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Committees on Commerce, Economic Development & Small Business, Agriculture, Banks,
Finance, Ways & Means, Insurance, the Office of State & Federal Relations and the Task Force on
Food, Farm & Nutrition Policy

On behalf of Cornell's College of Agriculture and Life Sciences (CAL S) and our Cornell
Cooperative Extension system partners, I am pleased to participate virtually today in this vital
Joint Legislative hearing to assess the ongoing pandemic, the federal response thus far, and the
impact on the food and farm community in New York State. As I hope you know, the College
appreciates greatly the NYS Legislature's ongoing commitment to our public mission in the farm,
food, and environmental community and is particularly appreciative of our NYS Assembly and
Senate Agriculture Committee Chairs, Assemblymember Donna Lupardo and Senator Jen
Metzger.

Cornell CAL S and Cooperative Extension have been privileged to be New York State's Land Grant
partner for over 150 years, and the current public health, food security, and economic crisis we
are in is certainly the gravest we have faced since the 1940's – leaving no one in New York State
untouched. As the purpose of this hearing is to address the federal response, I will provide you
with what we know thus far of the economic impact on the food system, the current status of the
USDA's disaster relief programs as currently known for the farm community in New York, and a
summary of the CAL S and CCE's joint efforts to support our local food system.

I would like to emphasize one point that I hope we all take to heart long after the immediate and
systemic threats of the pandemic have ceased. **Good public health cannot be possible without
access to good and nutritious food, preferably as regionally sourced as possible.** The
experience of empty grocery store shelves and shortages of key items should make us all more
keenly aware of the vital importance of a regional food system infrastructure – and the farmers
and farm employees who are absolutely essential to our ability to eat, at least three times a day.
This is even more critical for New York State's population of food insecure individuals, which
while already tragically high has soared to heights unimaginable in recent weeks. As we seek to
re-imagine what our state will be in the future – let's not forget the absolute necessity of a vital
and robust local farm and food system.

Economic data is simply not yet truly available to ascertain with any degree of scientific certainty
the full impact of COVID-19 on farm finances at this point, and the likely consequences for farm
families and the agricultural and food businesses that depend on a healthy farm economy.
Economists at Cornell's Dyson School are working on more preliminary and complete
assessments of economic impact and I will share that with you upon release. The comments
that I offer are based on our Land Grant system's long standing work with the farm community in

New York State, as well as our virtual interactions with farmers of all commodities throughout this pandemic. Let me state categorically how incredibly proud I am of the faculty and staff of our College and Extension system, who have geared up to meet new and unexpected challenges faced by farmers.

Supply Chain Disruption

Understanding the disruption and the images of dumped milk and crops left unharvested, while consumers face intermittently empty store shelves, limits on purchases as well as increasing food insecurity and hunger, is difficult without understanding one key data point. According to the USDA Economic Research Service in 2018, “America’s Eating Habits, Food Away from Home”, while household food expenditures have declined over the years to 9.4% in 2017, the amount spent on food away from home now exceeds the amount spent on food at home. To reiterate, most Americans now purchase slightly over 50% of their food while they are away from home. One can speculate that the percentage is probably higher in ultra-dense areas in New York City, and this data point illustrates exactly why an almost immediate cessation of the location of 50% or more of our food from one source – away from home – to the home environment had an extraordinarily disruptive effect on our farm and food supply chain.

The food system that we have in this country is not only global, it is increasingly geared towards meeting the needs of institutional purchasers such as restaurants, school systems, etc., which purchase in far larger quantities and packaging sizes than the average consumer shopping in a grocery store. NYS has the second largest number of food manufacturers in the nation, according to USDA Economic Research Service. And while our manufacturing sector is robust, particularly in dairy manufacturing – as we have seen in the medical supply field – facilities cannot re-tool very quickly to meet a drastic change in demand. Dairy processors who are accustomed to producing 40 pound blocks of cheese, or processing milk into dairy protein ingredients for sale in overseas markets where demand has fallen, or in other food ingredients, cannot more rapidly restructure their businesses to meet an unexpected surge in demand from consumers for one gallon containers of milk. Naturally, when processing facilities are impacted and have difficulty finding homes for their product, it impacts the demand of the raw ingredients – such as milk – which causes economic hardship for farm families.

