



## MEMORANDUM IN SUPPORT

### **Food Donation and Food Scraps Recycling Act**

*AN ACT to amend Article 27 of the environmental conservation law adding a new title 22 on Food Donation and Food Scraps Recycling*

**March 14, 2017**

The Natural Resources Defense Council (“NRDC”) is a national, not-for-profit legal and scientific organization, active on a wide range of environmental and public health issues. NRDC has more than 2.6 million members and online activists around the world, including 38,000 members in New York State, where our main office is located. NRDC has engaged on solid waste issues in New York State since shortly after the organization’s founding in 1970. In recent years, we have worked to address, among other things, the issue of food waste—including launching a nationwide food waste education campaign with the Ad Council.

The Food Donation and Food Scraps Recycling Act (“the Act”) would require the state’s largest food waste generators to donate excess edible food to local food rescue organizations and to recycle food scraps, rather than sending them to pollution-generating landfills. Paired with related funding and administrative actions, passage of this bill would help to address the important issues of reducing both hunger and pollution in New York State.

**NRDC Strongly Supports the Food Donation and Food Scraps Recycling Act and urges the Assembly and Senate to pass this proposal.**

Wasted food is a serious economic, environmental, and food security problem. In the United States, more than 40% of the food we produce is wasted. Americans are throwing out the equivalent of \$165 billion of food every year, in addition to huge volumes of fresh water, energy and chemical fertilizers and pesticides that are used in the production of food that goes to waste. In New York, food makes up 18% of our municipal solid waste stream. The vast majority of this food is disposed of in landfills where it breaks down and releases methane, a potent greenhouse gas. At the same time, nearly one in seven New Yorkers lack consistent access to sufficient food. Currently we are throwing away wholesome food that could instead help feed our fellow citizens in need.

We can begin to address food production, consumption and disposal more sustainability by first discouraging the production, distribution, and preparation of excess food; then by recovering excess food that is edible for those in need; and finally by recycling significant food scraps that remain. The Food Donation and Food Scraps Recycling Act, along with related funding and administrative efforts, would take critical steps to accomplish these objectives.

**NATURAL RESOURCES DEFENSE COUNCIL**

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The most powerful way to reduce food waste is by preventing excess food in the first place. Education and measurement are two of the best tools to prevent food waste. Accordingly, the Act would require the Department of Environmental Conservation (“DEC”) to develop educational materials on food waste minimization for municipalities. It would also encourage those municipalities to share this information with residents on their website and via constituent mailings. (At the same time, the Governor has expressed intent to encourage measurement of discarded wholesome foods by including in his executive budget statement \$500,000 for food waste audits and \$2 million for implementation grants to help generators reduce waste.)

While a comprehensive food waste effort should prioritize prevention, some edible food is likely to go uneaten. Rather than being sent to a landfill, such wholesome foods should be donated to people who need it. Nationally, current food recovery efforts capture only about 10% of edible food available. The proposed bill would begin to increase food donation in New York by requiring the state’s largest food waste generators to donate excess edible food to local food pantries. To aid in this effort, the State would make available a county-by-county list of food rescue organizations that can receive excess edible food generated in their communities. (Separately, the State also plans to provide grants totaling at least \$1 million to rescue groups to help purchase equipment needed to transport and handle increased food donations.)

Unused food that cannot be donated should be separated for recycling at composting or anaerobic digestion facilities. The State estimates that the largest food scraps generators in New York have been creating 275,000 tons of wasted food each year. Recycling, rather than landfilling this waste, could have the same greenhouse gas reduction benefits as removing more than 25,000 cars from the road. This bill would require that the State’s largest generators of food waste begin to recycle their waste, provided that adequate processing capacity within a reasonable distance exists to accept such wastes.

Wasting food is bad for our environment, our economy, and our neighbors throughout the state. The proposed bill, along with associated funding and administrative efforts, if enacted, would begin the critical work of preventing, recovering, and recycling food waste across New York State. For these reasons, NRDC strongly supports the passage of the Food Donation and Food Scraps Recycling Act.