Food Deserts: Produce Trucks to the Rescue

Amending Laws in New Jersey to Permit Produce Truck Presence and Activity

Tag Words: Produce Trucks; Food Deserts; Legal Restrictions; Amending Laws

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Summary: Community gardens, small farmers markets, and new supermarket start-ups are helping to alleviate food deserts; areas where healthy food is difficult to access. Another potential solution to food deserts is introducing produce trucks into a community. Currently however, there are regulations in place which restrict the produce vendors ability to provide fresh fruits and vegetables in areas which need them. This can be solved by amending laws that target mobile vendors, granting produce trucks more freedom to sell produce in the heart of food deserts.

Video Link: https://www.youtube.com/watch?v=9d_08NTWkKg&feature=youtu.be

The Issue: Getting Mobile Food/Produce Vendors Out into the Community in Areas Where there is Little Access to Fresh Fruits and Vegetables

(JF) Individuals have access to food in most parts of the US, whether it is a convenience or grocery store, food bank or food truck. However, there are locations where healthy food, like fresh fruits and vegetables, is scarce. Individuals without access to healthy food end up paying more for processed foods or going to fast food restaurants to satisfy their hunger. Consuming these nutritionally-poor highly processed, high calorie foods over time will likely negatively impact health potentially resulting in obesity, diabetes, and heart disease among others.

(EM) There have been different solutions drawn up and attempted in hopes to solve the problem, but the plausible solutions have only been implemented in small areas. This means that there is no wide spread overnight solution, and the only way to fix the issue at hand is by taking small steps. An effective method that can target multiple areas is the introduction of a produce truck, a traveling vehicle that houses various produce. With the ability to transport a fairly large amount of produce to different locations and conduct business at those locations, they can give benefits such as healthier choices to communities that do not have those choices. Unfortunately, there are obstacles hindering this movement regardless of their nutritional and economic benefit. Therefore, it falls on the people to take the first step in solving the needs of produce stricken communities, by contacting the legislative system and amending the restrictions on the presence of produce trucks, allowing for produce trucks to establish themselves where no other food related vehicle has established themselves before.

Sanitation (EM)
The appearance of produce coming out of a truck may lead a few individuals to believe that the sanitation quota isn’t being upheld. That is understandable since the concept of selling produce on a truck is relatively new, and of the notion that trucks are not associated with cleanliness. Even though there are many sanitation guidelines to uphold when serving any type of food, sanitation is possible with produce trucks. Primarily, a food truck would have to focus on the treatment of the produce, hygiene of the workers, and cleanliness of the vehicle. It would meet one of those agendas if a produce truck vendor were to display their produce on shelves that are at least six inches above the ground, and spacing the produce so air can circulate, aerating the commodities [1]. This would prevent debris from the ground to kick up and contaminate the produce. All employees of the produce truck would also have to maintain cleanliness. Any person handling the produce via physical contact would have to adhere to modern sanitation practices to prevent unwanted debris on the produce [2]. A produce truck vendor can adhere to the guideline by wearing clean clothing and utilizing a nearby restroom to wash their hands. Finally, according to the USDA Food Safety and Inspection Service, “all food-contact surfaces, including food-contact surfaces of utensils and equipment, must be cleaned and sanitized as frequently as necessary to prevent the creation of insanitary conditions or the adulteration of product” [2]. The vendor would have to clean the shelves displaying the produce before the start of business and as well as after the workday is over. Following those guidelines would ensure a safe and clean business environment.

Furthermore, produce trucks would have an advantage over certain safety guidelines as well, due to the dynamic mobility of the business. For instance, the produce truck vendor would have no responsibility over the grounds in which they choose to establish themselves. By the USDAFSIS guidelines, good sanitation of the area where a person plans on establishing themselves would require proper maintenance of the grounds [2]. Since a produce truck would set up in a parking lot, industrial area, or residential area, it would have no claims to the grounds and not responsible for issues such as rodents, or wastes that accumulates not due to the produce truck. Although this can be seen as an advantage, the sight of either a rodent or collection of waste could repulse customers and therefore, locations must be set up with caution of appearance as well.

**Barriers to vegetable consumption (KW)**

About 132 studies all had a common theme, and that was that low-income communities do not have the same accessibility to fruits and vegetables that high-income communities have [3]. As income increases so does the availability of supermarkets, and thus, possibly contribute to the increase in the consumption of fruits and vegetables [4]. The lack of daily consumption of fruits and vegetables can cause an individual to be subjected to a plethora of diseases [3].

Low-income areas have been shown to have 30% fewer supermarkets compared to that of higher income areas [5]. Not having many supermarkets has a great deal of problems associated with it. Access to produce plays a large role in the consumption of fruits and vegetables. These areas with low access to supermarkets generally don’t have much vehicle access either [6]. A study done in a low socio-economic region found that those who had access to a car, consumed on average 3 servings of vegetables, and those without a car consumed only 2.3 servings of vegetables per day [7]. The same study found that those that had access to a store that sold vegetables within 100 meters of their house led to a significant increase in their consumption of vegetables compared to those that had a to travel a distance greater than 100 meters [7]. Another
study also found that the greater the distance to the nearest supermarket the less likely the individual is to consume vegetables [8]. If a food truck was parked within walking distance of where these individuals lived than this action could and should increase their consumption of vegetables.

