



New York State
Department of
Agriculture
and Markets
Annual Report 2001

TABLE OF CONTENTS

- 1 Governor & Commissioner’s Letter**
- 2 Emergency Preparedness**
- 3 Economic Development**
 - Farmers’ Market Nutrition Program*
 - Farmworker Child Care*
 - Pride of New York*
 - Grow New York*
 - Food Trade Shows*
 - Dairy Promotion*
- 5 Environmental Stewardship**
 - Right to Farm Law*
 - Agricultural Districts*
 - Advisory Council on Agriculture*
 - Farmland Protection*
 - Agricultural Environmental Management*
 - Soil & Water Conservation Committee*
 - Nonpoint Source Abatement & Control*
 - West Nile Virus*
 - Golden Nematode*
 - Plum Pox Virus*
 - Asian Longhorned Beetle*
- 8 Food Safety**
 - Food Safety Inspections*
 - Livestock Feed & Pet Food*
 - Compliance Sessions*
 - Kosher Enforcement*
 - Dairy Processor Inspections*
 - Cattle Health Assurance Program*
 - Avian Influenza*
 - Food Laboratory*
 - Dairy Product Labs*
 - Farm Products Grading & Inspection*
 - Food Safety Outreach Program*
- 11 Consumer Services**
 - Animal Population Control Program*
 - Weights & Measures*
 - Department Web Site*
 - New York State Fair*
 - Dog Licensing*
 - Price Gouging Law*
- 13 Department Staff Listing**

Dear Friends of Agriculture,

New York State has a strong agricultural heritage that is built upon the work of dedicated people who have endured many challenges throughout the centuries. As New Yorkers, we have survived one of the most challenging years of our lives. But we stand more united than ever because of the values we share and the pride we have in ourselves, our families, and our State.

New York's farmers and food producers share that same sense of pride in growing and distributing the very best goods. Through our Pride of New York Program, we have promoted this message and communicated the fact that every one of us is affected by New York's agricultural industry.

Today, as a result of the proud work ethic of farmers and food producers, agriculture remains one of our strongest and most productive industries. Agriculture makes up one-quarter of the State's land area and contributes immensely to the quality of life in New York State creating jobs, generating revenue and producing wholesome products to nourish our families.

That is why we have worked diligently over the past seven years to protect consumers and to assist the agriculture industry in New York State. We have not only provided a better business climate through tax reduction and cost savings, but introduced specialized programs to help advance the agricultural industry and safeguard our food supply and our people. We have accomplished this through various programs, all included in this annual report, including Grow New York, the New York State Cattle Health Assurance Program, the Agricultural Environmental Management Program and the Pride of New York Program.



From the heart of Manhattan to the most rural farmland, we are stronger today than ever before. New York State's success can be attributed to the dedicated efforts of all New Yorkers working together to protect and help each other during the best and the most difficult of times. Best wishes and thanks to all who help make agriculture one of our strongest and most viable statewide industries.

