



FOOD WASTE LEGISLATIVE PRIORITIES 2017

Thirty three years ago, Philabundance was founded by an innovative woman who saw food going to waste, and at the same time, saw people in need of food. While we have since grown to become the Delaware Valley's largest hunger relief organization, food recovery continues to be a critical part of our work. By rescuing food that would otherwise go to waste, we can resourcefully feed people in need while simultaneously reducing harm to the environment. If the United States wasted just 15% less food, it would be enough to reduce the number of food insecure Americans by 50% (25 million people).

Last year, Philabundance was able to recover approximately 17 million pounds of perfectly good food that otherwise would have been wasted. While impressive, we think the amount of food that could be safely recovered and consumed is even greater. To do this, we will continue to innovate our food recovery efforts, including incorporating new technology and expanding the role of volunteers, but there is also a critical role for the government to play. New laws, regulations and clarifying language could go a long way to encourage food donations, increase the efficiency of food recovery and, ultimately, feed people in need, all while reducing the amount of food unnecessarily going to a landfill.

For this reason, we commissioned the Harvard Law School Food Law and Policy Clinic to write a report, [Moving Food Waste Forward: Policy Recommendations for Next Steps in Pennsylvania](#), outlining legislative and regulatory opportunities to reduce food waste in the Commonwealth. While all of the recommendations are valuable, below we have outlined those that we think will make the biggest impact on food insecurity and food waste. While not all of these recommendations may be viable in the current political environment, we want to begin discussions with stakeholders about how to advance these priorities in a responsible way. As a first step of many, a statewide food waste reduction goal could provide a clear call to action to help build the coalition needed to advocate for the more specific and impactful legislation and regulatory guidance listed below.

1) IMPLEMENT A FOOD WASTE RECYCLING LAW

This law would require companies that currently send a certain amount of food waste to a landfill to create a diversion plan that would prioritize providing edible food to food recovery organizations, but also encourage diversion to animal feed or composting. This would greatly increase corporate food donations and have a sizeable impact on the environment and pre-consumer waste. We are actively seeking feedback on how to best formulate this law so that no undue burden will be placed on food recovery organizations, waste recycling entities or food waste producers.

2) STANDARDIZE DATE LABELS TO CLEARLY DISTINGUISH BETWEEN FOOD SAFETY AND FOOD QUALITY

Currently, confusion over date labels leads to waste at grocery stores, food pantries and at the consumer level. By standardizing date labels (one for quality and one for safety), we believe more perfectly good food will be consumed. The Food Marketing Institute (FMI) the Grocery Manufacturers Association (GMA), and the Consumer Goods Forum (CGF), three major trade associations for retailers and food companies, have announced a voluntary initiative to do this, but legislative action would streamline this effort and ensure full adoption. While a federal law is preferable, state legislative action would be an effective short term alternative to create a base level of support across the country.

ADDITIONAL PRIORITIES:

- **Provide liability protection for food recovery organizations that charge end recipients for food that has undergone value-added-processing:** This narrow expansion on liability protection would allow food recovery organizations to sell products that they manufacture from donated product at a steeply discounted rates (for example, a sauce created from donated tomatoes nearing the end of their life). This would allow food recovery organizations to recoup processing costs and provide a better product to the populations they serve, while also creating a revenue stream that can be reinvested to support their mission.
- **Offer a separate, dedicated state-level tax credit for food donations:** By making it more lucrative for businesses to donate, it would encourage more donations. This could also be used to target specific donations, such as small local farmers who currently have difficulty qualifying for federal tax credits.
- **Incorporate a specific food donation section into Pennsylvania's statewide food safety regulations and/or produce agency guidance clarifying food safety rules for food donors:** Promoting standard best practices for safe food donation and clarifying liability protection would simplify the process for both donors and food recovery organizations and increase donations.
- **Encourage food waste reduction through a food waste reduction challenge or certification program:** A government challenge or certificate program would raise public awareness of waste problems and encourage businesses to reduce their food waste, likely leading to increased food donations.
- **Expand funding for the Pennsylvania Agricultural Surplus System (PASS):** By increasing funding to \$3 million in the state budget, food banks will be able to acquire and process more perfectly good local product at low cost (such as dairy, eggs, and produce) that could otherwise needlessly go to waste, and then distribute it to people in need.

If you would like to check out the full report, visit:

<https://www.philabundance.org/wp-content/uploads/2017/09/HarvardFoodWaste-Report-R05.pdf>

To learn more, get involved or provide feedback on our efforts to reduce the waste of good food, please email Kait Bowdler.

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