

New York State Council on Food Policy  
Report to Governor Paterson

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December 2010

**Appendix**

- a. Food Policy Documents
- b. NYS CFP Annual Meeting: Summer and Fall Minutes 2010
- c. NYS CFP Comments on Geographic Preference Option
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- e. Executive Order No. 39: Establishing State Policies for the Promotion of Sustainable Local Farms and the Protection of Agriculture Lands

**Assembly Task Force on Food, Farm and Nutrition Policy**

<http://assembly.state.ny.us/comm/?sec=post&id=62>

**Task Force Documents**

- Steingut Appoints Task Force: Farmers and Consumers (1975)
- Subcommittee of Food, Farm and Nutrition Policy (1980)
- New York State Food Policy: A White Paper (1981)
- A Primer of New York State Food Assistance Programs (1986)  
*LINK* → <http://www.nyscfp.org/#3>
  
- Assembly Task Force on Food, Farm and Nutrition Policy Public Hearing (2005)  
*LINK* → <http://assembly.state.ny.us/comm/Food/20071030/testimony.pdf>

**Council on Food and Nutrition Policy**

- Five-Year Food and Nutrition Plan (1988)  
*LINK* → <http://www.nyscfp.org/#3>

**New York State Council on Food Policy Reports**

- Connecting the Dots (2007)
- Recommended State Food Policies in Respect to the Health and Prosperity of New York State (2008)
- Making Connections: Developing a Food System for a Healthier New York State (2009)  
*LINK* → <http://www.nyscfp.org/reporttogov.html>

**New York City Speaker Christine Quinn**

- Food Works: A Vision to Improve NYC's Food System  
*LINK* → [http://council.nyc.gov/html/food/files/foodworks\\_fullreport\\_11\\_22\\_10.pdf](http://council.nyc.gov/html/food/files/foodworks_fullreport_11_22_10.pdf)

# New York State Council on Food Policy

Commissioner Patrick Hooker, Chairman

## S U M M E R M E E T I N G M I N U T E S

Monday, June 28<sup>th</sup> 10:00 am – 1:00 pm @Adam Clayton Powell Jr. State Office Building, Harlem

**Commissioner Patrick Hooker** welcomed the audience and guest speakers. Commissioner Hooker then recapped the New York State Council on Food Policy's (NYS CFP) mission and key issue areas.

The mission of the NYS CFP is to recommend policies to the Governor that preserve and enhance agricultural food production in New York; and ensure that all New Yorkers have adequate access to safe, affordable, fresh and nutritious foods, especially by children, low-income individuals, the senior population, and other at risk or under-represented citizens.

NYS CFP key issue areas are: 1) Maximizing participation in food and nutrition assistance programs; 2) Strengthening the connection between local food products and consumers; 3) Supporting efficient and profitable agricultural food production and retail food infrastructure; and 4) Increasing consumer awareness and knowledge about healthy eating; and improving consumer access to safe and nutritious food.

The Commissioner took a few minutes to speak of the increased collaboration that has been realized between the state, private industry, and non-profit organizations through the efforts of the Council and its members. Notably, under Governor Paterson's direction, inter-agency collaboration has been highly productive and rewarding.

Commissioner Hooker then provided a few highlights of the Council's recent actions and effectiveness including:

○ Allowing WIC Fruit & Vegetable Checks to be used at Farmers' Markets

From this multi-agency, multi-stakeholder effort initiated by the Council in June of 2009, New York State now has approximately 120 farmers enrolled in the program; vending at nearly 200 markets across the state. This early success has created a 5-10% increase in the number of points of access for purchasing healthier food options for WIC participants.



○ Providing comments on significant Federal legislation and regulations

NYS CFP issued 'Child Nutrition and WIC Reauthorization Act Priorities' in July 2009 to Governor Paterson and New York delegates. NYS CFP delivered recommendations to USDA on the 'Geographic Preference Option for Procurement of Unprocessed Agricultural Products in Child Nutrition Programs' in June, 2010. NYS CFP believes that the recommendations, if enacted will contribute to a healthier and more prosperous future for our children, our farmers, our environment, and our communities.

○ Participating in the development of Healthy Food/Healthy Community Initiative

The Council has provided guidance and support to both Governor Paterson's Healthy Food/Healthy Communities Initiative and to Senator Gillibrand's companion proposal. The Governor's Initiative – that will invest a minimum of \$20 million in the form of grants and loans for the development of healthy, neighborhood food stores throughout the state - is in the final stages of agreement. We hope to share more on that good news soon!

○ Assistant to the Council on Food Policy

The Council on Food Policy has been awarded with a constant flow of graduate student interns from the Albany School of Public Health. We are grateful to Council member, Mary Warr Cowans (DOH/Division of Nutrition) for this partnership. Currently, Jacqueline Follain is proving to be a top-notch 'Assistant to the Council on Food Policy.'

**Kathryn Tanner, Legislative Assistant to Senator Kirsten E. Gillibrand** spoke on behalf of the Senator. Ms. Tanner extended the Senator's praise of Commissioner Hooker's leadership as Chairman of the NYS Council on Food Policy and commended all of the Council members for their dedicated work to the mission.



Ms. Tanner said “a child that does not receive proper nutrition will not be able to achieve his or her potential.” Citing recent statistics from USDA and the Center for Disease Control (CDC), Ms. Tanner illustrated the dawning of an obesity crisis in America. Further, the coexistence of obesity and malnutrition was discussed. Factors cited that contribute to this condition include the over-burdened pocketbooks and busy lives of most Americans.

Senator Gillibrand recognizes the urgent need for better agriculture and nutrition policy in the U.S. and in New York State. Currently, the Senator is fighting to pass the strongest Child Nutrition Reauthorization package in Washington – asking for \$4 billion a year to increase access to and quality of meal programs. The Senator is also taking a leading role in the First Lady’s “Let’s Move” campaign.

Ms. Tanner closed by thanking the NYS Council on Food Policy and the community members in attendance and added that the Senator’s office is dedicated to continuing to work with the NYS CFP on these important issues.

### **NYS CFP KEY ISSUE AREA WORK GROUP DISCUSSIONS (1-4)**

#### **1: Maximizing Participation in Food and Nutrition Assistance Programs - Jack Kennedy**

Mr. Kennedy began the discussion by stating that even though we are facing resource deficiencies at the local, state, and federal level, the Food Stamp Program has a record high enrollment of 2.7 million New Yorkers now receiving benefits. This translates into \$4.5 billion in federal food assistance coming into New York. This new purchasing power creates a significant economic stimulus and we witness a great ripple effect thereafter.

It was also noted that in the interest of maximizing participation in food and nutrition assistance programs, it is becoming increasingly easier to apply for assistance. Many new access points are now available and it is hoped that by 2011 any individual will be able to apply for assistance online over the internet from anywhere in the state.

Focus Group: Council members gathered together stakeholders to discuss maximizing access to food and nutrition programs. This focus group, of at least 10 different state agencies, advocacy groups, and non-profits dealing with nutrition assistance, aging and health, held a series of phone conference calls to discuss applying for a federal Medicare grant. The grant would assist with agency data sharing with the goal of enrolling more low-income elderly into the food stamp program. While the focus group ultimately decided not to apply for this grant for a multitude of reasons, an active group of stakeholders are still considering ways in which we can use the data for outreach to the senior population and cross referencing clients. Spin-off conversations are ongoing.

Hunger-Free Communities Grants: USDA Food and Nutrition Services announced that they will invest in research, planning, and various hunger relief activities through \$5 million in funding for the new Hunger-Free Communities grants. Through the grants, FNS seeks strategies that support the creation of Hunger-Free Communities by funding activities including food distribution, community outreach, resource development and other methods to make food more accessible to those most in need. Applicants are required to partner with Food Policy Councils or their functional equivalent at the local level. For more information: [http://www.fns.usda.gov/fns/outreach/hfc\\_grants.htm](http://www.fns.usda.gov/fns/outreach/hfc_grants.htm).

In conclusion, Mr. Kennedy stated that the state is continuing to work on obtaining federal Temporary Assistance for Needy Families (TANF) funds to help offset the increased demand at food banks, but the prospect is very uncertain.

#### **2: Strengthening the Connection between Local Food Products and Consumers - Frances O’Donnell**

Ms. O’Donnell began by stating that the New York State Education Department has distributed just under \$6 million in grants to schools for new kitchen equipment through the American Recovery and Reinvestment Act (ARRA). New equipment such as refrigerators, stoves and food preparation instruments, help food service personnel store and prepare more fresh wholesome foods for our children’s school meals. Without new or improved equipment many schools resort to purchasing convenience foods or processed foods that are often high in sodium and trans-fats.

This is the third year of the Fresh Fruit and Vegetable Program (FFVP). This program is available to schools with high rates of students eligible for free and reduced priced meal. During the school year 2010/11, \$4.5 million will be distributed to 162 schools and result in 6,400 New York State children receiving an extra fresh fruit or vegetable snack every school day! Overall, this program contributes to a healthier school environment because it provides a healthy snack for all the children; it expands the variety of nutritious foods consumed by the children; and hopefully it has a positive long-term impact on snacking behavior of children. Schools are encouraged to purchase fresh, nutritious, local products whenever possible.

**Ann McMahon**, Coordinator for the NYS CFP, spoke about the Council's recent comments to Food and Nutrition Services, USDA regarding: Geographic Preference Option for the Procurement of Unprocessed Agricultural Products in Child Nutrition Programs (July 2010). With the passage of the Farm Bill, schools are able to specify state specific products when purchasing food using these federal guidelines. FNS was seeking comments on clarification of terminology used in the guidelines. Among other things, the NYS CFP recommended that de minimis handling be defined to include cutting, combining, freezing, bagging and packaging of agricultural food products. NYS CFP believes that if implemented as recommended, the 'geographic preference option' will increase local purchasing power, support economic opportunities for local farmers, and help schools and other institutions increase wholesome food choices on their menus for children.

