memorandum

The New York School Nutrition Association (“NYSNA”) proposes that the State of New York, via executive action in the upcoming budget, transfers the administration of the Child Nutrition Program (“CNP”) from the New York State Education Department (“SED”) where it currently resides, to the **New York State Department of Agriculture and Markets (“Ag. & Markets”).**

The CNP is a collection of six federal school food programs, administered by the United States Department of Agriculture (“USDA”). These federal funds are directed towards a state agency that will use them to oversee the CNP. Transitioning the CNP to Ag. & Markets makes sense in that these programs are not focused on education. At their core Ag. & Markets is a food delivery and procurement programs – the specialty of Ag. & Markets which not only operates several nutrition plans, but is tasked with overseeing food delivery, food procurement, and food creation throughout New York State. Additionally, these programs are administered via the USDA, the federal agency that Ag. & Markets is almost perfectly aligned with and interacts with on almost a daily basis. Ag. & Markets understands food distribution unlike any other agency, and can use their knowledge and contacts, such as those at the highest level within the USDA, to effectively run and expand the CNP.

This transition has already occurred in four states: Florida, New Jersey, Nevada, and Texas, all of which have noted positive outcomes. The primary reasons for the changes were to align the child nutrition programs with food distribution programs to streamline their administration as well as promoting local agricultural products in the child nutrition programs, all areas of growth that we believe can be seen in New York. Florida, New Jersey and Texas all noted that part of their move was also related to the promotion of healthy eating in the programs. This focus on healthy eating helped Florida build a coalition of many different groups in favor of the move.

Moving the program to the various states’ agriculture departments was also driven by a desire to increase child nutrition program participation. In Florida, increasing participation in certain programs was a major driving force after years of minimal participation despite an increase in need. Florida, like New York, had also failed to spend all its allotted administrative funding from the USDA, a strong indication of untapped growth and improvement to programs. Nevada’s rationale for the move came from an interest in increasing breakfast participation and working to an overall reduction in food insecurity. Post-reorganization New Jersey, Nevada and Florida all noted that they had program increases. Texas noted that the consolidation of food service programs also created a budget savings as one single team was needed for support services, such as financial analysts, legal counsel, or IT, which allowed them to focus other resources elsewhere. New York would be no different than these four states, there are numerous benefits that stem from this simple and logical transition.

**Allowing Ag. & Markets to oversee the CNP will result in a smoother operation with school food service programs.**

* Transitioning the CNP to Ag. & Markets will also have a marked benefit to school food service programs that are often tasked with attempting to work with SED in areas that are not necessarily within SED’s focus.
	+ New York passed recent legislation providing incentives for those school food service programs that purchased 30% of their food products locally. When this incentive was created, 49 school food service programs qualified. Due to SED’s limited familiarity with the farm-side of school food service programs, it has begun requiring forms and information farmers are ill equipped to handle. With these new requirements and regulations in place, the number of school food service programs that now qualify for this incentive has dropped to 9, however, more districts must undergo a review and it is likely that the number could be even lower.
		- Moving the CNP under Ag. & Markets puts it with the agency that understands food supply and understands what farmers can and cannot do. This understanding then creates regulations and systems that are smoother for farmers and smoother for school food service programs leading to an expansion of healthy local foods as opposed to a reduction.
		- Food service directors across New York find themselves struggling to meet the demands of SED as it is constantly changing standards in ways that are not possible for farmers or food service directors to adjust to on the fly. Simply put, due to SED’s misunderstanding of the agricultural world, it is asking schools to provide documentation that does not exist, resulting in school food service programs backing out of, or not even attempting to participate in this incentive program.
		- In the four other states that have already made this transition, their school food service programs are noting more positive feedback in the area of school nutrition. Florida, specifically, noted that schools reported a higher level of satisfaction with working with the agriculture agency regarding their school-based child nutrition needs.