The lack of produce accessibility is made up by the frequency of convenience stores on every corner. These stores enable the community easy access to high fat and high sugar foods [3]. These communities that have easy access to low nutrient, calorically dense foods, and low access to fresh produce may lead to an individual over consuming calories and under consuming nutrients. A diet lacking in adequate nutrients may lead to an increase in the risk of heart disease, cancer, stroke, macular degeneration, diverticulitis, and hypertension [9]. With the information from the aforementioned studies one might be able to say food produce trucks would help to increase the number of fruits and vegetables consumed by an individual. These trucks have the ability to increase accessibility of produce. They are mobile, and this would allow them to drive into food desserts. Their ability to move from one location to another would grant individuals that have never had easy access to fresh produce a convenient way to purchase it.

Shelf space in stores also plays a role in the consumption of vegetables. If a store was located within a block of the resident’s location had no shelf display of vegetables, they consumed merely 2.3 vegetables daily. Whereas stores that had greater than 3 meters of shelf space for produce led to an average consumption of vegetables of about 4.5 servings of vegetables per day [7]. Food produce trucks would have enough space in their trucks to carry up to 3 meters of produce. Displaying all of their produce to passer-bys may lead to an increase in consumption. These produce trucks would also be available for the community to enjoy weekly or daily depending on their schedule and the more frequent this produce is available, the more the individual may consume [10].

The Benefits of Vegetable Consumption. (KW)

![Figure 1](image)

Figure 1 [11]

There are many benefits and dire consequences when it comes to the consumption of fruits and vegetables. Consuming up to five vegetables a day has shown to reduce the risk of death by the following diseases: heart disease, cancer, stroke, macular degeneration, diverticulitis, and hypertension [9]. The number one leading cause of death in America is heart disease. By increasing the daily intake of fruits and vegetables to the recommended amount, the risk of
death from heart disease was reduced by 20%. Antioxidants found in vegetables may prevent cholesterol buildup and the blockage of arteries [9,12]. Also, the added fiber from fruits and vegetables in the diet may also help to reduce cholesterol, which may in turn improve heart health [13,14].

The development of cancer is also another disease in which nutrients may play a role. The Institute of Cancer refers to a cancer cell as any cell that grows out of control. These cells ignore the regulatory processes that other cells undergo. This can occur because a section of DNA has been damaged and has not been repaired by the natural processes of the body. Fruits and vegetables may protect the DNA from the initial damage or help the processes to repair the DNA most efficiently [15]. The World Cancer Research Fund and the American Institute for Cancer Research found that diets high in fruits and vegetables could lower the incidence of cancer by 20%. The British Health department, in an epidemiological study found that fruits and vegetables were moderately or strongly consistent with how protective they were against the following cancers: larynx, esophagus, stomach, pancreas, colon, breast, cervix, prostate, and bladder [9]. One specific mechanism for the protection against cancer was shown for the nutrient folate. Folate is high in citrus fruits and dark green leafy vegetables [16]. Mice deficient in folate led to DNA being more vulnerable to damage, and thus increase the likelihood of a mutation, which could lead to cancer [17, 18].

Wouldn’t A Multivitamin Be Much Easier? (KW)

A multivitamin alone would not be enough to combat these diseases. Vitamins found inside of fruits and vegetables are not the only factor in the reduction of the risk of cancer. There are molecules that help guard the DNA from damage called antioxidants. A class of antioxidants called indoles, which are located in cruciferous vegetables, have been shown to block tumors in animal models. Alliums, another class of antioxidants, located in onions and garlic has been shown to activate enzymes, which also act to protect the body. A variety of vegetables are needed to get all of the antioxidants required because there is not just one vegetable that has every antioxidant in it [9].

Using SNAP/WIC benefits for produce (KW)

Produce trucks catering to low income areas have to be able to take payment in the form of food assistance programs. In a trial done that piloted the use of a produce trucks in a food desert they found a quarter of their income for the season came in the form of food assistance benefits [19].

Where the produce is coming from (KW)

A huge benefit of using food trucks to distribute fruits and vegetables would be that it would help local farmers get their crops into the hands of those that may not have been able to access it previously. If local farmers were able to sell more of their crops it may allow them to increase their farmland to produce more and more goods. This may allow local communities to put more effort into local farming and decrease their purchasing needs of bulk produce from corporate farmers. This would decrease the need to ship produce halfway across the country or world from a corporate farmer. Shipping these products instead of growing them locally, results in four times the emissions of greenhouse gases [20]. Produce shipped from great distances also requires the farmers to harvest crops weeks before they’re ripe. This act of harvesting produce
early requires farmers to use different chemicals to get their produce to ripen during transport. Crops harvested early, that have to be stored and transported, have a lower nutrient profile than those harvested when ripe and served straight to consumers. [21]. One of the chemicals, ethylene, when used to ripen kiwi fruits was shown to significantly reduce the amount of vitamin c in these fruits [22]. Perhaps, one could say there is a nutritional advantage to consuming locally grown crops.

Figure 2 [23]

Health Costs due to Lack of Produce (KW)

You can reduce the risk of developing heart disease, cancer, stroke, macular degeneration, diverticulitis, and hypertension by consuming the proper amounts of fruits and vegetables. Not only could you improve the quality of your life but you could also reduce the strain of these diseases on the health care system. These diseases combined can cost the United States 661 billion dollars a year [24]. On an individual level, the cost of purchasing 4 servings of fruits and 5 servings of vegetables is $2.18 a day whereas the treatments for any of the diseases aforementioned could be much greater [25]. According to a Bloomberg report, it costs on average 106,385 dollars for heart surgery [26]. Someone could save nearly 50,000 dollars if they spent the money on fruits and vegetables and it prevented them from having to have heart surgery.

