



# New York City Food Policy Center

AT HUNTER COLLEGE

## FOOD POLICY COUNCILS: BACKGROUND MEMO

This memo outlines the goals and experiences of food policy councils in other jurisdictions. Its purpose is to assist City Council members, other public officials and food advocacy organizations to consider whether and how New York City might use a food policy council in developing new and more comprehensive approaches to municipal food policy.

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### PART I: LEARNING FROM EXISTING FOOD POLICY COUNCILS

According to food policy activist Mark Winne, a “food policy council consists of a designated set of individuals representing various sectors—government and non-government, food production to consumption—of a geographically and jurisdictionally defined area.”<sup>1</sup> Food Policy Councils (FPCs) are typically established to carry out four functions: to serve as a forum for discussion of food issues; to foster coordination among the sectors of the food system (production, processing, distribution, consumption, and waste management); to evaluate and influence policy; and to recommend, launch or support programs and services that address local needs.<sup>2</sup>

Over the last few years, the establishment of FPCs has accelerated. A recent survey shows a sudden spurt, from 111 active FPCs in North America in 2010 to 193 by May 2012, including city, county, state (or provincial) and tribal councils.<sup>3</sup> The rapid spread of this phenomenon in both the US and Canada reflects the tremendous interest in all things food, and a growing desire on the part of citizens to be part of the policy formation process. Ironically, New York City, which has led the nation on many food policy initiatives, does not have such a council.<sup>i</sup> Nevertheless, New York City’s leadership has been busy in the food arena; as food policy advocate Thomas Forster has written, “from 2008 to 2012 each major branch of city government has engaged with food policy in new and important ways. This kind of attention is unprecedented, and these officials have linked this work to public health, environmental quality and sustainability, education and job training, and community economic development.”<sup>4</sup>

A review of recent literature suggests that there are at least seven issues that New York City or other jurisdictions must consider to determine the proper structure and functions for a food policy council: the (geographical) scope of the FPC, its auspice and source of authority, its size and composition, the process by which its members will be selected, the length of the terms they will serve and the way in which their participation will be structured, its staff, and its financing and other resources. For information on FPCs around the nation, this memo draws on a variety of published reports and especially on an overview published by Food First, *Food Policy Councils: Lessons Learned*. Where not otherwise specified, information about national trends and other jurisdictions comes from this source.

**SCOPE:** Will the Food Policy Council focus specifically on New York City itself, or will it include nearby jurisdictions? New York itself is so large and contains so many relevant actors that a local definition of scope seems almost obvious, but it is worth noting that many of the city’s most pressing food issues, such as food transportation and the capacity to procure food produced nearby, involve other parts of the Tri-State region.

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<sup>i</sup> One source makes reference to an “East New York Food Policy Council” but we could not find any evidence that it still exists. The NYC Hunger Free Communities Consortium convened a food policy council focused on hunger, which met four times but disbanded when the Hunger Free Communities grant ran out. Further, the Policy Subcommittee of the Food Systems Network NYC is included in a list of Food Policy Councils compiled by the Community Food Security Coalition before it (CFSC) disbanded in 2012.

Some of these are addressed by the New York State FPC, which aims to promote agriculture, nutrition, health, and food access throughout the state, but some involve other states. Alternatively, given the enormous size of the city's population and the great number of stakeholders who might wish to be involved, should there be consideration of some borough level or other subdivision structure?

**AUSPICE.** Should an FPC be a part of the city government, or should it be independent? A 2012 census of FPCs conducted by the Community Food Security Coalition found that about three quarters of the FPCs then in existence were independent while about a quarter were public entities. Most independent FPCs, reports food policy council expert Mark Winne, “do have government representation on the council, reflecting the need for government cooperation to translate food policies into action.”<sup>5</sup> Further, a substantial number, about a quarter, of the independent councils had been created by government action, sometimes involving government start-up funding.