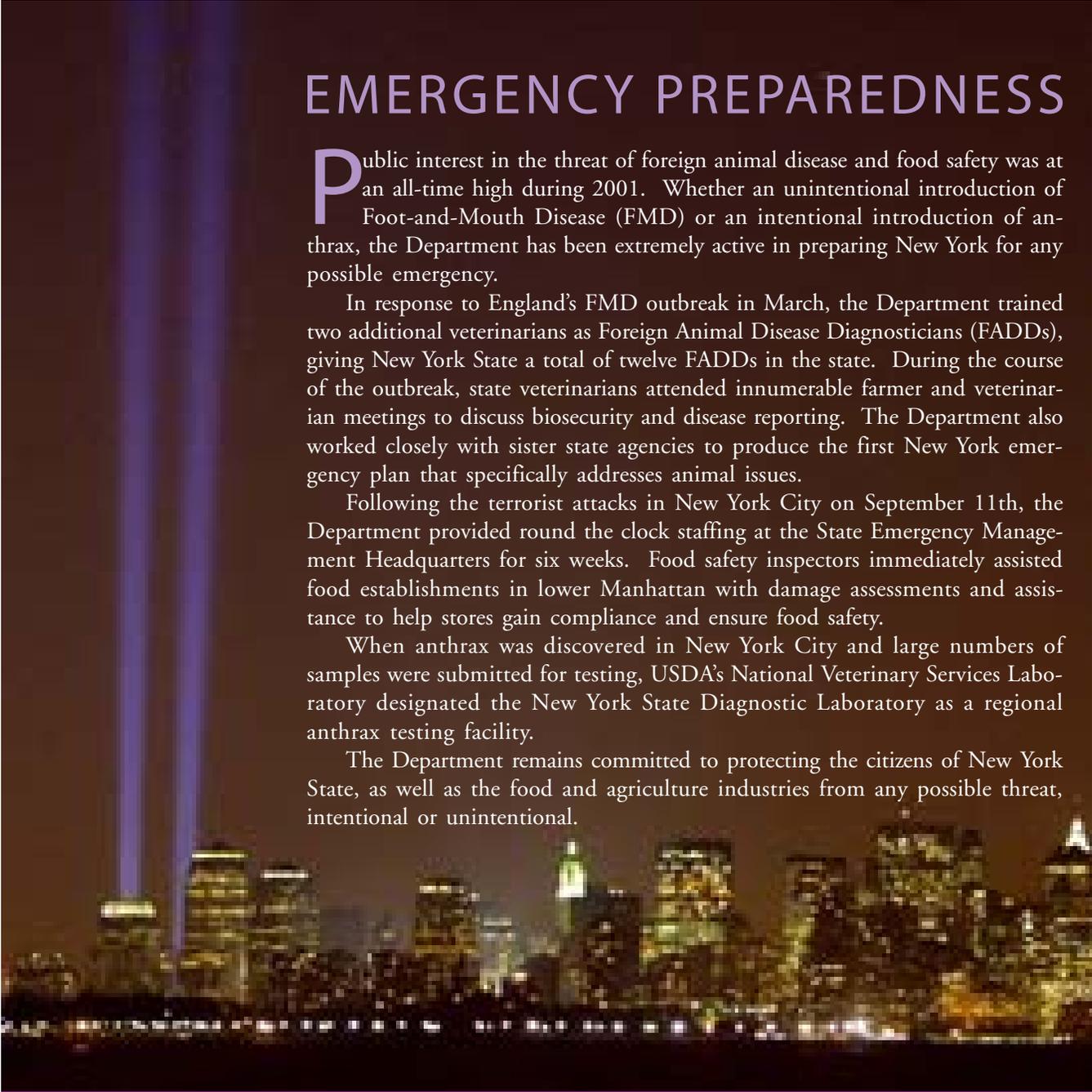
Very truly yours,

A handwritten signature in black ink that reads "G. E. Pataki".

George E. Pataki
Governor

A handwritten signature in black ink that reads "Nathan L. Rudgers".

Nathan L. Rudgers
Commissioner

A nighttime photograph of a city skyline, likely New York City, with several skyscrapers illuminated. A prominent vertical beam of light, possibly from the Empire State Building, extends from the top of the frame down to the city. The background is dark, and the lights from the buildings create a bokeh effect.

EMERGENCY PREPAREDNESS

Public interest in the threat of foreign animal disease and food safety was at an all-time high during 2001. Whether an unintentional introduction of Foot-and-Mouth Disease (FMD) or an intentional introduction of anthrax, the Department has been extremely active in preparing New York for any possible emergency.

In response to England's FMD outbreak in March, the Department trained two additional veterinarians as Foreign Animal Disease Diagnosticians (FADDs), giving New York State a total of twelve FADDs in the state. During the course of the outbreak, state veterinarians attended innumerable farmer and veterinarian meetings to discuss biosecurity and disease reporting. The Department also worked closely with sister state agencies to produce the first New York emergency plan that specifically addresses animal issues.

Following the terrorist attacks in New York City on September 11th, the Department provided round the clock staffing at the State Emergency Management Headquarters for six weeks. Food safety inspectors immediately assisted food establishments in lower Manhattan with damage assessments and assistance to help stores gain compliance and ensure food safety.

When anthrax was discovered in New York City and large numbers of samples were submitted for testing, USDA's National Veterinary Services Laboratory designated the New York State Diagnostic Laboratory as a regional anthrax testing facility.

The Department remains committed to protecting the citizens of New York State, as well as the food and agriculture industries from any possible threat, intentional or unintentional.