The NY restaurant industry consists of over 50,000 businesses, employing about 900,000 people and generating over \$50 billion in sales. The immediate closing of restaurants in NY for completely wise public health reasons, had the impact of shuttering many of our long established markets for fresh farm ingredients such as our storage crops of cabbage, onions, apples and squash as well as greenhouse produced leafy greens and artisanal products such as specialty cheese from farmstead creameries that many of New York’s farm families rely upon as a source of income. When the supply chain undergoes rapid transition, it is generally always the farmer who feels the immediate financial effects. Historically, the economic imperative along supply

chains has been to reduce costs and thereby create more competitive prices for consumers who want high quality goods at a favorable price delivered in a timely fashion. Farmers and their cooperatives are systematically pressured to drive costs down. One of the enduring lessons of the pandemic economy may well be that we need to balance the logic of just-in-time strategies with more of a just-in-case concern.

In the future, it would be wise to think carefully about how to ensure that our processors and supply chain networks can be more resilient and implement line speed and product size changes more quickly. It would be wise to consider New York State's economic development programs – typically geared towards capital support for expansions of production and therefore jobs – to focus for the next several years on improving resiliency to supply/demand shocks by allowing access to capital for our food processors to build in more flexibility in their facilities.

At a time when we are all able to focus, it may be a wise policy decision for NYS to consider establishing a Special Commission or Task Force of farm and food industry leaders, working with the Commissioner of Agriculture and Markets and Empire State Development to develop a State action plan with the goal of assisting these vital businesses to move to a more resilient and regional system. Cornell CALS is ready and willing to be a partner.

Economic impact

New York State has been strongly supportive of a Cornell CALS program, NY FarmNet, which has been providing mental health support and crisis financial management assistance to the farm community since the late 1980's. As an illustration of how challenging the economic conditions are for many New York farmers, from March 15th through May 11th, there have been a total of 49 new cases referred to our FarmNet program for mental health counseling and business viability consultation. For comparison's sake, 32 of these new cases were created in April alone. Additionally, over 152 calls were resolved on the NY FarmNet 1(800) help line without sending a consultation team. While many of these calls were requests for information on accessing federal assistance to guidance on what is an essential employer, additional cases for consultation are comprised primarily from the dairy farm community faced with even lower milk prices and a paralyzing fear of uncertainty of a good path forward. NY FarmNet's personal consultants have been focused on assisting farm families in coping with the added stress related to COVID-19, from mental health, suicide prevention, to family stress situations. NY FarmNet has shared that this level of cases and calls is one of the highest the program has seen in recent years.

While food producing farms are considered to be essential businesses and allowed to continue to operate, the economic impact of massive supply chain disruptions and rapidly decreasing farm pay prices is not yet quantifiable and varies based on the commodity. To put this into perspective, total gross receipts on New York farms totaled \$5.4 billion in 2018, while net farm cash income was \$1.3 billion. A 10 to 20% decline in gross farm receipts which is certainly possible for some agricultural products grown in New York, could have a much greater impact on net farm income (net farm income represents the return to farmers for their labor, management and

capital investment). As noted earlier, half of NY agriculture is weeks and months away from harvest and thus the price impacts have not yet developed. For dairy, meat and eggs, the consequences are already piling up. After 4 years of financial stress, dairy farmers were anticipating improving prices, beginning in late 2019. Those hopes were dashed when milk prices collapsed by 12% from December to March. April prices are expected to drop at least that much, or a total of 30%. Cattle prices have dropped but a bigger recent concern has been the closure of meat-packing firms that have undermined cattle prices while at the same time increased prices and decreased availability in stores. Fruit and vegetable growers in southern states are experiencing loss of markets and/or disruptions in labor supply that have resulted in significant crop losses. We need to consider how we can prepare to avoid that in NY as we move towards harvest seasons.

Based primarily on our Land-Grant mission and extension system feedback, the sectors most under stress during this time are:

- dairy farms and processors
- ornamental horticulture & nursery businesses (i.e. those without food producing plants)
- equine businesses
- specialty crops and added value producers dependent upon direct sales to restaurants or larger institutional purchasers
- craft or farm based beverage producers (i.e. wineries, cideries, distilleries, breweries) unable to successfully transition to online or wholesale sales.