### **3: Supporting Efficient and Profitable Agricultural Food Production and Food Retail Industries - Jerry Cosgrove**

New York State is home to a significant dairy industry; however most of our dairy farmers are struggling to stay in business. Mr. Cosgrove noted that this issue must be addressed at the federal level. He expressed gratitude to and confidence in Senator Gillibrand as a member of the Agriculture Committee and the other NYS delegates who continue to fight for a fairer deal for our farmers.

Citing the extraordinary state budget circumstances, Mr. Cosgrove expressed disappointment, but understanding that the very important state Agriculture Economic Development Fund has yet to get off the starting blocks.

An update of the Hunts Point Terminal Produce Market Rebuild efforts followed. This is a critical food distribution facility that attempts to meet the bulk of the produce needs for the New York City metropolitan area and beyond, yet the infrastructure is functionally obsolete. This facility is of tremendous importance to upstate farmers. Discussions seeking a long-term solution are ongoing between key state agencies, NYC Economic Development and other critical stakeholders.

Food Safety Focus Group: Members of the NYS CFP and other interested parties consulted with food safety and inspection authorities regarding the implications and implementation of the proposed federal Food Safety Modernization Act (S.510). Mr. Cosgrove explained that "a fundamental tension exists among the extremely varied food systems and distribution systems... There are vertically integrated producers that have centralized distribution and packing facilities on one end of the spectrum and direct-marketers and farm stands on the other."

The 'Food Safety' focus group raised concerns that include: the 'one-size fits all' registration fees for all producers; the 'one-size fits all' compliance/auditing requirements and procedures for all producers; and that FDA regulators are not as familiar with small to medium size farm operations and management models like those we have in New York.

Mr. Cosgrove cautioned that food safety and protecting consumers is a top priority of the NYS Department of Agriculture & Markets. He then cited constructive amendments to the legislation have been introduced that address the registration fees, the compliance, and provide assistance, that include but are not limited to:

Senator John Tester (D-MT) Amendments: would 1) exempt food facilities with under \$500,000 gross sales from preventative control plan requirements and from traceback/recordkeeping and 2) exempt farms that primarily sell directly to farmers markets and local customers like restaurants.

Stabenow Amendment: S.2758: Growing Safe Food Act of 2009 would establish a national food safety training, education, extension, and technical assistance program for agricultural producers.

In conclusion, Mr. Cosgrove said: "We are hopeful, provided some of the recently introduced amendments to the legislation, that the final bill will be thoughtful and flexible enough to create a safe food system without unduly hampering smaller direct marketers that are also an important part of our food system."

**Liz Neumark** then took the podium and provided a report on her ongoing investigation into 'Farm to College' best practices. Ms. Neumark began her research by reaching out to Cornell University (NY) and Bates College (MA). Cornell University food service generates approximately \$45 million in revenue and has formed an Advisory Committee to assist in sourcing more local products; Bates College sources approximately 30% of its produce locally.

Key findings include: 'Local' is typically defined as within state borders or a mile radius; schools are freezing a majority of the produce to increase availability throughout the school year; poultry was almost exclusively purchased locally as an economical decision; and small business development is occurring to complement the desire to purchase local products (such as bakeries).

Issues to follow include: Sustainability concerns accompanying local purchasing on campuses include: waste diversion, composting, recycling and food rescue; and to be practical in meeting such large demand, schools often seek to partner with food distributors, and food distributors are now seeking relationships with local farmers.

#### **4: Increasing Consumer Awareness to and Knowledge about Healthy Eating Habits; and Increasing Consumers Access to Safe and Nutritious Foods - Mary Warr Cowans**

Ms. Warr Cowans began by expressing that combating obesity, and especially addressing childhood obesity, is at the forefront of current public health priorities. In an effort to address these issues as well as other public health concerns, the work group did an "environmental scan" and assessment of what services are available locally, regionally, statewide and nationally and what information exists to help consumers make informed decisions about their health. The work group decided to put together a data base of information.

The "Food & Nutrition Connection Center" (FNCC) will be an addition to the NYS CFP website. FNCC will provide a collection of, and connections to, existing programs and services that are working to increase nutrition awareness, reduce obesity and diet related diseases, and promote healthy eating habits and healthy lifestyles. FNCC has six tabs: Food Assistance/Nutrition Education/Local Food/Food Safety/Population Specific/Data & Informational Research, and provides corresponding links to relevant connections. FNCC was pilot tested by a focus group to determine its effectiveness. Currently, we are making final updates based on focus group feedback.

In conclusion, Ms. Warr Cowans discussed both federal and state legislation. She expressed interest in ensuring that the Women, Infant and Children (WIC) and Child and Adult Care Food Program (CACFP) receive adequate funding in the impending Child Nutrition Reauthorization Act. She also expressed hopefulness that the New York State legislators will continue support and funding for Hunger Prevention and Nutrition Assistance Program (HPNAP) that is so vital to food assistance programs in our communities such as food banks, food pantries and soup kitchens.

**Florence Reed** then took a moment to express the continued need for nutrition education and services for older adults. Ms. Reed cited a recent 'Journal of American Medical Association' report that stated: 70% of older adults in the U.S. are now classified as obese; further she pointed out that 65% of older New Yorkers are defined as obese or overweight. Ms. Reed said that it will be challenging to meet the impending dietary guidelines in meal services programs without additional funding. With the Older Americans Act now up for reauthorization, Congress and the Senate are encouraged to provide adequate funding to help providers meet these challenges.



NYS Council on Food Policy Meeting

June 28, 2010

## SUMMER MEETING (cont.)

### Panel: NYS Food System 'Supply, Demand and Delivery'

**Commissioner Hooker** introduced the panel members and announces that Bob Stern is not in attendance due to budget meetings. Below are just a few key points from each panel member's presentation. The speakers, seated at the table, and their topics are as follows (right to left):

David Haight: Threat from development to New York State's irreplaceable farm land

John Magnarelli: Farm-to-School initiatives as part of USDA Know-your-Farmer-Know-your-Food strategy

Annemarie Garceau: Department of Defense food program and the NYS items purchased using these funds

Christina Grace: NYS Farm to School Program and School Food Service Director Survey results

Dennis Derryck: Innovative Community Stakeholder Agriculture (CSA) Model for South Bronx



**Robert Stern**, Senior Program Manager for the NYS Assembly Program Development Group and Staff Director for the Task Force on Food, Farm and Nutrition Policy was unable to attend but provided the notes below on: [New York State Law - Procurement Preferences for New York State Food and Agricultural Products.](#)

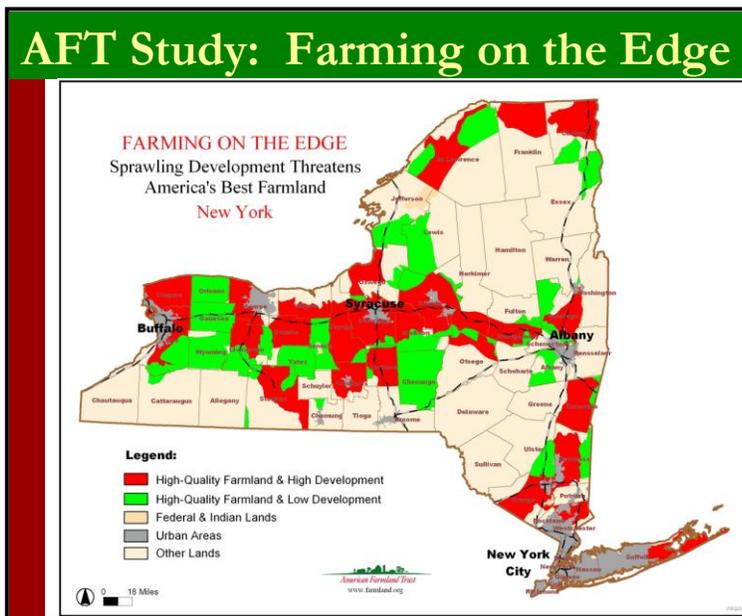
- Generally the law regulating procurement of government goods and services requires government to buy the best product at the lowest price after solicitation of bids to provide cost effective use of taxpayer dollars and prevent any favoritism in purchasing. At the State level this is generally handled by OGS, often through centralized contracts, although agencies do have authorization to buy directly themselves.
- There are dollar thresholds for purchases that require competitive bidding, for example \$10,000 for local governments and schools. Food purchases, even multiple items, are generally considered as one purchase. For example, if all the food purchased by a school district or government in a school year is worth more than \$10,000 then any individual item is subject to the bidding threshold. This is based on Comptroller opinions, not specified in the law.
- Over the past 30 years NY has passed and updated several laws attempting to provide authorization and encouragement for preference for NY farm products when government purchases food. It began with schools, then state agencies, but also includes the State University system and local municipal governments.
- These laws originally only authorized government to provide limited preference for purchases, but about 10 years ago both State Finance Law and General Municipal Law were amended to actually state that: when letting contracts for the purchase of food products on behalf of facilities and institutions of the state, solicitation specifications of the office of general services and any other agency, department, office, board or commission may require provisions that mandate that all or some of the required food products are grown, produced or harvested in New York State, or that any processing of such food products take place in facilities located within New York State.
- School meal purchasing local preference law has additional language and requirements, in part because school meal purchases are also subject to federal procurement regulations. This was an attempt to satisfy concerns about how State law might work or conflict with federal guidelines. Federal rules were recently changed to make it easier for schools to use a preference for purchasing local foods.
- Although NYS has fairly comprehensive laws for preference of local foods in procurement, it is not clear that they are being effectively used or implemented. It should be a goal of the NYS CFP to identify the extent to which government funds are being used to purchase local foods, how to increase the use of these laws, and what fixes are needed.