ECONOMIC DEVELOPMENT

Providing the tools to help New York businesses grow and succeed

FARMERS' MARKET NUTRITION PROGRAM

Hundreds of New York farmers who direct market their products continue to benefit from this "win-win" program, as do thousands of low income, nutritionally at risk customers. In 2001, 800 farmers sold locally grown fresh fruits and vegetables to participants in the Women, Infants and Children (WIC) Program and to low income seniors at 220 farmers' markets located statewide. These farmers redeemed \$4,531,418 in Farmers' Market Nutrition Program checks, which the Department issued to 318,000 WIC participants and 65,000 seniors. No other state in the nation served more recipients under this program than New York.

FARMWORKER DAYCARE

The Agri-Business Child Development (ABCD) Program delivers day care and early childhood development services to the children of farmworkers. In 2001, ABCD served about 1,700 children in 11 centers and 25 day care homes, making it the seventh largest day care program nationally.



*"Our Pride is Inside."
Pride member, Christine Becker
of Barber's Farm in Schoharie County,
proudly displays a basket of fresh produce.*

PRIDE OF NEW YORK

The Pride of New York Program was greatly enhanced in 2001, starting with the redesign of the Pride of New York Lady Liberty logo. During the summer, the program joined with the State's Office of General Services to help state institutions to better support New York farmers by increasing the discretionary purchasing levels for New York State food products. Television, radio and other media messages were introduced in the fall that focused on the sense of pride among New York's farmers and processors.

Pride of New York also began partnering with supermarket chains in an effort to showcase Pride of New York products at retail stores throughout the state with signage and promotional materials. Expansion of the program into retail markets and other venues will be made possible over the next year with \$1 million in federal funding, of which \$500,000 is dedicated to enhancing the Pride of New York Program and \$500,000 is designated for member-submitted cooperative advertising proposals.

Governor Pataki and Commissioner Rudgers admired the bright, modern packaging of New York Bold, a branding project partially funded by a Grow New York grant in 2001 to help consumers identify New York State onions in the marketplace.



GROW *new york*

The multi-faceted nature of Grow New York, enhances the overall economic vitality of New York's agricultural production, food processing and marketing industries. Three areas of particular success in 2001 were:

Competitive Grants— Direct financial assistance for development and expansion of new and existing businesses has been the most popular component of Grow New York since its inception in 2000. To date, Grow New York has distributed more than \$1.1 million for 41 projects across the State for developing business strategies, research and development, and physical improvement of farmers' markets.

Enterprise Program — New in 2001 was the Enterprise Program, providing \$3 million annually through the Governor's Office for Small Cities, for grants and low-interest loans to help fund agricultural businesses' capital and working capital needs, such as financing of equipment, construction, property acquisition, and market development.

Growing Partners — The Department worked closely with a number of state and local agencies and organizations to provide comprehensive information and assistance for the State's food and agricultural businesses. Through these partnerships, the Department provided important connections to other valuable programs and resources.

FOOD TRADE SHOWS

The Department maintained an ambitious trade show schedule in 2001, sponsoring New York pavilions in five major show venues. A total of 130 companies took advantage of this excellent market development opportunity and showcased their New York produced or processed food products to domestic and international buyers at the:

- Food Marketing Institute Exposition in Chicago, IL;
- Fancy Food Show in New York City, NY;
- Produce Marketing Association Show in Philadelphia, PA;
- Kosherfest in Secaucus, NJ; and
- National Restaurant Association Show in Chicago, IL.

DAIRY PROMOTION

In 2001, New York dairy farmers contributed more than \$11.7 million to promote the sale of milk and dairy products. Funds are spent for media advertising, nutrition education, publicity, and research at Cornell University to improve milk and dairy product quality and develop new dairy products.



ENVIRONMENTAL STEWARDSHIP

Protecting New York's precious natural resources

RIGHT TO FARM LAW

The Right to Farm Law prohibits local governments from administering laws, rules or regulations, in a way which unreasonably restrict a farm operation located in an agricultural district, unless public health or safety is threatened.

During 2001, 39 formal reviews of local ordinances and several informal reviews were conducted. Under the Right to Farm Law, the Department satisfactorily resolved eleven cases, one which involved farmworker housing and resulted in a landmark decision with the courts deferring to the Commissioner's expertise in interpreting the law.

ADVISORY COUNCIL

The Advisory Council on Agriculture provides recommendations relating to the Agricultural Districts Law and other matters affecting New York agriculture. During 2001, the Advisory Council reviewed and commented on 4 sound agricultural practice opinions and 66 Notice of Intent filings, which are intended to help avoid adverse agricultural effects associated with certain types of publicly funded actions.

