



THE CITY OF NEW YORK

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

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Testimony

of

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New York City Department of Health and Mental Hygiene

before the

New York City Council Committee on Consumer Affairs

regarding

Intro. 665: Green Carts Proposal

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Good morning Chairperson Comrie and members of the Consumer Affairs Committee. My name is Tom Frieden and I am Health Commissioner for New York City.

Eating fruits and vegetables regularly decreases risk of stroke, heart attack, diabetes, and cancer and prolongs life. The U.S. Departments of Health and Human Services and Agriculture recommend people eat at least five servings each day. Unfortunately, New Yorkers don't eat enough fruits and vegetables, particularly in certain neighborhoods. According to the Community Health Survey, 90% of New Yorkers reported eating fewer than five servings of fruits and vegetables on a previous day, and 14% ate none at all.

Poor nutrition, obesity, and diabetes are interconnected. Obesity rates in NYC have increased more than 70% since 1994. More than 1.1 million New Yorkers are obese, and another 2 million are overweight. Similarly, diabetes has more than doubled in NYC over the past 10 years. More than 500,000 adult New Yorkers have diagnosed diabetes and an additional 200,000 have diabetes and do not yet know it.

Diabetes and diabetes-associated heart disease are among the leading causes of health disparities and premature death in New York City. Adults with the lowest household income are more than twice as likely to report having diabetes as adults with the highest household income. Neighborhoods with the lowest fruit and vegetable consumption, such as East New York, Bushwick and Bedford-Stuyvesant, also have high rates of obesity and diabetes.

Similarly, the availability of healthy foods varies by neighborhoods. The Health Department conducted neighborhood food access surveys in Upper Manhattan and Central Brooklyn in 2004 and 2005. These surveys showed that bodegas are much more common and supermarkets are much less common in Harlem and Central Brooklyn than they are on the Upper East Side. Bodegas in Harlem and Central Brooklyn rarely stock the fresh fruits and vegetables that supermarkets do. In East Harlem, only 25% of bodegas sell apples, oranges and bananas, and only 4% sell leafy green vegetables. A similar study found that only 18% of East Harlem stores stocked foods recommended for people with diabetes, including fruits and vegetables, compared with 58% of stores in the Upper East Side.

To address these disparities, the Department has pursued solutions to increase access to healthy foods throughout the city. As part of this multi-pronged strategy, Intro 665 proposes to increase the number of mobile food carts that sell fresh fruits and vegetables in New York City neighborhoods that need them most. These "Green Carts" will sell only unprocessed, unfrozen raw fruits and vegetables or fruits and vegetables that have been pre-cut, pre-sliced, pre-diced or pre-peeled and are commercially wrapped. Green Cart permits would be eligible for use **only** in designated neighborhoods where residents' fruit and vegetable consumption are low relative to residents in other areas of New York City. In these neighborhoods, on average, nearly 20% of residents surveyed consumed no servings of fruits and vegetables on the previous day.

The goal of this legislation is to increase consumption of fruits and vegetables in certain areas of New York City. When fruit and vegetables are more available and closer, people buy and eat more of them. If more fresh fruits and vegetables were readily available in their neighborhoods, New Yorkers would likely purchase and consume more fresh fruits and vegetables than they do

currently. Our best estimate, based on purchasing patterns at existing fruits and vegetables carts, is that at least 100,000 New Yorkers would eat more fruits and vegetables if this initiative passes and is implemented successfully. Over the long term, successful implementation of this initiative would save approximately 100 lives per year.

We are also considering the use of unique cart designs to attract New Yorkers to Green Carts. Such a design would establish a distinct and consistent look for Green Carts and could be tied to a marketing campaign promoting increased availability of healthy fruits and vegetables around New York City.

Current law caps the number of mobile food permits in New York City at 4,100, and there are as many as 2,500 people on the waiting list for new permits. More than half of permitted mobile food carts sell foods that require processing on the cart, such as kabobs, gyros or tacos, while the remaining permitted carts sell foods that do not require preparation on the cart, such as hot dogs, coffee, pretzels or fruits and vegetables. Our best estimate is that less than 10% of all carts sell fruits and vegetables. The current proposal, if passed and implemented, would increase the number of fruit and vegetable carts nearly 5-fold, with all of the increase being in the communities that can benefit most.

Under Intro 665, 1,500 Green Cart permits would be phased in over a two-year period, with 750 permits available each year. Permits would be allocated for carts in the Green Cart areas in each borough, proportional to the area's population, with 500 in the Bronx and Brooklyn, 250 in Queens, 200 in Manhattan, and 50 in Staten Island. The map attached to this testimony shows the specific areas where carts would be allowed to operate.

Priority would be given to people currently on the permit waiting list, disabled veterans, disabled persons, and veterans. Once all permits are granted, DOHMH would implement a waitlist procedure similar to the procedure in place for the current mobile food vending permits.

Green Carts would be held to strict regulatory standards. Permit holders will be required to carry a map prepared by the Department identifying the areas of the city in which they are authorized to vend. Under current law, carts/vendors may not be within 20 feet of a building entrance, on a sidewalk less than 12 feet wide, or within 10 feet of a driveway, subway entrance, or crosswalk, or in a bus stop.

The Health Department, Police Department and the Department of Consumer Affairs will share enforcement authority and conduct inspections, as well as respond promptly to complaints. Green Cart vendors found operating outside their designated areas will be considered operating without a permit and could have their carts and goods seized. Violations will also be issued to any Green Cart vendor found selling any unauthorized product. The Department will continue to work closely with the Mayor's Office of Special Enforcement to conduct inspections and sweeps in problem areas around the city. Concerned citizens or businesses should call 3-1-1 to report any vending problems.

Intro. 665 is just one of many initiatives underway to improve access to healthy food. Last year the Mayor and Speaker announced the creation of a Food Policy Taskforce charged with

increasing access to healthy foods for low-income New Yorkers. As part of the City's larger food policy efforts, the Health Department continues to explore innovative ways to bring healthy food options to communities that would benefit the most. For example, the Health Bucks program distributes \$2 coupons to purchase fresh produce at farmer's markets accepting WIC and food stamps. In the South Bronx, there are 17 farmer's markets currently accepting Health Bucks.

Last year, the Health Department's Healthy Bodega Initiative partnered with the New York State Department of Agriculture and Markets and the Bodega Association of the United States to provide free local produce to bodegas in designated areas around the city, combined with marketing and promotional tools to raise awareness of the campaign and promote healthy eating. Based on the results of this pilot, the Healthy Bodegas Initiative is currently working on additional mechanisms to increase the availability of fruits and vegetables in bodegas.

The Department is also partnering with community members through various Food and Fitness Consortia and Coalitions. Led by our District Public Health Offices in Harlem, the South Bronx and Central Brooklyn, these coalitions bring together local community groups interested in promoting nutrition and exercise to promote healthier lifestyle in their neighborhoods.

I urge you to swiftly pass Intro. 665. This legislation is an important part of the City's overall strategy to increase access to healthy foods and improve the health of thousands of New Yorkers. We look forward to partnering with the Council on this important initiative.

Thank you for the opportunity to testify.