For more information contact Robert Stern at: ph # 518.455.5203/[sternr@assembly.state.ny.us](mailto:sternr@assembly.state.ny.us) .

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**David Haight**, New York Director of the American Farmland Trust, discussed the current threat from development to New York State's irreplaceable farmland. The *supply* side of the equation focuses on the basic building blocks of a food system: looking at natural resources like land and water.

- Dietary draft guidelines were released on June 15, 2010 stating that we should consume more fresh fruits, more vegetables, and more dairy. Where these products are produced is increasingly under threat of development.
- According to the most recent USDA Census of Agriculture: 90% of our fruits, 80% vegetables and 70% dairy products are grown in 'urban edged' counties.
- New York loses a farm every three days to development and is home to three of the Top Twenty Most Threatened Farming Regions in America. "Concrete may become the last crop that is produced on much of our land."
- Envision farms becoming subdivisions and fragmentation of the landscape that historically has produced the foods that we eat. Beyond loss of land, we are also inserting neighbors into the equation of the remaining farmland. These new neighbors may or may not understand what it takes to produce food: manure smells, dust, and the early/late hours of operation, etc. and this can create a lot of conflict or "death-by-a-thousand-cuts."



- Cornell researchers questioned: How many people can be fed on the number of acres being farmed in New York? They found that, on the 7 million acres - or 25% of all state land - being farmed in New York State, with everyone eating an optimum diet, we can feed 6 million people - or 30% of state population. NYS population is 19 million.
- Land is a critical limiting factor in regards to long term food security for our state. According to American Farmland Trust, 3 of the top 20 most threatened farming regions in America are located here in New York because of the threat of development to new and high quality farms.
- Around the nation, strategic plans are being developed to support the people who grow the food and protect the land resources they need to sustain food production. Farm Security Initiative in New England states, is looking at the same issues on a regional level.
- This is also a global issue. The United Nations reported last fall it is necessary to increase global food production by 70% by 2050. Farmland security is essential to national security.
- In closing, we must ensure that we have the land, the water and the people necessary to produce our food for future security.

For more information contact David Haight at: ph # 518.581.007 / [DHaight@farmland.org](mailto:DHaight@farmland.org).

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**John J. Magnarelli**, Regional Director Special Nutrition Programs, Northeast Region, US Department of Agriculture (USDA) spoke about the USDA strategy "Know your Farmer, Know Your Food," and discussed the Farm to School initiatives going on across our region and the benefits to both schools and local farms.

- Nutrition programs control approximately 60-70% of the USDA budget. USDA administers the School Lunch Program, School Breakfast Program, WIC Program, Food Stamp Program, Child Care Summer Feeding Program and Commodity programs which donate USDA food to food banks, soup kitchens, and schools.
- Agricultural Secretary, Tom Vilsack, has encouraged and challenged all USDA agencies and facilities - more than 2,000 facilities and 100,000 employees - to support these programs by establishing community gardens on the premises of their work sites.
- New dietary guidelines push for increased consumption of fresh fruits and vegetables. The Fresh Fruit and Vegetables Program is one example of the USDA's step in that direction. This program provides healthy snacks for kids during the school day. Where do you get the produce? The most efficient way is from local farmers!
- Geographic preference was prohibited ten years ago. Schools were not allowed to include local preference in their bids. Today, geographic preference laws encourage school districts to procure locally. Why? To help local farmers.
- Agricultural Deputy Secretary Kathleen Merrigan initiated the Farm to School Program at USDA. To begin, USDA has established tactile teams that will be meeting with 12-15 local school districts that have Farm to School programs. USDA received over 600 requests for visits; more than 200 from the Northeast region alone. We discovered that there are more than 10,000 Farm to School programs around the nation!
- The goal is to identify best practices for establishing Farm to School relationships and then communicating those best practices. Farm to School isn't just between food service director and the local farmer down the street. The entire school district administration, the community, health inspectors, etc. need to be involved.
- One farmer donated an acre to a K-8 school and the kids grew their own pumpkins and sold them as a school fundraiser. We don't have to have bake sales or candy sales anymore! We would like to see all these aspects integrated into the Farm to School strategy.

For more information contact John J. Magnarelli at: ph # 617.565.6426/[John.magnarelli@fns.usda.gov](mailto:John.magnarelli@fns.usda.gov).

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**Annemarie Garceau, Assistant Director, NYS Office of General Services (OGS) Food Distribution & Warehousing** spoke about Department of Defense (DoD) money allocated to NYS by the USDA; how OGS distributes these funds; and New York State items purchased using these funds.

- New York State Office of General Services (OGS) is responsible for receiving, warehousing, and distributing USDA commodity food to the School Lunch Program, Child and Adult Care Feeding Program, Summer Feeding Programs, and food banks. Various food products are available to meal programs through commodity entitlement dollars.
- In school year 2009/10, the school lunch program accounted for nearly \$65 million of the USDA entitlement dollars received by OGS. OGS supplies approximately 20% of the food that a school needs through USDA programs; the remaining 80% of food must be purchased from a distributors and/or local farmers.
- USDA is designed best to purchase and distribute frozen, dried and canned food items. Department of Defense (DoD), the largest procurer of food in the world, partnered with USDA approximately 10 years ago to begin distributing fresh fruits and vegetables to schools as part of this program (using a portion of the commodity entitlement dollars).
- How do these funds and products get distributed? Every two years OGS surveys schools to determine how much of their portion of the USDA entitlement dollars they want to devote to fresh fruits and vegetables through the DoD program. School districts can opt out (by region). Currently, 5 of the 10 regional warehouses participate in the DoD program, along with NYC and receive a portion of their fruit and vegetable entitlement fresh instead of canned or frozen.
- Approximately \$4 million of the \$65 million was used for the DoD fresh produce purchasing program. Of that \$4 million - \$2.7 million was spent on New York State produce, or 69% of the budget. The majority was spent on New York apples and apple slices. Other popular products from New York include pears, grape tomatoes and potatoes.

- One difficulty in distributing products is that the food goes through a warehouse where it may sit for a few days while the schools make arrangements to pick up the products, after which the quality of the fresh products may not be optimal.
- Overall, OGS tries to focus on items that (1) are New York grown; and (2) items that can be semi-shelf stable.

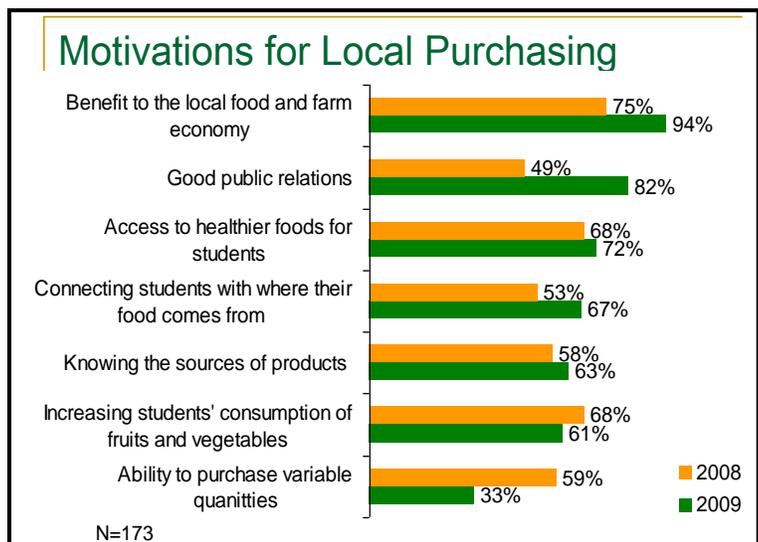
For more information contact Annemarie Garceau at: ph # 518.474.5122/[Annemarie.Garceau@ogs.state.ny.us](mailto:Annemarie.Garceau@ogs.state.ny.us).

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**Christina Grace**, Urban Agriculture Manager, NYS Department of Agriculture & Markets discussed New York Farm to School efforts and the 2009 New York State School Food Service Director Survey results.

- The New York State Department of Agriculture & Markets Farm to School Program provides technical assistance, materials, and support for school districts interested in initiating a Farm to School program. Without education about what is getting onto the tray in the cafeteria, the kids won't eat the food.
- One way we support Farm to School initiatives is by the School Food Service Director (SFSD) Survey. The survey has been conducted in 2009 and in 2010 in partnership with Cornell Cooperative Extension and the Office of General Services. We also conducted the first statewide school garden survey (not included in today's discussion).
- The average cost to produce lunch, including staff and food is \$2.19. Of that, approximately half is spent on actual food. Purchasing fresh produce is a big challenge when SFSD have only one dollar to spend per meal. In the Federal Child Nutrition and WIC Reauthorization Act, we requested a \$0.70 increase to support the National School Lunch Program, but right now they are only proposing a \$0.06 increase.

- SFSD survey results: 211 school districts (or 28%) responded of those who participate in federal child nutrition programs. Of those who responded, 110 school districts are participating in Farm to School activities and local procurement. NYC was separated out to eliminate skewing results. Results available on NYS DAM FTS website.



