



This Week in New York

Covering New York State and City Government

A Publication of Pitta Bishop & Del Giorno LLC

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From the Pitta Bishop & Del Giorno LLC Team



Food Safety Alert

CDC Advises U.S. Consumers Not to Eat Romaine Lettuce Following E-Coli Outbreak

The Center for Disease Control (CDC) is advising consumers not to eat romaine lettuce following an outbreak of e-coli which has infected 32 people from 11 states. Thirteen people were hospitalized, including one person who developed kidney failure. No deaths have been reported.

Consumers who have any type of romaine lettuce in their home should not eat it and should throw it away, even if some of it was eaten and no one has gotten sick. This advice includes all types or uses of romaine lettuce, such as whole heads of romaine, hearts of romaine, and bags and boxes of precut lettuce and salad mixes that contain romaine, including baby romaine, spring mix, and Caesar salad. CDC further urges that if you do not know if the lettuce is romaine or whether a salad mix contains romaine, do not eat it and throw it away.

Restaurants and retailers should not serve or sell any romaine lettuce, including salads and salad mixes containing romaine.

In the News – State



Average Cost of New York Thanksgiving Dinner Increases

Despite Increase, Cost Just over \$5 for a 10-person Meal

The New York State Farm Bureau's 2018 Market Basket Survey reveals a nearly 22% price increase for the average Thanksgiving Day dinner over last year's meal. The average total price this year, which includes a 16-pound turkey, is \$54.53. This is a \$9.79 increase over last year's survey of \$44.74, much of that attributed to higher turkey prices.

Despite the overall price increase in this year's survey, the meal remains affordable with a price point of little more than five dollars per person for a 10-person meal, according to the annual survey.

"While we saw an uptick in price for this year's informal survey, it still reflects an affordable dinner for families to enjoy this holiday. Food remains reasonably priced in this country, in large part, due to the efficiency and hard work of our farmers. We should all give thanks to the men and women in New York who give their all to put food on our Thanksgiving tables," said Phyllis Couture, Chair of New York Farm Bureau's Promotion and Education Committee.

Turkey prices are about \$1.86 per pound in New York State, up 28% on average in Farm Bureau's annual survey compared to 2017. Prices found by shoppers in the survey ranged from \$1.48/lb. to \$2.49/lb. This price increase is steeper than the national numbers which saw wholesale turkey prices remain stable over last year's number, coming in at \$1.36/lb.

The New York numbers did show price decreases from the previous year in other categories including for a gallon of milk, fresh carrots, cranberries and Libby's Pumpkin Pie Mix. The Farm Bureau noted a rebound in pumpkin supply following a low three years ago. In addition, milk prices have remained low throughout 2018, part of a four year down cycle.

New York Farm Bureau's volunteer shoppers sampled prices in different regions of the state trying to get the best prices available, but they do not use promotional coupons or special deals such as "buy one-get one free." The shopping list includes 15 Thanksgiving food items ranging from turkey and rolls to stuffing and celery to pumpkin pie mix, enough to feed 10 people around the dinner table. The 2018 Thanksgiving survey displayed considerable price variation across the state as well as within districts.

<u>Market Basket Survey Comparison</u>	<u>2017 Average Price</u>	<u>2018 Average Price</u>
<i>Frozen, Self-Basting Turkey 16 lb.</i>	\$21.36	\$29.68
<i>Herb-seasoned cube stuffing 14oz.</i>	\$2.50	\$3.02
<i>Enriched Brown & Serve Rolls 12 oz./12 per pkg.</i>	\$3.28	\$3.26
<i>Gallon of Whole Milk</i>	\$2.86	\$2.54
<i>Frozen Green Peas 16oz. pkg.</i>	\$1.00	\$1.40
<i>Libby's Pumpkin Pie Mix 30oz. can</i>	\$2.94	\$2.48
<i>9 in. frozen pie shell</i>	\$2.18	\$3.37
<i>Whipping Cream ½ pint carton</i>	\$2.02	\$2.18
<i>Fresh Carrots per pound</i>	\$1.13	\$.98
<i>One Bunch of Celery</i>	\$1.59	\$1.84
<i>Sweet Potatoes per pound</i>	\$0.96	\$1.12
<i>Package of Fresh Cranberries</i>	\$2.92	\$2.66



Comptroller DiNapoli: Remember to Read Fine Print on Gift Cards This Holiday Season

New York State Comptroller Thomas DiNapoli is urging New Yorkers to read the fine print on gift cards this holiday season for details about fees and expiration dates. Money from unused gift cards issued by New York businesses is turned over to the State Comptroller's office as abandoned property after five years of dormancy. In State Fiscal Year 2017-18, more than \$11.6 million from gift cards was turned over to the state's Abandoned Property Fund.