There are bright spots within the pandemic for agricultural production, to be sure. Smaller scale livestock farms and many smaller diversified operations able to pivot quickly to online marketing have, thus far, been thriving. As the public's serious interest in gardening and growing their own food continues throughout our season, monitoring customer behavior at farmers' markets and demand for local products will be important as farm market sales had been on the decline in NY for the past few years. But we have to be careful about viewing size as a criteria for success in a regional food system, as it takes many different scales of operation to keep both farm markets and retail grocery store shelves full for consumers.

Anecdotally, I would like to share that one long standing winery in the Finger Lakes lost 36% of their total sales volume in the past two months. However, through the liberalization of alcoholic beverage control laws via the authorization of direct shipment by the state many years ago, and additional relaxed restrictions for online sales opportunities in the pandemic – this business has been able to pivot and is taking full advantage of their direct shipping club which will likely keep this multi-family, generational farm and winery able to remain open for the next generation. The drop-off in revenue from point of purchase tourist wine sales, and event cancellations like weddings and musical concerts points to an exceptionally challenged climate in the months ahead for the businesses best time of year. I share this real story of one businesses' ability to remain viable from online sales merely to remind the Legislature that a supportive legal and

regulatory climate matters tremendously for New York's farm and food businesses, and I applaud your continued efforts to assist.

Note that there is still tremendous uncertainty on the economic impact of COVID-19 on New York's local producers. Outside of dairy, livestock and the increasing numbers of year-round controlled environment agriculture greenhouses, the bulk of New York's agricultural crops have not yet been planted for the coming season. Given the uncertainty over re-opening, and consumer's willingness and advisability of continuing restaurant and tourism activities, the impact of COVID-19 on our farms in New York State is likely to be felt more in the coming months. For farms that rely heavily on UPick operations, farmers markets, and on-farm agritourism combined with farmstead sales, consumer acceptance of these types of activities and indeed, the ability to conduct these safely and protect public health will be critical to the economic success of our farms in the coming months. Outdoor activities have inherent public health advantages over indoor, but it will be important to maintain public health safeguards to ensure consumer confidence in these venues. Cornell CALS has been working to develop "best management tips" for farms to practically apply the CDC's and other public health agencies guidance to keep consumers safe. NYS Department of Agriculture and Markets, working with state and local public health agencies, can play a crucial role in communicating best practices and reassuring consumers.

While farmers are the ultimate risk takers, essentially betting every spring that the crop they plant will be marketable in the fall, at no time in recent history has there been so much uncertainty in local, state, and global consumer demand. This will be a significant constraint to the farm and food sector's ability to recover from the COVID-19 pandemic, and will be felt particularly acutely in the farm and craft beverage sector which has traditionally also relied on a high tourist volume.

United States Department of Agriculture & Other Federal Relief Programs

A number of agricultural assistance programs have been announced by the USDA, but details as to how these programs will be implemented are uncertain. To date, very little actual cash assistance under the CARES Act has been disbursed to the farm community. USDA created the acronym CFAP for its new programs, the Coronavirus Food Assistance Program.

USDA has a variety of ongoing programs and the CARES Act is a necessary infusion of new money and new programs that will assist farmers in different ways. USDA programs include direct income assistance to farmers, farm loans, crop and revenue insurance, regulatory flexibility to ameliorate some supply chain challenges, and a variety of food assistance programs. Some of this is supported with pre-pandemic funding but the CARES Act has provided significant new funding. This includes new money and regulatory flexibility for SNAP, relaxation of regulatory requirements for School feeding programs (shifting to summer program protocols primarily), and additional funding for The Emergency Food Assistance Program. Of particular interest at this point are the new authorities created under the CARES Act, in particular \$16 billion for direct

income subsidies to farmers and \$3 billion for food donations.

CFAP Direct Payments: USDA has announced that \$16 billion in payments will be made to farmers based on actual financial losses of producers from price reductions and supply chain reductions. The goal is to cover 85% of the price loss from the period of January 1 to April 15 and 30% of the price loss from April 15 to October 15. The details on this program are expected to be released later this week.