AGRICULTURAL DISTRICTS

The Agricultural Districts Program continues to enjoy significant support from farmers and local governments. At the close of 2001, a total of 341 districts, comprised of 21,700 farms and encompassing about 8.6 million acres of land were in existence in 52 of the



62 upstate counties throughout the state. The Department assisted local governments in their review of 52 districts. Agricultural districts provide incentives, such as preferential real property tax assessments and protections against restrictive ordinances and nuisance suits, to encourage farmers to keep their land in production.



FARMLAND PROTECTION

Local efforts to protect farmland continued to flourish in 2001 as requests for State funding increased substantially. The Department received nearly \$76 million in requests from 37 municipalities for the purchase of development rights on 108 farm operations, encompassing over 20,000 acres. Many viable farms are facing significant development pressure and if protected, will help buffer natural public resources such as rivers, aquifers and important wetlands. While funding was not available for farmland protection in 2001, a total of nearly \$40 million to protect over 17,000 acres has been awarded since the inception of the program in 1996.

AGRICULTURAL ENVIRONMENTAL MANAGEMENT

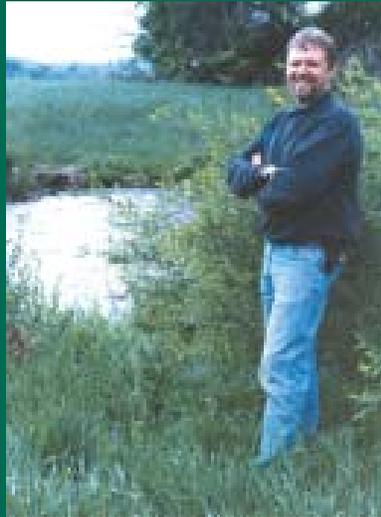
AEM continues to lead the nation in addressing nonpoint source water pollution originating from agricultural land uses. This voluntary, incentive-based program helps farmers document their good stewardship, develop and implement management plans that protect water quality and comply with regulatory advances, while meeting business objectives on the farm. Participation in AEM has grown to include nearly 8,000 farms in 53 counties and continues to meet the demands of New York's diverse agricultural community.

Funding for implementation of Best Management Practices has continued to increase as well. Since the program's inception, over \$26 million has been appropriated for AEM planning and implementation through the State's Agricultural Nonpoint Source Abatement and Control Program. AEM has also been a catalyst for obtaining state and federal dollars, such as USDA funding

for Farm Bill Conservation Programs. In addition, AEM resources are expanding as new and revised tools are developed, including an updated Guide, commodity specific worksheets, nutrient management software and improved GIS technologies.



AEM helps farmers continue their legacy of environmental conservation, and has helped Mike McMahon in Cortland County by providing him with the technical and financial incentives to further his farm stewardship efforts.



SOIL & WATER CONSERVATION COMMITTEE

The Soil and Water Conservation Committee establishes policy to guide and assist the 58 county Soil and Water Conservation Districts' programs that protect New York's waters from nonpoint sources of pollution. Working jointly with other State agencies, the Committee also provides advice on matters relating to soil and water conservation.

NONPOINT SOURCE ABATEMENT & CONTROL

The Agricultural Nonpoint Source Abatement and Control Program provides cost-share funding to reduce and prevent nonpoint source water pollution from agricultural activities. These competitive grant funds are awarded to County Soil & Water Conservation Districts. For planning and implementation activities on participating farms, Round VIII grants awarded 30 projects with \$4.5 million from the Environmental Protection Fund and six projects with \$1.25 million through the Clean Water/Clean Air Bond Act. Funded projects include agricultural waste management systems, prescribed grazing systems, Comprehensive Nutrient Management Plans, and AEM planning activities to identify farms and watersheds where improvements are needed.

WEST NILE VIRUS

Twenty-two equine cases of West Nile virus, a mosquito-borne infection that can cause encephalitis, were found within Nassau, Orange and Suffolk Counties. Six of the case horses died or were euthanized. Although the provisionally-licensed West Nile vaccine was approved for use in New York, the vaccine was not readily available until September due to production shortages. Therefore, only four of the case horses had received vaccine prior to clinical onset, and none had received the recommended regimen of two doses prior to becoming ill.

