

# STATE OF NEW YORK

5781

2021-2022 Regular Sessions

## IN ASSEMBLY

February 25, 2021

Introduced by M. of A. CRUZ -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to the Nourish New York program

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The agriculture and markets law is amended by adding a new  
2 article 27 to read as follows:

### ARTICLE 27

#### NOURISH NEW YORK

3 Section 450. Declaration of legislative findings and intent.

4 451. Definitions.

5 452. Nourish New York program.

6 § 450. Declaration of legislative findings and intent. While the Nourish  
7 ish New York program was developed in response to disrupted food supply  
8 chains due to the COVID-19 pandemic, it has emerged as an important  
9 innovation, significantly supporting the state's farms while providing  
10 nourishing fresh foods to people experiencing food insecurity. The  
11 COVID-19 crisis unveiled the weaknesses in our state's food supply  
12 system and has caused serious economic hardships for the state's farms  
13 and agribusinesses. But, in the ten months since its inception, Nourish  
14 New York has already strengthened the state's food supply network and  
15 expanded markets for New York farm products. The local food movement has  
16 also gained significant momentum during the pandemic, with increasing  
17 numbers of New Yorkers wanting to know where their food is sourced.  
18 This presents the state with a major opportunity to support our local  
19 economies and create greater equity in our food system by providing  
20 greater access to local, healthy options in food insecure areas through  
21 making the Nourish New York program permanent.

22 § 451. Definitions. 1. "Food relief organization" means a religious  
23 organization or other not-for-profit that provides food for free to  
24  
25

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 persons experiencing food insecurity, including but not limited to a  
2 food pantry, food bank, or soup kitchen or community-based organization  
3 that provides food for free to persons experiencing food insecurity.

4 2. "Surplus agricultural products" means consumable or edible agricul-  
5 tural products grown in New York but shall not include condiments,  
6 sweeteners or beverages containing alcohol.

7 § 452. Nourish New York program. 1. The commissioner shall, to the  
8 extent permitted by state or federal appropriations for such purpose,  
9 facilitate programming that ensures surplus agricultural products are  
10 provided to food relief organizations at competitive wholesale prices.

11 2. The commissioner shall provide technical assistance and information  
12 about the program to food relief organizations, producers of surplus  
13 agricultural products and the public, including, but not limited to,  
14 information posted on the department's website.

15 3. The commissioner shall provide means, which may include posting on  
16 the department's website, for producers to make available surplus agri-  
17 cultural products and for food relief organizations to access surplus  
18 agricultural products.

19 4. The commissioner shall review the current funding structure, fund-  
20 ing adequacy and current service levels of the hunger prevention nutri-  
21 tion assistance program in all regions of the state. Review of current  
22 service levels shall take into account the size of the service area, the  
23 population in need of such hunger prevention nutrition assistance  
24 program and the need for additional facilities within a region in order  
25 to address increasing food insecurity and hunger. Following such review,  
26 the commissioner shall make and report any recommendations, including  
27 but not limited to, increasing the maximum amount of money each food  
28 pantry may be allocated by such program, whether such program funding  
29 should be indexed for inflation annually, and any structural and funding  
30 adequacy changes deemed necessary.

31 5. The commissioner shall review and report on the need to establish a  
32 grant program to fund the purchase of cold storage equipment for  
33 regional food banks, food pantries and other emergency food organiza-  
34 tions. Such grant program shall prioritize regions of the state that  
35 have the highest demand for emergency food and regions of the state  
36 where regional food banks and pantries have determined the need for more  
37 capacity to safely store perishable food before such food is distrib-  
38 uted. Such report shall be completed and submitted to the governor and  
39 the legislature no later than February first, two thousand twenty-two.

40 6. The commissioner is hereby immediately authorized to increase fund-  
41 ing for the hunger prevention nutrition assistance program and provide  
42 funding for the purchase of cold storage equipment in order to meet  
43 emergency demands for emergency food assistance any time prior to and  
44 after meeting the reporting requirement pursuant to subdivision five of  
45 this section.

46 § 2. This act shall take effect immediately.