

BuyNY Food



New York State Finance Law

- Section 165(4)
- Empowers agencies to require some or all products to be New York State Food Products
- Guidelines were established jointly by the Office of General Services and Department of Agriculture and Markets

Guidelines for Purchasing NYS Food

- Definitions
- Requiring that some or all products are New York State Products
- Sample Solicitation Language
- Vendor Certification Requirements and Sample Vendor Certification Language
- Reporting Requirements

Definitions

- “New York State Food Product” is grown, harvested, produced, or processed in New York State
- “Processing” means altering from raw or original state to enhance value or render suitable for consumption.
(Examples: butchering, cooking, pasteurizing, and/or packaging)
- Processed can be considered New York State Food Product if: 1) Predominant value is NYS grown, harvested, or produced; and 2) Processing takes place in NYS



Requiring that some or all products are New York State Products

Pursuant to SFL § 165(4), agencies procuring food products may mandate that all or some of the required food products must be New York State Food Products.

Further information and food lists can be found on the Department of Agriculture and Markets website:

<https://farmsandfood.agriculture.ny.gov/>



Reporting Requirements

Vendors must report annually to the purchasing agency:

1. All of the food products and processed food procured under such contract, categorized by specific type, together with the dollar value of each type, to the extent practicable and known to the vendor.
2. For each type of food product or processed food included on the list of New York State Food Products, the following information, to the extent practicable and known to the vendor:
 - a) The type and dollar value of each type of New York State Food Product procured under the contract;
 - b) The type and dollar value of each type of food product from non-New York sources procured under the contract during the food product's listed New York State availability period; and
 - c) The type and dollar value of each type of food product from non-New York sources procured under the contract.



Reporting Requirements

State agencies are required to report food purchases to OGS annually, if a determination has been made that all or some of the food must be New York State Food Product, including:

- OGS centralized contracts (indicate NYS products)
- Agency-specific food contracts
- Template to be used for reporting

Guidelines and Reporting Requirements

- Guidelines and reporting template can be accessed on OGS Procurement Services website:



<https://nyspro.ogs.ny.gov/content/food-guidelines>