**Transitioning the CNP to Ag. & Markets will result in more economic development throughout the state.**

* As the state agency tasked with overseeing agriculture in New York, Ag. & Markets works directly with New York producer networks and the farm community. This working relationship will allow the CNP to expand and have a major impact on economic development throughout the state.
	+ Ag. & Markets has unique contacts within the food producer and farming communities. In housing the CNP, Ag. & Markets can quickly and effectively use these connections to get the most out of federal dollars and re-circulate dollars into the local economy. With Ag. & Markets vast understanding of who to call for what and when to call, it can seamlessly reach out to anyone from a local grower or a USDA official to alleviate stress on the operation of the CNP. Moreover, Ag. & Markets can quickly reach out to their vast network of growers and producers within New York to find areas of strengths that should be exploited or areas of need that are looking for help, before turning to out-of-state options. The wherewithal to find local foods, opens new potential economic streams for local growers and farmers and contracting with school food service programs gives small businesses and farms across New York a steady income and demand for their product that may not otherwise be realized.
		- For example, with its knowledge of the New York agriculture industry, Ag. & Markets became aware that the grape industry was struggling. Working with various stakeholder groups, including NYSNA, Ag. & Markets created a 4-ounce grape juice to be sold for school lunches in New York using New York grapes. Since its inception in May of 2019, there has been 16,694 cases, or 1,602,624 4-ounce cups sold to local school food service programs. The initiative is working to inject a struggling local industry with much needed investments.
		- Ag. & Markets also worked with the City of Buffalo to procure 130,000 pounds of locally sourced beef for use in Buffalo school food service programs this year. Next year, they are looking at purchasing close to another 140,000 pounds. This is a steady investment in local farmers, opening a previously untapped funding stream.
	+ Ag. & Markets also oversees the Grown & Certified program, which is a great way for school food service programs to identify farms, producers, and other growers that have appropriate food safety certifications from which they can purchase fresh food and other products.
		- This program has already seen expansion and success in getting New York products in New York school food service programs. For example, Perfect Granola, a Victor-based company will be the first New York grain product in mass production for school food service programs.
		- Grown & Certified creates economic streams for more than just farmers. Perfect Granola partnered with the Foodlink Community Kitchen to aid in the production of the granola products, that, in addition to being served in schools is also sold in large retail chains such as Wegmans and Walmart. Ag. & Markets was also actively involved in working with Slate Foods, a distributor of beef from cattle born and raised in New York, to qualify them as Grown & Certified. Slate Foods sells their products to a variety of purchasers including K-12 school food service programs in New York. Not only does Slate Foods boost the local beef farmer economy, but they also have several no fee distribution centers from Long Island to Buffalo to distribute local foods across New York.
		- Ag. & Markets works proactively to bring in business to New York and provide a boost to local farm economies. Recently, Ag. & Markets worked with McCain Foods, a large international frozen food company, to qualify them as Grown & Certified, and get their products into New York school food service programs. To get them certified, Ag. & Markets assisted McCain by reaching out to and enlisting a New York farm in Batavia to produce potatoes for the nearly 2 million pounds of French fries used in New York schools. These partnerships that Ag. & Markets have helped to create throughout New York for school food service programs have clearly brought create a great local economic impact. Yet, these new partnerships have done much more than that. They have also created the potential for a larger role with New York farms, producers, and distributors to create a new export market within New York.
		- Ag. & Markets previous work in helping producers become Grown & Certified increases their ability to work with school food service programs, while also giving more work to local transportation, delivery, distribution, storage, and processing centers across the state. Expanding local deliveries also has a benefit on climate change as more reliance on New York based food distribution centers and local food producers reduces New York’s environmental footprint by limiting the amount of long-distance shipping from out of the state or country.
	+ We know that over the last several years, SED has had to return around $2 million unused dollars to the federal government. With Ag. & Markets’ contacts and knowledge in this space, it would be able to get the most out of the federal money and be able to help expand child nutrition programs.
		- Due to SED’s institutional bandwidth it is unable to use all the funds appropriated via the USDA. With Ag. & Markets knowledge, this money could have been spent on hiring specialists such as regional farm to school coordinators or go into trainings for meal program operators. With the CNP and federal money flowing into Ag. & Markets instead of SED, it is likely that Ag. & Markets will take a better look at the structure of agency operations and move forward in a way that benefits all New York school food service programs and the children served in them each day.
		- Some of this expansion is already occurring. Recently, Mott’s expressed interest in attempting to get products Grown & Certified and into New York schools. SED was unable to come to an agreement with Mott’s regarding certain proprietary information needed to obtain proper certification. Knowing the landscape however, Ag. & Markets has stepped in to work with Mott’s and get them certified and into New York school food service programs. In getting Mott’s into New York school food service programs it also means that more New York apples will be purchased from New York farms, spurring the local economy. This is just one example of the many ways that Ag. & Markets can, with the proper resources, utilize their knowledge of food supply to get healthy foods into New York school food service programs while benefitting New York’s own local economies.
		- Where SED falls short in the area of Child Nutrition, Ag. & Markets is there to pick up the slack. It has less to do with SED needing more programs with which to use their funds, but Ag. & Markets’ awareness of which programs could be expanded or improved upon.