To highlight how uncertain it is that the federal aid will bring much needed relief to the farm community in NYS, I will share that the USDA just announced that it will re-consider the previously released payment cap of \$125,000 per commodity, or \$250,000 per individual farm. While \$125,000 per commodity and \$250,000 per individual farm (if producing two or more commodities) sounds as if it would be a significant relief when compared to an average household income, these payment limitations are a significant barrier towards many of New York's dairy and specialty crops farms which tend to have much higher production expenses than a standard "row crop" farm in the Midwest. While the USDA's movement to increase payment caps may assist more New York farms in recouping their losses, part of the difficulty will be in how USDA decides to apportion the funds.

In other words, if farmers with larger operations in different growing regions that had more crops to sell in the January to April 15th time period of 85% reimbursement, farmers in New York State whose production season is likely to qualify for the 30% reimbursement from April 15th to October 15th may find themselves in danger of not receiving much aid if the program has run out of funding by the time our season winds down. Economic analysis of the payment plan is simply not possible at this present moment in time, but it would behoove our state and federal policy makers to carefully monitor the USDA's relief efforts to determine whether there are adequate funds available to recompense our producers throughout the course of our growing and harvesting season. I would also note that many of our crops, such as apples, onion, cabbage, etc., are still being harvested past the October 15th deadline and certainly these crops are sold after the October 15th program cessation. Depending upon the prolonged nature of this pandemic and its transmission in the fall, it will be important to continue to watch these dates carefully to determine whether the USDA relief is adequate.

CFAP Food Assistance through Commodity Credit Corporation (CCC) and Food Boxes

USDA has announced that at least \$3 billion has been allocated for the purchase of fresh produce, dairy and meat. This will be used in food distribution programs that are currently in existence, such as the existing Commodity Credit Corporation which regularly purchases surplus product for food assistance, as well as the new food box program. Cornell CALS is very supportive of this effort to address food insecurity. These purchases will help support the underlying market for farm products and hopefully will be geared towards purchasing surplus crops or institutionally packaged products. Unfortunately, as the first applications to the Food Box program were

revealed this week, it is truly unfortunate that NY did not fare well in many of the applications from food hubs, local farms and community groups submitted to the first round. Farms that have experience in New York's wonderful Farm to School program may be better suited to take advantage of this opportunity in successive rounds, as would NY's dairy processors. It is to be hoped USDA will continue to refine the application process and become more transparent about funding decisions to allow better access to NY. This experience makes the Governor's Nourish NY program even more critical to the state's dairy producers and those farms with surplus storable produce commodities to get into the hands of New York's experiencing food insecurity.

Payroll Protection Program

The CARES Act approved on March 27 made farmers eligible for the Payroll Protection Program. Additional funding was added to this program in April. Under this loan program which operates through commercial banks and Farm Credit institutions, farmers may be approved for low interest (1%) loans in which funds used for payroll, rent, mortgage interest and utilities. The first 8 weeks of payments after receiving the loan may be forgiven, if certain criteria are met, making the program effectively a grant for many businesses.

Cornell Cooperative Extension's farm business management educators have been providing a series of educational online sessions for farmers to help them decide if this program is helpful to them, so we know that some New York farmers have applied and have been approved while others applications are pending. Detailed NYS data by industry sector is not yet available, but overall the SBA has approved \$19B in loans to over 190,000 businesses in New York in the second round of the PPP, as of May 8, 2020.

The program has had some challenges for farms. In the first round, PPP funds were gone by the time guidance was released by SBA to lenders on how sole proprietors and self-employed businesses were able to apply, which affected many farms. In addition, the SBA guidance to lenders for calculating owner income for sole proprietors and self-employed businesses, that required lenders to use their 2019 Schedule C net income line as the proxy for owner income, meant that farmers who were sole proprietors, who reported zero or negative net farm income on their 2019 Schedule F were denied PPP funding for their income, and if they had no paid employees in 2019 were denied the PPP altogether, even though farm taxes and non-farm business taxes are not the same. It would be helpful if SBA had a specific guidance to lenders for using the Schedule F that was reflective of those differences.