- Why do school districts care about local? Survey results show that the #1 motivation SFSD purchase local produce is to support local economy and members/farmers of their community. Good public relations are also very important to schools. The USDA program Know Your Food, Know Your Farmer is helping.
- How do they get the local products at school? Creating good relationships with distributors and farmers is important. Some SFSD purchase produce directly from farmers, but it is not tenable for many school districts. Logistically, many farms cannot deliver and this makes it difficult for the food service director. The majority of school districts purchase their food supplies through traditional distribution channels. The Department works to identify which distributors are working with schools who participate in 'Farm to School' activities and who may be interested in extending what they are doing.
- New York City schools serve 800,000 meals per day and are second only to the Department of Defense in most procurement food dollars spent in the nation. If NYC buys local then it opens doors for other districts around the state.
- Some considerations for successful Farm to School in New York include: having trained staff on site with appropriate kitchen equipment to handle fresh when it shows up at school; producers need to be able to supply a large volume of

product for meals consistently throughout the school year – this often entails distributors having multiple suppliers and managing multiple schedules; and a streamline procurement process is needed.

- Increasing slightly processed fresh, local agricultural items such as sliced apples, cut carrots for salad bars, organic black beans, and frozen produce, will allow Farm to School to proceed and grow.

For more information contact Christina Grace at: ph # 718.722.2834/[Christina.grace@agmkt.state.ny.us](mailto:Christina.grace@agmkt.state.ny.us)

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**Dennis Derryck**, Founder, Corbin Hill Road Farms, discussed the Community Shareholder Farm (CSF) model that provides shareholders with a means of food sovereignty and economic empowerment, while contributing to the economy of a rural upstate county. Mr. Derryck and this concept were featured in The New York Times (June 2010): **For a Healthier Bronx, a Farm of Their Own** <http://www.nytimes.com/2010/06/23/dining/23bronx.html?ref=dining>.

- Food System supply, demand and delivery... “So many things are obvious but it takes a while to figure out why is it obvious.” The Corbin Hill Road Farms Community Shareholder Farm (CSF) model is a *farm share* program that provides individuals the benefits of receiving fresh, local food without the risk of joining a community supported agriculture (CSA) program.
- A CSF can be distinguished from a CSA through many factors; mostly by the community that each serves. The risk sharing that happens in a CSA between a farmer and a consumer is not logical if we have a low-income consumer; and the down payment associated with a CSA (approximately \$400 in advance) is not possible for a low-income consumer using food stamps when benefits are only \$400 a month. Joining a CSA is a seasonal contract. A two week commitment is good for a family on food stamps. With a CSA, members don’t always know what they will receive; this also is not practical for someone in such an economic situation. Finally, a CSA is designed to provide for a family of 3-4; however, we are dealing with family sizes of 5-7 members. Soon, it becomes obvious that a CSA is not an ideal model for many individuals.
- The CSF allows flexibility: people can join, drop out, re-join, upgrade, downgrade, set up payments through payroll deductions. This provides shareholders with both food sovereignty and economic empowerment.
- We have redefined where the supply comes from. We realized that we don’t need to build a new farm to feed the people of South Bronx. Instead, the project connects 32 established farmers in Schoharie County to residents in NYC. Risk is reduced by having multiple farmers organized.
- Third aspect: Sovereignty – much of what we do is top-down, not bottom-up. Leadership has to reflect the community it is serving. We have raised \$600,000 – 72% has come from blacks and Latinos.
- Decision making and ownership are intricate principles. Citizens must own the farm. Non-profits are looking for grants to invest in the farm and within 5 years they must sell their shares to the community members that have participated in the CSF for multiple years. Future dividends from farm investments can be used for community or member benefits. Right now, there is a need to secure grants to help support the program.
- After two weeks in operation, this is the largest program of this type in the City of New York – we are at 220 members. Participants are considered ‘economic citizens.’

For more information contact Dennis Derryck at: [dderryck@corbinhillfarm.com](mailto:dderryck@corbinhillfarm.com).

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# New York State Council on Food Policy

Governor David A. Paterson

Commissioner Patrick Hooker, Chairman

## F A L L M E E T I N G M I N U T E S

Wednesday, October 20, 2010 \* 9:30 am – 12:00 pm @ State Capitol Building, Albany

**Commissioner Patrick Hooker** opened the fall meeting of the New York State Council on Food Policy by acknowledging the tremendous progress that the Council has made since being established in 2007. This progress is due, in most part, to the collaborative spirit of the stakeholders and the agencies involved in food policy, he said. After citing the Japanese proverb, “*Vision without action is a daydream. Action without vision is a nightmare. Action with vision can change the world,*” the Commissioner continued with a discussion about the history and the vision of food policy in New York State and the impending administration change.



### INTRODUCTION

- In 1984 Governor Mario Cuomo formed the “Council on Food and Nutrition Policy” composed of seven agency heads, and supported by a 20 plus member advisory committee. Chaired by the Commissioner of the Department of Health, the 1984 Council created a ‘Five Year Plan’ (for the years 1988 – 1992) to improve the nutritional status of New Yorkers based on the growing evidence that a substantial number of New Yorkers are neither adequately fed nor nourished.
- Among other things, the recommendations in the ‘Five Year Plan’ also strived to support adequate food production, job creation, and preserve our agricultural land base. And perhaps most importantly, it provided a vision for a healthier, more productive, more prosperous, and hunger-free society. However, under the Pataki administration the Council was dissolved.
- Fortunately the vision for a healthier, more productive, more prosperous, and hunger-free society was revived in 2007 when Governor Spitzer formed the NYS Council on Food Policy (NYS CFP) by Executive Order No. 13, and it was re-affirmed in 2008 by Governor Paterson. Currently the Department of Agriculture & Markets has the privilege and the responsibility to Chair and the ‘advisory groups’ are bona fide members on the Council.
- One of the first tasks the NYS CFP undertook was to review the data and recommendations in the ‘Five Year Plan.’ We saw a number of improvements, and some would be tempted to say “we solved that,” but this work is never done.
- Upon further data and policy analysis and the state listening tour, we found that many of the same health, hunger, and production issues have persisted and in some cases they have worsened. While some obstacles were overcome, other new challenges have presented themselves.
- This Council on Food Policy, supported by our administration, informed by our stakeholders, and advanced by the deliberate collaboration efforts of the members, has been able to take some significant actions to address the issues of hunger and access to safe, nutritious foods, as well as to enhance local food production and the food retail industry. We learned from our history, we gained a clearer understanding of our present challenges, and we have proposed some very sound, practical, and compelling food policy recommendations for New York.
- Today we will re-examine the past priorities and recommendations and discuss emerging food policy issues. We have to prepare a report for Governor Paterson and leave a sound document for a seamless transition.

*Vision without action is a daydream. Action without vision is a nightmare.  
Action with vision can change the world.*

KEY ISSUE AREAS and RECOMMENDATIONS REVIEW

**A round-table discussion** followed in which Council members examined the wording and evaluated the intention of the established Key Issue Areas (KIA 1-4) to determine if they still appropriately address current food policy concerns. Since establishment, the NYS CFP has proposed fifty-one state food policy recommendations. Council members agreed that the preceding recommendations and action items remain constructive.

Numerous examples of progress made toward achieving goals and successful collaboration efforts were outlined by the Council members (not included in minutes; to be detailed in report). Some points of refinement and of redirection were proposed and discussed. Notable comments for refinement include, but are not limited to:

**KIA 1. Maximize participation in food and nutrition assistance programs**

- Wording does not accurately reflect the fact that some assistance programs have finite budgets and are already at or beyond feasible maximum participation, yet demand is increasing. Programs such as Meals on Wheels and the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) exhaust assistance funding before meeting population need.
- Programs to be separated by those that strive to ‘maximize participation’ and those that are already maximized but continue to have unmet need.
- Many new tools have been developed and process has been modernized for enrollment in SNAP/food stamps program. In 2009, New York State SNAP/food stamp participation rate was above 70 percent. This is above the national average of 62.9 percent. However, the last 30 percent of eligible are the most difficult to reach. Focus needs to continue on outreach and education.
- ❖ Propose rewording KIA 1. as such: Maximize participation in, **and support for**, food and nutrition assistance programs.

**KIA 2. Strengthen the connection between local food products and consumers**

- An increased focus on the interrelationship between local foods and the health of consumers was stressed.
- Good Agriculture Practices, or GAP, certification of farmers was discussed as one way to help strengthen the connection between producers and food retailers. Producer GAP certification or similar food safety documentation can bolster confidence of retail produce purchasers for sale to consumers. However, GAP certification is not always financially feasible for small and medium sized producers.
- Safe food is defined as unadulterated food as defined in Ag Law Article 17 § 200; and food safety refers to the prevention of illness, disability, and death due to foodborne diseases.
- New York should seek ways to increase education and training for our farm community to assist in marketing their products as local, healthy, and safe.
- Have increased concentration on new models of food delivery and community and individual behavior modifications.
- ❖ Do not reword KIA 2. at this time. Clarify in text that ‘local’ correlates to nutritious and safe foods.

**KIA 3. Support efficient and profitable agricultural food production and food retail infrastructure**

- Continue to strongly emphasize the importance of agriculture to the New York State economy and job creation.
- Examine economic potential at each level of the food system such as: redevelopment of Hunts Point Wholesale Market, promoting state institutional purchasing, and assisting small scale processors.
- Persist in recommending ways to advance a positive business climate in New York, such as reviewing licensing fees and other barriers to economic development.
- Food safety is non-negotiable. Maintain core staff and programming for food safety and inspection at New York State Department of Agriculture & Markets and Department of Health personnel.
- ❖ Propose rewording KIA 3. as such: Support **safe**, efficient and profitable food production and food retail infrastructure **for existing and new retail outlets**.

**KIA 4. Increase consumer awareness and knowledge about healthy eating; improve consumer access to safe and nutritious food**

- Issue overlaps but is distinct from other KIAs. Need to combine two concepts and broaden scope (target audience).
- Important to recognize and use culture change and changing food environment as part of overall food policy strategy.
- Grants and student interns have been successful part of spreading food system awareness under this KIA.
- ❖ Propose rewording KIA 4. as such: **Foster a culture of healthy and local eating for all New York State residents**.

