December 19, 2019

Assemblywoman Donna Lupardo
Chair, NYS Assembly Committee on Agriculture
Legislative Office Building 828
Albany, New York 12248

Assemblywoman Lupardo:

Thank you and the Assembly Standing Committee on Agriculture for the opportunity to speak before you today.

The Northeast Organic Farming Association of New York (NOFA-NY) is a non-profit organization of farmers, gardeners and consumers working together to create an organic, regenerative regional food system that is ecologically sound, economically viable, and fair. Through education, certification, outreach and advocacy, we promote land stewardship, organic food production, and local distribution & marketing. NOFA-NY offers federally-accredited organic certification to approximately 1,000 operations - over half the organic farms and businesses in the State. We have offices in Syracuse and Binghamton, as well as several virtual offices, and employ 25 people and contract over 20 more.

Since 1983, NOFA-NY has been serving the organic and regenerative food and farming community, including both certified and uncertified farms, and in 1984, we became the first organic certifier in New York State. With the arrival of National Organic Standards in 2002, NOFA-NY became a USDA-accredited certification agency, while maintaining a cohesive strategy to support the entire organic farming community. Today, we are New York State's leading organic organization, providing effective programs and services that promote organic, regenerative and local food and farming. NOFA-NY is one of seven individual north-eastern state organizations that work together under the umbrella of the Northeast Organic Farming Association - one of the two oldest grassroots organic farming associations in the country.

Our education programming covers beginning and existing farmers, marketing, fruits & vegetables, field crops, dairy, and transitioning to certified organic. NOFA-NY hosts an annual winter conference that brings farmers, gardeners, and organic agriculture advocates together to deepen their understanding of regenerative food and farming. Through our technical assistance hotline, we provide support to farmers and gardeners on a range of topics from sourcing seeds to buffer zones to farmer health care. We also run a farmer-led organic price index: real-time regionally-based prices for organic and conventional products for our members and partners.
Through our policy initiatives, we collaborate with national, regional, and state organizations to support family farm agriculture, uphold the integrity of organics, and provide consumers with information to make informed decisions in the marketplace.

I'm here to let you know about the significant economic value that organic food and agriculture bring to New York State's farmers.

Organic agriculture in the United States is now an important industry with sales of over $50 billion – up from $7.8 billion in 2002 when the federal Organic Foods Production Act was passed. It is the most consistent sector of growth in food and agriculture. It grew at nearly 6% in organic food sales last year, compared with 2.3% for the entire food sector.

Six percent of food sold in the US is now organic – no longer a small niche market and available to many more consumers.

And New York agriculture plays a huge role in this. New York State consistently ranks 3rd in the United States for the highest number of organic farms and 4th for organic acreage in the fast growing organic industry.


Currently, 82% of New York households are buying organic, and in 2014 New York ranked 7th in the nation for total sales of organic products, which at $164 million, accounted for 3% of the US total.

The data also show a 54% increase in organic farms in New York from 2012-2017 – with only California and Wisconsin having more organic farms. New York's farmgate sales of organic products more than doubled between 2012 and 2017 to over $206 million, a significant contribution to the organic market and to the New York State economy.

Again, in the Comptroller's 2016 analysis, he noted NY's national ranking at #2 for sales in organic milk, beef, and hogs/pigs, 3rd for maple syrup and in the top 6 for organic vegetables, chickens, strawberries and apples.

So what can New York State do for its organic farmers?

There already is some significant support of organic agriculture. We'd like to thank the Department of Agriculture and Markets for its administration of the National Organic Certification Cost Share Reimbursement Program which has, for about fifteen years, made this federal reimbursement extraordinarily easy for New York State organic farmers.
We’d love to see our Governor take on the challenge to make New York even more successful in organic food and farming, while helping our farmers and food producers take advantage of this growing market.

Our neighboring state, Pennsylvania, sees the value in organics. In August 2018, Governor Wolf declared that his vision was to make Pennsylvania the nation’s leading organic state. While New York State outpaces Pennsylvania in both acreage and number of organic farms, in 2016, PA became the 2nd leading state for organic sales, producing and selling $660m in certified organic commodities. By comparison, New York State was at $216m. According to USDA data, PA increased sales 100% in 4 years!

