

New York State Department of Agriculture and Markets  
10B Airline Drive  
Albany, New York 12235

## SUBJECT MATTER LIST

**Note:** The fact that a record is listed does not necessarily mean that it is subject to public disclosure under the Freedom of Information Law (FOIL); nor does it necessarily mean that records contained within a listed category are subject to public disclosure under FOIL. This list is updated through January 29, 2016. The Committee on Open Government, which is responsible for overseeing and advising with regard to FOIL, may be accessed on line at:  
<http://www.dos.ny.gov/coog/index.html>

### **Agricultural Development**

Agribusiness Child Development Program (day care)

Agritourism Grant Program.

Farm Products Dealers Licensing (Article 20).

Farm to School Program.

Farmers' Market Nutrition Program

Farmers' Market Grant Program.

Farmland Viability Grant Program.

Farm Worker Certification Program (labor training)

Food Export USA/Northeast.

Marketing Orders (apple, onion, cabbage, sour cherry).

Organic Certification Reimbursement Program.

Pride of New York Program.

Trade Shows.

### **Animal Industry**

Accredited Veterinarians.

Animal Disease files (Brucellosis, Tuberculosis, EIA, Pseudorabies, Pullorum, Avian Influenza).

Biologic files.

Circulars.

Domestic Animal Health Permit (DAHP) holders (Livestock dealers, poultry transporters).

Fair Reports.

Herd Files (Bison, Cattle, Deer, Sheep, Goats, Swine, Llamas).

Import/Export Files (horses, livestock, cats, dogs, cattle, birds, swine, llama, sheep, goats).

Indemnity Claims.

Live Poultry Markets.

Market Cattle Slaughter.

National Poultry Improvement Plan Participants.

NYSCHAP Participants.

NYS Ear Tag Files.

Pamphlets.

Penalty Files.

Pet Dealers Inspection Reports, License Applications and Licenses.

Poultry Wholesalers

Ring Tests Files.

State Labels Files.

Veterinarian Work Schedules and Daily Reports.

## **Counsel's Office**

Administrative Adjudications--grant, denial, or revocation of various licenses and permits issued by the Department's Divisions of Animal Industry, Food Safety and Inspection, Milk Control, Plant Industry and Bureau of Weights and Measures.

Advisory Opinions-- relative to powers and duties of Commissioner.

Assignment tracking-- history and status of assignments.

Bill Jackets-copies of bill jackets for prior legislative sessions.

Contracts / 'MOUs' -- program implementation, "member items" cooperation with State agencies and federal entities.

Correspondence-- within regulated parties, attorney representatives, judges and court staff.

Delegations of Authority, allowing certain Department employees to act officially for the Department.

Determinations--regarding producers' claims against security and license actions.

Environmental Audit Reports-- assess environmental status of Department activities.

Ethics Issues--outside activity, travel reimbursement, honorariums, potential conflicts, post-employment restrictions.

Freedom of Information Law (FOIL) -- issues of whether Agency records must or may be released to or withheld from public inspection.

FOIL Log.

Grant application and aware reviews--agricultural nonpoint source, farmland protection, farmland viability, Grow New York, farmers markets, energy.

Legislative Proposals and Memoranda-- Department bills and support memoranda, analyses and comments on other Agency proposals, and bill positions.

Litigation--Injunction actions, Article 78 proceedings, Court of Claims cases.

Lobbying/Appearance reports--appearances before Department by regulated parties and advocacy by other persons.

Local restrictive ordinance reviews--examination of local laws for compliance with prohibitions against unreasonably restricting farm operations.

Miscellaneous--requests for general information relative to State laws and regulations.

Notice of Intent reviews--agricultural impacts of public acquisition of land or advance of funds for projects within an agricultural district.

Office Operations--purchase orders, travel reimbursement, invoices, and procedural directives.

Opinion Assignments--opinions rendered by Office attorneys.

Penalty Recovery Cases-- assessment notices and collection steps.

Personnel Matters--performance evaluations, employee's notification, time and attendance.

Procedures and Guidelines--directives and lists outlining required legal steps or program protocol, as well as penalty protocols.

