

Memorandum In Support of the Consumer Grocery Pricing Fairness Act (S8563/A9212)

March 5, 2026

Small Business Majority is a national small business organization that empowers America's diverse entrepreneurs to build a thriving and equitable economy. We have an office and operations in New York representing the 2.4 million small business owners in the state.

Dear Members of the New York State Legislature,

Small Business Majority submits this memorandum in support of **S8563/A9212**—also known as the **Consumer Grocery Pricing Fairness Act (CGPFA)**—which will enable small and mid-size grocers to access fair wholesale pricing, allowing them to compete and keep prices down.

We must ensure that New York's small businesses are able to compete on a level playing field in order to preserve our local economies and pathways to entrepreneurship in New York State. CGPFA would provide much-needed regulation in the grocer sector, where market consolidation has allowed dominant big-box retailers to leverage their size and buying power to disadvantage smaller competitors. These larger retailers already have greater resources, more cash flow, and more flexible budgets than mom-and-pop stores, yet current market dynamics further tilt pricing advantages in their favor.

Small grocers in New York are seeing higher prices and fewer options from suppliers than larger companies. This kind of price discrimination against independent food retailers forces them to sell their products at higher prices to make a profit and prevents them from offering the same variety as big-box stores. Not only would CGPFA prohibit suppliers from engaging in unfair price discrimination against independent retailers, but it would also require suppliers to offer equal deals on price, packaging, delivery terms, marketing and other terms to those retailers.

Alap Vora, President of Concord Market, an independent grocery store in New York City says, "When price discrimination occurs and retail prices go up, consumers aren't the only ones getting ripped off. Small grocery stores like Concord Market are also struggling. We deal with price discrimination on a daily basis. When we compare our invoices with invoices that big box stores receive, vendors give them a significant discount. The discounts they receive directly from manufacturers don't exist for small businesses like mine."

Suppliers are not the only bad actors in the ecosystem, and this legislation addresses that reality. Oftentimes dominant buyers use coercive negotiation tactics to secure better deals from suppliers. When this happens, suppliers raise prices for smaller buyers with less power and influence to make up for their lost profits. CGPFA would impose liability on dominant buyers who engage in these types of negotiation tactics.

Addressing this issue is critical to leveling the playing field for small businesses and ensuring small, independent grocers are able to remain competitive. Our [research](#) shows that more than half (56%) of small business owner agree that in their industry or line of work, there are one or more large businesses

that dominate the market. It's also important to note that here in New York, independent grocers are essential to our communities. They create quality jobs, contribute to Little League teams and community fundraisers, support other local small businesses, and stock their shelves with foods that reflect the cultures and diasporas in their community. Yet small independent grocers are disappearing. As they face unfair competition from large grocery and retail chains, they have also confronted unprecedented tariff increases, rising commercial lease rates and increased immigration activities, making staying in business an uphill battle. It is essential that the state legislature acts now to remove barriers that are preventing them from succeeding.

For more information or further discussion, please contact Lindsey Vigoda, New York Director, lvigoda@smallbusinessmajority.org.