To build on that and achieve his vision, Gov. Wolf instituted the PA Preferred Organic Initiative funded at $1.6m. to assist the state’s producers in transition to organic, as well as raising public awareness among producers of the opportunities in organic.

We would like to challenge Governor Cuomo – are you going to let New York fall behind Pennsylvania in organic production?

Here are some of our ideas for New York State’s action to move New York organic agriculture forward:

1. Transition assistance – help producers offset costs during their 3-year transition would be a great start.

2. Certification assistance during transition to help correctly complete the applications.

3. To qualify for the New York Grown and Certified label, require that a processor’s principle ingredients must be at least 70% New York grown, raised, harvested, foraged or caught/landed.

4. When New York State invests economic development money in food processing, wholesale and retail businesses, require that they purchase significant percentages of the produce they use or sell from NY farms.

5. Ensure that organic farmers have easy access to certification applications, technical assistance, and other support they need to thrive and prosper.

Currently, NOFA-NY has several projects on deck to assist our farmers and leverage technology for organic farmers. Our top two projects are technology-based, and rather than use off-the-shelf international products available for organic, NOFA-NY has opted to work with New York State companies to complete these projects to help support New York’s small businesses.

As the largest New York based organic certifier, we take pride in serving the needs of our state’s farmers. In our certification work, we are beginning the full migration of our certification database to new web-based and accessible products. With full funding, this will allow our organic producers to submit applications and do all their
annual updates directly via cloud and cell phones. While we currently accept both applications and updates online, this change will mean real-time connection with our certification staff for input and verification. By the way, we will continue to have non-electronic applications and updates for our producers who do not use these new technologies. We are working with a Binghamton-based firm to complete this.

For all of our farmers – certified organic and not, in 2014 NOFA-NY introduced its Farmer Price Index, and with assistance from a USDA Farmers Market Promotion Program Grant (in collaboration with the NY Farmers Market Federation), as well as additional funding, will increase ongoing price inputs as well as make the current web interface seamless for cell phone/tablet real-time use. The USDA provides this to conventional farmers, but not to organic farmers. We will also be expanding the service to include a Farmers Market Locator, and a more web-interactive Farm and Food Guide, which is consumer-focused guide we first published in 2000. We are working with a Rochester-based firm to complete this project.

Through education initiatives, we have been focusing on assisting our organic dairy farmers, who, similar to all dairy, are in extremely hard times. We have been working to fix structural problems at the federal level that have in part led to depressed prices for organic milk. In addition, NOFA-NY is leading the organic certification and education around the growing hemp industry across New York. This is another opportunity to support rural development and strengthen the state’s economy, thus improving the quality of life for New Yorkers.

SOIL HEALTH

In order to build strong economies, we must have a healthy planet. Organic agriculture – practiced by NOFA farmers decades before the USDA-defined marketing label - has always been based in the health of the soil, and has always been regenerative: not just maintaining resources, but improving them. Through study after study, we now know that these practices can play a significant role in the mitigation of climate change.

Certified organic farmers and those using organic-regenerative practices share the basic principle of “feed the soil, not the plant.” These practices have resulted in significant soil health for organic, which is how organic achieves high productivity without the need for continual off-farm inputs. Healthy soils build the ability to better withstand drought and floods, as well as fight disease. They also have the unique ability to sequester large amounts of carbon from the atmosphere, making soil health a significant attribute in adapting to climate change. And, as with all organic practices, you don’t need to be organic to use them – all farmers can work to achieve these goals whether or not they are certified or call themselves organic.

We support new efforts to move soil health legislation in this upcoming session to provide benefits, such as:

- Improving water quality and reducing the costs of stormwater control.
- Reducing soil erosion, increasing resilience of farms, gardens, forests.
• Providing economic benefits for farmers and other landowners.
• Increasing organic matter and storing carbon in the soil - mitigating climate change.

**FARM LABORERS FAIR LABOR PRACTICES ACT**

NOFA-NY, with decades-long history of supporting social justice on farms for farmworkers as well as farmers, notes the significant financial challenges for New York farmers in the FLFLPA and supports proposals to help farmers improve their profitability, as well as navigate this new law.

