

Don't Waste, Donate: State and Local Strategies for Increasing Food Recovery



September 6, 2017
Midwest Food Recovery Summit

Christine Beling
United States Environmental Protection Agency



CHANGING HOW WE THINK ABOUT OUR RESOURCES FOR A BETTER TOMORROW

Impacts of Wasted Food

Society



Environment



Economy



US 2030 Food Loss & Waste Reduction Goal

- On September 16, 2015, US EPA Deputy Administrator Meiburg and USDA Secretary Vilsack announced the United States' first-ever national food waste reduction goal.
- Reduce wasted food by 50% by 2030.

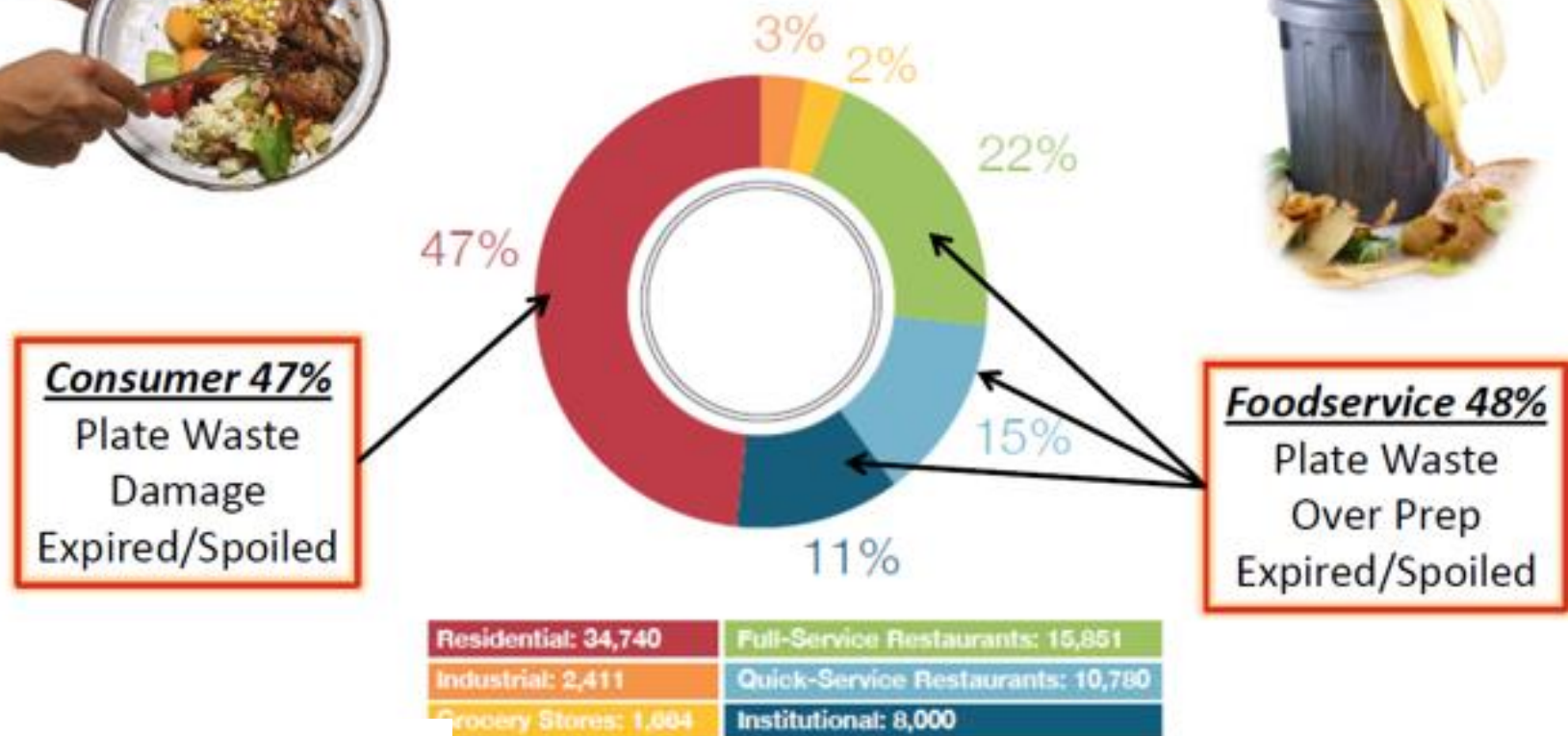


2015
United
Nations



Where is the Wasted Food ?