Costs of Long Distance Produce Transportation (KW)

Produce trucks could also increase your local farmer’s revenue. If local farmers partnered up with produce trucks they could get their crops into the hands of many more people. Having the produce truck pick the vegetables up from the local farmer would also decrease the cost of vegetables for the consumer by eliminating the farmer’s cost of transporting the produce to market [19]. Transporting crops from corporate farms instead of local farms really adds up. If everyone in America consumed one meal produced locally a week we could use about 1 million barrels of oil less a week [20].

Community’s Impact (EM)
Before the impact of a mobile produce truck’s presence can be determined, the community’s environment where produce trucks would be ideally implemented must be assessed first. The locations in which produce trucks would be most successful would be in locations that are void of nearby supermarkets and classified as food deserts. Food deserts are areas within the country that are lacking the accessibility of fresh fruit, vegetables, and other healthy foods. They are usually found in low income areas. This is primarily due to a lack of grocery stores, farmers’ markets, and healthy food providers [27]. This is an issue amongst many communities because if there is no healthy alternative choice in foods, then there will only be an increase in malnutrition and future concerning health problems. Furthermore, those same areas are heavy on local quickie marts, bodegas, and fast food restaurants which provide a large amount of processed, sugar-based, and fatty foods. [27]. Not only is there no healthy food available, but there is an abundance of unhealthy foods as seen in figure 3, further progressing an unhealthy lifestyle. Produce trucks would positively impact these communities with poor food options.

In communities where the produce truck concept has been implemented, there has been positive feedback coming from customers within the area. An example of such is seen in a produce truck run in Boston by an organization, known as Fresh Truck. The organizers of the Fresh Truck state that even though they have targeted locations in low income areas, they do not plan on serving the community lower quality produce. The Fresh Truck personnel are able to sell their produce to the communities they visit at a price that is 20 percent less than traditional markets [29]. The Fresh Truck targets low-income areas that are also designated food desert areas, and are directly impacting these communities in need of healthier food choices. They are helping the community by bringing fresh high quality produce to the people and selling the produce at a discounted price. A returning customer of the Fresh Truck states that he is on a budget and upset at how it is difficult to eat healthy today, however, thanks to the Fresh Truck, he is able to purchase produce that meets his budget, feeling as if he is rescued [29]. Individuals accept and
appreciate the presence of the produce truck. They believe it is a help to their community, and that it returns the ability to choose, back to the people, between healthy foods or unhealthy foods, rather than just having the latter offered to them. Produce trucks have a positive impact on communities and implementing more of them in food desert areas would be one step in solving the issue.

**Sustainability (EM)**

It might not be as well known of a fact, but food trucks have become prosperous over the past few years given their rough introduction into the food industry. Food truck vendors had to fight laws and restrictions in order to give themselves the opportunity to sell their consumable products in various “hot spots”, areas where a food truck vendor gets the most business. An example of such an event happened in Washington D.C. In December 2010, there was talk of plans to consider a moratorium on new food trucks by the city council, due to the request of landlords and brick-and-mortar businesses [30]. Food trucks were becoming popular and new vendors were sprouting within the area, which led to the proposed hiatus of food truck vendors. Fortunately, the food truck association in the region resolved the matter with a placement lottery. Even though the matter was resolved, there are still areas where vending on public streets is illegal regardless of the economic standings of the mobile food trucks.

As of 2014, it can be said that mobile food trucks have integrated themselves into the U.S. economy. According to the National Restaurant Association’s 2014 forecast, food trucks are actually a fast growing sector of the restaurant industry. In 2013, food truck sales reached $700 million, equivalent to 1 percent of total U.S. restaurant sales [30]. Therefore, food trucks have made enough sales to be recognized as a restaurant-type market. Furthermore, it is still a “growing sector”. This means that there is still room for the food truck market to expand and generate more income. A 2012 study conducted by Emergent Research concluded that if food truck’s market trend remained the same, food trucks would be able to quadruple their revenue to $2.7 billion by 2017 [30]. Based on the concept of growth, it seems as though food trucks have a sustainable mode of income and once they are permitted to sell their consumables in all public places, it would increase the chances of success with new vendors and new concepts surrounding food trucks.

One of those new concepts would be the substitution of a general food truck with a more specific produce truck. Review of the past few years show that food trucks are sustainable, and successful given the right conditions and environment, laws and restrictions permitting. This would give high hopes in a mobile food truck containing nothing but produce; that a produce truck can also be sustainable, and generate revenue while contributing to a community devoid of healthy food choices. There is no reason as to why a produce truck would not be sustainable as it has three powerful traits that lead it to be a sustainable business model.
Once established, a produce truck would have a more efficient economic plan than a regular grocery store. Food trucks utilize a lot less energy than most restaurants due to the fact that they only require a minute amount of fossil fuels to operate. This can also be furthered by converting to biodiesel making their movement from location to location environmentally friendly. Through their low energy consumption, mobile vendors encourage sustainable business models. Produce trucks would have less energy consumption and have fewer costs to pay, which in turn can provide a longer business. A second trait that would help produce trucks is their use of local produce. The amount of money and energy spent on either air or long distance ground transport of produce is larger compared to that of local transport. This leads to a fossil fuel waste as there are local resources available. Utilizing local produce lowers the cost of transportation and lowers the cost of the produce as well. The final economic trait is that produce trucks would have a low startup cost. There are high costs associated with starting up a new restaurant due to the operating costs, large staffing, and general running of the restaurant. Typically these high costs deter local entrepreneurship and limits economic opportunity. A produce truck would relinquish a major cost by having a single person operate a truck rather than a staff, and would only have to pay the costs of a permit reaching a variety of locations, whereas renting out a space for business guarantees one location. Overall, produce trucks would be able to sustain themselves, given that the laws of the region allow for their business.

