

Green Carts

New York, NY

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Nutritious food is a basic necessity. Without it, obesity, diabetes, heart problems, and other diet-related diseases climb rapidly within a population. The U.S. Department of Agriculture estimates 23.5 million people live in “food deserts” where access to fresh, healthy, and affordable foods is extremely limited. Over half are in low-income households.

New York City is one of the most walkable, transit friendly, vibrant cities in the world, yet it too faces the dilemma of food deserts. To combat the problem, Mayor Mike Bloomberg instituted programs to attract supermarkets to underserved areas through zoning and financial incentives, provide summer meals for children, and offer “health bucks”—coupons to buy produce at farmers markets. The effort also included the Green Carts initiative—mobile carts that sell fruits and vegetables in neighborhoods with limited choices.

The “Green Carts” bill

Introduced by Mayor Bloomberg and City Council Speaker Christine Quinn as Local Law 9, the policy amended the vending code to create a new permit class for the sale of fresh produce. Political opposition came from supermarkets, local grocers, and business improvement districts concerned about competition. However, there was strong city leadership that believed Green Carts were a key part to the food desert solution. The bill was passed with some compromises on the number of permits and precincts that would allow green carts.

The program launched in 2008, establishing 1,000 Green Cart permits (350 for Brooklyn, 350 for the Bronx, 150 for Manhattan, 100 for Queens, and 50 for Staten Island) designated for specific areas with diet-related disease, poverty, or low produce store density. Permit cost was set at \$75 for a two-year permit with a



Photo by Robert Wood Johnson Foundation

NYC's Green Carts

Customers

- 44% earn less than \$25,000 per year
- 92% cite location and prices as main reasons for shopping at Green Carts
- 71% report increased consumption of fresh fruits and vegetables
- 31% visit Green Carts 2-3 per week

Vendors

- 65% sell items based on customer requests
- 80% consider themselves profitable
- 75% believe running a Green Cart will help them open a larger business

Locations

- 95% near a bus stop
- 75% near bodegas
- 40% near other Green Carts
- 26% near supermarkets
- 2 -14 blocks: range of average distances from public housing in the five boroughs

SOURCE: Columbia University SIPA (2014)

subsequent \$50 renewal fee. A mandatory Food Protection course (\$53) and a valid mobile vending license are also required. Vendors purchase their own vending booth/cart and produce but receive a free Green Cart branded umbrella, and they receive free training and technical support. Food stamps are accepted at all carts.

Results

Columbia University's School of International and Public Affairs published an in-depth study of the Green Carts program in 2014 titled *Innovative Partnership for Public Health: An Evaluation of the New York City Green Cart Initiative to Expand Access to Healthy Produce in Low-Income Neighborhoods*. They reported 500 permits have been issued and 166 Green Carts are operating in neighborhoods with food desert characteristics. Nearly half of the customers (44%) are from very low-income households earning less than \$25,000 per year, and three out of four (71%) of all customers report increased consumption of fruits and vegetables. Most vendors find their Green Cart business profitable (80%) and a potential pathway to a larger future business (75%).

The Partnership

The Green Carts initiative was a public-private partnership from its conception, and this partnership is consistently cited as elemental to the program's success. The New York City Department of Health manages the program. The Laurie M. Tisch Illumination Foundation provided \$1.5 million to fund the marketing and the technical assistance features, and the Mayor's Fund to Advance New York City served as the intermediary between the city and foundation. The Illumination Foundation also played a key role in building broad political support, running a strong branding campaign, and offering agility and efficiency in program execution. Karp Resources, a consulting firm, was hired to deliver the vendor training and business assistance. Community based groups promoted green carts at the neighborhood level and offered localized support to vendors.

Programs in other cities

Other cities have launched similar programs. In 2012, Chicago launched *Neighbor Carts*, which enables independent vendors to sell uncut fruits, vegetables, and nuts. With over a dozen carts now operating, this initiative of community groups Neighbor Capital and Streetwise aims to increase healthy food access and job opportunity for disadvantaged populations. The new *Fresh Carts Silicon Valley* initiative is part of Santa Clara County's (CA) "Good. To Go." campaign to promote healthier eating. Six carts are in operation and the program is modeled heavily after NYC's Green Carts, even involving Karp Resources to carry out the vendor training and support.

Food dessert locator for your community: <http://www.ers.usda.gov/data/fooddesert>

NYC's Green Cart bill "Local Law No. 9":

<http://www.nyc.gov/html/doh/downloads/pdf/notice/notice-adoption-chapter6.pdf>

NYC's Green Carts web site:

<http://www.nyc.gov/html/doh/html/living/greencarts.shtml>

Columbia University study on NYC's Green Carts:

https://sipa.columbia.edu/system/files/GreenCarts_Final_June16.pdf

Chicago's Neighbor Carts program: <http://streetwise.org/neighborcarts/>

Silicon Valley's Fresh Carts program:

<http://www.anewamerica.org/index.php/client-portal/fresh-carts-silicon-valley>

**DEPARTMENT OF HEALTH AND MENTAL HYGIENE
COMMISSIONER OF HEALTH AND MENTAL HYGIENE**

**NOTICE OF ADOPTION OF AMENDMENTS TO CHAPTER 6 (FOOD UNITS)
OF TITLE 24 OF THE RULES OF THE CITY OF NEW YORK**

In compliance with Sections 1043(a) and 389(b) of the New York City Charter (the “Charter”) and pursuant to Title 17, Chapter 3, Subchapter 2, Sections 17-306(s) and 17-324 of the New York City Administrative Code, a notice of intention to amend Chapter 6 (Food Units) of Title 24 of the Rules of the City of New York was published in the City Record of April 10, 2008 and a public hearing was held on May 13, 2008. No written comments or testimony was received by the close of the initial comment period ending May 13, 2008 nor during an extended public comment period ending May 29, 2008, notice of which was published in the City Record of May 20, 2008. No further amendments have been made to the proposed rule change.