GOLDEN NEMATODE

One of the most difficult crop pests to eradicate, the Golden Nematode, is a quarantined pest discovered in potato fields in several areas of New York. The traditional strain, Ro1, has been controlled by planting resistant potato varieties, while a method to control Ro2 has yet to be determined. An alternative management system employing a less intensive use of resistant varieties was developed to maintain Ro1 and Ro2 populations below the level of detection, allowing growers to plant a higher percentage of susceptible varieties.

PLUM POX VIRUS

In 1999, plum pox was discovered in North America for the first time in Adams County, Pennsylvania. In 2001, the Department sampled over 80 stone fruit orchards and nurseries in 12 New York counties at the request of the USDA for the detection of the plum pox virus. All 12,879 samples were found to be negative. This represents the second year of intensive survey with negative results. New York State stone fruit production areas are considered at risk due to the presence of this disease in the Niagara area of Canada.

ASIAN LONGHORNED BEETLE

The Department implemented a number of program improvements in 2001 in the federal-state cooperative effort to eradicate the Asian Longhorned Beetle from New York City and Long Island. The Beetle is a wood-boring pest that attacks certain hardwood trees.

- Approximately 25,000 host trees within a ¼ mile of an infested tree were injected with Imicide, a herbicide designed to sup-

press adult and larval populations of the beetle.

- Bucket trucks, cherry pickers and other tree climbers were engaged to enhance visual detection techniques. This has proven to be significantly more effective than inspections conducted from the ground.
- During 2001, 1,436 infested trees were cut, chipped and incinerated, bringing the total to 6,700 trees since 1996.
- Research is ongoing, with the most promising work being the

detection of immature stages of the beetle through acoustical listening devices.

- Education and outreach continues with participation in trade shows, seminars and conferences, providing literature and posters in multiple languages, and conducting training sessions to allow businesses to operate within the quarantine area.

FOOD SAFETY

Ensuring the safest, most wholesome food supply in the world



New York State is home to 28,004 food establishments, including food processing plants, bakeries, candy manufacturers, beverage bottlers, flour mills, retail food stores and refrigerated warehouses. During 2001, 39,207 sanitary inspections were conducted in an effort to ensure the safety, cleanliness, and proper labeling of food during processing, transportation and sale. At

the end of 2001, approximately 93 percent of these establishments were in substantial compliance according to their most recent inspection.

Over the course of 2001, the Department assessed 4,495 penalties, totaling \$2,039,410 for insanitary conditions, misbranded products, unit pricing violations, adulterated food, unauthorized removal of seized foods and other violations. In addition, the Department seized 485,000 pounds of adulterated food, issued 178 food recalls and held 66 administrative hearings to consider revoking or declining to grant or renew food establishment licenses, of which 34 were denied, declined or revoked.

COMPLIANCE SESSIONS

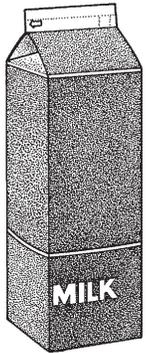
To assist food establishments to comply with sanitary requirements, the Department instituted industry compliance sessions. Retail food specialists meet directly with establishments to discuss problem areas. During 2001, 847 industry conferences were held, which serve as an interim step in lieu of an administrative hearing or injunction proceeding. Approximately 65 percent of the establishments which participate in such conferences are found in compliance during their next inspection. This, of course, significantly reduces the need for administrative hearings, injunctions or other legal remedies.

KOSHER ENFORCEMENT

With more than 60,000 different Kosher certified products on market shelves, the Department continues to be vigilant in assuring consumers that food products offered for sale as kosher are indeed kosher. In 2001, the Department conducted 8,173 inspections, up 10 percent from 2000, 342 investigations and 61 consumer complaint investigations.

LIVESTOCK FEED & PET FOOD

In 2001, 6,423 pet food brands were registered with the Department, generating \$160,575 in registration fees. An assessment of \$.05 per ton was also collected on commercial livestock feed, yielding \$128,747. Proper labeling of livestock feed and pet food was enforced by analyzing 249 samples. In addition, 394 Bovine Spongiform Encephalopathy inspections were conducted at feed mills and warehouses for compliance with federal and state rules.