EMERGING ISSUES, PROGRAMS AND POLICIES

**Commissioner Hooker and the Council members** exchanged information about current or emerging issues, policies and programs that affect the farm and food system in New York State. Below are just some of the highlights from the exchange. More details will be available in the NYS CFP Report to the Governor (anticipated release: December 2010).

- ✓ New York State Department of Agriculture & Markets is expecting to extend the Farmers Market Nutrition Program to be available for roadside farm stands. Currently, the program coupons are only acceptable by authorized farmers vending at farmers’ markets.
- ✓ The Governor’s Healthy Food/Healthy Community Fund, which is offering \$30 million in grants and loans for the development or refurbishment for food stores in underserved, low or moderate income communities, is now accepting applications.
- ✓ New York State food bank spending is increasingly targeting local, fresh products and creating strong relationships with the agriculture community.
- ✓ Food retail stores are increasingly becoming a public relations hub for healthy, local food and agriculture awareness across income brackets and cultural communities.
- ✓ Cornell Center for Behavioral Economics in Child Nutrition Programs (BEN) has just received a \$1 million grant from the USDA to research and help disseminate information on how school cafeterias can creatively nudge students to eat healthier.
- ✓ Senior ‘Meals on Wheels’ programs have increased purchasing from roadside farm stands.
- ✓ Many school meal programs are creating healthier school environments and participating in the USDA “Healthier US Schools Challenge” that promotes increasing whole grains and vegetables in school meals.
- ✓ National Dietary Guidelines will be released later this year. The new guidelines will influence product development.
- ✓ The federal Child Nutrition and WIC Reauthorization Act is proposing to increase funding for school meals but cut funding for SNAP benefits. This is inconsistent and unsatisfactory as hunger and food insecurity affect the entire family environment.
- ✓ We are still collaborating with the USDA, Food and Nutrition Service to provide clarification on geographic preference language for procurement of local food products for child nutrition programs.
- ✓ We are witnessing a growing number of new farmers and non-traditional niche farmers interested in growing specialty crops.
- ✓ We must stress the critical importance of ensuring that the Farm Bill 2012 prominently includes farmers and farming.
- ✓ We are reminded that food is not recession proof. There is a downward price pressure on food and right now the primary concern for farmers is the cost of doing business in New York State.

*“We are turning more calories into more healthy calories!”*

*“Keep the farmers in the Farm Bill!”*

PUBLIC COMMENT PERIOD

Approximately twenty members of the public attended the meeting. Five members of the audience presented comments at the meeting; four others submitted comments for the Council’s consideration. Topics covered include: Benefits of Farm to School, urban agriculture and garden-based learning initiatives; potential impact of hydraulic fracturing on local agricultural products, the environment and personal health; standard of honey legislation; and a Farm Bill briefing. Please see “Public Comments 10/20/20” on <http://www.nyscfp.org/> for full text.

The meeting was adjourned at 12 PM.





# New York State Council on Food Policy

Commissioner Patrick Hooker, Chairman

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## Comments on Geographic Preference Option for the Procurement of Unprocessed Agricultural Products in Child Nutrition Programs

*Effective October 1, 2008, Section 4302 of Public Law 110-246, the Food, Conservation, and Energy Act of 2008, amended section 9(j) of the Richard B. Russell National School Lunch Act (NSLA) encouraging institutions operating Child Nutrition Programs to purchase unprocessed, locally-grown produce and locally-raised livestock. Section 4407 of Public Law 110-246 allows such institutions to apply an optional geographic preference in the procurement of such products.*

June 18, 2010

The mission of the New York State Council on Food Policy (NYS CFP) is to develop and recommend policies that preserve and enhance agricultural food production in New York; and ensure that all New Yorkers have adequate access to safe, affordable, fresh and nutritious foods. One of the key issue areas of the NYS CFP is to strengthen the connection between local food products and consumers.

We commend the Food and Nutrition Service, United States Department of Agriculture (USDA) for proposing rules that increase local purchasing power to support economic opportunities for local farmers and that help schools and other institutions include wholesome food choices for children. The NYS CFP believes that in order to implement the provisions of the Geographic Preference Option the terms: “unprocessed agricultural product,” “geographic area” and “points or credit” must be more clearly defined. Therefore, the NYS CFP respectfully asks the Food and Nutrition Service, USDA to consider the following recommendations that recognize these goals when deliberating which definitions to use.

WE RECOMMEND the following:

### **A. Determine what defines a ‘local geographic area’**

1. Preserving the authority of local school officials to determine what constitutes a local geographic ‘area’ should continue and remain in the final rule.

**Comments:** Institutions operating Child Nutrition Programs can define the geographic area from which the unprocessed, local agricultural products should originate in order to qualify for additional points during the bid evaluation process. Institutions have autonomy when defining the above region of origin or geographic area where food is grown and harvested. The NYS CFP believes that allowing school officials the ability to define their local area will lead to the most successful local and regional procurement programs.

### **B. Define the term ‘unprocessed agricultural product’**

1. *De minimis* handling should include cutting, combining, freezing, bagging and packaging as the “inherent character” is not being altered in any way.
2. *De minimis* handling should include preservatives that maintain color or prevent oxidation, such as ascorbic acid.
3. *De minimis* handling should include ground beef shaped into patties (excluding fillers/additives).
4. Handling and preservation techniques listed should stand as suggestions, not as a finite list.

**Comments:** The NYS CFP believes the above examples qualify as *de minimis* handling. They allow agricultural products to be purchased by food service directors in a usable form and facilitate ease of use. The above handling and preparation techniques do not jeopardize “the inherent character” of the agricultural products; nor do they “add significant value” to the agricultural products.

Thank you for this opportunity to comment on the proposed rule for “Geographic Preference Option for the Procurement of Unprocessed Agricultural Products in Child Nutrition Programs.” We believe that the above recommendations will contribute to a healthier and more prosperous future for all of our children, our farmers, our environment, and our communities.

*Respectfully submitted to Food and Nutrition Service, USDA by:*



Chairperson

**Patrick Hooker**, Commissioner, NYS Department of Agriculture and Markets

Members

**Darrel Aubertine**, NYS Senator, 48th District

**Mindy Bockstein**, Chairperson and Executive Director, NYS Consumer Protection Board

**Linda Bopp**, Executive Director, Nutrition Consortium of NYS

**Bruce Both**, President, United Food and Commercial Workers Union: Local 1500

**Michael Burgess**, Director, NYS Office for the Aging

**Mary Warr Cowans**, RD, CDN, Associate Director, Division of Nutrition, NYS Department of Health

**Dr. Richard Daines**, Commissioner, NYS Department of Health

**Raymond Denniston**, BOCES Broome-Tioga; Co-Chair NYS Farm to School Coordinating Committee

**Diane Eggert**, Executive Director, Farmers Market Federation of New York

**John Evers**, Executive Director, Food Bank Association of NYS

**Kristen Proud**, Acting Commissioner, NYS Office of Temporary and Disability Assistance

**Dr. Susan Henry**, Dean, NYS College of Agriculture and Life Sciences at Cornell University

**Dr. David Milton Steiner**, Commissioner, NYS Education Department

**Cathryn Mizbani**, Senior Extension Administrator; WIC Program Coordinator, Cornell University

Cooperative Extension of Schenectady County

**Dennis Mullen**, President and CEO, Empire State Development Corporation

**Liz Neumark**, CEO, Great Performances; Sylvia Center

**Irwin Simon**, Founder, Chairperson, President and CEO, Hain Celestial Group, Inc

**Julie Suarez**, Director of Public Policy, New York Farm Bureau

**Eleanor Wilson**, MS, RD, CDN, Senior Dietitian, Price Chopper Supermarkets, Inc

**Catharine Young**, NYS Senator, 57th District



Photo courtesy of USDA

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Contact the New York State Council on Food Policy at (518) 485-7728 or online at: <http://www.nyscfp.org/>

**NEW YORK STATE COUNCIL ON FOOD POLICY  
Recommendations and Action Items 2007, 2008, 2009**

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Key Issue Area	2007	2008	2009	Total
1. Maximize program participation	6	4	3	13
2. Strengthen local connection	5	6	4	15
3. Support food system infrastructure	7	5	3	15
4. Foster culture of healthy eating	4	2	2	8
<b>Number of Recommendations</b>	22	17	12	<b>51</b>

Key: Rec (yr) -- 1(07) is the first recommendation from year 2007; &&& --- same Key Issue Area, new year

**Key Issue Area 1: Maximize participation in, and support for, food and nutrition assistance programs**

- 1 (07) Increase education about assistance programs and benefits using traditional and non-traditional outreach strategies such as in job placement offices, places of worship, schools, drug stores, and farmer's markets;
- 2 (07) Encourage increased collaboration among State agencies administering the programs by co-enrolling participants for benefits and/or making enrollment more user friendly;
- 3 (07) Create incentives to purchase nutritious food with food stamps;
- 4 (07) Explore options for ensuring that food assistance programs have adequate quality and stable quantities of resources needed to meet demands;
- 5 (07) Increase number of markets / outlets that are capable of receiving food stamps;
- 6 (07) Perform an assessment of methods to ease program participation in food and nutrition assistance programs and identify strategies to address the challenges.

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- 1 (08) Increase public awareness of and education about assistance programs and benefits using traditional outreach strategies... Expand collaborative efforts with existing advocacy networks.
  - Identify programs that already have existing funding for education and outreach. Quantify the existing funding amounts and resources. Recommend ways of utilizing funds/resources for alternative or increased outreach that are compatible with and sensitive to expressed community needs.
  - Prepare a user-friendly directory of existing State, federal and non-profit food and nutrition assistance programs for future public dissemination.
  - Develop standard operating procedures and provide to the staff and volunteers in community-based organizations, at emergency feeding sites, farmers' markets, schools and other food and nutrition assistance programs.
  - Identify institutional resources (public and private) that would assist with the implementation of items above.
- 2 (08) Increase collaboration and consistency among State agencies and not-for-profit organizations administering assistance programs by seeking ways to co-enroll participants for benefits and/or making the enrollment process more consumer-friendly.
  - Explore all opportunities to eliminate finger-imaging from the food stamps application process.