Statutory Authority

This amendment is authorized by §§389(b) and 1043(a) of the New York City Charter (the “Charter”). Charter §389(b) provides that “heads of mayoral agencies shall have the power to adopt rules to carry out the powers and duties delegated to the agency head or the agency by or pursuant to federal, state or local law.” Charter §1043(a) authorizes each agency to “adopt rules necessary to carry out the powers and duties delegated to it by or pursuant to federal, state or local law.” These rules are further authorized pursuant to §§ 17-306 and 17-324 of the Administrative Code of the City of New York (the “Administrative Code”). 17-324 provides that “the commissioner ... shall make such rules as deemed necessary for the proper implementation and enforcement of this subchapter.” More specifically, § 17-306(s) of the Administrative Code defines a “green cart”, in part, as a “pushcart used exclusively by those issued fresh fruits and vegetables full-term permits” having a “distinctive and easily recognizable appearance in accordance with rules to be established by the commissioner.”

Statement of Basis and Purpose

Local Law No. 9 of 2008 amended Subchapter 2 of Chapter 3 of Title 17 of the Administrative Code authorizing the Commissioner of Health and Mental Hygiene to issue up to one thousand (1000) newly created “fresh fruits and vegetables permits”, as defined in §17-306(r) of the Administrative Code, which unlike other full-term permits issued pursuant to Subchapter 2, solely authorizes the holder thereof to exclusively vend “fresh fruits and vegetables”. Local Law No. 9 of 2008 also established a new type of pushcart called a “green cart,” which is defined in §17-306(s) of the Administrative Code as a “pushcart used exclusively by those issued fresh fruits and vegetables full-term permits” and which “must also have a distinctive and easily recognizable appearance in accordance with rules to be established by the commissioner”. §6-01(m)(1) of Title 24 of the Rules of the City of New York provides that all green carts shall have permanently affixed on two sides of each cart either identical permit plates or identical permit decals that are easily identifiable and distinguishable from all other pushcart decals. §6-01(m)(2) provides that all green carts must use the distinctive and readily identifiable green cart umbrella to be provided by the Department. During the initial two-year phase in period that fresh fruits and vegetables permits are to be offered such umbrellas shall be provided, on a one time basis, free of charge to cart owners. Thereafter, for all replacement umbrellas and umbrellas provided by the Department after the initial two-year phase

in period, green cart owners will be required to pay a fee to the Department reimbursing it for the cost it incurred in purchasing each such umbrella. §6-01(m)(2) would further require that green cart umbrellas be safely secured and maintained in good condition and repair at all times and that they be used whenever the green carts are being used to vend.

Statement Pursuant to Charter Section 1042 - Regulatory Agenda

This rule was not included in the Department's Regulatory Agenda because the law which necessitated this amendment to Chapter 6 of Title 24 of the Rules of the City of New York was enacted after the Regulatory Agenda was prepared.

THE RULE IS AMENDED AS FOLLOWS:

Note - Matter underlined is new

Section 1. Subdivision (m) of Section 6-01 (Mobile Food Units) of Chapter 6 (Food Units) of Title 24 of the Rules of the City of New York is relettered subdivision (n), and a new subdivision (m) is added, to read as follows:

(m) Green Carts. (1) The Department shall permanently affix on two sides of each green cart, as that term is defined in §17-306(s) of the Administrative Code, either identical permit plates or identical permit decals that are easily identifiable and distinguishable from other all other pushcart plates or decals. Such plates or decals shall contain the fresh fruits and vegetables permit number issued to the owner of each such green cart and the borough and police precincts in which the green cart is authorized to operate. Permit decals shall not be removed or transferred to any other pushcart.

(2) The Department shall also provide to each green cart owner issued a fresh fruits and vegetables permit a distinctive and readily recognizable "green cart" umbrella. The umbrella shall be safely secured to the green cart and maintained in good condition and repair at all times by the permit holder and shall be displayed in an open position above the green cart whenever the green cart is being used to vend. During the initial two-year phase in period in which these permits are to be offered, an umbrella will be provided by the Department at no cost to the green cart owner at the time that he or she is initially issued a permit. For any replacement umbrella and any umbrella issued after the two-year phase in period in which these permits are to be offered, the green cart owner shall be required to pay a fee of fifty dollars (\$50.00) reimbursing the Department for the cost of the umbrella. In addition to the above requirements specific to green carts, green carts must comply with all other applicable legal requirements pertaining to mobile food non-processing units.

§2. This rule shall take effect June 11, 2008.