**SUMMARY**

Finally, to summarize a few of our requests to New York State:

1. Develop programs to help farmers transition to organic:
   a. Technical and financial assistance in the 3 years transitioning organic land
   b. Help with certification costs during the transition time
2. Increase tech tools for farmers to access their certification files.
3. Increase tech tools for farmers to access regional organic and conventional price points.
4. Increase tech tools for consumers to see where farmers and farm markets are located, and what products are being sold.
5. Soil health experts must be appointed to the Agriculture and Forestry Advisory Panel of the CLCPA council. NOFA-NY fully endorses Klaas Martens (NY organic farmer and grains processor, and co-founder of the Soil Health Institute) to that panel.
6. NOFA-NY also supports New York programs for farmland protection funding, Farmland for a New Generation, the New York Farm to School Initiative, as well as the work of the NY Farm Viability Institute.

In conclusion, NOFA-NY supports New York State’s commitment to organic agriculture and food in existing programs, and hopes to continue working with the Governor and Department of Ag & Markets in developing new programs to advance organic food and agriculture across this beautiful state.

Sincerely,

Andrianna Natsoulas,
Executive Director
Attachments:
1. NOFA-NY: *For A Comprehensive Soil Health Policy in NYS*
2. Organic Trade Association, 2019 Data for New York
3. NOFA-NY: *Leveraging Technology for New York's Organic Farmers*
For a Comprehensive Soil Health Policy in NYS

For comprehensive Soil Health Policy to be implemented effectively, the most direct and cost effective approach would be to work with existing agencies and ongoing initiatives such as: USDA/NRCS, NYS programs/agencies (SWCD, AEM, Non-Point Source Pollution Abatement, Climate Resilient Farming, Cooperative Extension, Department of Environmental Conservation), initiatives such as New York Soil Health Workgroup, the Soil Health Initiative, Western NY Soil Health Alliance, and not-for-profits such as NOFA-NY, AFT, Scenic Hudson, Farm Bureau, Nature Conservancy, Catskill Mountainkeeper, Earth Justice, Sierra Club, and land trusts.

Developing a comprehensive soil health program should include agriculture, but also state owned lands, parks, schools and guidance for communities and municipalities that want to be climate smart to encourage all landowners. The program should support all farmers, rural and urban, whether organic or not, as well as other landowners, lessees and managers, and foresters. In order to build broad coalitions of support to include groups concerned with water quality and disaster relief, other state programs are not limiting their scope to soil carbon or measuring C increase. The science on the measurement of C is still not settled.

Define Soil Health:

This definition combines the definition used by USDA/NRCS with other states (CA, MD, MA):

Soil health* means soils that enhance their continuing capacity to function as a vital, living biological system, increase soil organic matter, improve soil structure and water and nutrient-holding capacity and nutrient cycling, and result in net long-term greenhouse gas benefits; healthy soils host a diversity of beneficial organisms, grow vigorous crops, enhance agricultural resilience (including crop and livestock ability to tolerate and recover from drought, temperature extremes, pests, and other stresses), and help regulate the global climate by increasing soil carbon and soil organic matter and retaining and cycling nutrients, especially nitrogen and phosphorous.

Benefits of soil health program:

- Improves water quality and reduces the costs of stormwater control
- Reduces soil erosion, increases resilience of farms, gardens, forests
- Provides economic benefits for farmers and other landowners
- Increases organic matter and stores carbon in the soil mitigating climate change

Goals for Soil Heath program:

- Optimize climate benefits
- Support the economic viability of NYS agriculture by providing incentives to farmers whose management practices will contribute to healthy soils and result in net long-term on-farm greenhouse gas benefits.
- Provide technical assistance to farmers and training for service providers in soil health.

Practices to incentivize:

*conservation tillage or no-till, *cover-cropping to keep the soil covered with living plants as much of the year as possible, *rotations that promote economic goals while contributing to promotion and maintenance of soil health, *planned grazing, *integrated crop-livestock systems, *agroforestry, *silvopasture, *efficient chemical use, and *other methodologies that enhance organic matter levels, cycling, and increase the depth of topsoil horizons.

Create Dedicated Fund – Identify sources of funding

12.16.19
New York

Ranking 3rd in the nation, New York has 1874 organic businesses.

