



Testimony of:

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Committee on Consumer Affairs

Food Vendor Modernization Act

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My name is Ariel Savransky and I am the Policy and Advocacy Associate for Child and Adolescent Health and Mental Health at Citizens' Committee for Children of New York, Inc. (CCC). CCC is a 73-year-old, independent, multi-issue child advocacy organization dedicated to ensuring every New York child is healthy, housed, educated and safe.

I would like to thank Chair Espinal, Jr., as well as the members of the Committee on Consumer Affairs for holding a hearing that looked closely at street vending in New York City, and focused on a package of ten bills that are collectively referred to as the Street Vendor Modernization Act.

Street vending is an important piece of New York City's economic landscape, as well as part of the culture. Vendors, many of whom are veterans, support themselves and their families on the income they earn as vendors. For tourists and New Yorkers alike, the convenience of buying food on the street is part of the fabric of this vibrant City. We appreciate the City Council taking a look at the street vending laws. As you consider ways to modernize the laws, we urge you to ensure that the end result is one that ensures access to both meaningful employment opportunities and healthy, affordable food. Specifically, we believe that this means ensuring new vending laws do not undermine Green Carts, and ideally strengthen them.

In March 2008, the City Council passed legislation enabling the Bloomberg Administration to issue up to 1,000 Green Cart permits (over an initial two-year period) for vendors to sell fruits and vegetables in specially marked "Green Carts", in specific police precincts targeted because they were located in food deserts, meaning areas of the City with limited access to fresh fruits and vegetables. Notably, the locations of Green Carts are in neighborhoods like Upper Manhattan, the Bronx and South Brooklyn, and these new added permits restrict vendors to selling fresh produce. CCC advocated for the legislation at that time, as part of our efforts to bring healthy and affordable food to children and families in communities with poor health outcomes and limited access to fresh, affordable produce.

Green Carts were intended to increase New Yorkers' access to healthy, affordable food to help improve their diets. Research has demonstrated a relationship between the retail food environment, consumption of fresh fruits and vegetables, and rates of obesity and diet-related diseases.¹ CCC continues to believe that Green Carts are an innovative way to achieve this goal for children and families who live in areas where access to fresh produce is limited.

Research of the Green Cart Initiative has shown that it has in fact increased access to fresh fruits and vegetables, that consumers appreciated having the Carts in their communities, and that Green Cart vendors were earning a living wage. For instance, in 2010, CCC released a report² analyzing the first year of Green Cart implementation. Our findings showed that Green Carts were reaching the intended communities and providing them with a powerful tool against obesity

¹ Kimberly Morland et al, "Neighborhood Characteristics Associated with the Location of Food Stores and Food Service Places," *American Journal of Preventive Medicine* 22, 1 (2002): 23-29; Latetia Moore and Ana Diez Roux, "Associate of Neighborhood Characteristics with the Location and Type of Food Stores," *American Journal of Public Health* 96, 2 (2006): 325-331; and Maria Gallagher Research and Consulting Group, "Examining the Impact of Food Deserts on Public Health in Chicago," (Chicago, 2006), among others.

² Citizens' Committee for Children. *Green Cart Implementation: Year One. 2010.* <http://www.cccnewyork.org/wp-content/publications/CCCReport.GreenCarts.Sept2010.pdf>

and poor nutrition, as well as providing the Green Cart vendors with a valuable source of self-employment. A 2014 report³ released by the Columbia School of International and Public Affairs echoed these findings, showing that Green Carts increased access to fresh produce in the targeted areas and led to a change in customer behavior through a demonstrated increase in consumption of fresh fruits and vegetables.

We urge the City Council to work with the Administration, including the Department of Health and Mental Hygiene (DOHMH), to consider the impact the Street Vendor Modernization Act may have on the viability of the Green Cart Initiative. For example, if a new law is passed that creates additional street vending permits, we must ensure that there are still incentives for Green Cart vendors to maintain Green Carts and that these vendors do not determine it is more lucrative and desirable to seek one of the new vendor permits to sell different goods/food and/or in other neighborhoods.

