

NEW YORK Food Safety Jurisdictions and Enforcement Authorities



Agency jurisdiction and responsibility for regulating food safety varies from state to state. While an agency may have jurisdiction over a facility or commodity, not all agencies issue licenses or routinely inspect every facility or commodity type. All of the State agencies which have jurisdiction to regulate food safety within the state are listed in the tables below, with their jurisdiction over a particular facility type or commodity denoted by the word “Authority” or “Split Authority” in the row of the facility or commodity type within their column.





MANUFACTURER/PROCESSOR

FACILITY TYPE	NEW YORK DEPARTMENT OF AGRICULTURE AND MARKETS	NEW YORK STATE DEPARTMENT OF HEALTH	NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION	NEW YORK DEPARTMENT OF CORRECTIONS	LOCAL AGENCIES
Food Processor	Authority				
Food Repacked	Authority				
Food Salvager	Authority				
Bottled Water		Authority			
Ice	Authority				
Dietary Supplements	*				
Warehouse	Authority				
Food Banks	Authority				
Seafood	Split Authority		Split Authority		
Food Transport	Authority				
Beer/Wine	Authority				
Distilled Spirits	Authority				

COMMENTS:

* Defers to FDA (no NY inspection program).





DAIRY

FACILITY TYPE	NEW YORK DEPARTMENT OF AGRICULTURE AND MARKETS	NEW YORK STATE DEPARTMENT OF HEALTH	NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION	NEW YORK DEPARTMENT OF CORRECTIONS	LOCAL AGENCIES
Grade-A Plant	Authority				
Raw Milk	Authority				
Cheese	Authority				
Yogurt	Authority				
Cream/Sour Cream	Authority				
Butter	Authority				
Ice Cream	Authority				
Milk Pooling	Authority				
COMMENTS:					





MEAT/POULTRY

FACILITY TYPE	NEW YORK DEPARTMENT OF AGRICULTURE AND MARKETS	NEW YORK STATE DEPARTMENT OF HEALTH	NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION	NEW YORK DEPARTMENT OF CORRECTIONS	LOCAL AGENCIES
Meat	*				
Poultry	Authority ¹				
Rabbit	Authority				
Other Non-Amenable Species	Authority				
Custom Slaughter	*				
Livestock Inspection	Authority				
Pet Food – Raw	Authority				
Pet Food – Processed	Authority				
Egg Inspection/Grading	Authority				

COMMENTS:

* Defers to USDA.

¹ Processed under USDA exemptions.





ANIMAL FEED

FACILITY TYPE	NEW YORK DEPARTMENT OF AGRICULTURE AND MARKETS	NEW YORK STATE DEPARTMENT OF HEALTH	NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION	NEW YORK DEPARTMENT OF CORRECTIONS	LOCAL AGENCIES
Feed	Authority				
Medicated Feed	*				
BSE Inspections	Authority				
Rendering Plant	Authority				
Grain	Authority				

COMMENTS:
* Defers to FDA.





RETAIL FOOD

FACILITY TYPE	NEW YORK DEPARTMENT OF AGRICULTURE AND MARKETS	NEW YORK STATE DEPARTMENT OF HEALTH	NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION	NEW YORK DEPARTMENT OF CORRECTIONS	LOCAL AGENCIES
Restaurant		Split Authority			Split Authority ¹
Food Service		Split Authority			Split Authority ¹
Grocery Store	Authority				
Market	Authority				
Convenience Stores	Authority				
Public/Private Schools		Split Authority			Split Authority ¹
Correctional Facilities		Split Authority ²		Split Authority	
Hospitals		Authority			
Long-Term Care		Authority			
Nursing Homes		Authority			
Other Institutions		Split Authority			Split Authority ¹
Vending Machines		Split Authority			Split Authority ¹
Mobile Food Facilities		Split Authority			Split Authority ¹
Caterers		Split Authority			Split Authority ¹
Home Based Processors	Authority				

Retail Food list continued on next page.