82% of New York households are buying organic.

New York has over $206M in Organic Farm-Gate Sales.

OREI and ORG have provided over $17.25M in funding to New York.

48% of counties in New York are in Organic Hotspots.

Milk, Eggs, Cattle, Corn, and Maple Syrup are the top crops in New York.
### Organic Operations by New York Congressional District

<table>
<thead>
<tr>
<th>DISTRICT</th>
<th>ORGANIC OPERATIONS</th>
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<tbody>
<tr>
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<td>NY 05</td>
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</tr>
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<tr>
<td>NY 07</td>
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</tr>
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<td>NY 08</td>
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<tr>
<td>NY 09</td>
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<td>NY 18</td>
<td>43</td>
</tr>
<tr>
<td>NY 19</td>
<td>307</td>
</tr>
</tbody>
</table>

For a detailed list of organic certificate holders by state or district, please contact the Organic Trade Association (info@ota.com).
Leveraging Technology for New York’s Organic Farmers

New York State has the third highest number of organic farms in the U.S. (California is 1\textsuperscript{st} and Wisconsin is 2\textsuperscript{nd}). The Northeast Organic Farming Association of New York (NOFA-NY) is the only New York based organization that supports the growing organic community through education, technical support, and organic certification. To maintain our space in the nation’s organic industry, NOFA-NY needs to be on the cutting edge of interactive technology for both our farmers and consumers looking to purchase local/NYS organic products.

To that end, NOFA-NY is requesting $200,000 to support organic food and farming across the state by leveraging technology.

1. Currently, NOFA-NY is beginning the process of updating the Certification Database to create a seamless interface from farmers’ and inspectors’ devices to the NOFA-NY office and files. This will speed up certification, as well as make it easier for farmers to update their files literally from the field. Some competing certifiers already allow for an easier, streamlined organic certification application process. NOFA-NY needs to upgrade the certification application process to keep pace as New York’s largest organic certifier and to maintain our competitive edge with other organic certification operations.

After a review of “off-the-shelf” products from both U.S. and global companies, NOFA-NY opted to work with a Binghamton-based firm, E-base Interactive to design a product specific to our needs and our farmers’ needs. The project will involve developing a database to speed up the time it takes to review and finalize certification applications. The project will begin in the Fall of 2019 and final implementation is expected to be complete by EOY 2021. The estimated cost is $150,000.

The final phase of this project is expected to take place in the Spring of 2021. That phase will include security additions to enable certification applications via cell phone. The cost of the final phase is $25,000 - 35,000.

2. Completing NOFA-NY Price Index/Farm and Food Guide. The NOFA-NY Price Index is a business-to-business tool providing farmers with current pricing for NY organic produce. This information is provided to conventional farmers by the USDA, but not to organic farmers. The NOFA-NY Farm and Food Guide is a consumer buying tool providing farm product details and locations.

NOFA-NY initiated its consumer-focused Farm and Food Guide in 2000, and its Farmer Price Index in 2014, and recently received a USDA Farmers Market Promotion Program Grant in collaboration with the New York Farmers Market Federation (NYFMF) to increase the scope and utility of NOFA’s products. The
current project with NYFMF will need an additional infusion of funds to facilitate ongoing price inputs, complete the cell phone/tablet interface with our existing Farm and Food Guide, develop a Farmers Market Locator, and expand the web security necessary for this platform to properly function on cell phones and tablets. After issuing a call for proposals, NOFA-NY opted to work with Mason-Digital, a Rochester area small business. The estimated cost of completing that project is $30,000.

3. NOFA-NY is evaluating the web-based and database needs to provide better communications, financial recording, and data recovery for agricultural data of NY organic farmers. This will entail the development of a security product that is tailored to the needs of NOFA-NY, benefitting both the certification and education offices. The unique needs may not be reflected in an off-the-shelf product and may require a tailored program. The estimated cost of that project is $50,000.

4. Purchase upgrades of hardware for both NOFA-NY certification and education offices: laptops, tablets, and cell phones. Much of NOFA-NY’s technological hardware needs updating to the most recent security and technological interfaces. Current technological communications, programming and manipulations are often challenging and time-consuming. By updating our internal operations, our efficiency will increase substantially. The estimated cost of that project is $25,000.