Public Service Law/Art. 7 and 10 Proceedings--relative to avoidance or mitigation of adverse impacts on agriculture.

Request for Proposals (RFPs)--for services sought and grant programs.

Rule Makings--proposal, adoption, repeal or amendment of regulations.

Sound Agricultural Practice reviews--examination, upon request, of farming practices for soundness.

## **Fiscal Management**

Budget Requests--the Department's annual request for appropriations.

Contracts--documentation for each and every contract entered into by the agency.

Fiscal and Personnel Plans--govern implementation of the enacted Budget.

Fleet and Equipment Inventory--records regarding purchases including leased vehicles, cost, maintenance, and disposition.

Payroll--reports and registers with regards to employee paychecks, including overtime.

Purchase orders and vouchers-- payment authorization of supplies, materials or services ordered by and delivered to the Department.

Credit Cards--travel and purchasing.

## **Food Safety and Inspection**

Animal Feed Tonnage Reports--submitted annually by feed manufacturers and distributors.

Application for Inspection--request for terminal market inspection of farm products.

Application for Licenses--food processing, retail food store, food warehouse, small animal slaughterhouses, rendering plants, salvage dealers and refrigerated warehouses.

Circulars.

Consumer Complaints--narrative investigations of complaints received from consumers that deal with food.

Controlled Atmosphere--volume of apples in storage.

Correspondence with Regulated Parties--industry compliance sessions, enforcement actions and warning letters.

Inspector Dailies--electronically submitted accountability reports.

Investigation Reports-- narrative reports of food-related incidents including recalls, disaster and refrigerated warehouse extensions.

Licenses Issued--food processing, small animal slaughterhouses, rendering plants, salvage, retail food store, food warehouse, dealers and refrigerated warehouse.

Penalties-- summary or summation of penalty.

Pet Food--annual registrations.

Rochester Billing-fee -for-service billing includes annual report.

Samples--reports of sampling and analysis.

Sanitation Inspections--food safety inspection reports of approximately 25,000 firms.

Seizures--inventory of unfit unmerchantable foods.

Volume Reports--list the number and volume of commodity-based inspections.

## **Human Resources**

Accident Files-- Records pertaining to all work-related injuries/illnesses.

Accrual Records--Timesheets which contain information relating to employees' attendance.

Canvass Files--Pending and completed canvasses for Department positions.

Confidential Files-- Information relating to labor relations issues, human rights complaints, employee terminations, etc.

Classification Files--Records which contain job descriptions for each title in the Department.

Division Files--Correspondence sent to the Department's Divisions pertaining to personnel matters.

Eligible Lists.

Employee Records--Personnel files which contain all employment-related information.

Employment Verification Log--Record of all inquiries concerning verification of employment.

Internal Memoranda--Correspondence sent to staff both intra-and inter-Division.

Performance Evaluations--Individual employee job performance appraisals.

Title Folders--Records containing examination information, etc. for each title in the Department.

## **Kosher Law Enforcement**

Inspection reports and related documents.

Kosher registries.

## **Land and Water Resources**

Agricultural Environmental Management--AEM Guide, Annual Reports, Steering Committee minutes, memoranda.

Agricultural Nonpoint Source Program--RFPs, Bond Act Tracking database, Pending Contracts database, projects list.

Comprehensive Nutrient Management Plan (CNMP)--2001 Manual, Sample Plan 2001.

NYS Soil and Water Conservation Committee--minutes, contract with SWCDs for services.

Memoranda of Understanding with various agencies, Water Quality Symposium Information, reimbursement information, annual plans and reports of SWCDs.

319 Funding Files--MOUs, Mini-Grant RFPs, County Water Quality Coordinating Committee surveys, agreement between NYSSWCC, NYS Agriculture and Markets and USDA NRCS.

Climate Resilient Farming.

Ecosystem-Based Management

Southern Tier Agricultural Enhancement Program

Agricultural Enhancement Program.