**Obstacles: Produce Costs (EM)**

Even though selling produce out of mobile produce trucks would help alleviate the issue of food deserts, it would still come with some obstacles. One of these obstacles is the difference in price when comparing fresh produce to junk food. Not surprisingly, people are greatly influenced by the cost of food. Therefore, they might choose the cheaper alternative to purchase some fast food burgers over fresh fruits or vegetables if money is scarce. Price is a major component
in food selection regardless of nutrition. Even though produce trucks can have a beneficial presence in a designated food desert, if the price is too high compared to local fast food, then the issue remains at large, and if the price is too low, then the vendor risks falling below the break-even value. In addition to the consumer’s decision and adjusting a fair price, produce truck vendors would also have to also consider the increase in produce prices compared to the decrease in unhealthy food price. For instance, vegetables have become 41 percent more expensive, and fruits have become 46 percent more expensive than they were in 1978. Whereas sodas have become 33 percent cheaper than they were in 1978 [34]. Unfortunately, as seen in figure 5, healthy foods are progressively getting harder for low income areas to obtain. For a produce truck to be successful in a low income area, it would need to utilize all the resources available.

![Figure 5](image)

Figure 5 [34]

Produce trucks would have to contact local farmers and utilize the local produce to get the best value in order to sell produce at an affordable price in low income areas. By doing so, the vendors would be able to cut the human costs, and the safety costs associated with produce from grocery stores. A local farmer will have less staff and therefore would not have to raise his price to cover the costs of labor. An example of this is seen in large scale production. A CEO of a large U.S. meat company explained that in order to raise the wages by three dollars to help motivate the locals to work instead of utilizing immigrant labor, he would have to increase the price of his meat by three cents per pound [33]. In other words, the produce, or in this case meats that are purchased in grocery stores mimic the price of the commodity and the labor, not just the commodity itself. Furthermore, a local farmer would not have to raise the price of his produce too excessively due to safety costs as a corporate produce supplier would. The price of a commodity usually gets an added cost due to recalls, lawsuits, loss of sales, and ruined reputation [33]. Large scale producers of produce who suffer from recalls or lawsuits due to
unhealthy produce take a financial loss. To recuperate from the loss, their product gets an increase in price to slowly make up for it. For a produce truck to avoid the high price costs due to human and safety costs, it would be advised to use a local farmer as a supplier.

**Obstacles: Competition (EM)**

There are locations known as hot spots and with them comes a significant amount of business. However, placing a truck within these popular locations does not ensure a thriving business as there are other establishments vying for profit within a similar market. A secondary obstacle that food trucks now face and future produce trucks will face in the free market is the competition that is associated with it. Therefore, these truck vendors would have to deal with direct competition and indirect competition. Direct competition would typically come from another truck vendor selling the same type of commodity, service, or experience [35]. The concept of a food truck is not original anymore and there are other vendors that will utilize food trucks to sell the same commodity, where the difference between the vendors will be decided only through quality and service. Furthermore, vendors will have to expect to handle the indirect competition. Indirect competition would typically come from truck vendors that market a different commodity, service, or experience, but charge a similar price and plan to conduct business in the same vicinity [35]. Competition is a key factor in the marketplace and unavoidable throughout all modes of business.

Despite the high competition associated with the food industry, produce trucks, being a relatively new concept, can mitigate the competition due to its niche market. Produce trucks differentiate themselves from food trucks by carrying produce only, and therefore do not subjugate themselves to direct competition, especially if they were to set up a location within a designated food desert area. These areas can be further broken down into sub-categories such as low vehicle access, where low vehicle access is defined by USDA as an area where more than 100 households have no access to a vehicle and live farther than half a mile from the nearest supermarket [36]. With the nearest supermarket being a half-mile away, a produce truck would have no direct competition. However, there may still be indirect competition if a food truck were to establish itself within the same area as well. Within New Jersey, there are roughly 70 specialty food trucks. If New Jersey towns begin to ease up on regulations, the number would only increase [37]. Therefore, it may be likely that a food truck will end up establishing itself near a produce truck if more destinations begin welcoming mobile food vendors. Overall, produce trucks can decrease the amount of competition, both direct and indirect, by clearly stating their importance and difference from typical food trucks, in order to get access to locations where there has been no prior mobile food truck business.

**Obstacles: Laws and Restrictions (EM)**

Although food trucks are legal and there are no fallacies in their business. There are laws and regulations that prohibit their business solely based on old or trivial laws, for instance, there is a similar restrictive law in the city of Jersey City, NJ. “No person conducting, operating or maintaining mobile food vendor, shall be permitted to sell food or drink within three hundred (300) feet of any licensed eating and drinking establishment, nor shall he or she be permitted to remain in any location for a period exceeding one hundred twenty (120) minutes during a four-hour period” [38]. Now, although mobile food truck vendors are permitted to be on the premises, they are given restrictions to abide by. The food trucks are treated as eating and
drinking establishments just like other restaurants, and have to follow proper zoning regulations such as maintaining a distance between other food related establishments. However, they are segregated from restaurants by being given a time limit for their presence and business. Furthermore, food trucks are also given restrictions on the parking of their vehicles as well. “No mobile food vendor shall operate in any area where parking of motor vehicles is prohibited, restricted or regulated” [38]. On top of having to worry about their distance from another food establishment and time allowed to conduct business, food truck vendors are also not given areas to sell their commodity and have to be mindful of where they are establishing their truck.