12.15.19
Consumer interest in organic products has grown in recent years, as reflected by rising sales nationwide—with a 56 percent increase in New York from 2008 through 2014. The number and total acreage of organic farms in New York also rose over that period, despite nationwide declines.

According to the U.S. Department of Agriculture (USDA), organic production involves food or other agricultural goods that are produced through approved methods including cultural, biological, and mechanical practices that promote ecological balance and conserve biodiversity. Organic production includes farms and ranches as well as food production and handling facilities.\(^1\)

USDA promotes organic farming as a means to reduce erosion and pollution and improve soil health. As of July 1, 2016, there were nearly 22,500 certified organic operations, including farms and other facilities, nationwide. Of these, over 1,400 were located in New York, ranking the State third in the nation.

### Organic Farming

In 2014, the United States as a whole had nearly 14,100 organic farms, covering approximately 3.7 million acres of land nationwide. Both numbers were down modestly from 2008. This decline was primarily due to a smaller number of farms that are exempt from certification (farms that comply with USDA organic standards and have less than $5,000 in gross annual organic sales). While the number of exempt farms fell, certified organic farms increased by over 1,700 during the period.

Despite the drop in the number of organic farms nationwide, sales of organic products increased significantly, from $3.2 billion in 2008 to $5.5 billion in 2014. Sales of organics rose again, by an estimated 12 percent, in 2015, according to USDA.

\(^1\) Data for this report is drawn primarily from the U.S. Department of Agriculture, National Agricultural Statistics Service, 2014 Organic Survey supplemented by the U.S. Department of Agriculture, Count of Certified Organic Operations.
While organic sales remain a relatively small segment of total agricultural sales, the Department reports that it expects continued growth, with indicators including the fact that “top food retailers...have expanded their organic food offerings in recent years, and have announced initiatives which could further boost demand.”

Crops constitute 60 percent of total organic sales. Yet the sales of organic livestock and poultry grew especially rapidly over the period, increasing by over 100 percent.

**Organic Farms in New York**

New York, with its 917 farms, ranks third nationally for the number of organic farms and comprises over 6 percent of the nation’s total. Only California and Wisconsin have more organic farms. Figure 1 shows the top ten states for numbers of organic farms.

New York has approximately 213,000 acres of land dedicated to organic farming, a little less than 6 percent of the U.S. total. This places New York fourth among the states. In comparison, Montana, which only has 1 percent of the nation’s organic farms, ranks second in the nation for acreage as the average size of its organic farms is much larger than those in New York. Figure 2 shows the top ten states for amount of organic farmland.

**FIGURE 1**
Top States for Number of Organic Farms

<table>
<thead>
<tr>
<th>State</th>
<th>Number of Organic Farms</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>2,805</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>1,228</td>
</tr>
<tr>
<td><strong>New York</strong></td>
<td><strong>917</strong></td>
</tr>
<tr>
<td>Washington</td>
<td>716</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>679</td>
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<tr>
<td>Iowa</td>
<td>612</td>
</tr>
<tr>
<td>Vermont</td>
<td>542</td>
</tr>
<tr>
<td>Ohio</td>
<td>541</td>
</tr>
<tr>
<td>Oregon</td>
<td>525</td>
</tr>
<tr>
<td>Maine</td>
<td>517</td>
</tr>
</tbody>
</table>

Source: USDA, 2014 Organic Survey

**FIGURE 2**
Top Ten States for Organic Farmland

<table>
<thead>
<tr>
<th>State</th>
<th>Total Amount of Organic Farmland (thousands of acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>687</td>
</tr>
<tr>
<td>Montana</td>
<td>318</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>229</td>
</tr>
<tr>
<td><strong>New York</strong></td>
<td><strong>213</strong></td>
</tr>
<tr>
<td>Oregon</td>
<td>204</td>
</tr>
<tr>
<td>North Dakota</td>
<td>135</td>
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<tr>
<td>Minnesota</td>
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</tr>
<tr>
<td>Wyoming</td>
<td>129</td>
</tr>
<tr>
<td>Texas</td>
<td>127</td>
</tr>
<tr>
<td>Idaho</td>
<td>125</td>
</tr>
</tbody>
</table>

Source: USDA, 2014 Organic Survey

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Unlike the nation as a whole, New York added organic farms from 2008 through 2014, gaining nearly 100 such farms with over 44,000 additional acres. According to the USDA, 43 percent of organic farmers in New York plan to increase organic production over the next five years, while another 42 percent expect to maintain current production levels.

