



MEMORANDUM IN OPPOSITION

TO: Members of the New York State Senate and Assembly

RE: A01556-C / S01239-C — *The New York Food Safety and Chemical Disclosure Act*

DT: May 27, 2025

On behalf of food manufacturers, commercial brands, small businesses, food industry professionals, culturally rooted community leaders, and food access advocates across New York, we strongly oppose the New York Food Safety and Chemical Disclosure Act (A01556-C/S01239-C). **While well-intentioned, this legislation would have devastating and far-reaching consequences for New York's economy, food system, and vulnerable communities.**

This legislation threatens to raise costs, limit food access, and undermine the economic equity and public health it aims to support.

While presented as a food safety and consumer protection bill, the legislation threatens to create an unworkable regulatory patchwork that will burden small businesses, disrupt food supply chains, and reduce food access across the state, without delivering meaningful public health improvements.

CORE PROBLEM: UNINTENDED AND DAMAGING CONSEQUENCES

Duplicative and Costly Disclosure Mandates

This bill would require state-specific disclosure of "chemicals of concern" already regulated under comprehensive federal law. This redundancy creates confusion and imposes expensive compliance obligations, especially on small businesses lacking in-house regulatory resources.

Small Retailers Bear the Brunt

The Act shifts liability downstream, making bodegas, delis, food trucks, and family-run supermarkets accountable for manufacturers' labeling errors. Without legal teams or compliance departments, these businesses will face fines and enforcement actions they cannot absorb.

Disrupted Supply Chains and Fewer Product Choices

Suppliers unwilling to create New York-specific packaging or undergo costly ingredient testing will pull products from the state entirely, reducing food options, shrinking inventory variety, and increasing grocery prices.

Regulatory Overreach and Public Shaming

The legislation grants state agencies sweeping enforcement powers, including fines, public listing of violations, and potential litigation. This climate of fear will stifle business growth, discourage food donations from manufacturers, and punish honest operators for mistakes beyond their control.

IMPACT ON CONSUMERS — HIGHER PRICES, LESS CHOICE

Grocery Prices Will Rise

At a time when inflation has already driven food costs to record highs, this bill would impose significant new compliance costs on food suppliers, manufacturers, and retailers. These costs will inevitably be passed down to consumers. From packaged snacks to staple items like rice, bread, and canned goods, New Yorkers will see higher grocery bills as a direct result of this legislation.

Reduced Product Availability

Many businesses—especially national brands and specialty producers—may stop selling into New York rather than absorb the expense of creating separate labeling, packaging, and disclosure processes. As a result, consumers will face fewer choices on store shelves, particularly for affordable and familiar name-brand items.

Disproportionate Impact on Low-Income and Working-Class Families

A modest increase in food costs can mean real hardship for families living paycheck to paycheck. This bill will make it harder for struggling New Yorkers to buy nutritious

meals, pushing many toward cheaper, less healthy alternatives or forcing them to reduce food purchases altogether.

Shrinking Access to Culturally Relevant Foods

Ethnic and culturally important grocery items—often imported or made by smaller producers—are particularly vulnerable under this legislation. For many immigrant families, losing access to these foods represents not just inconvenience, but the erosion of cultural identity and community health.

IMPACT ON SMALL BUSINESSES

High Compliance Costs, Low Capacity to Absorb Them

Independent grocers, corner stores, and mobile vendors will be crushed under the administrative burden of inventory audits, shelf relabeling, and chemical content tracking. Unlike corporate chains, these businesses cannot spread compliance costs across dozens of locations.

Lost Access to Common Products

Because the bill allows only a narrow sell-through window for existing inventory, suppliers may exit New York early to avoid legal risk, leaving small stores without access to everyday items their customers depend on.

Uneven Playing Field

Large corporations can afford to comply, but small businesses cannot. This bill effectively hands market share to national chains at the expense of family-owned enterprises.

IMPACT ON RETAILERS, WHOLESALERS, AND DISTRIBUTORS

Retailers would be forced to audit their entire inventory, remove or replace non-compliant products, and manage new labeling, signage, and disclosure procedures for thousands of items. Most small and mid-size retailers cannot meet these requirements.

Wholesalers would be caught between upstream manufacturers and downstream retailers, bearing the brunt of product compliance questions, logistical tracking, and customer service fallout. **Many may pass costs down the chain or stop doing business with smaller clients who can't meet the new minimum order or compliance thresholds.**

Distributors, particularly regional ones, would face near-impossible challenges in complying with a fragmented regulatory framework. **The operational costs of separating and tracking New York-specific inventory could make it no longer feasible to deliver certain products within the state.**

All three groups would face an elevated risk of liability for selling or transporting products that do not meet the bill's disclosure rules, even if those products are fully compliant with federal standards and considered safe for consumption across the country.

These layers of pressure would result in fewer product offerings, higher costs, and market consolidation in favor of large national companies that can afford in-house compliance and legal support.

IMPACT ON FOOD ASSISTANCE PROGRAMS

Reduced Donations, Rising Hunger

The Act deters manufacturers and grocers from donating food out of liability concerns, threatening the supply of canned goods, packaged meals, and shelf-stable staples that soup kitchens and food pantries rely on.

Skyrocketing Costs for Pantries

With fewer donations, pantries will be forced to buy retail, draining limited budgets and leading to fewer meals served to seniors, children, and working-class families.

Administrative Burdens on Volunteers

Requiring chemical disclosure documentation for donated goods creates a bureaucratic nightmare for mostly volunteer-run organizations. These programs should be focused on feeding people, not managing compliance paperwork.

IMPACT ON ETHNIC AND CULTURALLY IMPORTANT FOODS

Cultural Foods at Risk of Disappearing

Imported items and culturally significant foods from small suppliers often lack U.S.-specific chemical disclosures. Retailers may stop carrying these items to avoid liability, limiting access to familiar and traditional foods for immigrant, Black, Latino, Asian, and other culturally diverse communities.

Loss of Community Identity and Health

Food is culture. Stripping communities of access to traditional diets erodes cultural identity and risks replacing healthy cultural meals with less nutritious alternatives.

Disproportionate Impact on Minority-Owned Businesses

Many culturally specific food manufacturers are small, family-run businesses with narrow margins. This bill could force them out of the New York market altogether.

CONCLUSION

The NYS Food Safety and Chemical Disclosure Act would:

- Drive Up Grocery Prices amid already high inflation
- Disrupt Food Access in working-class, rural, and immigrant communities
- Crush Small Businesses without the capacity to comply
- Undermine Food Assistance Programs that serve vulnerable New Yorkers
- Threaten Cultural Foods critical to diverse communities
- Fracture Food Markets and weaken New York's food economy
- Open the Door to Legal Chaos with duplicative and inconsistent regulations

This bill imposes real costs on people without delivering real public health gains. **We urge lawmakers to reject A01556-C/S01239-C and collaborate with stakeholders on science-based, federally aligned food safety policies that protect consumers and the communities that feed them.** New Yorkers deserve food policies that promote affordability, cultural inclusivity, economic opportunity, and common-sense regulation. This bill does the opposite.

#

For More Information, contact New Yorkers for Safe and Affordable Groceries.

Contact: [Tara L. Martin](#)

Email: tara@tlmstrategicadvisors.com

Cell: 718.689.2508