Even though produce trucks are different from food trucks as they are more specific and are more healthy food oriented, they will still be grouped up with other food truck vendors, and have the same laws and restrictions to face regardless of their beneficial potential to communities. The reasoning is that the laws and restrictions imposed against mobile food trucks only pertain to food trucks in general, and does not differentiate between produce trucks and general prepared food trucks. The only way for the issue to be resolved is to reach out to our legislators within these communities in need of healthier food choices, and plead for the laws and restrictions to be amended to accommodate the passage of produce trucks and opportunity to conduct fresh produce based business. Such an act was done in Minneapolis, where the Minneapolis City Council and their mayor agreed on a set of rules that would allow a mobile produce vendor permission to sell produce in neighborhoods that have limited fruit and vegetable access [39]. Produce trucks in Minneapolis were incorporated into the city’s law and differentiated themselves from food trucks granting a separate set of rules to follow. The newly introduced produce trucks were allowed to conduct business in the parking lots of commercial, industrial, and residential units. However they were not allowed to operate within 100 feet of an already established farmers market or grocery store, unless given permission to do so. Furthermore, these produce trucks had to stay true to their healthy food mission, and had to carry at least seven varieties of fresh fruits or vegetables. No alcohol or tobacco could be sold from a produce truck and if non-food items were sold as well, the non-food sales could not make up more than ten percent of the trucks total sales [39]. The produce trucks were given separate and fair guidelines to follow. Due to the efforts in Minneapolis, healthier food choices were available in areas in need of them, and it proved that restrictions that produce truck vendors’ face can be overcome.

Other Barriers to Starting a Produce Truck (KW)

An aspiring new produce truck vendor would have to filter through the legalities of selling produce before setting up shop. This would mean, obtaining a license, permit, insurance, and various certifications depending on the location of the area that the truck will be serving. In addition to the location, finding an appropriate spot to conduct business may prove to be troublesome for a new produce truck vendor. Finding a parking space is the initial barrier to location because there may be no customers in the area. Many different parking areas are needed just in case a few are bad spots [40].

Once the legalities and locations have been dealt with, there are a few extra costs that may come along in the future for a produce truck vendor. Attendance fees are one of them. If a vendor is planning on selling at festivals or events, a promoter may want a percentage of the sales. This could impact the sustainability of the vendor. Furthermore, the inability to store bulk food items
may begin to diminish profit over time. Since the produce is served out of a truck, there will probably be a lack of extra space to buy food items in bulk. This will require the vendor to go to their supplier often, and it may cost more to buy in small quantities [40].

Besides the external extra costs of attendance and repeated supply purchases, there will be internal extra costs as well. Automotive repairs will eventually become a cost every produce truck vendor will have to face. A common complaint by food truck owners is that they wish they had just purchased a new truck in the first place due to all the repair costs in the first year. It may be wise to learn a bit about automotive repairs prior to starting a produce truck business, or to invest into a new truck. Other than the maintenance, a generator is a cost that might become necessary to avoid relying on the truck’s battery. It will be necessary if a truck requires produce to remain at a specific temperature while sitting at a location for a substantial period of time. Also, the generator if purchased has to produce little pollution, and little to no noise. The noise and the pollution may drive customers away or violate ordinances [40].

**Community Action: Distribution of Proposals to NJ Cities in Need of Produce Trucks**

**Segregation of Produce Trucks from Food Trucks (EM)**

Unfortunately, there are laws in New Jersey that prohibit or restrict the presence of food trucks. The laws vary from city to city, and county to county. Produce trucks are grouped up along with food trucks and share the same restrictions. The objective is to send a proposal to amend these minor laws, and allow permission for produce trucks to enter places where food trucks are not allowed. This way, areas where healthy food is not accessible can be more readily accessed.

**Guidelines for Produce Trucks (EM)**

If the permission for produce trucks is granted, there are guidelines future produce trucks vendors will have to abide by to ensure a fair marketplace. The first guideline is that the vendor will have to establish themselves at least 100 feet away from any grocery store. This way competition is slightly mitigated among those who sell produce. The second guideline is what defines the produce truck, and separates it from a food truck. A produce truck granted permission has to carry at least seven different varieties of fruits or vegetables to ensure a healthy selection to an area. Furthermore, the vendor should not sell “junk food” of any kind. The purpose of the produce truck is to allow access of healthy foods to places where it is difficult access, therefore, strictly produce are allowed as a food commodity. A third guideline is that the produce truck vendor cannot sell prepared foods that would be similarly sold at a general food truck. The key point is to separate produce trucks from food trucks, not to circumvent the laws. Finally, produce truck vendors are not to sell tobacco, and their non-food sales cannot exceed more than 10% of their total sales. The only non-food items to be sold, are the sales of drinks, limited to water or any freshly produced fruit juice. The objective of the produce truck is to provide produce variety and not market off of non-food products.

