

March 16, 2004

**MAYOR MICHAEL R. BLOOMBERG AND CONSUMER AFFAIRS
COMMISSIONER GRETCHEN DYKSTRA ANNOUNCE SETTLEMENT THAT REMOVES
NEARLY 2,000 ILLEGAL FAKE GUNS FROM STORES**

*Jack's 99-Cent Store to Pay \$50,000 Fine While DCA
Continues Aggressive Citywide Enforcement*

Mayor Michael R. Bloomberg and New York City Department of Consumer Affairs (DCA) Commissioner Gretchen Dykstra today announced the latest settlement in the City's aggressive effort to crack down on stores selling illegal, realistic looking fake guns. Jack's 99-Cent Store, which has three locations in Manhattan, agreed to pay \$50,000 in fines and will immediately remove almost 2,000 dark-colored

fake guns from its shelves and stores. As a result of investigations over the past seventeen months, the DCA has cited more than 30 stores and have required stores to remove nearly 5,000 illegal fake guns citywide, as well as secured approximately \$300,000 in fines. DCA Commissioner Gretchen Dykstra, Police Commissioner Raymond W. Kelly and Councilmember Philip Reed joined the Mayor for the announcement at the Union Settlement Association in Harlem.

"Fake guns that look like real ones are illegal and can easily be mistaken for the real thing, possibly leading to dangerous or even fatal consequences," said Mayor Bloomberg. "Anyone thinking of selling fake guns should take this as a clear warning: it's time to get rid of these dangerous toys. If you attempt to sell illegal fake guns, our Administration will come after you, and use whatever resources we have under the law to punish you. While we aggressively work to prevent sales, it is also imperative parents think twice about buying them. We are working hard to make sure these fake guns stay out of kids' hands."

Under New York City's Public Safety Law, it is against the law to sell or offer to sell any toy or imitation firearm that can reasonably be perceived to be an actual firearm unless the exterior surface of the toy or imitation firearm is predominantly brightly colored. The range of acceptable colors include white, bright red, bright orange, bright yellow, bright green, bright blue, bright pink, or bright purple.

"We're pleased that Jack's 99-Cent Store now joins more than 30 stores in the City that have agreed to stop selling illegal fake guns," said DCA Commissioner Gretchen Dykstra. "Our inspectors are in every borough responding to complaints, conducting routine store inspections, and we'll continue to subpoena manufacturer records to identify others quickly."

"I commend the Administration for taking the issue of fake guns seriously," said City Councilmember and Consumer Affairs Committee Chairman Philip Reed. "This recent settlement ensures almost 2,000 fake guns won't be on store shelves. With this and the ongoing efforts the DCA continues to pursue, our kids will be safer."

Fake guns found at stores and located through subpoena records had names like "Toy Police Force Set," "Soldier Gear Gun," "Toy Team Assault Rifle," "AK-47 Machine Gun," and "M-16 Machine Gun," and were variously colored black, silver, and camouflage - not the assorted bright colors required by law.

DCA has cited and reached similar agreements with independent and chain stores in all five boroughs including: The Sports Authority, Party City, Abracadabra, Bozo's Army and Navy Store, Party Fair, Ricky's, Party Fun, Inc., Children's Playworld-KTA, Forest Hills Party Goods, Inc., Dollar Store Express, R&L Bargain Centers, Twin Cards, and Village Paper, Inc. There are currently five additional stores under investigation.

To report a store that is selling dark-colored fake guns, call 311 or visit the Department of Consumer Affairs' Web site at www.nyc.gov.