

CHAPTER 91

AN ACT concerning the availability of produce in food desert communities.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. As used in this act:

“Department” means the Department of Agriculture.

“Federal WIC program” means the Special Supplemental Nutrition Program for Women, Infants and Children, established pursuant to the federal “Child Nutrition Act of 1966,” Pub.L.89-642 (42 U.S.C. s.1771 et seq.).

“Food desert community” means a municipality, or physically contiguous area in the State, in which residents have limited access to nutritious foods, such as fresh fruits and vegetables, through supermarkets, grocery stores, and farmers markets.

“Food voucher” means any type of food voucher, coupon, stamp, certificate, written authorization, or benefits card, which has been issued to a person by a government entity in accordance with the provisions of the Supplemental Nutrition Assistance Program, the federal WIC program, the New Jersey Supplementary Food Stamp Program, the Work First New Jersey program, or any other federal or State level nutrition or income assistance program.

“New Jersey Supplementary Food Stamp Program” means the State level food stamp program, established pursuant to P.L.1998, c.32 (C.44:10-79 et seq.).

“Partnering provider” means an entity that qualifies for allowable federal or State reimbursements for food vouchers, and is selected by the Department of Agriculture to participate in the program.

“Program” means the food desert produce pilot program established by the Department of Agriculture pursuant to this act.

“Supplemental Nutrition Assistance Program” or “SNAP” means the supplemental nutrition assistance program, established pursuant to the federal “Food and Nutrition Act of 2008,” Pub.L.88-525 (7 U.S.C. s.2011 et seq.).

“Work First New Jersey” means the Work First New Jersey temporary public assistance program, established pursuant to P.L.1997, c.38 (C.44:10-55 et seq.).

2. a. The Department of Agriculture shall establish a two-year program to provide residents of food desert communities with access to fresh and affordable produce. In establishing the program, the department shall select one or more partnering providers to establish weekly markets in three food desert communities, one of which shall be located in a rural area, in order to make fruits and vegetables more affordable to families and individuals with limited access to fresh food.

b. The department shall:

(1) solicit and select a partnering provider that demonstrates the ability to reliably provide a consistent, year-round supply of reasonably priced fresh fruits and vegetables to serve food desert communities;

(2) work with food desert communities to identify and recruit a partnering provider to establish weekly markets, which may be operated in partnership with local public schools, community organizations, or nonprofit organizations; and

(3) engage in appropriate outreach efforts with food desert communities, the agricultural industry, and the public concerning the availability of the program.

c. A partnering provider that operates a market shall, at a minimum:

(1) demonstrate to the department the ability to reliably provide a consistent, year-round supply of reasonably priced fresh fruits and vegetables;

(2) accept cash, credit, debit, and food vouchers for produce at any market operating under the program;

(3) offer reduced price produce packages;

(4) include storage guides containing information on how to keep the produce fresh and recipes for use of the produce; and

(5) donate any surplus produce at the end of each market to food banks, food pantries, soup kitchens, and other nonprofit organizations that distribute food to individuals in need located in the State.

d. Within two years after the date of enactment of this act, the department shall submit a written report to the Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), summarizing the program established pursuant to this section; identifying the partnering providers and food desert communities participating in the program, as well as the number of families and individuals served by the markets, and the amount of food vouchers redeemed at the markets; and providing recommendations for legislative actions to expand access to, and the affordability of, fruits and vegetables to residents in food desert communities throughout the State.

3. This act shall take effect immediately, and shall expire upon the submittal by the department of the report required pursuant to subsection d. of section 2 of this act.

Approved May 9, 2019.