



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
FISCAL IMPACT STATEMENT**

PROPOSED INTRO. NO. 541-A

COMMITTEE: Consumer Affairs

TITLE: To amend the administrative code of the city of New York, in relation, in relation to prohibiting the sale of expired over-the-counter medication.

SPONSORS: Council Members Members Wills, Barron, Cabrera, Dickens, Fidler, Gentile, Koppell, Koslowitz, Mealy, Seabrook, Williams, Sanders Jr., Vacca, Comrie, Levin, Jackson, Dromm, James and Gennaro.

SUMMARY OF LEGISLATION: This legislation states that it shall be unlawful to knowingly sell or offer for sale, any over-the-counter medication, later than the date, if any, marked upon the label as indicative of the date beyond which the contents cannot be expected, beyond reasonable doubt, to be safe and effective.

EFFECTIVE DATE: This local law shall take effect ninety days after enactment; provided, however, that the commissioner shall take such actions, including the promulgations of rules, as are necessary for timely implementation of this local law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2013

FISCAL IMPACT STATEMENT:

| | Effective FY12 | FY Succeeding Effective FY13 | Full Fiscal Impact FY13 |
|-------------------------|---------------------------|---|------------------------------------|
| Revenues (+)* | \$0 | \$0 | \$0 |
| Expenditures (-) | \$0 | \$0 | \$0 |
| Net | \$0 | \$0 | \$0 |

IMPACT ON REVENUES: Violations of this legislation can result in fines not to exceed \$250 for a first violation and not to exceed \$500 for all subsequent violations. However, it is intention of this legislation to simply stop the sale of expired over the counter medication and not to generate revenue. Any revenue generated from this legislation is expected to be de minimis.

IMPACT ON EXPENDITURES: There would be no expenditure impact by the enactment of this legislation

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable

SOURCE OF INFORMATION: The New York City Department of Consumer Affairs,
The Office of Management and Budget, and
New York City Council Finance Division

ESTIMATE PREPARED BY: Nathan Toth, Deputy Director
New York City Council Finance Division

DATE SUBMITTED TO COUNCIL: Introduced by City Council and referred to Consumer Affairs Committee as Int. No. 541 on April 6, 2011. On June 13, 2011, the Committee held a hearing on the amended version of Proposed Int. No. 541-A, and the bill was laid over. This legislation will be voted by the Committee on August 16, 2011 as Proposed Int. No.541-A.