does not include any marketing, sale or use of such product solely for a purpose  
11 affirmatively approved by the United States food and drug administration.

12 Saffron product. The term “saffron product” means any product that is intended for  
13 human consumption which contains the extract of the crocus sativus plant. Such term includes  
14 any component, part or accessory of such product but does not include any marketing, sale or use  
15 of such product solely for a purpose affirmatively approved by the United States food and drug  
16 administration.

17 § 17-1902 Sale of senna products and saffron products to minors prohibited. a. Any  
18 person operating a place of business in which a senna product or saffron product is sold or  
19 offered for sale is prohibited from selling such product to individuals under 18 years of age. Sale

1 of a senna product or saffron product in such places shall be made only to an individual who  
2 demonstrates, through a driver's license or other photographic identification card issued by a  
3 government entity or educational institution, that the individual is at least 18 years of age. Such  
4 identification need not be required of any individual who reasonably appears to be at least 30  
5 years of age, provided, however, that such appearance shall not constitute a defense in any  
6 proceeding alleging the sale of senna products or saffron products to an individual under 18  
7 years of age.

8       § 17-1903 Penalties. a. Any person or entity who violates section 17-1902 shall be liable  
9 for a civil penalty of not more than \$250 for the first violation, and not more than \$500 for each  
10 additional violation found on that day; and not more than \$750 for the second violation at the  
11 same place of business within a three-year period, and not more than \$1,000 for each additional  
12 violation found on that day; and not more than \$2,000 for the third and each subsequent violation  
13 at the same place of business within a three-year period.

14       § 17-1904 Enforcement. The department, the department of consumer affairs and the  
15 department of finance have the power to enforce the provisions of this chapter. A proceeding to  
16 recover any civil penalty authorized pursuant to section 17-1903 shall be commenced by the  
17 service of a notice of violation returnable to the office of administrative trials and hearings or  
18 within any agency of the city of New York designated to conduct such proceedings. The notice  
19 of violation or copy thereof when filled in and served shall constitute notice of the violation  
20 charged. The department, the department of consumer affairs and the department of finance shall  
21 notify each other within 30 days of finding that a retail dealer has been found liable for any  
22 section of this chapter.

1           § 17-1905 Rules. The commissioner of the department, the commissioner of consumer  
2 affairs and the commissioner of finance shall promulgate any rules as may be necessary for the  
3 purposes of carrying out the provisions of this chapter.

4           § 2. This local law takes effect 180 days after it becomes law, except that the department  
5 of health and mental hygiene may take such actions, including the promulgation of rules, as are  
6 necessary for the timely implementation of this local law, prior to such effective date.

MJT  
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