

# **Tools for Advocates: Increasing Local Food Procurement by State Agencies, Colleges, and Universities**



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Advocacy organizations can **facilitate an increase** in local and regional food procurement by state agencies, colleges, and universities. Advocates can turn barriers into **opportunities to create a new food system.**

## A shifting landscape.

In recent years, consumer demand for local food has increased steadily, as more people choose to spend their food dollars at farmers markets, farm stands, restaurants, and grocery stores, as well as on community-supported agriculture operations (CSAs) that source agricultural products grown nearby. By 2008, the value of local food sales in the United States had reached \$4.8 billion, up from \$1.2 billion in 2007 and \$551 million in 1997.

Significant economic benefits accompany local and regional food initiatives. Money spent at a local farm circulates within that community between six and fifteen times, supporting local agriculture, businesses, and people.

Local food advocates have begun to focus on institutional purchasing as an additional marketing channel for locally-grown food. Consequently, there has been a growing interest in food procurement by private and public institutions—from K12 schools to colleges and universities, state agencies, and public hospitals. Many states have noted the potential for public institutions to serve as leading purchasers of locally-grown food, and have enacted legislation to promote the use of food grown within the state.

Despite this momentum, there are significant barriers to local procurement at the scale necessary to fill the needs of institutional buyers. Some of those barriers are addressed by the recommendations included here.



**Legislative and policy initiatives can change the food system to strengthen the local and regional economy.**

Enacting or strengthening local procurement laws and policies is an important step advocates can take to increase local procurement by state agencies, colleges, and universities.

There are two types of local procurement laws. One type of law sets up a **preference** for local food products. A local preference law directs state entities to prefer local food products if the local food is, for example, not more than 10% more expensive than out-of-state food. The second type of procurement law sets up a **target** for the amount of food that will be purchased from local producers. For example, a state may set a goal or require that, say, 20% of food products purchased by state entities be local farm or

food products within a prescribed number of years.

States can also set up procurement laws that incorporate regional food products into the preference or target. In some parts of the country, such as in New England, it makes sense to encourage purchasing of regional as well as local food. Advocates interested in this avenue can push their state government to enact preference laws that create a tiered preference: in-state food products receive the highest preference, regional food products receive a lesser preference, and out-of-region food products receive no preference.

Thirty-seven states across the United States already have some form of law or policy that requires or encourages a preference for local products in state procurement (and most other states have at least a reciprocal preference, which requires state agencies to increase the bid price of out-of-state bidders by an amount corresponding to the amount that the competing state accords to its in-state bidders). These laws vary greatly between the states; some apply specifically to food, while others apply to local products and services generally. However, most local procurement laws do not have any enforcement or compliance mechanisms. Many of the recommendations included in this paper can be used to strengthen already existing local procurement laws.

*Massachusetts' local procurement law sets a **preference** that requires state agencies to purchase in-state food products if they are not more than 10% more expensive than out-of-state food products. Illinois' local procurement law sets a **target** that, by 2020, 20% of all food and food products purchased by state agencies and universities shall be local farm or food products.*

## To increase local food procurement, advocates can:

### Promote legislative and policy initiatives.

- Pass local procurement legislation that sets either a preference for local food products or a target for local food product purchasing.
- Encourage a tiered preference system with in-state items receiving the highest preference, regional items receiving a smaller preference, and food products from outside the region receiving no preference.
- Ensure legislation includes a compliance mechanism, such as required annual reporting by relevant agencies, or consequences for non-compliance.
- Advocate that the state allocate funding to state entities to enable local and/or regional food product purchases. This funding is necessary because transitioning to local procurement may include start-up costs.
- Ask the state to rank colleges and universities (and even state agencies) based on their local and/or regional food purchasing in order to encourage local food purchasing.
- Push the state to create a public directory for farmers with contact information of purchasing agents at state agencies, colleges, and universities, and another public directory for purchasers with information about qualified farmers and distributors.

### Capitalize on increased demand.

With growing community interest in buying and eating local, state colleges and universities can get a competitive edge by increasing transparency around their food buying practices.

State colleges and universities should be ranked publicly in regards to their adherence to local procurement laws or efforts.

High rankings for colleges and universities could give them a competitive edge in student recruitment.

### Educate and connect the relevant players.

- Host networking events that connect institutional purchasers and farmers.
- Create “myth-busting” materials. Purchasers may know about local procurement opportunities, laws, or policies, but may have misconceptions about the barriers to procuring local food for their organizations. Public messaging is vital for change, and advocates can help correct these myths about sourcing locally.
- Host trainings to educate key players about any relevant state laws, policies, or advocacy efforts around local and/or regional food procurement.

For more information on these and other recommendations, please see the FLPC's reports on local procurement in Massachusetts: <http://blogs.law.harvard.edu/foodpolicyinitiative/publications/>

## To reduce barriers producers face when selling to institutions, advocates can:



### Encourage institutions to change buying systems to address the capacity and needs of small farm businesses.

- Split contracts between local, regional, and non-local foods to accommodate local growers. Most state entities use one contract to procure all of their food, thus precluding local producers from successfully bidding on the contracts because certain food products cannot be sourced locally. Splitting contracts allows local farmers to provide whatever foods are available locally, while permitting state entities to purchase non-locally available food products from national vendors.
- Acquire a dedicated credit account for local food purchases, speeding up the payment system to accommodate small-scale farmers' needs for timely reimbursement.

### Promote food aggregators/ food hubs.

- Reach out to farmers and encourage them to connect with aggregators or become aggregators themselves.
- Work with officials, such as the state department of agriculture, to formalize and support the services that aggregators can provide farmers. This could take the form of a certification for aggregators or another formalization process.

### Encourage acceptance of scale-sensitive certification.

- Emphasize to procurement officials and farmers that food safety certification (such as the federal Good Agricultural Practices (GAP) certification) is not required by law. Such certification is costly and can pose a significant barrier to small-scale farmers.
- Push for the state to create a fund that would help pay for first-time GAP certifications.
- Encourage agencies and food service management companies to create and/or accept less-costly certification. Massachusetts has created its own, less-costly food safety certification process, called the Massachusetts Commonwealth Quality Seal. Many food service management companies within the state accept the Massachusetts Commonwealth Quality Seal instead of the more-costly GAP certification.

#### Food aggregators.

Aggregators act as food distributors for small-scale farmers, collecting food from various local and regional farmers and distributing it to institutional purchasers.

Not only do they reduce the administrative burden on purchasers of vetting and sourcing food from multiple small-scale farmers, they may also provide critical logistical support for purchasers and help growers obtain access to liability insurance coverage and food safety certification, if necessary.

For example, Organic Renaissance Food Exchange (FoodEx) serves as an aggregator in Massachusetts and maintains an online ordering and management system to facilitate the purchasing process.



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**The Harvard Food Law and Policy Clinic** aims to increase access to healthy foods, prevent diet-related diseases, and assist small and sustainable farmers and producers in participating in food markets. Visit <http://blogs.law.harvard.edu/foodpolicyinitiative/> for more information.

**Massachusetts Farm to School Project** seeks to increase access to healthy, locally grown food in schools and other institutions for the good of our children, our farms, and our communities. Visit [www.massfarmtoschool.org](http://www.massfarmtoschool.org) for more information.

**Farm to Institution New England (FINE)** is a six-state collaboration working to strengthen our regional food system by increasing the demand for and use of New England food by New England institutions such as schools, hospitals, colleges, government agencies and corporations. Visit [www.farmtoinstitution.org](http://www.farmtoinstitution.org) for more information.

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