



Testimony

of

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before the

New York City Council Committee on Consumer Affairs

on

Introductions 72, 78, 432, 1299, 1303, 5114, 5115, and 5116 regarding Vending

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**City Hall – City Council Chambers
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Good morning, Chair Espinal and members of the Consumer Affairs Committee. My name is Corinne Schiff, and I am the Acting Deputy Commissioner for the Division of Environmental Health at the Department of Health and Mental Hygiene. On behalf of Commissioner Bassett, thank you for the opportunity to testify.

I would like to briefly review our work in the mobile food vending area. The Department's mission is to protect and promote the health of all New Yorkers, and when it comes to mobile food carts and trucks, that includes educating vendors about how to safely store, prepare and serve food to limit the risks of foodborne illness; inspecting carts and trucks before authorizing them to operate, to check that the required equipment for safe operation is in place; and inspecting the units once they are out on the street to evaluate compliance with food safety laws. On behalf of the city, we issue permits that allow people to operate mobile food units; we maintain permit waitlists; and we issue licenses that allow people to vend from these permitted carts and trucks. We also permit and inspect the city's commissaries, where according to both state and city law, food carts and trucks must be taken for cleaning and secured when not in use.

Regarding the suite of bills under consideration today, the Department looks forward to working with the Council on the following issues:

Food Safety

The Department's top priority when it comes to mobile vending is to promote the safety of food served from mobile carts and trucks. Commissaries -- licensed facilities that provide required services to carts and trucks -- are necessary to maintain food safety standards. The lack of commissary space for the thousands of new permitted carts and trucks will need to be addressed. It is critical, and required by law, that every permit holder have a spot at a commissary. The commissary is where carts and trucks are stored when not in use, so they cannot be tampered with out on the street; where they can be properly cleaned to maintain sanitary conditions and prevent pest infestations; where waste accumulated throughout the day is disposed; and where food and supplies are available for restocking. The number of commissaries currently operating is inadequate to service all of the new units that this legislation authorizes. These new permit-holders will not be able to operate safely or legally unless new commissaries are opened.

Air Quality

Second, we are concerned about the unintended impact that an increase in permitted vending units could have on air quality, particularly if it results in more vendors grilling meat. Meat grilling is a significant source of air pollution in the city, and without controls, the expansion of this type of vending could contribute to the premature morbidity and mortality associated with particle pollution. By our estimates, one additional vendor grilling meat emits an amount of particle pollution in one day equivalent to what a diesel truck emits driving 3,500 miles. The Council addressed this air quality concern with respect to restaurants in its recent revisions to the Air Code, and it is essential that it similarly be addressed in this legislation.

We know that New Yorkers care deeply about this issue. Participants in our Take Care New York community consultations last year ranked air quality as a top policy priority, and we frequently receive complaints from residents about smoke and odor coming from mobile food

carts and trucks. We must consider adding restrictions on grilling meat to minimize the consequences of increased particle pollution that might otherwise result from this legislation.

Healthy Food Policy

Lastly, reforming the mobile vending industry presents an important opportunity to address matters of food policy. It is a chance to counter the abundance of unhealthy food options currently available in our communities, by increasing the availability of healthy food choices sold from carts and trucks. Together, we should consider setting standards for the healthfulness of offerings and for assuring that these units reach areas of the city that have inadequate access to affordable, healthful food. We should introduce measures to ensure that our children, in particular, are not bombarded with only unhealthy food offerings as the number of legal carts and trucks operating in their neighborhoods expands.

We also hope to work with the Council to mitigate the effects that mobile vending changes may have on Green Carts, which are permitted specifically to sell whole fruits and vegetables in neighborhoods with limited access to produce, and may become a lesser-used permit if more flexible permits are made available. We would welcome the opportunity to work with the Council to promote ways to harness the vibrant mobile food industry to address issues of food equity, and combat obesity and other nutrition-related illnesses.

Thank you for the opportunity to testify. I am happy to answer questions.