The Comptroller urges New Yorkers to use their gift cards within a year of purchase to avoid inactivity fees and register cards with the retailers. By registering their cards, owners can be identified which improves the opportunity of finding and claiming unused card balances that may be reported as unclaimed funds.

Under the federal Credit Card Accountability Responsibility and Disclosure Act of 2009, many types of retail gift cards sold after August 22, 2010 are not permitted to charge inactivity fees unless the card has been inactive for at least 12 months. All terms and conditions for a card must be disclosed directly on the card and gift cards cannot expire within the first five years after purchase.

Since January 1, 2011, New York has required companies offering rebates to disclose whether those rebates will be issued in the form of a gift card and whether any fees will apply to those cards. Rebate cards are not all covered by the same rules as regular gift cards, so this disclosure helps consumers to identify the different cards and how they can be used.



National Retailers Change Policies as Part Of NYS AG Initiative To Combat Gift Card Fraud

Gift Card Scams Have Rapidly Increased – Including a 270% Increase in Recent Years

Attorney General Barbara Underwood announced an ongoing initiative to protect consumers from gift card fraud. The Attorney General's office has been working with three major retailers—Best Buy, Walmart, and Target—on reforms to their nationwide policies and practices to help protect consumers from being victimized. All three retailers have made significant changes as part of this initiative, which is a joint effort of Attorney General Underwood and Pennsylvania Attorney General Josh Shapiro.

The Federal Trade Commission recently found that 26% of scam victims paid with a gift card between January and September 2018, compared to only 7% in 2015 – marking a 270% increase. The most common gift card scams are:

- **Grandparent Scam** – The scammer impersonates a grandchild of the victim who claims to be in some sort of trouble, typically related to a car accident or arrest, and in need of money to pay for bail or a lawyer. Victims report that the scheme was believable because the scammers knew the names and other information about their grandchild and sounded like their grandchild.
- **IRS Scam** – The scammer impersonates someone from the IRS attempting to collect taxes allegedly owed. The scammer usually threatens arrest that day if the debt is not paid immediately via gift cards. Again, the victims report that the scheme is believable because the scammers may give the name and badge number of a real IRS agent whose identity can be verified online, the scammers may know detailed information about the victim's tax history, or the scammers may send the victim an email that appears to be from an IRS domain.
- **Tech Support Scam** – The scammer impersonates a tech support employee claiming to work for the manufacturer of the victim's computer. The scammer claims there is a virus and requests remote access to the victim's computer. The scammer “fixes” a non-existent problem, demands payment for the services, and refuses to unlock the computer until the victim pays.

According to the Attorney General, with all of these scams, the scam artists frequently direct the victims to purchase thousands of dollars in gift cards, provide the scammers with the numbers on the back of the cards, and then destroy them, which prevents the consumers from subsequently asking the retailer to freeze the cards.

Some of the changes that Walmart, Best Buy, and Target have recently implemented in partnership with the Attorney General's initiative include: reducing the total amount that a consumer can purchase in one transaction in store-branded gift cards; reducing the dollar limit that can be loaded on a store-branded gift card; and prohibiting the redemption of store-branded gift cards for other gift cards.

In the News – City



New Yorkers Urged to Prepare for Extreme Cold During Macy's Thanksgiving Day Parade

The New York City Emergency Management Department (OEM) and the Health Department are urging individuals to prepare for extremely cold temperatures during Thursday's Thanksgiving Day parade. According to the National Weather Service forecast, temperatures Thursday will be in the low to mid-20s with wind chill values as low as single digits.

OEM encourages parade spectators, including older adults and infants, to dress warmly. Wear hats, scarves, gloves, and layered clothing. Keep fingertips, earlobes, and noses covered.

More than 3.5 million spectators are expected to attend the 92nd annual Macy's Thanksgiving Day Parade, which kicks off at 9 a.m. on Thursday, November 22, stretching 2.5 miles through the city streets from 77th Street and Central Park West to 7th Avenue and 34th Street.

"This Thanksgiving Day's weather is expected to be frigid and potentially very dangerous," said Acting Health Commissioner Dr. Oxiris Barbot. "While everyone is at risk for hypothermia, certain individuals are at an increased risk for injuries, illness or death, such as those who are homeless and those who drink heavily or use drugs and become incapacitated outdoors. Take care to bundle up warmly if you are planning on attending the parade, and if you or your loved ones have symptoms of hypothermia, like intense shivering or dizziness, seek medical attention or call 911."

NYC OEM is making it easier for New Yorkers and visitors to "get notified" about the 2018 Macy's Thanksgiving Day Parade. Notify NYC, the City's official emergency communications program, has launched an opt-in short message service (SMS) for those attending Thanksgiving Day festivities in New York City. New Yorkers and visitors can text the keyword THXGIVING18 to 692692 (NYCNYC) to receive alerts and updates on weather, road closures, traffic delays and more. Message and data rates may apply.