DAIRY PROCESSOR INSPECTIONS

The Department inspects all sectors of the dairy industry from cow to consumer. Dairy farms are routinely inspected to ensure compliance with State sanitary regulations. Milk receivers and testers are regularly evaluated to verify that proper techniques are used. The Department trains and evaluates about 120 certified industry milk inspectors. In 2001, certified milk inspectors performed over 35,000 inspections on the approximate 7,200 dairy farms in New York State. To ensure that milk is handled and processed under sanitary conditions, 1,088 inspections of the 824 bulk milk receivers and 3,426 inspections of approximately 600 milk handlers and processing facilities were conducted. Additionally, 12,318 milk or milk product samples were tested for chemical and bacterial analysis. These analyses provide assurance that the milk and milk products presented to consumers were produced, processed and handled under proper manufacturing practices.

NEW YORK STATE CATTLE HEALTH ASSURANCE PROGRAM

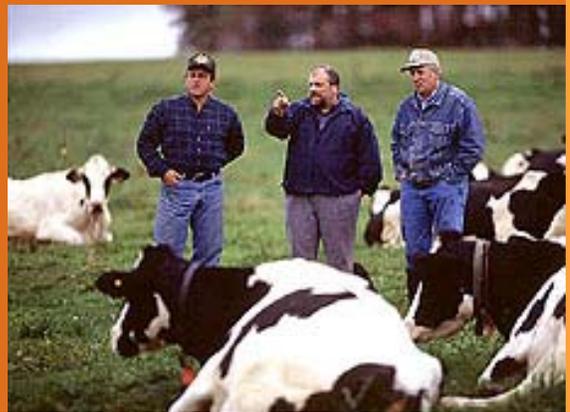


Since its initiation in 1998, the New York State Cattle Health Assurance Program (NYSCHAP) has grown to 607 farms across New York State. NYSCHAP is an integrated, management based program designed to address important issues confronting food animal producers and has been well received by producers, processors, and consumer groups.

The foundation of the program is a group of general “core management practices” that produce benefits in production, animal health, food safety, product quality and ultimately profitability. The program embraces the concept of whole farm biosecurity. The modules of the program are specific interventions

designed to impact a particular issue, disease or area of concern on the farm, such as Johne’s disease, bovine Leukosis, beef quality assurance, mastitis, Salmonella, and bovine viral diarrhea.

Modules addressing environmental pathogens, bovine lameness and herd expansion are currently being developed, along with additional work and research to evaluate the outcomes of management strategies and to refine recommendations.



AVIAN INFLUENZA

During 2001, the Department continued its efforts to eradicate avian influenza, an infectious disease of poultry, and wild birds, from live bird markets in the New York City area. With assistance from USDA, the Department surveyed the markets by testing weekly influenza-free birds placed with livestock at the markets. The survey found that 60 percent of the 81 markets were positive for H₇N₂ virus. These results also support the premise that the manure and dirt associated with livestock and kept in association with poultry can maintain influenza virus and be a possible source for the virus to be reintroduced into the poultry in the markets.



FOOD LABORATORY

The Food Laboratory tests a variety of items for the Department, as well as other agencies in the State. During 2001, the laboratory tested 18,244 food, beverage and agricultural samples to determine compliance with food standards, adulteration with inferior or substitute ingredients, undeclared or non-permitted preservatives, heavy metals, color additives, contamination with filth, spoilage, pathogenic bacteria, toxins or parasites. Approximately 85 percent of the samples were found to be properly labeled and free of adulteration.

DAIRY PRODUCT LABS

The Department has nine Milk and Dairy Product Laboratories across the State that perform required field tests of milk and dairy products that are not sent to the main Food Laboratory. During 2001, 11,632 samples of pre-packaged and packaged milk and dairy products were tested in these laboratories for the level of water and fat and for the presence of antibiotics, abnormal milk and sediments.



FARM PRODUCTS GRADING & INSPECTION

The Department grades and certifies farm products for export shipments, government purchases, and many commercial sales contracts on a fee basis to receivers and processors of agricultural products. This service is facilitated by cooperative agreements between the Department, and both USDA and the U.S. Department of Commerce. The Department also completed pilot inspections for its Produce Quality Assurance Program. Once implemented, this program will provide third-party certification to produce growers, shippers, packers and distributors regarding practices to minimize microbial contamination.

FOOD SAFETY OUTREACH PROGRAM

During 2001, the Department conducted 21 food safety and labeling seminars for members of the regulated industry across New York State. More than 1,177 food establishment executives, supervisors, and employees attended these seminars which explained the food safety issues behind Agriculture and Markets law and regulations, and offered advice on how to keep businesses in compliance. In addition, the Department provided inspection status reports and statistics to food chains interested in monitoring their compliance status and pinpointing problem areas.