There were some additional PPP barriers specific to NYS seasonal farms. The requirement that 75% of the reimbursable portion of the PPP be restricted to payroll costs 8 weeks after receiving the grant reduced the forgivable portion of the grant to less than 100% for farms whose workforce arrives in the late spring or summer. Similarly, the method of calculating payroll for determining the size of a PPP loan, using either monthly average payroll or 12 weeks from February through April, was not in line with the seasonality of NYS fruit and vegetable farms,

whose workforce numbers increase after April through the fall. As a result they generally had access to lower levels of PPP loan funding than other sectors. This is a concern because the COVID-19 impacts to NYS fruit and vegetable farms is likely to be higher this summer, when PPP funding is no longer available and having access to a low interest loan may be critical for cash-flow. Finally, the lack of clarity about whether or not wages for H2A workers are eligible left farmers and lenders navigating a grey area that for many farms is a significant part of their labor cost.

The second round of PPP funding has gone better, with more farms having success accessing the program, and we are hearing from farms who have received the loans. SBA recently changed the formula for calculating seasonal workers which allows for farms to choose a period between May and September that is more representative of their business. This should also help new PPP applicants.

Economic Injury Disaster Loan – While initially not eligible, the CARES Act amendments in April allows for farmers to be eligible for Economic Injury Disaster Loans (EIDL). SBA started to take applications from farmers for EIDL on May 4. The EIDL application is made directly to SBA and includes an emergency grant of up to \$10,000 and working capital loans of up to \$2 million. We understand that farmers are beginning to apply for these loans, but no data is available as to the number or impact. As the USDA assistance has been slow to arrive, the EIDL funds can be of significant help to farms. Note that prior to the clarification in the most recent disaster bill that farms were eligible, certain farm businesses such as an agricultural cooperative, winery, cidery, brewery or distillery (non-farm) part of a business entity or an equine or ornamental greenhouse were eligible to apply to EIDL and found it quite helpful. Similarly, a added value processing entity that had the farm separate from the processing operation or engaged just in food processing was eligible to apply for EIDL. While data is not available, much of the work conducted on educational programs by Cornell Cooperative Extension to farm and non-farm businesses in their communities indicates that many of New York's farm-related businesses found the EIDL program to be most helpful in addressing immediate cash flow needs.

Ongoing Challenges from COVID-19

By far one of the most significant concerns in New York agriculture today remains the public health aspects of the pandemic. Assuring not only a safely produced food supply but also the safety of employees and farm families is critical. It is important to reiterate that food and packaging is not a known transmission point of COVID-19. I would direct any legislators and staff to the Cornell Institute for Food Safety's Coronavirus webpage Consumer FAQ, or welcome you to attend any of our online, weekly, virtual office hours for food processors and farmers during which our scientists directly answer questions about food safety and public health protection from a science based, factual perspective. At this point, thousands of farms and over 1,500 food and dairy processors have participated in a variety of educational programs conducted by various

parts of Cornell CALS and Cornell Cooperative Extension designed to communicate science based information to the food and farm community in New York State.

COVID-19 positives, while not as widespread in rural areas of our state, have certainly been present in a few of our dairy processing facilities, our farms, and most recently in a large greenhouse operation. As the pandemic continues to progress around the globe, farmers in New York will face ongoing challenges in managing the disease in an increasingly internationalized labor force with most seasonal and migrant farm employees coming into New York State (assuming border access continues) over the next several months for the busy planting and harvest seasons. It is absolutely vital that as a state and as a nation, we consider the public health consequences of not providing enough assistance, in the form of testing availability and public health services, to employees at food processing plants. While New York's agricultural community is not heavily engaged in meat processing, the graphic images on the news and the stories of impacted employees and meat plants illustrates the critical importance of keeping food processors safely in business. A break anywhere in the food supply chain has dramatic consequences for the farm community and consumers. The recent availability of COVID-19 testing in more areas of the state for essential employees, which includes farm and food processing employees, is a welcome step forward in helping to keep the food system's work force healthy but testing is still less available in the more rural areas where farms and food processing tends to be located.

Cornell's Agricultural Workforce Program, along with county cooperative extensions and local farm bureau's, have embarked on a pro-active effort to help identify existing housing stocks that may be utilized for seasonal employees to help achieve better social distancing in farm employee housing situations. Reducing density in the work place is actually easier to achieve than reducing density in a housing environment, and I appreciate the partnership that is pro-actively seeking to help find alternative housing sources in rural environments where affordable housing can be just as much of a crisis as it is in more urban environments. Housing is an issue that the farm community will need assistance from policy makers in securing and, reimbursing, as added labor costs will be hard to manage in an increasingly uncertain financial environment. Ensuring that FEMA funds can be accessed by farmers or local municipalities seeking to cover the cost of seasonal farm employee housing would be a welcome tool and would assist in maintaining better public health.

