

Committee on Consumer Affairs and Protection

Sheldon Silver, Speaker • Jeffrey Dinowitz, Chair

Message from the Chair

Dear Friend,

I am pleased to write to you with an update from the Assembly Committee on Consumer Affairs and Protection. It has been a busy summer and with the 2012 legislative session approaching quickly the Committee has been preparing for the coming year. I am looking forward to working with my colleagues and fellow members of the Consumer Affairs Committee towards making New York State a safer place for consumers.

During the off-session the Committee on Consumer Affairs and Protection co-sponsored two hearings on child product safety, one with the Assembly Children and Families Committee, and the other with the Committees on Health and Environmental Conservation. I plan on using the vast amount of information we gained through testimony at these hearings to help formulate new ways to protect the youngest and most vulnerable consumers in the state.



Also included in this newsletter you will find some information that we hope can help make this holiday season a safe and happy one for you and your family. I encourage you to be cautious when doing your shopping and to be aware of what you're buying for your children and who is selling it to you. I hope the information we provide can help make this a great year for you and yours.

I wish you all a happy holiday and a wonderful and healthy New Year!

Sincerely,

A handwritten signature in black ink that reads "Jeffrey Dinowitz".

Jeffrey Dinowitz
Chairman, Assembly Committee on Consumer Affairs and Protection

Important Contacts

**NYS Dept. of State
Division of Consumer
Protection**

5 Empire State Plaza,
Suite 2101
Albany, NY 12223
1-800-697-1220
www.consumer.state.ny.us

NYS Attorney General

The Capitol
Albany, NY 12224
1-800-771-7755
www.ag.ny.gov

**Federal Trade
Commission**

600 Pennsylvania Ave., NW
Washington, DC 20580
1-877-382-4357
www.ftc.gov

**National Do Not
Call Registry**

To Register, call:
1-888-382-1222 or
visit: www.donotcall.gov

Child Product Safety Hearing



Chairman Dinowitz speaks with advocates for child product safety at the Consumer Affairs and Protection Committee hearing along with Assembly Member Amy Paulin, chair of the Children and Families Committee, and Assemblyman Gabryszak.

On October 31, 2011, the Committee held a joint public hearing with the Committee on Children and Families to examine various child product safety issues. The Committees heard testimony from the Department of State, child safety advocates, consumer advocacy groups, and the toy industry.

Several witnesses described how the recent enactment of new state and federal product safety laws and significant improvements in manufacturing and product testing standards implemented by the juvenile products industry have resulted in a significantly safer marketplace. Despite these advances, the Committees also heard testimony regarding stubbornly low recall response rates and the need to increase consumer awareness of product recalls. Fortunately, government regulators and consumer and teacher groups are working to improve awareness of recalls by harnessing the power of the Internet to keep parents and caregivers up-to-date on the latest product recalls and warnings. Two of these websites were discussed at the hearing, namely saferproducts.gov and clickcheckandprotect.org.

- The U.S. Consumer Product Safety Commission (CPSC) recently launched saferproducts.gov, which hosts a searchable database containing product recall information, safety warnings and product safety reports filed by consumers. Popular search categories include strollers, cribs and baby products.
- Another great resource for parents and educators is clickcheckandprotect.org, which is operated by the National School Safety Coalition. Visitors to the site can sign up to receive a weekly e-mail featuring product and food recalls that concern children from birth to age eighteen, as well as safety alerts on children's health issues. Many schools include the contents of these messages in the electronic newsletters they use to communicate with parents.



Holiday Season Consumer Tips

The holiday season is here once again, and that means shoppers will fill the stores, fireplaces and festive lights will be lit, and heating systems will be turned up to guard against cold winter nights. While you go about your holiday activities, keep the following tips in mind so that you and your loved ones may enjoy a safe and warm holiday season.

Holiday Safety

During the holiday season, a crackling fire, decorative candles and illuminated decorations can bring a festive mood to any household. However, these seasonal amenities can pose a fire hazard. Fortunately, there are steps you can take to protect your family. If you plan to use your fireplace or woodstove or burn candles in the coming weeks, keep the following safety tips in mind. Be sure to have your chimney inspected annually and cleaned by a certified specialist. Always keep the area around your fireplace, woodstove, or candles free of flammable materials, and never leave a fire unattended. Only use holiday lights that have been tested for safety by a nationally-recognized testing laboratory, and make sure that any lights used outside are certified for outdoor use. Check holiday lights for damaged wires and avoid using more than three sets of lights per extension cord. Lastly, make sure to keep live holiday trees watered and place the tree away from fireplaces, vents and radiators.

