



## Legislation Text

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Int. No. 517

By The Speaker (Council Member Adams) and Council Members Farías, Won, Cabán, Hanif, Abreu, Brewer, Ung, Gutiérrez, Williams, Avilés, Joseph, Hudson, Riley, Bottcher, Sanchez, Schulman and Brannan

A Local Law to amend the administrative code of the city of New York, in relation to creating a good food purchasing program

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 6 of the administrative code of the city of New York is amended by adding a new section 6-130.1 to read as follows:

§ 6-130.1. Good Food Purchasing Program. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Animal welfare. The term “animal welfare” means the value category that represents sourcing from vendors that provide humane care for farm animals by implementing high-welfare rearing practices and/or sourcing fewer animal products overall.

Environmental sustainability. The term “environmental sustainability” means the value category that represents sourcing from producers that: (i) employ sustainable production systems that reduce or eliminate synthetic pesticides and fertilizers; (ii) avoid the use of hormones, non-therapeutic antibiotics, and genetic engineering; (iii) conserve soil and water; (iv) protect and enhance wildlife habitat and biodiversity; and (v) reduce on-farm energy consumption and greenhouse gas emissions and/or source fewer food items that have a high carbon and water footprint.

Health. The term “health” means a value category that represents promoting the well-being of city residents served by agencies that prepare and/or distribute food to the public by offering essential fats, whole

grains, whole plant-based and lean proteins, vegetables and fresh fruits; reducing sodium, added sugars and saturated fats; and eliminating artificial additives, trans and hydrogenated fats, ultra-processed foods and sugar-sweetened beverages.

Local economies. The term “local economies” means the value category that represents, to the extent permitted under subdivision 8-a of section 103 of the general municipal law, sourcing from and supporting diverse, family- and cooperatively-owned, small- and mid-sized agricultural and food processing operations within the local area and/or region.

Good food purchasing program. The term “good food purchasing program” means a program that sets standards and goals for food procurement by city agencies and provides a comprehensive set of tools, technical support and a verification system to assist city agencies in meeting those goals over time.

Value categories. The term “value categories” means the five values that are the basis for the food procurement standards and goals included in the good food purchasing program, which are environmental sustainability, local economies, health, valued workforce and animal welfare.

Valued workforce. The term “valued workforce” means the value category that represents sourcing from vendors that guarantee the rights of workers to freedom of association and collective bargaining, free from any interference, coercion, or reprisal, to better ensure safe and healthy working conditions and fair compensation; and ensure farmers have the opportunity to obtain a fair price for their products that covers the cost of production and fair remuneration for their management and labor.

b. Standards. The mayor’s office of food policy shall establish a good food purchasing program that shall be based on value categories. For procurements during a declared citywide, statewide or national emergency, such standards shall remain in place, where feasible. The mayor’s office of food policy shall reevaluate the standards and goals of such program at least every three years.

c. Good food purchasing advisory board. The implementation of the good food purchasing program established pursuant to subdivision b shall be overseen by a good food purchasing advisory board. The mayor’s

office of food policy shall convene such advisory board. Agencies shall provide the advisory board with necessary materials, including applicable contracts and bids for contracts, in a timely fashion to allow it to complete the work required by this section. Such advisory board shall include the following members:

1. The commissioner of each agency that executes food procurement contracts or such commissioner's designee;

2. Seven members appointed by the mayor, including an individual with knowledge regarding all five value categories, an environmental sustainability advocate, an expert in nutrition, an individual representing food system workers, an advocate with expertise in animal welfare, an individual representing local farm owners and an individual representing local farm workers; and

3. Seven members appointed by the speaker of the council, including an individual with knowledge regarding all five value categories, an environmental sustainability advocate, an expert in nutrition, an individual representing food system workers, an advocate with expertise in animal welfare, an individual representing local farm owners and an individual representing local farm workers.

d. Baseline assessment and report. On or before July 1, 2023, and annually thereafter, the advisory board shall conduct a baseline assessment of the food procurement process for each agency that executes food procurement contracts and publish a report with its findings. Such baseline assessment shall evaluate the food procurement contracts of each agency and how such contracts meet the goals of the good food purchasing program. The reports required pursuant to this subdivision shall be posted on the website of the mayor's office of food policy.

e. Agency procurement goals and plans. Within six months of completing the initial baseline assessment required by subdivision d, the advisory board shall consult with the mayor's office of food policy and any other relevant entities with expertise in value categories and procurement in the city, as necessary, to develop and submit to each agency a three-year plan that includes one-year, three-year and five-year benchmarks to measure each agency's progress toward achieving the good food purchasing program goals. Such plan shall include a

process for each agency to consult with the advisory board regarding incorporating good food purchasing program standards into the agency's requests for proposals, at the agency's discretion. Such plans shall be reevaluated and revised by the advisory board every three years thereafter based on the progress of each agency in achieving the good food purchasing standards.

f. Bid assessment. The advisory board shall evaluate food procurement contract bids in excess of the small purchase limits that are submitted in response to the requests for proposal of each agency that solicits food procurement contracts. Each bid shall be evaluated and scored under the good food purchasing standards. The board shall complete such evaluation and score and submit it to the relevant agency for consideration within 30 days of receipt of the complete bid. Each agency may consider the advisory board's assessment and score as part of its evaluation of the food procurement bids it receives. Such evaluations and scores shall also be posted on the website of the mayor's office of food policy.

g. Progress Report. On or before December 31, 2023, and annually thereafter, the advisory board shall submit a report and recommendations to each agency that solicits food procurement contracts regarding its progress toward achieving the good food purchasing standards and hold a public hearing regarding the results of the progress report. Such report shall also be submitted to the mayor and the speaker of the council and posted to the website of the mayor's office of food policy.

§ 2. This local law takes effect 120 days after it becomes law.

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