Fortunately, the Green Cart permits will continue to cost less than a food vending permit - \$75 for a Green Cart permit versus \$1000 for others – but there may still need to be additional incentives and assistance to Green Cart vendors. Our research on Green Carts suggests that incentives could take the form of technical assistance and educational opportunities to help vendors become more successful business owners; assistance with transportation of carts and overnight storage locations for carts; or facilitating group purchasing and distribution of produce to help reduce costs borne by individual vendors.

In addition, the process to become a Green Cart vendor is cumbersome and time-consuming. First, a vendor must apply for a Mobile Food Vending License from the New York City Department of Health and Mental Hygiene. Once accepted, vendors must then submit an application to be placed on the Green Cart waiting list. Green Cart vendors are chosen from the waitlist through a lottery process. Once a vendor is selected from the waitlist, they then have to complete an additional application and take a food-safety course. Following this process, they have six months to buy a cart and get it inspected. We urge the City to explore ways to more efficiently move potential vendors off wait lists and expand this initiative so that the program can operate at full capacity. This may include developing a way to more effectively get Green Carts up and running, cutting down on the six month period between being issued a permit and beginning to vend.

Additionally, due to the low cost of obtaining a permit, an individual may decide to purchase the permit, which is good for two years, but not to operate a Green Cart. The City could potentially track whether or not the permit holder is operating a Green Cart and an unused permit could expire after an extended period of time that is less than 2 years. Furthermore, according to the 2014 report from the Columbia School of International and Public Affairs, Green Carts in operation are not tracked by location. We urge the City to explore ways to develop a tracking

³ Columbia University, School of International and Public Affairs. *Innovative Partnership for Public Health: An Evaluation of the New York City Green Cart Initiative to Expand Access to Healthy Produce in Low-Income Neighborhoods*. 2014. https://sipa.columbia.edu/system/files/GreenCarts_Final_June16.pdf

system so individuals know where a Green Cart is on a given day and how many are in operation at a specific time.

Additionally, as you consider this new package of bills, we urge you to consider ways to strengthen⁴ the Green Carts initiative. We recommended that the City:

- Ensure that all Green Carts have access to EBT terminals so that they can accept SNAP (Supplemental Nutrition Assistance program) benefits as well as WIC (Special Supplemental Nutrition Program for Women, Infants, and Children) allotments. As of 2015, only 112 Green Carts were using EBT machines.⁵
- Facilitate the placement of Green Carts in close proximity to CBOs and allow for CBO cart adoption or sponsorship
- Encourage the targeted placement of Green Carts on public property, such as NYCHA facilities, public hospitals or Child Health Centers. The City may be able to partner with NYCHA facilities and their Gardening and Greening program to sell the food grown in the NYCHA gardens.
- Explore the feasibility of allowing Green Carts to locate in sheltered spaces on public property or at CBOs and/or NYCHA public housing during the winter months
- Explore the idea of a public marketing campaign for Green Carts. By publicizing the benefits of running a Green Cart – including providing benefits to low-income New Yorkers as well as framing as an attractive option to entrepreneurs – the option to either continue to operate or to apply for a permit to operate a Green Cart may become more attractive.

Healthy eating is not solely a matter of personal responsibility or individual taste. A better diet is a matter of making healthy, affordable food accessible and available in all New York City communities. Green Carts are an integral part of the landscape contributing to working to improve the health outcomes and quality of life of all New Yorkers, in addition to increasing the supply of affordable food retail options, expanding local transportation alternatives, and increasing the use of food supports, such as EBT and Health Bucks in underserved communities. The sustainability of Green Carts is essential to ensuring that as the Food Vendor Modernization Act is considered by the Council, New Yorkers in underserved areas continue to have access to fresh fruits and vegetables, as well as ensuring that the market is not saturated with unhealthy options as more food vendor permits are issued.

We urge the Council to take these thoughts into consideration as conversations regarding the Food Vendor Modernization Act move forward.

Thank you for this opportunity to submit testimony.

⁴ Citizens' Committee for Children. *Green Cart Implementation: Year One. 2010.* <http://www.cccnewyork.org/wp-content/publications/CCCReport.GreenCarts.Sept2010.pdf>

⁵ The City of New York. *Food Metrics Report, 2015.* <http://www1.nyc.gov/assets/foodpolicy/downloads/pdf/2015-food-metrics-report.pdf>