

**REPORT OF THE
DEPARTMENT OF FARMS
AND MARKETS, PP. 5-71**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649333158

Report of the Department of Farms and Markets, pp. 5-71 by Various

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STATE OF NEW YORK

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REPORT

OF THE

New York
Department of (Farms) and
agriculture
Markets

INCLUDING REPORTS OF THE

COUNCIL OF FARMS AND MARKETS

DIVISION OF AGRICULTURE

DIVISION OF FOODS AND MARKETS

FOR THE YEAR 1919



ALBANY
J. B. LYON COMPANY, PRINTERS
1920

Exchange
774 State Library
2/24/31

REPORT OF THE COUNCIL OF FARMS AND MARKETS

To the Legislature of the State of New York:

The report on the work of the Department of Farms and Markets, which we have the honor to transmit to you herewith, is intended to give you and the people of the State, an account of the organization, activities and accomplishments of this department during the calendar year of 1919.

In that period, this department which is a creature of the Legislature and responsible directly to it, was a target for much unfair criticism. In presenting this report the council desires nothing more than recognition for what has actually been accomplished through the Division of Agriculture, the Division of Foods and Markets and its own activities.

Out of all the criticisms that have been made of the Council and the department, whatever their source or their motives, the council has endeavored to utilize every suggestion of constructive value in building up the efficiency of the work with which it is concerned. Most of the criticism has borne little evidence of springing from a real understanding of the problems confronting this body or a genuine desire to assist in meeting them. To those who desired to make unfriendly criticism for personal ends, it has been easy to create the impression that this Department, might if it chose, in some magic way, change economic conditions from which all have suffered but which are world-wide and utterly beyond our control.

The general unrest over rising prices of all commodities including foods naturally encourages the grasping for quick solutions, and the hope that governmental agencies may suddenly exercise powers that they have never been granted, strength for which no equipment has been provided, and wisdom above that of the people themselves.

In full consciousness of this situation the Council and the Commissioners responsible to it have bent every energy toward meeting the responsibilities placed upon them. Their responsibility first was to see that the fundamental regulatory laws for

which the department is responsible were efficiently enforced. Second, they had to work out new activities and new policies to carry out the new duties placed upon them. And third, they have had to seek ways in which they might meet temporary emergency conditions for the solution of which neither new powers nor equipment were at hand.

The inquisitorial investigation to which the department was subjected during the latter half of this year was a great hindrance to its morale and efficiency. Day after day for weeks the time of bureau heads and clerical force in the Albany office was consumed in complying with the demands of investigators whose only idea was to find something that would appear sensational. The investigation failed to bring to light the misuse of a single cent of the funds received and disbursed by the department or the dishonest handling of a single legal case.

In presenting the reports which follow, the Council and the two Commissioners are conscious of many things they would like to have accomplished in the year 1919 that conditions beyond their control prevented them from accomplishing, but they are proud of the progress that has been made with the resources at their command.

COUNCIL OF FARMS AND MARKETS.

By WILLIAM E. DANA, *President.*

Albany, N. Y., *February 10, 1920.*

COUNCIL OF FARMS AND MARKETS

REPORT FOR 1919

In the fifteen meetings held by the Council of Farms and Markets in 1919, the Council gave consideration to a large range of matters having to do with the organization of the Department, the determination of questions of policy in the administration of the agricultural and marketing laws and the meeting of new problems of agriculture and food distribution that arose during the year. In addition to these general meetings the Council or committees of the Council held eighteen public meetings on the milk problem in thirteen different cities, two public meetings in regard to the sale of cold storage eggs, a hearing on proposed legislation relating to feedstuffs and various conferences.

General Administrative Functions

Included in the general administrative matters acted upon by the Council are all questions relating to departmental organization and assignment of responsibility between the two divisions, the making of appointments on recommendation of the commissioners, the receiving of progress reports and recommendations regarding disposition of violation cases from each of the two divisions, the presentation of the annual budget of the Department to the Legislature and the investigations of complaints against the administration of either division.