Winterize Your Home



Home heating season is upon us once again, and homeowners are looking for ways to reduce their heating costs. Thankfully, there are steps you can take to winterize your home that can save money and increase your personal comfort. First, consider having your furnace checked by a professional to ensure that it is working efficiently. Be sure to replace the furnace filter regularly according to the manual, and consider installing a programmable thermostat that allows you to regulate the temperature of your living space when you are not home. Lastly, consider caulking and weather-stripping doors and windows, which can help lower your bill by trapping heat in your home and keeping cold winter drafts at bay.



Toy Shopping Tips

Before heading out to the stores, it is a good idea to familiarize yourself with the latest toy recalls by visiting the CPSC's product recall site at: <http://www.recalls.gov/> or by calling 1-800-638-CPSC. Once at the store, be sure to purchase toys that are appropriate for the age of the child (most manufacturers include age guidelines on packages), and be aware of the top five toy hazards identified by the CPSC, namely scooters and other riding toys, small balls and other toys with small parts, balloons, magnets and toys with chargers and adapters. Lastly, when shopping for infants and toddlers, avoid toys with removable parts or cords.

HEAT REGULATIONS FOR TENANTS

By law, tenants in multiple dwellings must be provided with heat and hot water as follows:

HEAT:

From October 1 through May 31

Between 6 a.m. and 10 p.m. heat must register 68 degrees Fahrenheit when the outside temperature falls below 55 degrees.

Between 10 p.m. and 6 a.m. heat must register 55 degrees Fahrenheit when the outside temperature falls below 40 degrees

HOT WATER:

24 hours a day — every day of the year

Hot water must register at or above a constant temperature of 120 degrees at the tap. The NYS Division of Housing and Community Renewal (DHCR) is authorized to reduce the rent of any rent stabilized or rent controlled apartment when these required heat and hot water services are not maintained. Tenants should file an Application for Rent Reduction for Failure to Provide and Maintain Heat and or Hot Water Service with DHCR if the proper heat or hot water is not provided by the landlord. This form is available for you at my office.



New Year's Resolutions: How to Avoid Scams and Have a Productive Year

As the door closes on 2011, many people will open 2012 with New Year's resolutions. Common personal promises like obtaining an academic degree and joining a gym will echo throughout the nation. If you resolve to make 2012 the year you go back to school or join your local gym and get into shape, it is important to be aware of potential scams and know your rights.

For-Profit Colleges and Universities

If you are planning to go back to school next year and are considering for-profit institutions, be aware that several reports have raised significant concerns about the business practices and academic standards of some of these colleges and universities. As with any big decision, it is important to do your research and shop around to find a suitable degree program. Most importantly, make sure that the institution you're considering is accredited, since unaccredited degrees are generally not recognized by employers or other colleges. The United States Department of Education maintains a database of postsecondary schools that have been accredited by approved agencies, which is available at: <http://ope.ed.gov/accreditation/>.

Watch out for diploma mills, which are unaccredited schools that pose as legitimate colleges and offer extremely short and inexpensive degree programs or claim to grant degrees based mainly on life experience. Be sure to explore all of your options and compare prices of similar programs at other institutions. Many community colleges offer the same programs as for-profit schools, but at a fraction of the price.

Gym Memberships: Shop Around and Know the Law to Protect Your Rights

If you have decided to join a gym, take your time and consider all of your options before signing a contract. It is a good idea to call or visit at least three gyms to ensure that you select a gym that will best meet your needs. For comparison purposes, you should learn about a gym's dues and when they must be paid, the hours of operation, the type of classes offered, and the training and expertise of the staff. Be sure to ask if the gym offers trial periods or free passes so that you can try it without having a long-term obligation.

Under New York's Health Club Services Act, gym contracts cannot exceed \$3,600 per year or be effective for more than 36 months. Under the Act, you can cancel a contract within three days of signing it, and at any time, if the health club ceases to offer the services stated in the contract, or if you move 25 miles from any gym operated by the company with which you signed a contract.

Wi-Fi Hot Spot Privacy

This holiday season many consumers will give and receive Internet-ready devices, such as tablets, laptops and smartphones. Before using the Internet capabilities of your new device in a coffee shop or other public space, be aware that some wireless Internet connections, also known as "hot spots," may not be entirely secure. In some instances, thieves may be able to view and steal personal information, such as credit card numbers and passwords, from wireless Internet users connected to an unsecured network. Fortunately, there are several measures that can be taken to protect your security when using a hot spot.

First, it is important to determine if a hot spot is secure. You should assume that networks that do not require a password are not secure. Networks that require a password may be secure, but the level of protection may vary based on the type of encryption employed. Experts recommend that consumers use networks with Wi-Fi Protected Access encryption (WPA or WPA2) and avoid any network that does not provide this level of protection. If you need to use an unsecured, or less secure network, avoid entering any sensitive personal information, such as your bank account or credit card numbers, sending email, or posting information to social networking sites while using the network. If you simply wish to shield your screen from prying eyes, consider buying a notebook privacy filter, which makes it impossible to read a laptop screen from an angle.