In short, the advantages of a public auspice include access to key government staff, public accountability and legitimacy, public funding, and greater capacity to coordinate public activities across different departments. Some communities have reported that a government based and funded entity is better able to coordinate food-related non-profits as well because it is not competing with them for funds.<sup>6</sup> Independent non-profits, on the other hand, have relative freedom from bureaucratic constraints, and less dependence on the political approval of Mayors or other elected officials. Therefore, independent councils may and provide food advocates with more control of the agenda and greater freedom to take up controversial issues.

A completely independent FPC organized by stakeholders in the non-profit sector would not require City Council action of any sort, though such a group might conceivably seek funding from the City Council at the outset or in the future. For the purposes of this memo, therefore, we are considering some degree of public sector auspice and authority, and the issues immediately arise of where in government, and by whose authority? Some food policy councils, at both the state and local levels, have been created by executive order. Thus Baltimore's Food Policy Advisory Council came out of the mayor's office. Others are established by the legislative branch; the Sustainable Food Policy Board of Austin, Texas is an official advisory board to the Austin City Council and to the Travis County Commissioners. Both Massachusetts and Connecticut have statewide FPCs established by state legislation, with members appointed by the state legislature and the governor. The New York State Food Policy Council was (re)-established by an executive order of the governor on May 18, 2007. The Governor appoints its 21 members with recommendations sought from both the majority and minority leaders of both houses of the state legislature.

In New York City, two options seem apparent. The Food Policy Council might be established as an Advisory Board to the Food Policy Coordinator in the Office of the Mayor, or it might be established as advisory group to the City Council. The latter option, of course, would be more effective if the City Council were itself to establish a Committee (or sub-committee) on food. Currently, more than a dozen of the 45 City Council committees and sub-committees have some interest in food-related policy.<sup>7</sup> The Food Policy Coordinator already convenes an Interagency Task Force comprising the Office of Long Term Planning and Sustainability in the Office of the Mayor, the Department of Education, the Department of Health and Mental Hygiene, the Human Resources Administration, the Economic Development Corporation, the Department of City Planning, the Department of Environmental Protection, the New York City Housing Authority, the Department of Citywide Administrative Services, the Department of Parks and Recreation and other city agencies, plus a representative of the City Council Speaker's Office and a representative of GrowNYC. However, this body currently has no civil society representation.

A hybrid FPC organization that receives financial support from the City but maintains independence from any particular administration may also be a possibility. The Independent Budget Office (IBO) provides one possible model. The IBO consists of a director, a technical staff and an Advisory Board. According to the IBO web site, “Advisory Board members are appointed for five-year terms by the Public Advocate and the City Comptroller. The City Charter spells out in detail the qualifications for Advisory Board members.” While the primary obligation of the IBO Advisory Board, to screen and recommend candidates for the IBO director position, is less substantive and more procedural than the job of an FPC, the way in which the City Charter protects the independence of the Advisory Board offers a possible pattern to follow in creating such a public-private partnership.

**COMPOSITION.** Who should serve as members of an FPC? The size and diversity of the population, the number of interested stakeholders, and the number and variety of city agencies that address some part of the city’s complex food system make this question extraordinarily challenging in NYC. Borough President Scott Stringer asserts that at least 40 of the 101 entities included on the city’s list of mayoral agencies “have jurisdiction over programs relating to food consumption, production, or distribution.”<sup>8</sup> Hundreds of activist groups and nonprofit stakeholders also have a stake in food policy. Ideally such an FPC would want to include representatives from the anti-hunger, public health, environmental sustainability, food justice, labor, finance, education, child welfare, health promotion (wellness) and community gardening and urban agriculture communities, as well as people from geographically organized food groups such as the Brooklyn Food Coalition. Many FPCs have found it important to include private sector representatives as well: food manufacturers, wholesalers and retailers, chefs and restaurant associations, caterers, artisanal food crafters and innovative food delivery providers (think food trucks).

