



New York Farm Bureau

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MEMORANDUM OF OPPOSITION

Senate Bill 6955 (Senator Hinchey)/ A7264 (Assemblymember Peoples-Stokes)

**AN ACT TO AMEND THE GENERAL MUNICIPAL LAW, IN RELATION TO THE
AWARDING OF CERTAIN PURCHASE CONTRACTS**

Date: 4/19/2024

New York Farm Bureau, the state's largest agricultural advocacy organization, would like to express its opposition to this legislation. This legislation would allow municipalities to procure products that meet at least one of these standards related to local economies, environmental sustainability, racial equity, valued workforce, animal welfare, and nutrition if that bid is not more than 10 percent higher than the lowest responsible bidder. While one standard supports the procurement of local farm products, NYFB still has serious concerns with other aspects of this proposed legislation. This legislation would allow the local municipalities to preference the procurement of products from other states.

For the local economies standard, the bidder would be required to be able to attest that 51 percent of the food product ingredients contain locally produced raw agricultural materials grown and harvested. NYFB supports this standard, and priority given to purchasing New York farm products.

Other parts of this bill are still an issue for the farm community. Even though this bill doesn't require each standard in order to be eligible, it does establish preferences for priority in state law that don't reflect regulated production methods. NYFB has serious concerns with the preference language in the environmental sustainability, valued workforce and animal welfare standards, including a labor peace agreement being required for the valued workforce standard. The standards should reflect current state and federal regulations. NYFB also has concerns regarding how these standards will be evaluated by municipalities. Similar to the evaluation of products for the Grown and Certified program, NYFB requests that the Department of Agriculture and Markets establishes the criteria by which farm products are evaluated for these standards.

The nutrition standard includes fresh fruits and vegetables, whole grains, fish, and lean animal proteins, but it does not give preference to nutritious dairy products, such as whole milk, yogurt, and cheese. This standard needs to include all nutrient-dense foods that are essential to a healthy diet.

Additionally, food produced in other states could meet the criteria for one of these standards and receive preference over New York food products. This bill would allow municipalities to preference the purchasing of food produced in other states over New York farm products. New York should not pass legislation that

preferences the procurement of products from other states. Procurement law needs to be amended so that New York farms do not continue to lose opportunities to out-of-state businesses. While NYFB supports eliminating barriers to the procurement of more New York farm products, it is imperative that state law does not contain language that shows preference to certain products or a certain method of producing farm products when all these farm products are required to follow the same state and federal regulation. NYFB requests that this legislation provide procurement preferences for New York farm products without statutory judgement of established and regulated production methods.

For these reasons, New York Farm Bureau respectfully requests your opposition of this legislation.