CONSUMER SERVICES

Improving the quality of life through exceptional service



ANIMAL POPULATION CONTROL PROGRAM

In a continuing effort to address the overpopulation of unwanted dogs and cats, the New York State Animal Population Control Program issued 13,592 Adoption Voucher Agreements to approved animal shelters. These vouchers are distributed to individuals adopting a new pet from an animal shelter and entitles the new owner to a \$30 spay or neuter surgery for the adopted animal at a participating veterinarian. As of November 1, 2001, all animal adopting agencies are now required to either spay or neuter cats and dogs prior to adoption or collect a refundable \$35 deposit. The primary funding source for this program is the \$3 fee on all unspayed/unneutered dog licenses.

WEIGHTS & MEASURES

The Department is responsible for assuring measurement accuracy and uniformity in commerce throughout New York State. In cooperation with local weights and measures departments, the Department regulates measuring device accuracy, packaged commodity net contents, and quality standards for gasoline and diesel fuel. Department specialists and municipal inspectors routinely test all scales, gas pumps, heating oil delivery trucks, and other measuring devices used in commerce. The program seeks to assure equity in the marketplace, protecting both consumers and businesses. The Department supervises local weights and measures departments and is a leader in continuing training for weights and measures inspectors.

During 2001, the Department worked closely with the dairy industry to install the first direct loading milk metering system in the State. The system allows the farmer to pump the milk from the milking parlor, through a chiller and meter, directly to the shipping tanker without requiring a traditional bulk milk tank to store the product. This use of new technology will provide accurate measurement of the milk while adding efficiency and reducing shipping costs for farmers. More of the larger dairy herds in the State are expected to move toward this new technology in upcoming years.



www.agmkt.state.ny.us

The Department's website continued to grow in 2001, providing citizens with more electronic information than ever before. In addition to a new look, the website also featured special notices on the front page, grant applications and other Department publications.



ONE MILLION STRONG!

The New York State Fair reached the one million mark for the first time in its 155-year history as 1,011,248 turned out for the 12-day run through Labor Day weekend. A strong lineup of paid grandstand concerts plus free performances by talented acts contributed to the Fair's success. New attractions included the Shark Show, the Super Scientific Circus, World Class Sports and Thrill Show, Wild Science, the Heinz Hitch and the newly constructed New York Lottery Players Pavilion.

As a year-round exhibit facility, the Empire Expo Center continued to host a multitude of trade shows, conventions, sports events, banquets, horse shows, hockey games and agricultural activities. With the increased use of the facility and more than 2 million people visiting the Expo Center in 2001, the facility's annual revenue increased from \$8.5 million in 1995 to \$13.5 million in 2001.

Visit the New York State Fair website at www.nysfair.org

PRICE GOUGING LAW

New York State is the only state in the country that has a retail milk price threshold law that protects consumers from excessively high milk prices. The Department conducts a monthly retail milk price survey in cities across the state to protect consumers from excessively high retail milk prices, known as price gouging. The Department calculates a "threshold" price each month as a benchmark for evaluating retail prices. The threshold price is a price that is 200 percent of the farm price for Class I fluid milk. Retailers that price above the threshold price may be subject to legal action if they cannot justify their costs.



DOG LICENSING

More than 646,000 dog licenses were issued in 2001, excluding New York City, which equated to total license fees of \$2,343,862. The issuing municipalities retained \$1,242,247 for providing dog control and shelter services and issuing dog licenses. The counties retained \$705,033 for dog damage indemnifications, and the state received \$405,786 for the administration and oversight of various companion animal programs.

EXECUTIVE STAFF

Nathan L. Rudgers
Commissioner

Ruth A. Moore
First Deputy Commissioner

Margaret Becker
Deputy Commissioner

Paul F. "Rick" Zimmerman
Deputy Commissioner

Thomas Lindberg
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Public Information Officer

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Dolores Dybas
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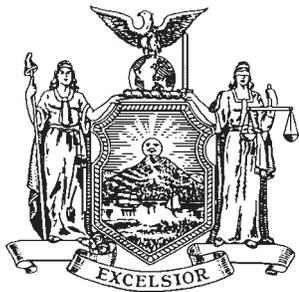
Will Francis
Milk Control & Dairy Services

Robert Mungari
Plant Industry

John Wildeman
Soil & Water Conservation

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State Fair

Ross Andersen
Weights & Measures



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