RETAIL FOOD (continued)

FACILITY TYPE	NEW YORK DEPARTMENT OF AGRICULTURE AND MARKETS	NEW YORK STATE DEPARTMENT OF HEALTH	NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION	NEW YORK DEPARTMENT OF CORRECTIONS	LOCAL AGENCIES
Temporary Food Facilities		Split Authority			Split Authority ¹
Water Vending Machines	Split Authority ³	Split Authority ³			
Ice Vending Machines		Authority			
Farm Stands	Authority				
Farmers Markets	Split Authority ⁴	Split Authority ⁴			Split Authority ⁴
Live Poultry Markets	Authority				
Food Pantry	Authority				

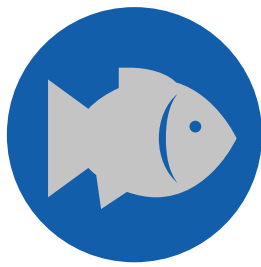
COMMENTS:

¹ Albany, Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Dutchess, Erie, Genesee, Livingston, Madison, Monroe, Nassau, Niagara, Oneida, Onondaga, Orange, Orleans, Oswego, Putnam, Rensselaer, Rockland, Schenectady, Schoharie, Seneca, Suffolk, Tioga, Tompkins, Ulster, Westchester, and Wyoming Counties and New York City. State Health covers the remaining counties through nine district health offices.

² Local jails only, Department of Corrections self-inspects state prisons.

³ Self serve water vending machines; Agriculture & Markets/Served water vending machines; Department of Health.

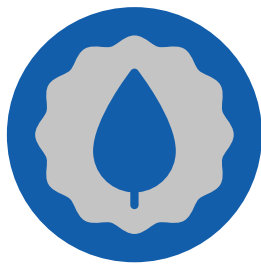




SHELLFISH/AQUACULTURE

FACILITY TYPE	NEW YORK DEPARTMENT OF AGRICULTURE AND MARKETS	NEW YORK STATE DEPARTMENT OF HEALTH	NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION	NEW YORK DEPARTMENT OF CORRECTIONS	LOCAL AGENCIES
Shellfish Growing Areas			Authority		
Shellfish Post Harvest Handling			Authority		
Shellfish Depuration			Authority		
Shellfish Patrol			Authority		
Biotoxin Monitoring			Authority		
Aquaculture			Authority		
COMMENTS:					





ORGANIC FOODS

FACILITY TYPE	NEW YORK DEPARTMENT OF AGRICULTURE AND MARKETS	NEW YORK STATE DEPARTMENT OF HEALTH	NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION	NEW YORK DEPARTMENT OF CORRECTIONS	LOCAL AGENCIES
Organic Production					
Organic Food Handling					
Organic Food Processing					
COMMENTS: None					





PRODUCE

FACILITY TYPE	NEW YORK DEPARTMENT OF AGRICULTURE AND MARKETS	NEW YORK STATE DEPARTMENT OF HEALTH	NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION	NEW YORK DEPARTMENT OF CORRECTIONS	LOCAL AGENCIES
Farms	Authority				
Packing Sheds	Authority				
Repackers	Authority				
Terminal Markets	Authority				
COMMENTS:					





ENFORCEMENT AUTHORITY

Each state regulatory agency has enforcement authorities that are established through state laws, regulations, or administrative rules. These enforcement authorities enable the agency to perform their regulatory functions and ensure the safety of the food supply. Below are the authorities of each agency.

FACILITY TYPE	NEW YORK DEPARTMENT OF AGRICULTURE AND MARKETS	NEW YORK STATE DEPARTMENT OF HEALTH	NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION	NEW YORK DEPARTMENT OF CORRECTIONS	LOCAL AGENCIES
Embargo/Quarantine	Authority	Authority			Authority
Seizure	Authority				
Condemnation & Destruction					
Voluntary Condemnation & Destruction		Authority			Authority
Stop Sale Orders	Authority				
Health Advisories		Authority			Authority
Administrative Penalties		Authority			Authority
Criminal Penalties					
Civil Penalties	Authority				

Enforcement Authority list continued on next page.





ENFORCEMENT AUTHORITY (continued)

FACILITY TYPE	NEW YORK DEPARTMENT OF AGRICULTURE AND MARKETS	NEW YORK STATE DEPARTMENT OF HEALTH	NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION	NEW YORK DEPARTMENT OF CORRECTIONS	LOCAL AGENCIES
Injunction	Authority				
Warning Letters	Authority	Authority			Authority
License Suspension	Authority				
License Revocation	Authority	Authority	Authority		Authority
Hearings	Authority	Authority	Authority		Authority
Closure		Authority			Authority
Mandatory Recall					
Inspection Warrant	Authority	Authority	Authority		Authority
COMMENTS:					