Milk Investigations

Under the farms and markets law the Council is authorized to "act as mediator or arbitrator, *when jointly invited*, in any controversy or issue that may arise between producers and distributors of food." In the milk strike in New York City in January, 1919, and in other controversies over the price of milk in up-state cities the Council, therefore, stood ready to act, but with the exception of a few smaller cities, was not jointly invited. The situation in New York City in January resulted from discontinuance on December 19, 1918, after the signing of the armistice, of the supervision over milk prices exercised by the Federal Food

Administration which by agreement during the war had sole control over milk prices. About this time the district attorney of New York County instituted a John Doe proceeding and, subsequently, the Governor appointed a special commission to adjust the controversy and this body continued to act as arbitrator in the months following, a formula for arriving at a price for fluid milk based on current prices of butter and cheese being adopted.

On January 20, 1919, John Mitchell, then the President of the Council, presented a plan for an investigation of the cost of producing and distributing milk, the expense of the investigation to be defrayed either by direct appropriation by the Legislature or by transfer of unexpended funds of the Food Commission, to an amount of \$25,000. The purpose of this plan was to avoid the superficial type of investigation that consisted merely in weighing controversial testimony and to make accounting and engineering examinations that would bring out the real facts on which a public policy could be based. The plan was adopted by the Council but could not be carried out because of the unwillingness of the Governor to approve the appropriation.

Without waiting for funds to carry out this plan, however, the Council decided to comply with the request of the City of Glens Falls and make an investigation there as to the price charged consumers for milk. A committee of the Council consisting of Messrs. Dana, Clark, Pratt and Day, were appointed to conduct milk investigations, with assistance of the counsel and the two commissioners. This committee held hearings in Glens Falls and subsequently in New York City, Albany, Syracuse, Utica, Binghamton, Poughkeepsie, Canton, Watertown, Middletown and Troy. It also secured data as to cost of distribution in Olean, Batavia, Lockport and Jamestown, and reviewed investigations made in Buffalo and Rochester.

As a result of the inquiry at Glens Falls the Council took action on February 13 recommending that the distributing companies of Glens Falls deliver milk during the month of March to consumers at not exceeding 12 cents per quart, which decision was transmitted to the dealers and to the press of that city.

The Council made a report on April 18, 1919, to the Legislature, embodying the results of its investigation up to that time

and recommending that provision be made for a thorough investigation of the cost of distribution of milk in New York City. Because of the opposition of the Governor, sufficient funds for this investigation were not appropriated, however. Reports on the investigations in Glens Falls and Troy were published in the September bulletin of the Division of Foods and Markets.

For the purpose of considering proposed legislation to reduce the cost of milk distribution the Council decided to hold a series of public hearings in the principal cities of the State, three of which were held before the end of the year. One of these was a general public hearing in the Aldermanic Chamber, City Hall, New York City, on December 4, at which anybody who desired to present any plan for reducing milk costs was given a chance to do so. This was followed the next day by a conference with various representatives of consumers' organizations, civic bodies and of the producers and distributors. A similar public hearing was held in Buffalo December 11th.

European Corn Borer

The appearance of the European Corn Borer in the Mohawk Valley in January, 1919, was brought immediately to the attention of the Council and as a result of a hearing on the subject at the College of Agriculture in Ithaca, February 13th, a committee of the Council was appointed to formulate a plan for meeting the situation. On recommendation of the Council the Legislature made an initial appropriation of \$75,000 and a subsequent appropriation of \$25,000 to be used by the Division of Agriculture in exterminating this insect.*

Consideration of Storage, Markets and Marketing

Early in the year the Council appointed a special committee of five of its members to consider matters coming before the Council in relation to storage, markets and marketing. This committee cooperated with the Division of Foods and Markets in various inquiries and in September presented to the Council a partial program supporting the work of the Division.

* See report on this work under Bureau of Plant Industry, Division of Agriculture.