



National Supermarket Association

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3000 SW 148th Ave, Suite 110

Miramar, FL 33027

Phone. 954.704.1188

Fax. 954.342.5873

www.nsafloida.org

March 18, 2020

The Honorable Andrew M. Cuomo
Governor of New York State
New York State Capitol Building
Albany, NY 12224

The Honorable Bill de Blasio
Mayor of New York City
City Hall
New York, NY 10007

Dear Governor Cuomo and Mayor de Blasio:

I want to begin by thanking you both for your steadfast leadership of the State and City during the midst of a health pandemic. As we wade through this crisis, the independent supermarket industry is playing a key role in maintaining a critical supply chain so that people have access to food and much needed home supplies.

We are facing an unprecedented level of demand and are doing everything we can to mobilize our employees, communicate with our suppliers and operate our stores as efficiently and effectively as we can to meet the demands of our customers while keeping costs low. To ensure we can continue to serve our communities, we are calling on the State and the City to act in the following ways so that we can focus on the emergency tasks at hand:

- Provide the industry leaders with suggested protocols to make sure our employees and customer stay safe
- Designate an official in Governor's office to serve as a point of contact to liaise with the supermarket industry to address on the ground issues in real-time. (Mayor designated a point person this week)
- Place a moratorium on all fines not related to health and safety, including but not limited to enforcement from the New York City Department of Consumer & Worker Protection (DCWP), New York City Department of Sanitation (DSNY), New York State Department of Environmental Conservation (DEC) and the New York State Department of Agriculture and Markets.
- Permit replacements under the Women, Infants and Children (WIC) program when approved items are out of stock. For example all types of milk and eggs, etc.
- Temporarily suspend the fair work week law as it relates to retail establishment. This is a time when we need all hands on deck, and schedules are changing rapidly, we should not be penalized under these circumstances.



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- Temporarily suspend the requirement on supermarkets to accept bottle return services as many of our stores do not have bottle return machines and the continued collection of bottles exposes our employees to unsanitary conditions when they should be focusing on other critical functions.
- Supply NSA member stores with the NYS Clean Hand Sanitizer, mask and gloves for employees
- Recognition and understanding the role that manufacturers and distributors play in “price gouging.” As manufacturers and subsequently the distributors continue to increase their prices, these increased costs are inevitably passed onto our member supermarkets. We cannot absorb the increased costs are forced in some cases to pass these onto our customers. We want to be clear that we are not in the business of taking advantage of customers we consider family and friends.
- We encourage the city and state to urge the Federal government to expedite the process of distribution and supply given the circumstances.

We thank you for your consideration of our requests and look forward to continuing to work with both of your administrations to ensure that customers continue to have access to the fresh foods and supplies they so desperately need right now.

Sincerely,

William Rodriguez
President

Elizabeth Peralta
Executive Director

Nelson Eusebio
Director of Legislation

Cc:

New York State Senate Majority Leader Andrea Stewart-Cousins
New York State Assembly Speaker Carl Heastie
New York City Council Speaker Corey Johnson