- Explore all opportunities to allow phone interviews for food stamp application and shore up consistency in implementation.
- Explore all opportunities to simplify/streamline application forms. OTDA's *myBenefits* program should be capable of increasing data exchanges across agencies.
- Create a check list for financial assistance packages that can be adapted for all food insecure populations.

3 (08) Resources at Food Banks and Emergency Feeding Programs: Ensure that food assistance and emergency feeding programs have adequate quality (nutritional value) and stable quantities of resources needed to meet demands.

- Collate data that documents food security needs of NY residents.
- Based on data – recommend that a stable, consistent and guaranteed State funding source for emergency food assistance and feeding programs be in place for planning purposes.
- Explore options for increasing funding indexed to inflation for government funded emergency food programs.
- Explore options for providing funding and other support to food banks for the purchase of more fresh, local produce for distribution to residents.

4 (08) Food Assistance at Markets and Outlets: Increase the number of markets and outlets that are capable of receiving food stamps and other food assistance currency.

- Support and explore options to increase food assistance programs and efforts that provide incentives for clients to purchase healthy, local foods. Initiatives include: Farmers' Market Nutrition Program (FMNP); "Fresh Checks" coupon incentives at the farmers' market; promotion of universal portable electronic benefit transfer (EBT) technology at farmers' markets, grocery stores, farm stands and green carts; WIC Vegetable and Fruit Voucher

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1 (09) Increase Public Awareness of Food and Nutrition Programs: Broaden support for outreach and public awareness efforts that connect individuals or families in need to assistance programs and benefits being offered by state agencies, non-profit, and community based organizations.

- Broaden support for programs that increase public awareness about and access to assistance. Programs include: Office of Temporary and Disability Assistance's (OTDA) *myBenefits*; United Way "211" Information and Referral System; and Nutrition Outreach and Education Program (NOEP)
- Explore options to advise Food Stamp/SNAP and WIC recipients of the increasing opportunities to use benefits for fresh food at farmers' markets.
- Promote anti-hunger outreach and awareness initiatives in hospitals and health care facilities, and specifically state-operated facilities.

2 (09) Facilitate Access to Food and Nutrition Benefits by Food Insecure Individuals: Encourage the continued development and expansion of Food Stamp Program/SNAP modernization efforts and policy modifications that can expand access and increase participation, including greater use of technology, identification of barriers to enrollment and the implementation of relevant federal waivers.

3 (09) Expand Food and Nutrition 'Electronic Benefit Transfer' Redemption Option. Urge the federal government to implement universal electronic benefit transfer (EBT) technology at fresh food markets and outlets, either legislatively or administratively.

## **Key Issue Area 2: Strengthen the connection between local food products and consumers**

7 (07) Support initiatives in schools for healthy food choices: look to change consumption behavior of youth as well as introduce youth to food system dynamics (incorporate farm and/or food related topics into curriculum);

- 8 (07) Create avenues for local farmers to produce for state institutions and other food service programs (schools, universities, nursing homes);
- 9 (07) Address volume requirements on buying- promote aggregate selling/buying of produce;
- 10 (07) Research the feasibility of expanding local/community food security initiatives to the state level;
- 11 (07) Consider culture, age and geographic region of all consumers to best serve their needs.

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5 (08) Institutional Purchasing: Create networking systems for New York farmers and producers to provide fresh, nutritious food products for state institutions and other food service programs that purchase mass quantities of food on a routine basis (for example: schools, universities, nursing homes, prisons, day care centers, emergency feeding programs and government facilities).

- Develop an electronic database that will serve as a clearinghouse of producers, processors, associations, and consumers
- Explore and analyze existing storage, distribution, associations and “Market Maker” type models for replication. Consider bulk food drop-off/distribution centers such as Food Bank trucks picking up/delivering farm products (example: Foodlink, Rochester). Consider association models such as: Northeast Organic Farming Association, Apple Growers Association; Vegetable Growers Association; AgriMark, Upstate Farms, and Dairy Marketing Services. Explore back-loading and cold storage agreements with food retailers.
- Review, analyze, comment upon legislation that relates to increasing local food products to State institutions

6 (08) Local Foods in Schools: Support initiatives in schools that promote healthy, local food choices that improve overall child nutrition by changing consumption behavior of youth and that introduce youth to New York State food system dynamics.

- Compile, review and continue to promote existing State and local programs that introduce youth to food system dynamics.
- Employ the provision in The 2008 Farm Bill (“Title IV: Nutrition”) that encourages purchasing local food products and allows school food service directors to specify geographic region for their fruits and vegetable purchases.

7 (08) Healthy School Environment: Ensure that children are receiving nutritious, well balanced meals in schools.

- Continue to support the Healthy Schools Act (HSA) (A.8642).
- Adopt scientifically based national standards for school meals when they become available.
- Increase state funding for school meal programs whenever possible. A suggested target is an increase of \$0.15 per meal within three years (by State fiscal year April 2012).
- Consider provisions that could be added to proposed legislation. The “Local Farms-Healthy Kids Act” (SB 6483; enacted June 2008) from the State of Washington outlines policy that:
  - Eliminates low-cost bidding requirements for school purchases of State grown food and allows schools to adopt price preferences for local food;
  - Requires development of food procurement procedures for State entities to facilitate purchasing of State grown food;
  - Enhances the Farm-to-School Program by establishing 2.5 positions in the Department of Agriculture dedicated to increasing participation;
  - Establishes a farmer’s market technology program that provides for wireless technology (EBT) at farmer’s markets; and
  - Establishes Farm-to-Food Bank pilot programs.
- Seek to increase producer incentives for nutritious NY added-value foods (“grab and go” prepackaged foods) to be available such as apple slices in schools.
- Continue to pursue and expand participation in USDA federally funded programs such as the “Fresh Fruit and Vegetable Program” (FF&VP) that increases access to nutritious foods for school children and encourages expanded nutrition education programs.

8 (08) Resources to Support Local Purchasing: Assemble, disseminate and encourage adoption/utilization of resources that will support purchasing and serving of fresh, nutritious, local products at schools.

- Assemble, disseminate encourage adoption/utilization of resources such as:
  - “Safe Handling Procedures” for school food service directors for fresh produce.
  - “Produce Specification Guide” with sizing standards for food service directors
  - “Directory” of regional producers and distributors will be developed for food service directors by the NY Farm-to-School Coordinating Committee.
  - “Good Agricultural Practices” (GAP) and “Good Handling Practices” (GHP) will be formatted for producers that supply food to schools.
  - “ServSafe” or similar protocol that heightens awareness and policies assuring that only healthy workers handle and prepare food for consumption

9 (08) Community Purchasing: Support leadership and infrastructure development of community food security programs and networks.

- Compile and categorize models of community food security initiatives and networks. Create state and regional directory thereof for public distribution (online). Promote regional and/or statewide replication of successful models. Encourage the adaptation or expansion of these programs to consumer organizations such as nutrition programs, restaurants and schools (such as “restaurant supported agriculture” and “school supported agriculture”).

10 (08) Farmers’ Markets: Encourage more permanent farmers’ markets in more neighborhoods through access to funding sources; training in market and facilities management; coordinated efforts to increase producer participation in year round markets; and partnerships that increase consumer access to the markets. Increasing coordination between transportation authorities, market managers and/or underserved populations is a priority.

- Add bus stops on an existing line near a market; and/or encouraging new markets to locate near existing intermodal mass transportation hubs in food deserts. Evaluate the mass transportation plan surrounding farmers’ markets.
- Increased collaboration opportunities in conjunction with state and non-profit entities: The Farmers’ Market Federation provides training for market managers in a wide variety of subjects to improve a market’s management capacity. The Small Business Administration can be helpful in the business and financial planning for year round markets. Facilities management training and mentoring programs are often available through non-profit organizations.
- Advise/help farmers interested in making changes in their production planning and systems to enable them to produce some products year round.
- Identify ways to increase use of electronic benefit transfer (EBT) cards and WIC checks in farmers’ markets.
- Engage a demographer, or use existing resources to access information and techniques useful to market site decisions such as census and mapping data
- Consider supporting the expansion of viable non-permanent market options that penetrate into underserved areas

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4 (09) Support Community and School-Based Food Security Initiatives: Support initiatives that empower individuals to meet food supply needs and nutritional goals, while developing fundamental agriculture skills. Include: community gardening; school gardens and Farm to School initiatives.

5 (09) Define ‘Local Food’ and Set Procurement Goals of Local Food: It is recommended that the state facilitate the increase of local food procurement at state agencies and state-owned and supported institutions, facilities, and other state-supported meal programs by promoting procurement goals of local food at such agencies, institutions, facilities and programs.

- Accept the definition of ‘local food’ to mean food products that are grown and/or processed by New York citizens or businesses located within the borders of New York State. ‘Regional food’ refers to any food product that is raised, produced, and distributed in the locality or region in which the final product is marketed, so that the total distance that the product is transported is less than 400 miles from the origin of the product. - Recognize that minimizing the time and the distance that both the fresh food travels and the consumers travel can help reduce environmental pollution and increase nutritional benefits.