**Targeted Cities (EM)**

The targeted cities in this attempt to help produce trucks become more accessible are as follows: Montclair, Elizabeth, Morristown, Cape May, and Wildwood. These cities have been selected because of their situation and restrictive ordinances against food trucks in general. Each of the cities selected have some type of a location restriction, time of sale restriction, and or a duration
restriction imposed upon mobile vendors. Furthermore, based on the United States Department of Agriculture Economic Research Service, these cities either completely or partially meet the criteria of a food desert area. Montclair is partially affected with small areas having low income and low vehicle access. Morristown and Cape May have a higher level of severity, as they both have a large area that is classified as low income but generally average vehicle accessibility. Finally, Elizabeth and Wildwood have the highest severity as they have a large area within their respected city that is classified as both low income, and low vehicle accessibility. Low income is defined by an area that has a poverty rate of 20% or higher, or where families make 80% of the median income for the specific area. Whereas low vehicle access is defined by USDA as an area where more than 100 households have no access to a vehicle and live farther than half a mile from the nearest supermarket. A combination of low income/low vehicle accessibility along with restrictive ordinances is what fuels food desert areas. Proposals in hope to amend the ordinances will help pave the way in ridding these food desert areas.

Letter to City Hall (KW)

The Honorable Mayor J. Christian Bollwage
City of Elizabeth
50 Winfield Scott Plaza
Elizabeth, NJ 07201

This letter is written to respectfully request your consideration to amend the vendors and peddlers ordinance chapter 5.116. Amending this ordinance to be more lenient for produce trucks (mobile farmers markets) could be incredibly beneficial to the health of your community. Using the United States Department of Agriculture Food Access Research Atlas we were able to determine that many residents from the City of Elizabeth were located a half of a mile or more from the nearest supermarket.

During the course of studying at Rutgers, it has become apparent that a great way to improve overall health would be to increase the consumption of fruits and vegetables to recommended levels. According to the world health organization a sufficient fruit and vegetable intake has been shown to reduce the following diseases: heart disease, cancer, diabetes, and obesity.

Mobile farmers markets will increase the availability and access of produce for your community members. Increasing access to fresh fruits and vegetables leads to an increase in consumption of them. Mobile farmers markets should be granted a permit separating themselves from food trucks. Under the current restrictions it makes it too difficult for anyone to make profits. Not only do these restrictions make it difficult on the produce vendor, but they also make it difficult for the residents to purchase from the produce trucks. Mobile farmers markets, unlike food trucks or other mobile venders, selling only fresh produce would not interfere with restaurants.

It is imperative to amend section 5.116.010 to define that a mobile farmers market carries at minimum seven varieties of fruits and vegetables, no other edible items, and that non-edible item sales make up no more than 10% of their total revenue. Additionally, to amend 5.116.090
part H to allow mobile farmers markets to park and sell crops for a minimum of 2 hours in one location, to not be required to move a minimum distance, and to be allowed to relocate back to the same location more than once in 24 hours.

Changing these restrictions would make it worthwhile for mobile farmers markets to serve your community. Mobile farmers markets could increase your community’s ability to access fruits and vegetables, and this increase in accessibility can improve the overall well-being of your community.

There needs to be segregation between food trucks and produce trucks. Unfortunately, there are laws in New Jersey that prohibit or restrict the presence of food trucks. Produce trucks are grouped up along with food trucks and share the same restrictions. The objective is to amend these minor laws, and allow permission for produce trucks to enter places where food trucks are not allowed. This way, areas where healthy food is not accessible can be more readily accessed.

Here is a more detailed look into the guidelines produce trucks should abide by to ensure a fair marketplace. The first guideline is that the vendor will have to establish themselves at least 100 feet away from any grocery store. This way competition is slightly mitigated among those who sell produce. The second guideline is what defines the produce truck, and separates it from a food truck. A produce truck has to carry at least seven different varieties of fruits or vegetables to ensure a healthy selection to an area. Furthermore, the vendor should not sell “junk food” of any kind. The purpose of the produce truck is to allow access of healthy foods to places where it is difficult access, therefore, strictly produce are allowed as a food commodity. A third guideline is that the produce truck vendor cannot sell prepared foods that would be similarly sold at a general food truck. The key point is to separate produce trucks from food trucks, not to circumvent the laws. Finally, produce truck vendors are not to sell tobacco, and their non-food sales cannot exceed more than 10% of their total sales. The only non-food items to be sold, are the sales of drinks, limited to water or any freshly produced fruit juice. The objective of the produce truck is to provide produce variety and not market off of non-food products.

In conclusion, changing these ordinances is only the first step in securing the beneficial presence of food trucks. It does not solve the issue of food deserts, but it will set the foundation for alleviating it. If this proposal is taken seriously, it will open the opportunity for a mobile produce vendor to get their produce to communities that need them. It will provide a healthy relationship with communities and local farmers, helping local farmers sell their goods while giving communities healthier food options. Furthermore, a domino effect might be seen if the city of Elizabeth complies, influencing other food desert cities with restrictive laws to amend said laws, for the sake of their citizens. With more produce trucks becoming easily accessible to communities, the severity of food deserts can be mitigated, thus improving the quality of life for many people. Improvement of the situation will not happen, unless the first step is taken, and laws are amended.

