

ASSEMBLY, No. 5327

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JANUARY 29, 2021

Sponsored by:

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

SYNOPSIS

Requires DEP to update school food waste guidelines to include recommendations for how to better utilize food nearing best-by and expiration dates.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/22/2021)

1 AN ACT concerning food waste in K-12 schools and institutions of
2 higher education and amending P.L.2017, c.210.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 1 of P.L.2017, c.210 (C.13:1E-99.115) is amended
8 to read as follows:

9 1. a. Within 90 days after the effective date of **[this act]**
10 P.L.2017, c.210 (C.13:1E-99.115), the Department of
11 Environmental Protection, in consultation with the Department of
12 Agriculture, the Department of Education, the Department of
13 Health, and the Office of the Secretary of Higher Education, shall
14 establish, or work with appropriate nonprofit organizations to
15 establish, voluntary guidelines to encourage and facilitate the ability
16 of K-12 schools and institutions of higher education to reduce,
17 recover, and recycle food waste.

18 b. The guidelines shall include, but need not be limited to:

19 (1) information on food waste generally, and the benefits of
20 reducing, recovering, and recycling food waste;

21 (2) recommendations for how schools can incorporate this
22 information in their curricula, and create programs and activities for
23 the reduction, recovery, and recycling of food waste;

24 (3) recommendations for how schools can reduce the volume of
25 surplus food they generate, including, but not necessarily limited to,
26 conducting food audits, eliminating trays in cafeterias, enacting
27 longer lunch periods, scheduling lunch periods after recess,
28 establishing "offer versus serve" policies, and allowing students to
29 keep uneaten food;

30 (4) guidance on how schools can create share tables in their
31 cafeterias where students may return uneaten food that is still in its
32 original packaging or peel for consumption by other students,
33 resale, or donation;

34 (5) information on cost-effective, safe, and sanitary means by
35 which schools may donate excess, unused, and edible food to food
36 banks, food pantries, soup kitchens, and other nonprofit
37 organizations that distribute food to needy individuals; and

38 (6) information on how schools can recycle their food waste,
39 including the creation of on-site composting programs.

40 c. The Department of Environmental Protection, the
41 Department of Education, and the Office of the Secretary of Higher
42 Education shall post the guidelines on their respective Internet
43 websites.

44 d. Within 90 days after the effective date of P.L. , c.
45 (C.) (pending before the Legislature as this bill), the

EXPLANATION – Matter enclosed in bold-faced brackets **[thus] in the above bill is not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

1 Department of Environmental Protection shall update the guidelines
2 established pursuant to this section to include recommendations for
3 how schools can better utilize foods nearing best-by and expiration
4 dates to prevent food waste, including, but not limited to, paying
5 greater attention to food labels and improving food purchasing,
6 storage, and usage methods to ensure older food items are
7 consumed prior to food items that were recently purchased. The
8 Department of Environmental Protection, the Department of
9 Education, and the Office of the Secretary of Higher Education
10 shall post the updated guidelines on their respective Internet
11 websites.

12 (cf: P.L.2017, c.210, s.1)

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14 2. This act shall take effect immediately.

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STATEMENT

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19 This bill would require the Department of Environmental
20 Protection (DEP) to update the school food waste guidelines to
21 include recommendations for how to minimize food waste within
22 schools by increasing utilization of food nearing best-by and
23 expiration dates.

24 The State of New Jersey's 2019 School Food Waste Guidelines
25 stated that 4 to 10 percent of all food purchased by schools becomes
26 pre-consumer waste. Pre-consumer waste includes food items that
27 have spoiled or become expired and, therefore, are required to be
28 discarded before the food could be utilized. The 2019 School Food
29 Waste Guidelines mention the importance of improving food-
30 handling techniques in order to limit pre-consumer food waste.
31 Updating the school food waste guidelines to include
32 recommendations to increase the utilization of food nearing best-by
33 and expiration dates will help to reduce pre-consumer food waste
34 and ensure that food items are properly utilized prior to expiration.

35 The current law requires the DEP, in consultation with other
36 State agencies, to establish voluntary guidelines for K-12 schools
37 and institutions of higher education to reduce, recover, and recycle
38 food waste. This bill would require the DEP's school food waste
39 guidelines to be updated to specifically include recommendations
40 for how schools can better utilize foods nearing best-by and
41 expiration dates to prevent food waste, including, but not
42 necessarily limited to, paying greater attention to food labels and
43 improving food purchasing, storage, and usage methods to ensure
44 older food items are consumed prior to food items that were
45 recently purchased.