

**New York State Bar Association**  
**Bylaws of the**  
**Food, Drug and Cosmetic Law Section**  
**As amended November 6, 2009**

**ARTICLE I**  
**Name and Purpose**

**Section 1.** This Section shall be known as the Food, Drug and Cosmetic Law Section of the New York State Bar Association.

**Section 2.** The purpose of this Section shall be to bring together for furtherance of their mutual interests such members of the New York State Bar Association as are interested in the Food, Drug and Cosmetic Law.

**ARTICLE II**  
**Membership**

**Section 1.** Any member of the New York State Bar Association shall be eligible for membership in this Section, and shall be enrolled as a member of the Section upon application to the Section Secretary and payment of such annual dues as shall be determined by the Executive Committee of the Section.

**ARTICLE III**  
**Officers**

**Section 1.** Members of this Section, at the Annual Meeting of the Section, which shall be held during the week in which the Annual Meeting of the New York State Bar Association is held, shall elect a Chair, Vice-Chair, Secretary and at least three but not more than five members of the Executive Committee.

**Section 2.** The Executive Committee shall be comprised of the Chair, Vice-Chair, Secretary, and three to six additional elected members. One of the members of the Executive Committee shall be designated as the Section's delegate to the House of Delegates.

**Section 3.** All officers and other members of the Executive Committee will hold office for a two-year period commencing June 1.

**ARTICLE IV**  
**Nomination of Officers**

**Section 1.** Prior to each Annual Meeting of the Section, the Chair shall appoint a Nominating Committee of three members of the Section, which Committee shall make and report nominations to the Section for the offices of Chair, Vice-Chair, Secretary and

members of the Executive Committee. Other nominations for the same offices may be made from the floor.

## **ARTICLE V**

### **Duties of the Officers and of the Executive Committee**

**Section 1. Chair:** The Chair shall preside at all meetings of the Section and of the Executive Committee, and shall perform such other duties and acts as usually pertain to the office of Chair.

**Section 2. Vice-Chair:** The Vice-Chair shall assist the Chair in the performance of duties when requested to do so. On the death, resignation or during the disability of the Chair, the Vice-Chair shall perform the duties of the Chair for the remainder of the Chair's term, except in case of the Chair's disability, and then only for so much of the term as the disability continues.

**Section 3. Secretary:** The Secretary shall be the custodian of all books, papers, documents and other property of the Section except money, and shall keep a true record of the proceedings of all meetings of the Section and of the Executive Committee.

**Section 4. Executive Committee:** The Executive Committee shall have general supervision and control of the affairs of the Section subject to the Bylaws of the New York State Bar Association and the Bylaws of this Section. It shall be responsible for the authorization of all commitments and contracts which shall entail the payment of money and for the expenditure of all monies collected by the Section or appropriated for the use and benefit of the Section.

**Section 5.** The Executive Committee, during the interim between the Annual Meetings of the Section, may fill vacancies in the offices of the Secretary and Vice-Chair, or in the event of a vacancy in both the office of Chair and Vice-Chair then in the office of Chair. Officers so elected shall serve a term in accordance with ARTICLE III, Section 3.

## **ARTICLE VI**

### **Committees**

**Section 1.** The Section shall have six Standing Committees which shall be known as:

- (1) Biotechnology Law
- (2) Controlled Substances Law
- (3) Dietary Supplements
- (4) Food Law
- (5) Medical Device Law
- (6) Food, Drug, Cosmetic and Medical Device Law Digest
- (7) Medical Device Law
- (8) Over the Counter Drug Law
- (9) Pre-Clinical Research

- (10) Prescription Drug Law
- (11) Product Liability Law
- (12) Veterinary Pharmaceutical Law

The Chair and members of these Committees shall be appointed by the Chair of the Section. The Chair of each Committee shall not serve more than three consecutive, one year terms without the consent of the Executive Committee. Members of the Committees may be grouped in staggered classes.

**Section 2.** Special Committees may be appointed by the Chair or may be created by the Section r by the Executive Committee when the Section is not in session, as needed.

## **ARTICLE VII**

### **Meetings**

**Section 1.** The Annual Meeting of the Section shall be held at a time and place designated by the Executive Committee during the week in which the Annual Meeting of the New York State Bar Association is held.

**Section 2.** The members of the section present at any meeting shall constitute a quorum for the transaction of business.

**Section 3.** All binding action of the Section shall be by a majority vote of the members present.

## **ARTICLE VIII**

### **Miscellaneous Provisions**

**Section 1.** Any action taken by this Section must be approved by the New York State Bar Association before the same is given publicity or becomes effective as the action of the New York State Bar Association.

**Section 2.** These Bylaws shall become effective upon adoption by the members of the New York State Bar Association who may be in attendance at the first meeting of this Section, and upon approval by the House of Delegates of the New York State Bar Association.

**Section 3.** The Executive Committee may fix dues for membership in this Section, with the approval of the Finance Committee of the New York State Bar Association, and may make payment thereof a condition precedent for membership in the Section.

**Section 4.** These Bylaws may be amended at any Annual Meeting of the Section by a majority vote of the members of the Section present, provided that no amendment shall be effective until approved by the Executive Committee of the New York State Bar Association.