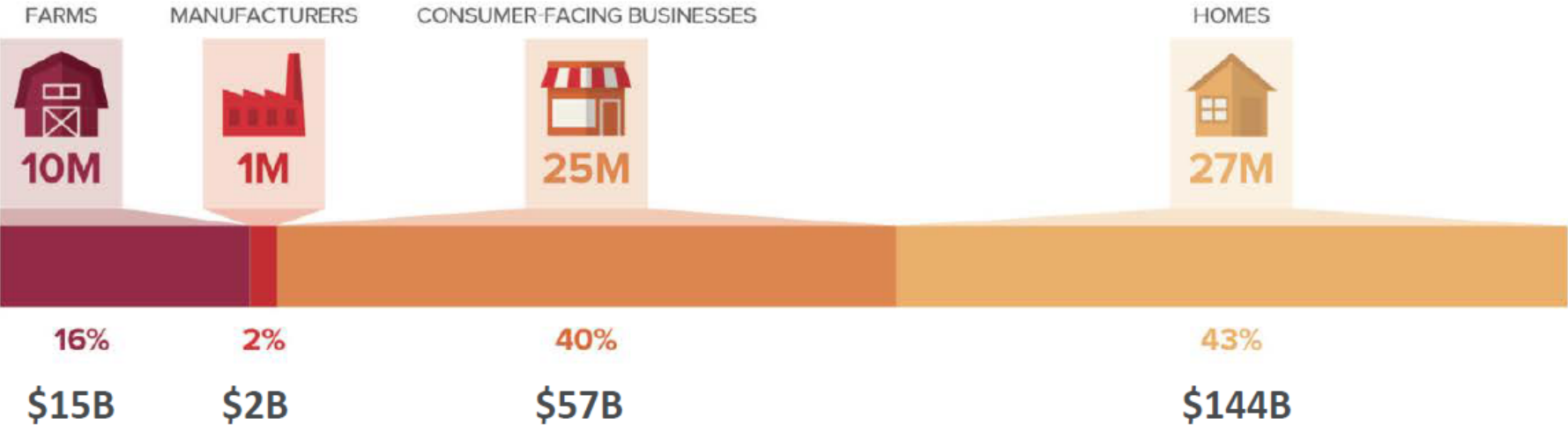
BSR | FOOD WASTE STUDY— TIER 1 ASSESSMENT (GMA/FMI)



ReFED Food Waste Baseline: Nearly 63M tons of waste per year



FOOD WASTED BY WEIGHT — 63 MILLION TONS (\$218 billion)