Briefs

Attorney General-elect James Announces Senior Staff Appointments

State Attorney General-elect Leticia James this week announced three senior staff appointments. Ibrahim Khan who currently serves as first deputy public advocate will serve as James' chief of staff in the AG's office. Jennifer Levy, who currently works as supervising attorney for the civil law reform unit at the Legal Aid Society, has been appointed chief attorney general for social justice. Jose Maldonado will serve as chief deputy attorney general for criminal justice. Mr. Maldonado, most recently served as special adviser to the NYC Civil Service Commission, senior policy adviser to the Fire Department Commissioner, and as a partner at Pitta LLP. Congratulations to all.

Mayor De Blasio Names Kapil Longani as Counsel to the Mayor

Mayor Bill de Blasio announced this week that Kapil Longani has been appointed as Counsel to the Mayor. As Counsel to the Mayor, he will advise the Mayor on legal matters involving City Hall and the executive staff, as well as provide counsel to the Mayor on legal aspects of policy and administrative matters. The Counsel to the Mayor also serves as the liaison to the Conflict of Interest Board, the Mayor's Judiciary Committee, and General Counsels at City agencies.

Mr. Longani holds an undergraduate degree from Cornell University and legal degrees from the University of Florida, Yale, and Oxford University. He most recently worked for Congressman Elijah Cummings.

2018 National Toy Hall of Fame Inductees Announced: Uno, Pinball, and Magic 8 Ball

After being named a finalist seven times, the mystical Magic 8 Ball has been inducted into the National Toy Hall of Fame, alongside the popular card game Uno and pinball. The honorees were chosen from a field of 12 finalists that also included American Girl Dolls, chalk, Chutes and Ladders, Fisher-Price Corn Popper, Masters of the Universe, sled, tic-tac-toe, Tickle Me Elmo, and Tudor Electric Football.

The National Toy Hall of Fame at The Strong, established in 1998, recognizes toys that have inspired creative play and enjoyed popularity over a sustained period. Each year, the prestigious hall inducts new honorees and showcases both new and historic versions of classic toys beloved by generations.

Coming Up

New York State

Tuesday November 27th

Practices of the Student Loan Industry

Joint Assembly Standing Committee on Banks and Committee on Consumer Affairs and Protection, Hearing Room C, Legislative Office Building, Albany, 10:30 a.m.

Wednesday November 28th

Oversight of the FY 2018-2019 State Budget for the NYS Department of Agriculture and Markets
Assembly Committee on Agriculture, Hearing Room C, Legislative Office Building, Albany, 11 a.m.

New York City

Monday November 26th

Committee on Small Business, Committee Room – 250 Broadway, 14th Floor, 10 a.m.

Committee on Sanitation and Solid Waste Management, Committee Room – City Hall, 10 a.m.

Committee on Health, Council Chambers – City Hall, 1 p.m.

Committee on Hospitals, Council Chambers – City Hall, 1 p.m.

Tuesday November 27th

Committee on Standards and Ethics, Committee Room – City Hall, 10 a.m.

Committee on Justice System, Committee Room – City Hall, 1 p.m.

Committee on General Welfare, Committee Room – City Hall, 1 p.m.

Committee on Civil Service and Labor, Committee Room – 250 Broadway, 14th Floor, 1 p.m.

Committee on Governmental Operations, Committee Room – 250 Broadway, 14th Floor, 1 p.m.

Committee on Transportation, Council Chambers – City Hall, 1 p.m.

Wednesday November 28th

Committee on Finance, Committee Room – City Hall, 10 a.m.

City Council State Meeting, Council Chambers – City Hall, 1:30 p.m.

Thursday November 29^h

Subcommittee on Zoning and Franchises, Committee Room – City Hall, 9:30 a.m.

Committee on Finance, Council Chambers – City Hall, 10 a.m.

Committee on Civil Service and Labor, Council Chambers – City Hall, 10 a.m.

Subcommittee on Landmarks, Public Siting and Maritime Uses, 250 Broadway, 16th Floor, 12 p.m.

Committee on Criminal Justice, Council Chambers – City Hall, 1 p.m.

Committee on Justice System, Council Chambers – City Hall, 1 p.m.

Committee on Cultural Affairs, Libraries and International Intergroup Relations, TWA Lounge – One World Trade Center, 86th Floor, 1 p.m.

Committee on Economic Development, TWA Lounge – One World Trade Center, 86th Floor, 1 p.m.

Subcommittee on Planning, Dispositions and Concession, 250 Broadway, 16th Floor, 2 p.m.

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To Our Clients: If you have any questions regarding any of the matters addressed in this newsletter, or regarding any legislative, government relations or political or consulting or related issues in general, please contact the Pitta Bishop & Del Giorno LLC professional with whom you usually work.

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