

S.213 (Myrie)/A.4424 (Reyes)

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BILL S.213(Myrie)/A.4424(Reyes)
SUBJECT Food and Food Product Advertising
DATE May 31, 2023
OPPOSE

On behalf of the members of The Business Council of New York State, we oppose S.213(Myrie)/A.4424(Reyes). This legislation would be harmful to the advertising and marketing sector and, as a consequence, harm the rest of New York state's economy.

This legislation is overly broad and creates unclear standards that would not only make it difficult for advertising and marketing firms to adhere to but would also make it difficult for regulating agencies to ensure these firms are in proper compliance with the law. Vague terms used in this legislation, such as "reasonably unable to protect their interests." could cause needless litigation to occur. which could further

disincentivize marketing firms in NYS.

Additionally, vague restrictions on the use of “music” could potentially overly restrict the use of any sound or any music used in an advertisement. This legislation also uses the term restricts the use of social media would limit older teenagers from accessing the digital advertising space even though they have a higher capacity to decide between healthy and unhealthy food and food products.

The intent behind this legislation is good, and we fully support and understand the need to protect our young from potential misinformation. However, it must be done with more precise language and legislation that does not hinder businesses’ ability to operate within New York.

For these reasons, The Business Council must oppose S.213(Myrie)/A.4424(Reyes)

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