



The Honorable Kathy Hochul
Governor of New York State
New York State Capitol Building
Albany, NY 12224

RE: FY2027 Executive Budget Request – A Cost-Effective Step Toward Safer Food

Dear Governor Hochul,

The Center for Science in the Public Interest respectfully urges the inclusion of the **Food Safety and Chemical Disclosure Act (A1556¹/S1239²)** into the FY2027 Executive Budget. This measure would strengthen food safety and transparency in New York at minimal cost to the state. At a time of fiscal uncertainty and rising public health challenges, it represents a practical, preventive approach that protects consumers and reinforces New York's leadership in evidence-based food policy, especially given limited federal action.

Under current federal law, food companies can self-certify new ingredients as safe and add them to the food supply without any FDA review or public disclosure through the “generally recognized as safe” (GRAS) process.³ As a result, the FDA cannot vouch for the safety of many of the chemicals in our foods.⁴

The Food Safety and Chemical Disclosure Act would close this transparency gap by:

- Requiring companies to submit a summary of their internal food chemical safety evaluations to the New York Department of Agriculture and Markets (the Department) when bypassing FDA review,
- Requiring the Department to publish (but not review) that information in a database accessible to the public, and
- Allowing the Department to charge companies fees to cover the cost of new listings and database maintenance.

These basic disclosures would ensure that regulators, public health officials, and consumers know which chemicals are being added to foods and whether those chemicals have adequate evidence of safety. Increased transparency would also create a strong incentive for companies to use safer, better-studied ingredients.

The current system's lack of transparency has already caused preventable harm. In 2022, Daily Harvest sickened hundreds of consumers with a new, unvetted food ingredient. The company used tara flour, a plant-based protein, without notifying the FDA.ⁱ Within six months, the agency received reports of 393 illnesses and 133 hospitalizations linked to the product.⁵ Daily Harvest recalled 28,000 tara flour products,⁶ and nearly two years later, the FDA announced that it could

ⁱ No GRAS notices or approved uses for tara flour can be found in FDA's regulations or GRAS Notice Inventory Database.

not identify a single toxicity study sufficiently establishing the safety of tara flour.⁷ Under A1556/S1239, Daily Harvest would have been required to publicly disclose the absence of safety data before selling the ingredient in New York—potentially preventing the incident and protecting consumer safety.

Other than reporting and maintaining the database, A1556/S1239 would not add any additional premarket review steps for industry or the state. Companies are already required under federal regulations to evaluate the safety of new ingredients before marketing them. The bill simply requires companies to share that information with the Department. This legislation does not require the Department to review or assess any data it receives.

The fiscal impact of this legislation would be minimal. The initial cost to establish the database—estimated at \$250,000—can be recouped through industry reporting fees, which would also cover new listings and maintenance. The database could function as a simple, searchable list of each ingredient and a PDF summary of its GRAS assessment, similar to FDA’s inventory of voluntary GRAS notices.ⁱⁱ This reporting requirement would only apply to chemicals that do not already appear in the FDA’s inventory of voluntary GRAS notices.

Even in a constrained fiscal environment, New York can lead by adopting this low-cost, high-impact reform to protect consumers and promote food ingredient transparency. The bill has passed the Senate and reached third reading on the Assembly floor, reflecting strong legislative support. We urge you to include the Food Safety and Chemical Disclosure Act in the FY2027 Executive Budget.

Sincerely,

Center for Science in the Public Interest

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ⁱⁱ For an example, see FDA’s listing for “Steviol glycosides with stevioside as the principal component” <https://www.hfpappexternal.fda.gov/scripts/fdcc/index.cfm?set=GRASNotices&id=389>.

References

¹ NY Assembly Bill A1556, <https://www.nysenate.gov/legislation/bills/2025/A1556>.

² NY Senate Bill S1239, <https://www.nysenate.gov/legislation/bills/2025/S1239>.

³ 81 Fed. Reg. 54960 (August, 17, 2016). <https://www.federalregister.gov/documents/2016/08/17/2016-19164/substances-generally-recognized-as-safe#p-293>.

⁴ Kindy, Kimberly. *Food additives on the rise as FDA scrutiny wanes*. August 17, 2014. The Washington Post. https://www.washingtonpost.com/national/food-additives-on-the-rise-as-fda-scrutiny-wanes/2014/08/17/828e9bf8-1cb2-11e4-ab7b-696c295ddfd1_story.html

⁵ FDA. *Memorandum: Regulatory status and review of available information pertaining to tara protein/flour derived from the seed germ of the plant, Caesalpinia spinosa: lack of general recognition of safety for its use in foods*. April 10, 2024. <https://www.fda.gov/media/178582/download?attachment>.

⁶ FDA. *Daily Harvest Issues Voluntary Recall of French Lentil + Leek Crumbles Due to Potential Health Risk*. June 23, 2022. <https://www.fda.gov/safety/recalls-market-withdrawals-safety-alerts/daily-harvest-issues-voluntary-recall-french-lentil-leek-crumbles-due-potential-health-risk>.

⁷ FDA. *Memo: Regulatory status and review of available information pertaining to tara protein/flour derived from the seed germ of the plant, Caesalpinia spinosa: lack of general recognition of safety for its use in foods*. April 10, 2024. <https://www.fda.gov/media/178582/download?attachment>.