Sincerely,
Kyle Wolf, Emil Milan & Dr. Julie Fagan
Rutgers, The State University of New Jersey
57 US Highway 1
New Brunswick, NJ 08901-8554
Addresses Sent to:

Montclair Township  
205 Claremont Avenue  
Second Floor  
Montclair, NJ 07042

City of Elizabeth  
50 Winfield Scott Plaza  
Elizabeth, NJ 07201

Morristown Town Hall  
200 South Street  
Morristown, NJ 07960

City of Cape May  
643 Washington Street  
Cape May, NJ 08204

City of Wildwood  
4400 New Jersey Avenue  
Wildwood, NJ 08260

Targeted Ordinances (EM)

Each of these cities has one or two ordinances, which do not restrict the presence of produce trucks, but restrict the accessibility of produce trucks. Elizabeth, NJ, as seen in Appendix A, employs a regulation on mobile vendors that limits the amount of time a vendor can remain within an area to the time required to make a sale. If a produce truck were to be implemented in Elizabeth, then the vendor would require time to settle down in an area in hopes to reach out to as many people as possible. A produce truck leaving a location directly after making a sale does not allow adequate time for individuals to spot the truck and make their way towards it. It would be beneficial to the city of Elizabeth if city hall would extend the time a produce truck would be allowed to remain in an area.

Montclair has a similar restriction imposed upon mobile vendors as seen in Appendix B. The city of Montclair limits the time a mobile vendor can stay within residential areas to 15 minutes whereas it is raised to 30 minutes everywhere else, and by limiting the hours in which business can be conducted. These two time constraints counter the mission of a produce truck, which is to provide healthy food options to communities that do not have them. Although mobile vendors are given more time than in Elizabeth, it still remains as not enough time. Also, limiting the time spent in a residential area would defeat the purpose of produce trucks as they are aimed at helping individuals which will reside in residential areas. Furthermore, the time constraints on the hours in which business can be conducted are not well placed for a produce truck. Individuals will typically work during the allotted time given to mobile vendors. Therefore, a produce truck will not be able to reach out to those that work till the afternoon. The hour for business needs to be extended, or moved to later in the day with regards to produce trucks. Montclair’s citizens can
benefit from produce trucks if the township would extend the time allotted to remain in a location as well as extend the hours business can be conducted.

Morristown also holds a time limit on mobile vendors as seen in Appendix C. Once again, there is a time constraint placed on mobile vendors as they are required to relocate 15 minutes after a sale, resetting the time constraint with each new sale. This mode of sale is acceptable for an ice cream truck or a lunch providing truck, but not for a produce truck. Furthermore, after the allotted 15 minutes has been expired, the vendor cannot return to the same location for another fixed period of time. A produce truck vendor would need the permission of returning to locations at the time individuals are capable to visit the vendor. It would be beneficial if the city of Morristown extended the time a produce truck can remain in an area and allow for the vendor to return to a location whenever it benefits the community.

Cape May allows for mobile vendors to conduct business however, their regulations revolve around a rotation of different vendors to specific locations. As seen in Appendix D, Chapter 379 4-B explains how a mobile vendor is allowed a good location for a maximum of 24 hours and then afterwards need to relocate at least 250 feet away from the original spot. A produce truck would have to have the option to come back to the same location in order to keep the familiarity of the community. It would not make sense for a produce truck to target a community but not be able to visit the same locations daily. It would also cause confusion for the locals as they would have to constantly look for the produce truck. Furthermore, Chapter 379 5-A states that the hours of business concludes at 5pm. A slight extension of those hours might benefit the community more if a produce truck were to establish. The extra hour could give locals time to get home from their jobs and still make a purchase at a produce truck. It would be reasonable if the city of Cape May were to make an exception for produce trucks to visit the same location daily and extend their hours of business as well.

Wildwood is another city along the Jersey coast and allows the business of mobile vendors; however they are treated as boardwalk attractions. Chapter 7-3.14 from Appendix E explains that mobile vendors are permitted to conduct business from June 10 to September 10. Produce trucks should not be seen as a summer attraction but as a beneficial asset to a community. Fresh produce could be sold even after September, which means an extension, or exemption for produce trucks should be made. Also, from Chapter 7-3.15 subsection d-4, mobile vendors are not allowed to lay out a table of some sort to display their product. This is understandable for a vendor that prepares food on the spot, however with a produce truck; it is optimal for produce to be displayed so individuals can select the produce they desire. For the city of Wildwood’s best interest, extending the business of produce trucks past September 10 as well as allowing produce trucks to utilize a table to display produce would be the best choice.

Conclusion
Changing these ordinances is only the first step in securing the beneficial presence of food trucks. It does not solve the issue of food deserts, but it will set the foundation for alleviating it. If these targeted cities comply with the amendment proposal, it will open the opportunity for a mobile produce vendor to get their produce to communities that need them. It will provide a healthy relationship with communities and local farmers, helping local farmers sell their goods while giving communities healthier food options. Furthermore, a domino effect might be seen if
the cities comply, influencing other food desert cities with restrictive laws to amend said laws, for the sake of their citizens. With more produce trucks becoming easily accessible to communities, the severity of food deserts can be mitigated, thus improving the quality of life for many people. Improvement of the situation will not happen, unless the first step is taken, and laws are amended.

References


4. Do all Americans have equal access to healthy foods? (2012, January 1). Retrieved March 16, 2015, from http://www.rwjf.org/content/dam/farm/reports/issue_briefs/2012/rwjf71327


Appendices

Appendix A

Elizabeth Ordinance 5.116.090 section E:

No licensee shall park his or her vehicle or dispensing container for a period longer than the time it takes to make a sale to a customer.

