



Written Testimony on behalf of the Center for Science in the Public Interest

Prepared for the 2026 Joint Legislative Budget Hearing on Agriculture & Markets

Submitted by:
Meghan Enslow, MPH
Policy Associate
Center for Science in the Public Interest

January 27, 2026

Chair Krueger and Chair Pretlow:

Thank you for the opportunity to submit testimony for the 2026 Joint Legislative Budget Hearing on Agriculture & Markets regarding a low-cost measure to strengthen food safety in New York. I am providing testimony on behalf of the Center for Science in the Public Interest (CSPI), a nonprofit consumer education and advocacy organization that has worked since 1971 to improve the public's health through better nutrition and safer food.

CSPI respectfully urges the inclusion of the Food Safety and Chemical Disclosure Act (A1556/S1239)^{1,2} in the State Fiscal Year (SFY) 2026-27 Executive Budget. This measure aligns with Governor Hochul's consumer protection and public health priorities by requiring food manufacturers to disclose safety evidence for food ingredients, strengthening transparency and protecting New Yorkers from preventable harm at minimal cost to the state.

Under current federal law, food companies can self-certify new ingredients as safe and add them to the food supply without any U.S. Food and Drug Administration review or public disclosure through the "generally recognized as safe" (GRAS) process.³ As a result, even former FDA leadership has acknowledged that the agency cannot vouch for the safety of many of the chemicals in our food supply.⁴

The Food Safety and Chemical Disclosure Act would close this transparency gap by:

- Requiring companies to submit a summary of their internal food chemical safety evaluations to the New York Department of Agriculture and Markets (the Department) when bypassing FDA review,
- Requiring the Department to publish (but not review) that information in a database accessible to the public, and
- Allowing the Department to charge companies fees to cover the cost of new listings and database maintenance.

These basic disclosures would ensure that regulators, public health officials, and consumers know which chemicals are being added to foods and whether those chemicals have adequate evidence of safety. Increased transparency would also create a strong incentive for companies to use safer, better-studied ingredients.

The current system's lack of transparency has already caused preventable harm. In 2022, Daily Harvest sickened hundreds of consumers with a new, unvetted food ingredient. The company used tara flour, a plant-based protein, without notifying the FDA.ⁱ Within six months, the agency received reports of 393 illnesses and 133 hospitalizations linked to the product.⁵ Daily Harvest recalled 28,000 tara flour-containing products,⁶ and nearly two years later, the FDA announced that it could not identify a single toxicity study sufficiently establishing the safety of tara flour.⁷ Under A1556/S1239, Daily Harvest would have been required to publicly disclose the absence of safety data before selling products containing the ingredient in New York—potentially preventing the incident and protecting consumer safety.

Companies are already required under federal regulations to evaluate the safety of new GRAS ingredients before marketing them. The bill simply requires companies to share that information with the Department. This legislation does not require the Department to review or assess any data it receives.

The fiscal impact of this legislation would be minimal. The initial cost to establish the database—estimated at \$250,000 by Senate finance staff—can be recouped through industry reporting fees, which would also cover new listings and database maintenance, resulting in no ongoing cost to the state. The database could function as a simple, searchable list of each ingredient and a PDF summary of its GRAS assessment, similar to FDA's inventory of voluntary GRAS notices.ⁱⁱ This reporting requirement would only apply to chemicals that do not already appear in the FDA's inventory of voluntary GRAS notices. The bill also includes a ban on three harmful food chemicals, which carries no fiscal impact for the state.

Even in a constrained fiscal environment, New York can adopt this low-cost, high-impact reform to protect consumers and promote food ingredient transparency. The bill passed the Senate and reached third reading on the Assembly floor in 2025, reflecting strong legislative support. We encourage its inclusion in the SFY 2026-27 Executive Budget.

Thank you for your consideration.

Meghan Enslow, MPH
Policy Associate
Center for Science in the Public Interest

ⁱ No GRAS notices or approved uses for tara flour can be found in FDA's regulations or GRAS Notice Inventory Database.

ⁱⁱ For an example, see FDA's listing for "Steviol glycosides with stevioside as the principal component" <https://www.hfpappexternal.fda.gov/scripts/fdcc/index.cfm?set=GRASNotices&id=389>.

References

¹ NY Assembly Bill A1556, <https://www.nysenate.gov/legislation/bills/2025/A1556>.

² NY Senate Bill S1239, <https://www.nysenate.gov/legislation/bills/2025/S1239>.

³ 81 Fed. Reg. 54960. August 17, 2016. <https://www.federalregister.gov/documents/2016/08/17/2016-19164/substances-generally-recognized-as-safe#p-293>.

⁴ Kindy, Kimberly. *Food additives on the rise as FDA scrutiny wanes*. August 17, 2014. The Washington Post. https://www.washingtonpost.com/national/food-additives-on-the-rise-as-fda-scrutiny-wanes/2014/08/17/828e9bf8-1cb2-11e4-ab7b-696c295ddfd1_story.html

⁵ U.S. Food and Drug Administration. *Memorandum: Regulatory status and review of available information pertaining to tara protein/flour derived from the seed germ of the plant, Caesalpinia spinosa: lack of general recognition of safety for its use in foods*. April 10, 2024. <https://www.fda.gov/media/178582/download?attachment>.

⁶ U.S. Food and Drug Administration. *Daily Harvest Issues Voluntary Recall of French Lentil + Leek Crumbles Due to Potential Health Risk*. June 23, 2022. <https://www.fda.gov/safety/recalls-market-withdrawals-safety-alerts/daily-harvest-issues-voluntary-recall-french-lentil-leek-crumbles-due-potential-health-risk>.

⁷ U.S. Food and Drug Administration. *Memorandum: Regulatory status and review of available information pertaining to tara protein/flour derived from the seed germ of the plant, Caesalpinia spinosa: lack of general recognition of safety for its use in foods*. April 10, 2024. <https://www.fda.gov/media/178582/download?attachment>.