

Wednesday, October 26, 2005

### **DCA CITES STORES FOR SELLING ILLEGAL FAKE GUNS AND URGES PARENTS TO BE VIGILANT THIS HALLOWEEN**

Dark-colored fake guns are dangerous and illegal to sell. That's the message New York City Department of Consumer Affairs (DCA) Acting Commissioner Jonathan Mintz sent today when announcing the agency cited a dozen stores over the past two months for illegal sales. Mintz also urged parents not to allow fake guns to be a part of their children's Halloween experience. The DCA has aggressively enforced the City's sales ban on dark-colored fake guns over the past three years citing more than 90 stores, requiring stores to remove more than 5,600 fake guns citywide, and securing more than \$600,000 in fines. Stores recently cited include: C.D.X. Trading Inc. and Fair Trading U.S.A. Inc. (Manhattan); 2000 Gift Inc. and New Tan Hing Inc. (Brooklyn); J&J General Stores (Staten Island); and New GMS Corp., Madison Drugs, BMC Gift Company Inc., B&B Merchandising, NYC 99 Cent Discount Inc., Chens Variety Center, and Merj Corporation (Queens). All stores face maximum penalties.

"As parents and children choose their Halloween costumes, parents should remember that giving a child a fake gun can possibly lead to dangerous or even fatal consequences because fake guns look like the real thing," said Mayor Bloomberg. "Anyone thinking of selling fake guns should remember that my Administration will come after you, and use whatever resources we have under the law to punish you."

"Parents and caregivers who think that fake guns are harmless should think again. Realistic-looking fake guns are illegal because they put children and others at risk," said Jonathan Mintz, DCA Acting Commissioner. "We aggressively pursue any store that sells illegal fake guns and seek maximum fines. Especially during this time of year, we strongly urge the public to report any store that has these guns on their shelves by calling 311."

Under New York City's Public Safety Law, it is illegal 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 legal colors includes white, bright red, bright orange, bright yellow, bright green, bright blue, bright pink, or bright purple. Silver, camouflage, and dark-colored guns with bright orange tips are illegal. Maximum fines for violations are \$1,000 per count.

In addition to store inspections and citations, the DCA subpoenas retailer records to find which other New York City stores have fake guns in stock. Over the past three years, the DCA has cited and reached agreements with independent and chain stores in all five boroughs including: CVS, Kmart, The Sports Authority, Walgreen's, Party City, Jack's 99-Cent Store, Abracadabra, 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.

To report a store that is selling dark-colored fake guns, call 311 (or 212-NEW-YORK) or visit the Department of Consumer Affairs' web site at [www.NYC.gov/consumers](http://www.NYC.gov/consumers).