Multiple programs at Cornell CALS and CCE and particularly the Cornell Farm Worker Program have been working together to develop and distribute key materials and public health programs in Spanish, presenting information to Hispanic and Latino workers on face coverings, hygiene and additional sanitation measures to take to better protect themselves, and partnering with Migrant Health clinicians to answer farm employee questions about COVID-19 in Spanish. The Cooperative Extension System is grateful to the Governor, the Legislature, and the state of New York for access to free NYS Cleans sanitizer product, and 500,000 face coverings to distribute to

farmers and farm employees. Since both are still in short supply, this effort to protect public health has been gratefully received by the food system.

Cornell CALS and CCE remain committed to helping keep our local food system functioning during this pandemic, and have been diligently conducting educational programs, virtual office hours, on topics as varied as the best way to dispose of dumped milk and reduce milk production from our PRO DAIRY program, to a core group of faculty holding virtual office hours every week for New York's food processors. Access to our Institute of Food Safety and Department of Food Science faculty has never been more valued by New York State businesses, as food processors need additional federally required "food process authority" certification when ingredients change or supply system constraints change the sanitation and food processing steps. Food scientists have been conducting programs for distilleries on how to produce sanitizer, answering questions on dairy manufacturing, how to safely package food, and providing guidance on how to implement social distancing in food processing operations.

In conclusion, I would like to reiterate the point I began with: **Good public health cannot be possible without access to good and nutritious food, as regionally sourced as possible.** I have long been optimistic about the future of New York's family farms, not only as highly necessary producers of food for all of us but also because farms provide ecosystem benefits which, while too often taken for granted, are starting to be recognized in various climate policy discussions. From a food security perspective, I know of no community that has been so generous as New York's farm community, who even while facing incredible financial hardship have been regularly partnering with local and urban food assistance programs and providing food donations.

Agriculture can be part of the solution to many of the challenges that we face, from hunger and nutrition, food justice and disparity issues in urban environments, to environmental stewardship, if we take the time to adopt supportive policies and truly value our local farms, farm employees, food processing, and support local food purchasing. I would encourage the NYS Legislature to think more carefully about policies that help reimagine our food system in collaboration with other ways to move our economy forwards after the pandemic has passed.

Food is central to our public health, and the supply chain disruptions we have been experiencing and will continue to experience in the months to come will hopefully make the broader public realize the extreme importance of having a local and regionally based food system that is more resilient and adapted to feeding New Yorkers. While we will never produce all of our state's food needs, particularly in certain crops like tropical fruits, it is definitely clear to me that New York can and should create a business climate that values and encourages farm families to expand and thrive in New York. We also need to keep making progress on encouraging innovation in agricultural technology, and encouraging entrepreneurship and expansion in local foods processing.

We are blessed with being able, largely, to walk down the aisle of a grocery store and pick up whatever products we want to consume. I am hopeful this pandemic makes us all realize we shouldn't take that ability for granted, and as a state we should work towards a more resilient farm and food system in the years to come.

Thank you again for the opportunity to testify before you today.

Below please find a resource list of a wide variety of resource links and educational programs linked below that have been undertaken by Cornell CALS and Cornell Cooperative Extension since this pandemic began:

General Questions & Links:

<https://eden.cce.cornell.edu/>

Food Production, Processing & Safety Questions:

<https://instituteforfoodsafety.cornell.edu/coronavirus-covid-19/>

Employment & Agricultural Workforce Questions:

<http://agworkforce.cals.cornell.edu/>

Cornell Small Farms Resiliency Resources & Best Practices Guidance:

<https://smallfarms.cornell.edu/resources/farm-resilience/>

Financial & Mental Health Resources for Farmers:

<https://www.nyfarmnet.org/>

Information for Farm Employees Including Spanish & Mam videos on COVID-19:

<https://www.trabajadores.cornell.edu/> and www.farmworkers.cornell.edu

Dairy Specific Resources & Weekly Podcast:

<https://prodairy.cals.cornell.edu/>

Pesticide Management & Education Program Approved Disinfectants & Safety Listing:

<http://psep.cce.cornell.edu/Covid-19.aspx>