Because food is so central to the preservation of cultural identity, a NYC FPC would also want to give thought to ethnic and geographic inclusion, and possibly to the inclusion of youth or even the organization of a parallel youth food policy council as was done in Toronto.

**SELECTION.** Given the large number of potential stakeholders for an NYC FPC, the process of selecting members requires thoughtful consideration. Three basic models exist around the country. Some FPCs, particularly those that are completely independent of government, are self-selected. Anyone who wants to can join. Some are appointed by public officials, and some have an application process in which applications for membership are reviewed by the existing council or its executive committee, by the relevant public official, or by the group that initiated the formation of the council. Most FPCs try to establish a membership that reflects all stages of the food system (from production through waste management) and a variety of interests and perspectives. However, it seems difficult to imagine that a council of more than 20 or 30 members could function efficiently and make policy-relevant decisions in a timely way.

**TERMS AND STRUCTURE.** Typically members serve terms of one to three years, with staggered terms to ensure continuity. Many FPCs are organized into standing committees or working groups. Most have officers and an executive committee.

**STAFF.** More than 40% of the local FPCs studied in a recent survey had no paid staff, and another half had only a part-time worker. Many of these FPCs are young, recently organized, and seek funding to enable them to hire staff. Access to staff time in public agencies or public funding for staff time is frequently cited as an argument for basing an FPC within government. As the nation’s largest city and one with a robust portfolio of food policies and programs, it seems reasonable that New York City would have a well-staffed FPC.

**RESOURCES.** For local FPCs, Foundation grants have been the most common source of funding (32%) with local government funds (16%) the next most important. Individual donations supplied 11% of funds, sales and fees have supplied 6% and 6% has come from in-kind donations. 28% reported having no funding at all. Meeting space is another resource that can be challenging for an FPC, and another argument for a strong connection to city government or some other entity with adequate access to the needed space.

## **PART II: SUPPORT FOR A NEW YORK CITY FOOD POLICY COUNCIL**

Substantial support has already been expressed for the idea of creating a New York City FPC. The FoodWorks document issued by Speaker Quinn’s office included the following paragraph:

In designing this blueprint, we consulted with experts and stakeholders from around the city. In the same way, implementing these new ideas and policies will require input beyond that of government officials. Cities throughout the U.S. have adopted Food Policy Councils to track their progress toward achieving food system goals. These councils provide valuable insight and accountability. They also give a voice to the constituencies affected by the very food system issues we intend to address. The Mayor’s Office has already created a Food Policy Coordinator and inter-agency task force at the request of the City Council. It should also be noted that as the Mayor’s Office of Long-

Term Planning and Sustainability drafts its update to the PlaNYC report, it has taken heed of our and others' calls to include food in its new proposals. However, community and industry input has been noticeably absent from previous food policy efforts by the city. The City Council therefore calls on the Mayor to create a New York City Food Policy Council. This Council will elicit non-governmental input on policy changes and institutionalize the work embodied in this report.<sup>9</sup>

Similarly, *Food in the Public Interest*, a report issued by Manhattan Borough President Scott Stringer in 2009 included among its recommendations:

Develop a New York City Food Policy Council, comprised of government representatives, communities, organizations, gardeners, and farmers, to develop a citywide food system plan, engage under-served communities in policy decision-making and strategic planning, and develop partnerships with the State Food Policy Council.<sup>10</sup>

A policy paper written for the Food Systems Network NYC stops short of an overt recommendation but notes that “Food policy councils may offer one way stakeholders form government, not-for-profit organizations, faith-based institutions, advocacy groups, and/or private industry could share information and strategic problem-solving.”<sup>11</sup> Several Food Systems Network NYC open networking meetings devoted to the discussion of food policy councils have had record attendance.

Finally, various food related groups, led by the Brooklyn Food Coalition, that have been organizing for a mayoral candidates' forum on food have included the formation of a food policy council among their “asks.”