**Organic Products in New York**

In 2014, New York ranked seventh in the nation for total sales of organic products. Its approximately $164 million in sales accounted for 3 percent of the U.S. total. Similar to the nation as a whole, sales of New York’s organic products increased significantly, rising by over 56 percent from 2008.

While New York ranked seventh in overall sales of organic products, it ranked in the top five for both the number of organic farms and sales of a variety of agricultural products. Figure 3 shows the number of farms and sales of the top organic agricultural products in the State as of 2014.

New York’s top organic agricultural product is milk from cows. It ranks second in the nation for the number of organic farms with milk cows and for sales of organic milk. New York also ranks second in the nation for the number of farms for organic beef and farms for organic hogs and pigs.

**FIGURE 3**  
Top Organic Agricultural Products in New York

<table>
<thead>
<tr>
<th></th>
<th>Number of Farms</th>
<th>Sales (thousands)</th>
<th>National Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Milk Cows</td>
<td>402</td>
<td>$93,600</td>
<td>2</td>
</tr>
<tr>
<td>Vegetables &amp; Melons</td>
<td>196</td>
<td>$13,600</td>
<td>5</td>
</tr>
<tr>
<td>Chickens</td>
<td>91</td>
<td>$334</td>
<td>5</td>
</tr>
<tr>
<td>Beef Cows</td>
<td>90</td>
<td>$1,400</td>
<td>2</td>
</tr>
<tr>
<td>Strawberries</td>
<td>33</td>
<td>$512</td>
<td>4</td>
</tr>
<tr>
<td>Maple Syrup</td>
<td>33</td>
<td>$2,700</td>
<td>3</td>
</tr>
<tr>
<td>Hogs &amp; Pigs</td>
<td>31</td>
<td>$376</td>
<td>2</td>
</tr>
<tr>
<td>Blueberries</td>
<td>28</td>
<td>$379</td>
<td>7</td>
</tr>
<tr>
<td>Apples</td>
<td>24</td>
<td>$704</td>
<td>6</td>
</tr>
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</table>

Source: USDA, 2014 Organic Survey, OSC Analysis
Conclusion

Agriculture has always been an important part of New York’s economy. With an increasing number of farms and a significant expansion of sales from their products, organic farming has taken its place as an integral part of the agricultural economy in the State. In New York as well as nationally, increased consumer interest in organic foods can be expected to drive continuing growth in this emerging sector.

Rising consumer interest may drive more growth in this increasingly important farm sector.
Proposals That Would Help Small And Mid-Scale Family Farmers And Farmworkers Navigate The Difficult Financial Climate In The Face Of Climate Change, Unequal Competition, Unfair Contracting Practices, Development Pressures And Farm Gentrification


- Expand the definition of the family members who are exempt from the FLFLPA to include owner-engaged relatives such as aunts, uncles, nieces, nephews and cousins;

- Increase the NY Workforce Retention Credit from $500 in 2019 to $800 for each farmworker who works more than 500 hours annually;

- When NYS invests economic development money in food processing, wholesale and retail businesses, require that they purchase significant percentages of the produce they use or sell from NY farms;

- Increase purchases of NY farm products for use in NY school meals and other institutional meals;

- Require that a processor’s principle ingredients must be at least 70% New York grown, raised, harvested, foraged or caught/landed to qualify for the NY Grown and Certified label;

- Fund technical assistance to farmers to help them build strong farm teams with improved labor retention rates and higher worker satisfaction so that farm work becomes more attractive as a career.

- Begin work to improve the fairness of the contracts that farmers must sign in order to sell their products to processors and retailers;

- Support policy changes on the federal level that will raise prices to farmers to the parity level that covers the full costs of production; and

- Support anti-trust laws, to reduce the control exercised over farmers and the entire food system by the businesses that purchase from farmers for retail or processing and that supply farm inputs.