Agricultural District Programs

Agricultural District Review Information and maps/tax parcel data;  
Section 305-a(1) Reviews;  
Sound Agricultural Practice Opinions;  
Notices of Intent for Construction Projects (water & sewer) and for acquisition of land;  
Interpretations on what constitutes a crop, livestock and livestock product if not listed in Section 301(2)

Minutes from the Advisory Council on Agricultural.

Article VII and X of the Public Service Law as it affects farmland within the State.

## **Milk Control and Dairy Services**

Article 4 license--licenses issued to all milk samplers and testers for bacteria and chemical results.

Audits--documents and information collected through auditing milk dealers.

Complaints--log of consumer complaints received regarding the milk price gouging law.

Consumer Complaints--all complaints received and investigated.

Correspondence--letters sent to regulated parties and others.

Dairy Promotion Reports--obligation information for payments to the State of New York under the New York State Dairy Promotion Order, details of advisory board meetings, contract information, and progress reports.

Equipment Dealers--all dealers permitted to install farm and processing plant equipment.

Food Laboratory (FL) sample report -- the official sample reports for all dairy products sampled by Dairy Product Specialist and tested at the New York State Food Laboratory.

Import Permit Holders--permits for all companies importing dairy products into New York State from other states.

Inspection Reports--inspection reports for all establishments under license or permit (includes milk receivers, testers, certified milk inspectors).

Internal Department Memoranda--Information sent within the Department.

Mailing Lists--interested parties for different division programs, regulated parties, statistical information releases.

Memoranda--memos written to Division Personnel.

Milk Dealer License Applications--includes application, correspondence, security and financial information.

Milk Producers Security Fund and Bonding--information lists participants, account balances, financial information, and other administrative information.

Miscellaneous Violations--all unusual investigations.

Penalties--All penalties submitted to the Counsel's Office.

Retail Price Survey Information--information and data from field reporters, summary information, and historical data.

Seizures/Quarantines--all seizure and quarantine reports.

Statistics, Data and related information--collected under the market information program, and includes plant reports, bulk tank unit reports, route sales reports, payment reports.

Western New York Milk Marketing Area--information located in Buffalo, NY includes plant reports, payment reports, audit summaries, milk dealer information, and all associated documents related to the operation of the WNYMMO.

Wholesale Frozen Dessert License--all frozen dessert establishment licenses.

## **Plant Industry**

Annual Reports--nurseries, greenhouses and plant dealers; commercial fertilizer and agricultural liming materials; Division summary of activities.

Application for Licenses--nursery dealers, plant growers, commercial fertilizer distributors, sellers of agricultural liming materials, agricultural soil or plant inoculants.

Correspondence.

Inspection Daily Reports--horticultural and apiary inspectors.

Inspection Reports--plants, commodity, apiary, commodity sampling.

Licenses--nursery dealers, plant growers, commercial fertilizer distributors, sellers of agricultural liming materials, agricultural soil or plant inoculants, ammonium nitrate.

Mailing Lists.

Penalties--penalties submitted to the Counsel's Office.

Tonnage Reports--commercial fertilizers, agricultural liming materials.

## **State Fair**

Accident, injury, incident reports and claims with related correspondence.

Budget reports.

Contracts and related correspondence.

Purchase records and related correspondence.

OGS Fixed Asset Reports.

State Fair-related information ticket sales.

## **Statistics**

Press Releases.

Statistical publications.

Survey Procedures Manuals-instructions for conducting surveys.

## **Weights and Measures**

Annual reports of municipal directors.

Contractor laboratory test reports on petroleum samples.

Correspondence with Federal, state and municipal agencies, regulated parties and consumers.

Field quality system manuals, test procedures and related documents.

Inspection and sampling reports, including those submitted by municipal programs.

Metrology laboratory quality system manuals, test procedures and related documents.

Petroleum laboratory contract information and related correspondence.

Publications issued –W&M Law and Regulations, consumer guides and information).

Records of completed investigations and enforcement actions.

State and municipal inspector training (records of training provided).

Weigh master license applications and licenses.

## **Agency-Wide**

Mail Labels.

Purchase Orders.

**Dated: January 29, 2016**