### **PART III: NYC FOOD POLICY CENTER SUGGESTIONS**

**1. Proceed with caution.** Despite the widespread enthusiasm for the creation of an NYC FPC, we believe that the best advice we can give is to proceed with caution. There are three reasons to suggest caution. In the first place, there are numerous examples of failed food policy councils. The primary explanations for such failures are lack of funding, dependence on one strong personality, organization or political figure, a single issue focus, and taking on the actual running of too many programs;<sup>12</sup> (2) with the notable exception of a municipal food charter, many of the achievements attributed to FPCs in other jurisdictions have already been accomplished in New York City. Nutrition standards, food procurement guidelines, farmers markets, assertive SNAP outreach, calorie labeling are all already in place here; and (3) the twin issues of composition and selection are especially challenging in NYC, precisely because of our vibrant food activism—and our large size and complexity

**2. Insist on an Inclusive process.** The choice between an independent FPC with government agency representation or an FPC created by government action should be made in consultation with major stakeholders from the non-profit and private sectors. More generally, the design of an NYC FPC will need substantial input from the many stakeholders. At the very least there should be an open hearing or hearings, but ideally stakeholders might be invited to participate in a facilitated process of consultation, collaboration and design.

**3. Consult with successful FPCs.** A conversation with leaders of highly successful FPCs in large, diverse cities could further inform efforts in NYC. The Toronto FPC, established in 1991 as a committee of the Board of Health, is perhaps the best known and most relevant. See <http://tfpc.to/>.

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- <sup>1</sup> Mark Winne, “Food Democracy on the March,” *Harvard Health Policy Review* .Fall 2012, Volume 13, No. 2, p.24.
- <sup>2</sup> list adapted from Alethea Harper, Annie Shattuck, Eric Holt-Gimenez, Alison Alkon and Frances Lambrick , *Food Policy Councils: Lessons Learned*, Food First, Institute for Food and Development Policy, 2009 p.2.
- <sup>3</sup> Mark Winne, “Food Policy Councils: A look back at 2012, Blogpost, January 8, 2013 at [www.markwinne.com](http://www.markwinne.com).
- <sup>4</sup> Thomas Forster, “Food Policy in New York: A Foundation for Future Collaboration” concept note circulated for, Food Systems Network NYC dialogue with Mark Winne, September 20, 2012.
- <sup>5</sup> Mark Winne, *Doing Food Policy Councils Right: A Guide to Development and Action*, p.12
- <sup>6</sup> Rebecca Schiff, “The Role of Food Policy Councils in Developing Sustainable Food Systems,” *Journal of Hunger and Environmental Nutrition*, Vol.3(2-3), 2008, pp.212-15.
- <sup>7</sup> <http://legistar.council.nyc.gov/Departments.aspx>
- <sup>8</sup> Josh Getlin and Scott M. Stringer, “Hunger in New York City: What Local Governments Can Do” in Peter Pringle, Ed., *A Place at the Table: The Crisis of 49 Million Hungry Americans and How To Solve It*. (New York: Public Affairs, 2013). A Participant Media Guide. p.160.
- <sup>9</sup> New York City Council, FoodWORKS, p.75. [http://council.nyc.gov/downloads/pdf/foodworks\\_fullreport\\_11\\_22\\_10.pdf](http://council.nyc.gov/downloads/pdf/foodworks_fullreport_11_22_10.pdf)
- <sup>10</sup> Office of the Manhattan Borough President Scott M. Stringer, *Food in the Public Interest*, 2009, p.12.
- <sup>11</sup> Food Systems Network NYC, “Policy Paper: Food Policy Councils” retrieved from [http://www.foodsystemsny.org/files/FSNYC\\_Policy\\_Paper-Food\\_Policy\\_Councils.pdf](http://www.foodsystemsny.org/files/FSNYC_Policy_Paper-Food_Policy_Councils.pdf).
- <sup>12</sup> Food First, *Lessons Learned*, p39-41.