- Set a goal that by 2020, 20 (*or more*) percent of all food and food products purchased by state agencies and state-owned facilities shall be local food products when feasible. This includes facilities for persons with mental health and developmental disabilities, correctional facilities, and public universities.
- Support and encourage the goal that by 2020, 10 (*or more*) percent of food and food products purchased by entities funded in part or in whole by state dollars and which spend more than \$25,000 per year on food or food products for its students, residents, or clients shall be local food when feasible. This includes, but is not limited to: public schools, child care facilities, after-school programs, nursing homes and hospitals.
- Establish that when a state contract for purchase of food or food products is to be awarded to the lowest responsible bidder, an otherwise qualified bidder who will fulfill the contract through the use of locally produced agricultural products may be given preference over other bidders. This is provided that the cost included in the bid of locally produced agricultural products is not more than 10 percent greater than the cost included in a bid that is not for locally produced agricultural products.
- Support the development of 1) a system for state agencies and state-owned facilities that purchase food and food products to identify the percentage of locally produced agricultural products purchased throughout the fiscal year; and 2) track and report locally produced agricultural products purchased on an annual basis.
- Encourage state 'Requests for Applications' (RFAs) to include bonus points to applicants that include 'buying local' initiatives.

6 (09) Promote Healthy School Environments: Support initiatives that promote healthy lifestyles and food system awareness, and ensure that children receive nutritious well-balanced meals while at school.

- Explore the ability to increase state contribution to school meals reimbursements by 15 cents per meal within three years. Protect the existing state contribution to Child Nutrition Programs from any further cuts.
- Promote the implementation of the Institute of Medicine (IOM) nutritional standards for school meals within current regulations as is feasible. Recognize that comprehensive implementation of the nutritional standards in schools will need to be phased in over time.
- Support the collaborative efforts of the New York State Farm to School Program and the National Farm to School Program to modify the U.S. Department of Defense (DoD) Fresh program. It is proposed that a revised focus of this program be on purchasing local products.
- Take a proactive role to establish 'Breakfast in the Classroom' programs. Support and encourage school to establish alternative methods of serving breakfast such as offering "Grab and Go" breakfast products, extending the time for offering breakfast and universal breakfast.

7 (09) Support Direct Marketing Initiatives and Food System Networking

- Conduct research about strategies that connect consumers with farmers who direct market their products (i.e. farmers' markets) that will work in rural, suburban and urban communities and with a broad base of consumers within each community. Such strategies may include various means of transportation, outreach and incentive programs.
- Continue training for both farmers and markets in production strategies and business planning that will extend the season, making New York State grown products available to consumers on a year-round basis.
- Promote food system networking. Encourage and support agency, independent and/or community-based networking (online or other) that aim to connect local food producers to consumers and markets, that facilitate wholesale and/or aggregate purchasing.

### **Key Issue Area 3: Support safe, efficient and profitable food production and food retail infrastructure**

12 (07) Encourage local products procurement preference when possible;

13 (07) Foster partnerships with grocers to drive local preference;

14 (07) Improve marketing, promotion of nutritious products- research models of market development and behavioral economics;

15 (07) Perform an assessment of obstacles and methods for easing business development in NY;

- 16 (07) Address obstacles of marketing retail food products in target areas (urban and rural) such as transportation / delivery issues and lack of access to grocery stores / supermarkets
- 17 (07) Explore possibilities to increase regional food processing infrastructure;
- 18 (07) Seek opportunities to maximize utilization of incubator programs and cooperatives.

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11 (08) Buy Local: Expand “buy local” partnerships within the food industry to meet demand for local preference such as the Pride of NY program and other regional efforts.

- Expand producer affiliation with the Pride of NY program through expanding membership; track participation through measurement of farmer participants.
- Create a synergy between the Pride of NY and the buy local movement through marketing plans, private industry initiatives, and greater ties to the I Love NY program.
- Provide increased training and education for supermarket personnel to better promote and communicate the goals of the Pride of NY program.
- Explore options to include and increase wholesale distributors associations with the Pride of NY program.

12 (08) NYS Food Industry: Address ways to improve production, distribution and marketing of, and increase demand for New York State food products.

- Support sustainable production strategies and research that help farmers remain competitive and viable such as organic, integrated pest management (IPM), and nutrient management programs.
- Work with buyers and producers to identify opportunities to grow and market a greater diversity of crops that take advantage of a growing and diverse consumer population.
- Increase demand for local food by encouraging Buy Local policies at state-run institutions such as schools, hospitals, senior centers and prisons.
- Provide farmer, food processor, and farm and food workers educational opportunities, technical assistance and financial assistance to enable them to perform “best practices” as they pertain to food safety measures as is now being required by some distributors and retailers; include education regarding worker safety measures.
- Work with identified federal funding sources to encourage the adoption of Good Agricultural Practices (GAP) certification among the farm community
- Clearly identify industry needs. Perform inventory and analysis of facilities that include, but are not limited to: cold storage facilities; grower cooperatives; processing facilities; distribution centers; food-related micro-enterprises and/or incubator kitchens.
  - Support retail initiatives such as Healthy Bodegas, Green Carts, and infrastructure initiatives such as the revitalization of Hunt’s Point Terminal Market, NYC Wholesale Farmers’ Market for the restaurant/small scale retailer’s trade, and regional markets.
  - Research innovative/alternative food distribution models such as trains, barges and the Food Bank distribution/storage infrastructure to gauge appropriateness for small, medium and large farm operations
  - Consider initiatives such as: Vermont Agency of Agriculture’s mobile quick-freezing unit that allows farmers to freeze up to 600 pounds of berries and produce a minute, thus extending the marketing period and reducing waste.
  - Support continued development of initiatives that package produce (“grab and go” fruits and vegetables) for children’s consumption in school and daycare such as apple slices, carrot coins and grapes.
- Utilize GIS mapping technology and census data to enable farmers to more effectively target markets and develop more efficient distribution models.
- Identify existing grant programs such as: USDA Specialty Crop Block Grant Funds; Farm Viability Institute Grants; NYS ESDC Agriculture Development Funds; and NYSERDA which are most important for addressing needs identified above. For example, NYSERDA can assist in the prescribing and funding of energy efficient standards for both facilities and distribution systems.

13 (08) Positive Business Climate: Keep a positive business climate in New York by addressing obstacles to and methods for easing food and agriculture business development in New York State such as: tax and regulatory issues; land and energy input costs; and labor needs.

- Support comprehensive immigration reform that includes overhaul of the guest worker program (H-2a) and incorporates key features of the Ag Jobs Bill such as earned adjustment to legal status for experienced agricultural workers and a solution to the dairy agriculture labor issues.
- Encourage initiatives for new and beginning farmers; and the expansion/growth opportunities for established farmers seeking new added value and expanded agricultural operations.
- Maintain existing tax credit programs for farmers and seek changes to the Empire State Development Corporation programs that will ensure agriculture is fully eligible for all economic development and small business assistance using metrics that recognize the full range of benefits that agriculture provides and eliminate unnecessary paperwork.
- Identify duplicative federal, State, and local inspection processes.
- Maintain full support for agricultural districts program, which is critical for the preservation of farmland and farms in New York. Increase farmland protection funding and planning assistance, to meet demand and fully integrate farmland protection into the State's Smart Growth efforts and the NYS Open Space Conservation Plan.
- Compile information regarding agricultural programs and institutions, particularly business planning and financing entities, and ensure that such information is readily accessible on websites.

14 (08) Marketing Obstacles: Address obstacles to marketing nutritious food products in underserved areas (urban and rural) such as transportation/distribution issues, and lack of consumer access to grocery stores and supermarkets.

- Produce or obtain a resource that provides a manageable description of the spectrum of food retail in NYS such as: supermarkets, food cooperatives, farmers' markets, community supported agriculture, Healthy Bodega, and Green Cart initiatives.
- Through consultation with industry representatives and others, provide standard definitions of the terms used to describe food retail entities and related terminology such as: grocery stores, supermarket, and food desert.
- Review the recommendations of public and private initiatives such as the NYS Environmental Justice Interagency Task Force, Economic Security Cabinet, Smart Growth Cabinet, Organic Advisory Task Force that are working on similar issues simultaneously. Assess the role that CFP can play to implement concurring recommendations and facilitate discussion with the key stakeholders.
- Consider efficacy of proposals that may alleviate the decline in neighborhood grocery stores that result in limited access to affordable, nutritious foods including, but are not limited to:
  - Incentives for small retailers (*defined here as: less than 2,000 sq ft; or less than 8 workers*) to carry local, nutritious foods and for farmers to sell to small retailers located in underserved areas;
  - Tax breaks or funding for refrigeration used for nutritious foods in stores located in underserved areas; and
  - Economic development opportunities for food retailers such as a revolving loan fund for grocery store development and retention in identified food deserts.

15 (08) Food Production Capacity: Explore ways to increase utilization of existing food production capacity regionally.

- Support infrastructure to allow farm products to be preserved for year round sales. Infrastructure to be considered include, but are not limited to: processing and packaging facilities, community and incubator kitchens and mobile livestock slaughterhouses.
- Identify current food processing infrastructure both for wholesale and small scale production, and ensure that food processors are afforded assistance/access to all appropriate ESDC programs.
- Collect and disseminate information on regional/community food shed network efforts (growing, processing, distributing, and marketing capacities). Help facilitate these efforts when possible.
- Identify and pursue collaboration opportunities with community based organizations or grassroots initiatives that may secure independent funding and are already actively pursuing concurrent goals.

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8 (09) Promote Locally Grown and Produced Food Products: Strive for consistent consumer messages that convey the increased nutritional, economic, ecological, social and food safety benefits of purchasing local products.

- Support initiatives that elevate the presence of the Pride of New York program.
- Evaluate the marketing potential of using ‘food miles’ or ‘foodprint’ information in retail outlets to inform consumers about the distance foods have travelled and the economic and environmental importance of reducing food miles by purchasing local products.
- Designate a ‘Buy Local’ week New York State - when individuals, families, restaurants, institutions and markets are encouraged to celebrate and promote the benefits of fresh, nutritious agricultural food products, agricultural land as a natural resource, and local farmers.

