



Agriculture and Markets

KATHY HOCHUL
Governor

RICHARD A. BALL
Commissioner

March 19, 2024

Hon. Thomas P. DiNapoli
Office of the State Comptroller
110 State Street
Albany, NY 12236-0001

Re: Audit Report 2022-s-33

Dear Mr. DiNapoli,

As required by Executive Law §170, the Department of Agriculture and Markets (Department) respectfully submits this 180-day response to recommendations made in the audit report 2022-s-33 "Oversight of the Nourish New York Program."

The Department of Agriculture and Markets (Department) is committed to working with the Department of Health (DOH), the agricultural community, and our Nourish New York contractors to ensure the continued success of the program and ensure compliance with the legislative intent of the program. The following actions have been taken by the Department to address the audit recommendations:

OSC Recommendation 1 – Develop processes and procedures to improve data collection and reliability for information maintained on vendor participation and use the data to build the program's effectiveness and promote enhanced participation.

Response to Recommendation 1 – Under the current round of contracts, the data collection has been streamlined. Instead of contractors reporting separately to the Department and DOH, they now report purchasing only once through the voucher, which is utilized by both agencies for verification. The Department has been exploring ways to enhance processes and procedures to monitor and increase participation in the program. The Department has been reaching out to participants in other Department programs, such as New York State Grown & Certified, providing them with information about Nourish New York. The Department held a Producer Showcase in February 2024 for eligible Grown & Certified participants to present their products to Nourish New York contractors. The Department has developed new promotional materials for Nourish New York and has been distributing them at trade shows and other events.

OSC Recommendation 4 – Improve monitoring of Nourish New York, which may include but is not limited to enhancing documentation requirements, and review processes to ensure purchases are from eligible sources.

Response to Recommendation 4 – The Department has been working with DOH to ensure a multi-level approach to reviewing documentation. The current round of funding for the program, which began July 1, 2023, includes changes to the funding structure and reporting on New York purchases, which have streamlined the process for review of eligible products. In addition, the Department has hired an additional staff person to assist with the program.

OSC Recommendation 5 – Collaborate to develop and document criteria for Nourish New York purchases that most effectively balance the needs of its various stakeholders and communicate the criteria to food relief organizations and vendors.

Response to Recommendation 5 – The current round of funding for the program, which began July 1, 2023, includes changes to the funding structure and reporting on New York purchases, which have streamlined the process for review of eligible products. The Department has been working collaboratively with DOH to develop and issue joint contract bulletins to contractors, which provide additional guidance on topics such as non-New York State food purchases and eligible expenses.

Respectfully,



Richard A. Ball
Commissioner
NYS Department of Agriculture and Markets

Cc: Honorable Kathy Hochul, Governor
Honorable Antonio Delgado, Lieutenant Governor
Honorable Andrea Stewart-Cousins, President Pro Tempore, NYS Senate
Honorable Robert G. Ort, Minority Leader, NYS Senate
Honorable Carl E. Heastie, Speaker, NYS Assembly
Honorable Crystal D. Peoples-Stokes, Majority Leader, NYS Assembly
Honorable William A. Barclay, Minority Leader, NYS Assembly
Honorable Liz Krueger, Chair, NYS Senate Finance Committee
Honorable Thomas O'Mara, Ranking Member, NYS Senate Finance Committee
Honorable Helene E. Weinstein, Chair, NYS Assembly Ways and Means Committee
Honorable Edward P. Ra, Ranking Member, NYS Assembly Ways and Means Committee