



State of New York

Executive Chamber

No. 32

EXECUTIVE ORDER

ESTABLISHING STATE AGENCY FOOD PURCHASING GOALS FOR NEW YORK STATE AGRICULTURAL PRODUCTS

WHEREAS, New York's agricultural industry is a critical part of our State's history, economy, and future;

WHEREAS, vulnerabilities in the nation's supply chains have underscored the importance of in-state food production;

WHEREAS, supporting farms and maintaining their economic viability contributes to the resilience of the supply chain;

WHEREAS, the challenges faced by New York's agriculture sector have been compounded by international developments beyond the control of both farmers and consumers;

WHEREAS, New York's rich soils, water availability, vibrant agricultural community, excellent land grant system, and large, diverse markets provide New York State the ability to use its food procurement policies and programs to build a more resilient and equitable food system;

WHEREAS, both the establishment of State Agency purchasing goals for food and food products grown, harvested, or produced in New York and the amendment of the General Municipal Law to provide greater discretion to school districts to purchase New York agricultural products will strengthen local economies and contribute to a more resilient and equitable food system statewide;

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York, do hereby order, effective until such time as I may declare, as follows:

I. Definitions

- A. "State Agencies" shall mean any agency or department over which the Governor has executive authority, including all offices and divisions thereof, as well as all public authorities for to which the Governor appoints the chair, the chief executive, or the majority of board members, including all offices and divisions thereof, except for the Port Authority of New York and New Jersey. State Agencies shall include the State University of New York and the City University of New York.
- B. "New York State Food Products" shall mean agricultural products and food items that are grown, harvested, produced, or processed in the State of New York. Processed food items that are composed of raw materials from both inside and outside the State may be deemed New York State Food Products when (i) their predominant value or quantity is derived from food grown, harvested, or produced in New York State and (ii) the processing of such food products takes place in facilities that are located in New York State.
- C. "Agricultural products and food items" shall include all articles of food or drink, intended for human consumption that may be purchased using any funding stream managed by any State Agency, including any federally funded programs.

II. New York State Sourced Food Procurement Goals for State Agencies

- A. To the extent that State Agencies purchase food or food products, including through contracted services: (a) effective immediately, such State Agencies shall specify the purchase of New York State Food Products whenever feasible; and attempt to increase purchasing as follows, (b)(i) on or before the end of 2023, 5 percent of such State Agency's food or food product purchases shall be New York State Food Products; (ii) on or before the end of 2024, 15 percent of such State Agency's food or food product purchases shall be New York State Food Products; (iii) on or before the end of 2025, 20 percent of such State Agency's food or food product purchases shall be New York State Food Products; (iv) on or before the end of 2026, 25 percent of such State Agency's food or food product purchases shall be New York State Food Products; and (v) on or before the end of 2027, 30 percent of such State Agency's food or food product purchases shall be New York State Food Products.
- B. The Office of General Services shall ensure that its centralized food contracts highlight the New York State Food Products available on such contracts.
- C. State Agencies that purchase food shall annually report to the Office of General Services, the dollar amount of New York State Food Products purchased by the reporting State Agency, including those by contracted service providers, the dollar value of all food and food products purchased by the State Agency, and the percentage of the New York State Food Products of all agricultural products and food items purchased for the reporting year. By March 31 each year, State Agencies shall submit such information for the previous calendar year to the Office of General Services.
- D. To the extent any State Agency that purchases food or food products is unable to purchase the percentage of New York State Food Products set forth above, that State Agency shall report to the Governor the reasons preventing the purchase of New York State Food Products at the required minimum level and all actions the State Agency will take to help increase the purchase of New York State Food Products to, at a minimum, the required threshold.
- E. By October 30, 2023, the Office of General Services and the Department of Agriculture and Markets shall utilize available resources and funding to organize and convene a working group including the Department of Corrections and Community Supervision, the Office of Addiction Services and Supports, the Office of Mental Health, and the Office for People with Developmental Disabilities, Department of Health, Office of the Aging, and other State Agencies and other stakeholders with experience in the identification, contracting, and purchasing of New York State Food Products, either directly or through food service contractors. Such working group shall: (1) identify opportunities for and barriers to the increased purchase of New York State Food Products; (2) recommend guidance to assist State Agencies increase the amount of New York State Food Products they purchase; (3) analyze the possible benefits and feasibility of adopting State food procurement models that consider and adjust for the hidden costs of food production and (4) recommend data collection and reporting requirements with respect to achieving the goals established by this Executive Order.
- F. Local governments and school districts are encouraged to join in the State's efforts to increase the percentage of the New York State Food Products they purchase to 30 percent of their annual food and food product purchases.



G I V E N under my hand and the Privy Seal of the State in the City of Albany this twenty-third day of August in the year two thousand twenty-three.

Ruth Hochul

BY THE GOVERNOR

[Signature]
Secretary to the Governor