9 (09) Improve the Production, Distribution, and Marketing Aspects of the Food Industry

- Support sustainable production strategies and research that help farmers remain competitive and viable such as organic, integrated pest management (IPM), season extension technologies, and nutrient management programs.
- Consider implications of a warming climate and how New York agriculture can best adapt to these changes, including evaluation of new crop varieties, assessment of impacts of severe weather events, and adequate preparation for the arrival of new pests.
- Support the re-development of, the vital Hunts Point Terminal Produce Market as the major source of fresh produce for the New York City metropolitan region.
- Continue to support the development of the Wholesale Farmers’ Market at Hunts Point
- Support initiatives that add both economic and nutritional value to New York State agricultural products through the development of new products. This includes processing and packaging initiatives that help make fresh foods more accessible and convenient.
  - Encourage New York food processors and facilities, and specifically those that receive state economic development assistance, to incorporate New York grown or produced food products.
  - Encourage food processors to use the FDA healthy food labeling guidelines (April 2008).

10 (09) Support a Positive Business Climate for the Agricultural and Food Industries: The State should act as a catalyst to the development and sustainability of the broad spectrum of the food and agriculture industry, including our large producers.

- Support agricultural economic development by finalizing the regulations and guidelines for the Upstate Agricultural Economic Development Fund and authorizing funding of up to \$30 million in state fiscal year 2010-2011.
- Provide increased incentives for businesses including start-up financing; assistance for infrastructure; and assistance with administrative burdens that may impede growth such as labor, water, sewer, energy, zoning, taxes and other regulatory issues.
- Broaden eligibility of state economic development programs and tax incentives to ensure that farms and added value processing businesses can qualify.
- Ensure that state incentives for business development are linked to appropriate social, economic and environmental goals.
- Form a sub-committee or focus group to explore the role the creation of quality/good jobs would have throughout New York State’s food system and the economy
- Strongly urge the Federal government to re-structure the current dairy pricing system with a long-term plan that will stabilize and support pricing in a manner that reflects the true significance of the Northeast dairy industry
- Strongly urge the Federal government to pass Comprehensive Immigration Reform.

#### **Key Issue Area 4: Foster a culture of healthy and local eating for all New York State residents**

*Previously titled: Increase consumer awareness and knowledge about healthy eating; improve consumer access to safe and nutritious food.*

19 (07) Increase awareness of obesity and diet related diseases- focus on professionally recommended, data-driven prevention initiatives;

20 (07) Increase consumer awareness of food ingredients, nutritional value, processing and allergens through labeling and other forms of consumer outreach;

21 (07) Provide farmer / producer education opportunities about “best practices”;

22 (07) Continue to educate consumers of where their food comes from and nutritional value thereof.

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16 (08) Prevent and reduce obesity and diet related diseases by using professionally recommended, evidence-based prevention initiatives that focus on cultural and environmental change.

- Collect and evaluate existing programs that educate children and the public about healthy eating, accessing nutritious foods, nutrition education and healthy food preparation
- Recommend increased federal, state and private support and funding for programs
- Encourage collaboration between parallel programs.
- Promote manufacturing and marketing of affordable, nutritious quick and easy to prepare food items.
- Encourage the adoption of evidence-based guidelines establishing nutritional and dietary standards for food and beverages sold, served and offered in schools, childcare, and after school programs.

17 (08) Consumer Outreach: Increase consumer knowledge of the nutritional value of food through consumer outreach. Increase promotion of nutritious products through consistent, unified messages.

- Inventory and assess what and where consumer outreach is taking place; where gaps exist; and what is making a successful impact. Including, but not limited to: educational posters/maps in bus stops, trains, billboards; low-fat milk initiatives; demonstrations at farmers’ markets; emergency food programs; grocery stores that illustrate menu-planning ideas, healthy cooking tips, and farmers’ market locations; and inclusion of cultural diversity in healthy food messaging.
- Review social marketing tools such as messaging tactics and terminology used in public health and retail initiatives.
  - Evaluate how health focused initiatives stack up against the commercial promotion of non-nutritious foods.
  - Recommend consistent, positive messaging tactics and terminology that reinforce healthy eating habits and consumption of nutritious foods for all ages.
- Evaluate the impact of health focused initiatives such as, but not limited to menu labeling.
- Increase access to healthy food through retail interface with consumers.

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11 (09) Proactively Address the Issue of Obesity and Diet-related Diseases: Prevent and reduce obesity and diet-related diseases by using professionally recommended, evidence-based prevention initiatives and education that focus on cultural and environmental change.

- Expand eligibility to USDA's SNAP - Ed Nutritional Education program to encompass all New York State children ages 2 -18 who are at risk for poor nutrition, episodic hunger, physical inactivity and becoming overweight or obese. Target and provide all at risk children in the state with consistent nutritional education, messages and promotions using existing SNAP-Ed curriculum, materials, and strategies in multiple settings. Settings include, but are not limited to: day care, schools, WIC clinics, emergency food locations, summer feeding sites, after-school programs, youth programs, and YMCA's. Nutrition education programs are currently available only to Food Stamp Program/SNAP eligible or participating families. Funding to expand SNAP-Ed is limited by the requirement to put up a 50% local share match to draw down federal SNAP-Ed dollars.
- Advocate that health care providers incorporate and/or increase obesity prevention and awareness messaging to patients and refer early for medical nutrition therapy. Work with state medical association to identify provider-friendly methods to accomplish this.
- Limit food marketing to children, and consider supporting a national ban on advertising targeting young children ages 2 - 8 on television

- Support the coordinated nutrition education efforts being conducted by emergency food programs. Efforts are aimed at preventing or managing diet-related diseases, improving cooking skills and food safety while encouraging independence from emergency feeding programs.
- Encourage entities funded in part or in whole by state dollars, and which spend more than \$25,000 per year on food or food products for its students, residents, or clients, to begin phasing in the Institute of Medicine (IOM) nutritional standards in state fiscal year 2010-2011.

12 (09) Increase Access to Safe and Nutritious Foods by Underserved Communities and Food Insecure Individuals.

- Support transportation efforts that facilitate bringing people to markets, such as increased busing, as well as bringing the market to people, such as mobile markets.
- Foster Food Bank partnerships with all agricultural industries and trade groups and seek opportunities in which food banks and farmers will achieve mutual benefit.
- Research and support effective 'food rescue' practices that collect and transport excess food from donors (restaurants, cafeterias etc.) to emergency feeding sites.

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**EXECUTIVE ORDER**

**No. 39: Establishing State Policies for the Promotion of Sustainable Local Farms and the Protection of Agriculture Lands**

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WHEREAS, Article XIV, Section 4 of the New York State Constitution provides that the policy of the State shall be “to conserve and protect its natural resources...” and that the legislature, in implementing this policy, shall provide for the adequate protection of agricultural lands; and

WHEREAS, the Agriculture and Markets Law of the State of New York declares that the agricultural industry vitally concerns and affects the welfare, health and economic well-being of our people, and that it is the policy and duty of the State to promote, foster and encourage agriculture that is sustainable and profitable, to promote and expand demand for the State’s agricultural products and the intelligent uses thereof by consumers as pure and wholesome food, and to make our people conscious of the bond of mutual self-interest between our urban and our rural populations; and

WHEREAS, Executive Order No. 13 which established the New York State Council on Food Policy (NYS CFP) said that there are significant environmental, health and economic benefits from expanding agriculture production, including locally-grown food;

NOW, THEREFORE, I, David A. Paterson, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York do hereby order as follows:

1. It shall be a goal of the State of New York to achieve the significant environmental, health and economic benefits from expanding production of, and demand for, locally grown food, meaning food products that are grown or processed within the border of New York State.
2. When adopting rules and regulations or taking other administrative actions, I hereby direct each State agency to consider; (i) the Constitutional mandate for the protection of agricultural land, (ii) the requirements of the Agriculture and Markets Law to promote and expand demand for the State’s agricultural products, including locally grown food and (iii) the goal of achieving the significant environmental, health and economic benefits from expanding production of, and demand for, locally grown food.
3. When reviewing and revising any policies (and those of, or applicable to, other State supported institutions, facilities and programs, including public universities, correctional facilities, health, nursing and mental health facilities, public schools and child care facilities) relevant to the purchase of agricultural products, I hereby direct each State agency to take actions, where feasible and without increased cost or burden, and as consistent with current law, to increase the proportion of their total food purchases comprised of locally grown food.
4. I hereby designate the first week of October as “Agriculture Week” in the State of New York, during which individuals, restaurants, institutions and markets are encouraged to celebrate the benefits of New York’s fresh and nutritious food products, and of agricultural land as a vital natural resource.
5. For purposes of this Order, “State agency” shall mean any department, agency, division, commission, bureau or other entity of the State over which the Governor has executive power.
6. Public entities not subject to this Order, including public authorities and public benefit corporations, local governments and school districts, are encouraged to review their policies and practices concerning protection of agricultural lands and local food for the purpose of achieving goals similar to those of the Executive Order. The Department of Agriculture and Markets, Office of General Services, Department of Environmental Conservation, and Department of Health are hereby authorized to provide guidance to these entities to assist them in undertaking such activities.

G I V E N under my hand and the Privy Seal of the State in the City of Albany this fourth day of November in the year two thousand ten.

David A. Paterson

Governor

Lawrence Schwartz  
Secretary to the Governor

[http://www.ny.gov/governor/executive\\_orders/xeorders/EO39.html](http://www.ny.gov/governor/executive_orders/xeorders/EO39.html)