Appendix B

Montclair Chapter 337, section 4C, subsection 3-4

It shall be unlawful for a mobile vendor to:

3) Occupy a location in a residential zone [R-O, R-O(a), R-1, R-2, R-3 or R-4], for a period longer than 15 minutes. A street location which immediately abuts a residential zone on either side shall be considered a residential zone.

4) Occupy a temporary location in any other zone for a period longer than 1/2 hour.

Montclair Chapter 337, section 4D, subsection 2

Parking is limited to the hours of 9:00 a.m. to 2:00 p.m. every day.

Appendix C

Morristown Ordinance 4-2.6 section C

Location of Cart; Time Limits. Station, place, set up or maintain his cart or vehicle or allow it to remain at the same location on any sidewalk or street for more than fifteen (15) minutes unless a sale is transacted or potential customer is actually stopped at the cart surveying the peddler's wares. After each sale or survey by a potential customer, the fifteen (15) minute period shall begin anew. At the expiration of the fifteen (15) minute period, the peddler must move his cart at least thirty (30) feet. The peddler may not return to any location from which he has moved in accordance with the requirements of this subsection or to any place within thirty (30) feet of said location for two (2) hours. This subsection shall
apply to all locations throughout the Town except Caldwell Playground and along the east side of Martin Luther King Avenue from Coal Avenue to a point two hundred fifty (250) feet south of Coal Avenue.

Appendix D

Cape May Article 1 Chapter 379-4 B and Chapter 379-5 A

379-4 B) No peddler shall have any exclusive right to any at-large location, nor shall he be permitted to operate in any congested area where his operations would impede or inconvenience the public. A peddler may remain in one specific at-large location in the City for no more than one calendar day at a time. Once having remained in any given location for the maximum permissible time, or for any lesser period of time, the peddler shall move to a new location which shall not be within one City block of the previous location, or within 250 feet of that previous location, whichever is greater.

379-5 A) No person shall sell, offer for sale, hawk or peddle in the City any of the items listed in § 379-1 before 9:00 a.m. or after 5:00 p.m. No person shall set up, park, or place any cart, equipment, or vehicle on the public streets for the purposes of vending prior to 8:00 a.m. and after 6:00 p.m.

Appendix E

Wildwood Chapter 7-3.14 and Chapter 7-3.15 subsection d-4

7-3.14) Other provisions contained herein to the contrary notwithstanding, no license shall be issued pursuant to the provisions of section 7-3 for the boardwalk between 26th Avenue and Cresse Avenue and for the center city area from the boardwalk to New Jersey Avenue and from Pine Avenue to Lincoln Avenue during the period commencing June 10 and terminating September 10 of any year; provided however, that any individual, association or organization which desires to disseminate religious or political information or peddle or solicit during this period in all areas of the city except for the center city area from Boardwalk to New Jersey Avenue and from Pine Avenue to Lincoln Avenue

7-3.15 d-4) No vendor shall allow any items relating to the operation of the vending business to be placed anywhere other than in or on the vending unit.

Letters to Editors:

Produce trucks could help solve N.J.'s 'food desert' problem, students don't take PARCC seriously | Letters
Star Ledger
March 30, 2015
It has come to my attention recently that the state of New Jersey has areas that would be classified as food deserts, or have the beginning stages of being one, such as having low income areas and or low vehicle accessibility. A solution that I think is worth trying is the introduction of a produce truck, where fruits and vegetables could be moved to these areas and increase accessibility of healthy foods.

Unfortunately, even within the areas where healthy food is not easily accessible, local ordinances limit the time a mobile vendor can stay in an area, as well as limit the places they can conduct business. All mobile vendors are grouped together regardless of their potential benefits. I feel that these ordinances should be amended slightly to make produce trucks an exception. That produce trucks be given an extended time and more leniency in the city’s guidelines for mobile vendors.

The differentiation of a produce truck from all other mobile vendors would help families have access to healthier foods, in places where their only food options resided with either fast food restaurants or bodegas.

Sincerely,
Emil Milan
In New Jersey we have approximately 134 food deserts, which leave more than 340,000 people without adequate access to supermarkets. There may be convenience stores and/or fast food restaurants on almost every street corner, but to purchase fresh fruits and vegetables an individual is often required to travel unrealistic distances. The greater access a community has to fresh produce and supermarkets, the more servings of fruits and vegetables they will eat per day. I believe that using produce trucks, food trucks filled with only fresh fruits and vegetables, can be one of the best possible solutions to the food desert problem.

There are countless reasons why individuals should increase their fruit and vegetable intake. Consuming up to five vegetables a day has been shown to reduce the risk of: heart disease, cancer, stroke, macular degeneration, diverticulitis, and hypertension. The communities with inadequate access to fresh produce are therefore more likely to succumb to the aforementioned diseases.

Even though produce trucks would be a great solution to the food desert problem, many town ordinances have too rigid restrictions in place. Some of the restrictions include: a 15 minute window for selling items, not being able to sell at the same location more than once in a 24 hour period, and only allotting them a few hours a day to conduct their business. The ordinances need to segregate food trucks from produce trucks and allow produce trucks to have the same playing field as fast food restaurants. These restrictions keep businesses looking out for the health of the community out and keep those that are not beneficial for our health in.

I’ve written in to the following municipalities: Montclair, Elizabeth, Morristown, Cape May, and Wildwood and have asked them to amend their mobile vendors laws for produce trucks. If you feel that these ordinances prohibit individuals from improving their well being than please write in to your local municipality. Changing these ordinances is the first step in improving the health of our community.

Sincerely,

Kyle Wolf

Rutgers University

Senior