**Ag. & Markets will be able to increase access to healthy foods in New York school food service programs, helping students fight childhood obesity and helping them attain a better education.**

* Ag. & Markets is in a unique position to help fight childhood obesity and better New York students’ academic capabilities.
	+ We’re at a time where childhood obesity has reached new heights in New York. Obesity among children has tripled over the past thirty years and roughly one third of New York children are obese or overweight. At the same time, New York students must spend not less than 180 days, or half of the year, in school. The food options that New York students have throughout their time spent in school is crucial in creating a healthy environment.
		- As previously discussed, Ag. & Markets, which already oversees Farm to School grants, has a remarkable track record in expanding the amount of locally grown and healthy foods that are available in New York school food service programs.
		- With Ag. & Markets in charge of the CNP, it will be able to use its institutional knowledge to get the most out of the federal money and open access to more local and nutritious foods. Through Farm to School grants Ag. & Markets is already helping several needy districts connect with their local growers to move away from processed foods. Giving Ag. & Markets the full panoply of resources afforded through the CNP will only bolster their efforts and expand on the work that it is doing in ensuring every student has access to healthy foods to fight the childhood obesity epidemic.
	+ Studies also reflect that students at schools with healthy school meals have higher test scores.
		- Sean Patrick Corcoran, a professor at NYU’s Steinhardt School of Culture, Education and Human Development noted that there is a “connection between healthy eating and academic performance,” specifically that “[s]tudents who eat regular, healthy meals are less likely to be tired, are more attentive in class, and retain more information.”[[1]](#footnote-1)
		- While SED creates the curriculum to help New York students reach the highest level of education possible, it unfortunately lacks in the vast contacts and knowledge of food producer networks that Ag. & Markets has. Allowing Ag. & Markets to utilize their expertise in administering the CNP allows them to join with SED to maximize efforts already undertaken by SED in areas of education policy and curriculum to help New York students achieve at the highest levels. It also frees up SED staff to focus elsewhere and let the people who already work with food delivery and procurement to worry about food delivery and procurement.
	+ Be it fighting childhood obesity or improved cognitive functions for students, expanding access to healthy foods is especially important for food insecure students that often rely on school meals as the only dependable source of food.
		- Ag. & Markets’ ability to expand the CNP, both in quantity of food and quantity of areas reached will further expand the number of students that can access healthy foods. As noted above, an efficiently run CNP increases availability of nutritional food. Giving Ag. & Markets more ability to work with local food producers and food distribution centers, healthier foods can be delivered to higher need areas that, due to their geographic location, are forced to rely on less healthy alternatives.

In transitioning the CNP to be under Ag. & Markets’ purview, New York State will ensure that child nutrition programs are being administered by an agency that best understands not only food, but nutritious food. With Ag. & Markets unique position working with local producers and growers, it will be able to put money back into New York’s local economies, strengthen local food delivery networks, and bring in and develop relationships larger businesses such as McCain Foods and Mott’s who are investing in New York growers and opening new lines of revenue.

1. Melinda D. Anderson, “Do Healthy Lunches Improve Student Test Scores?”, *The Atlantic*, March 22, 2017.

<https://www.theatlantic.com/education/archive/2017/03/do-healthy-lunches-improve-student-test-scores/520272/> [↑](#footnote-ref-1)