Slide courtesy of



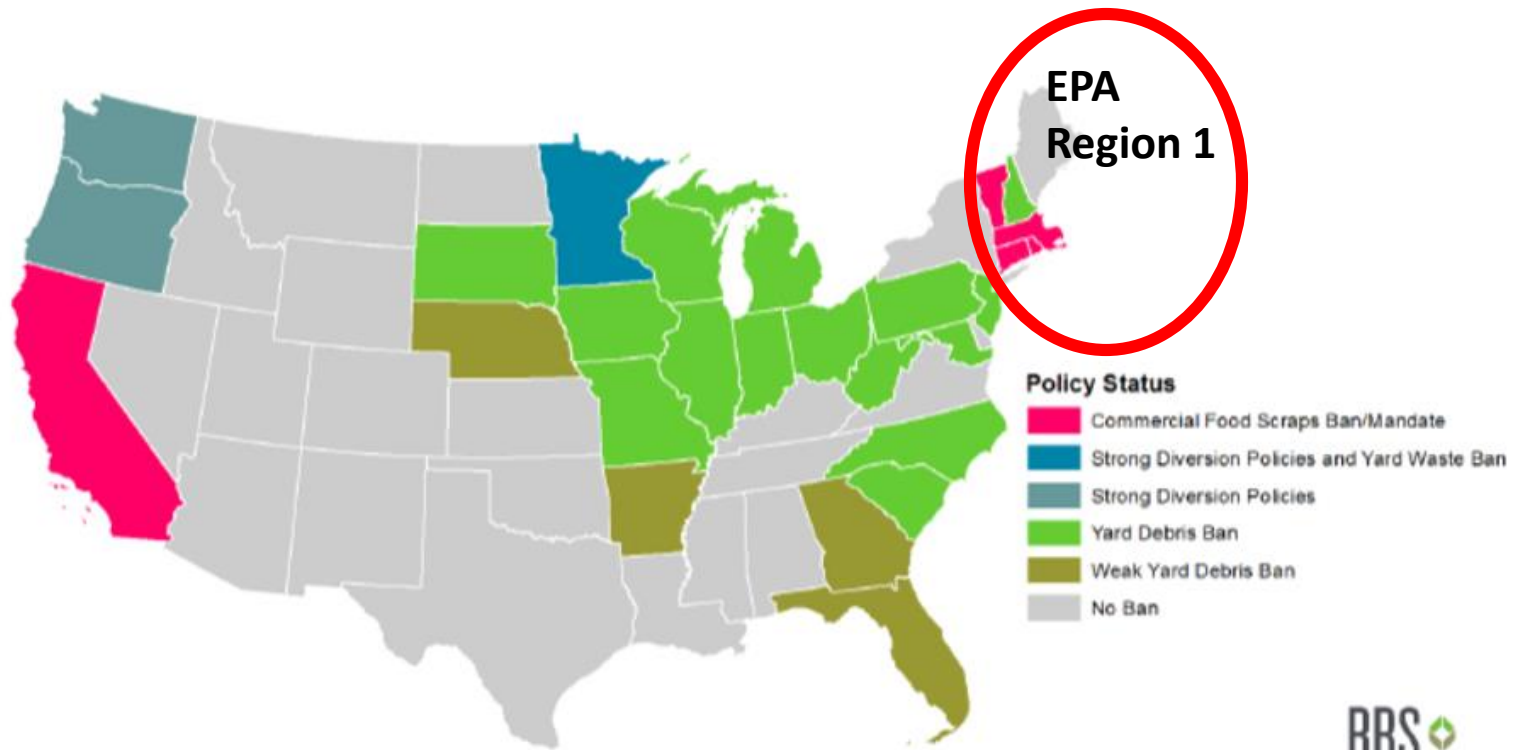
ReFED

Rethink Food Waste
Through Economics & Data

EPA's Food Recovery Challenge



National Picture of *Organics* Policy



RRS

State Organics Bans

Vermont July 2014 phased in -2-ton, 1-ton, 1/2-ton, 1/3-ton w/in 20 miles. Full food scraps disposal ban in 2020.

Massachusetts October 2014 – 1-ton regardless of distance.

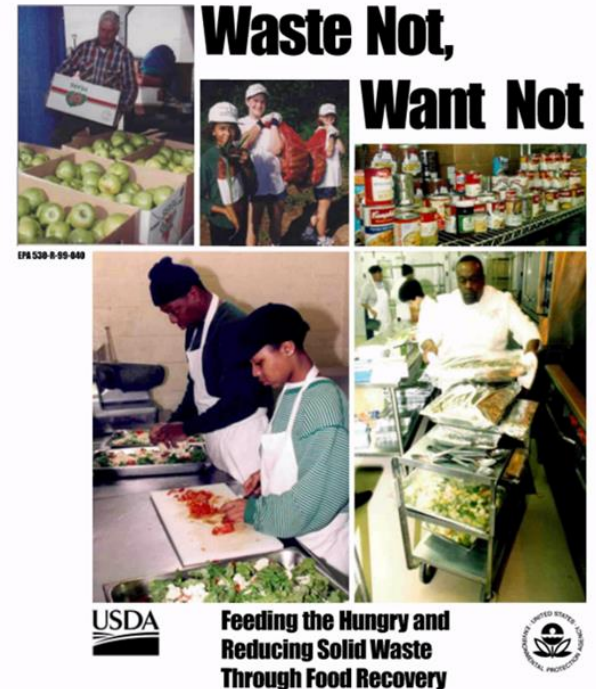
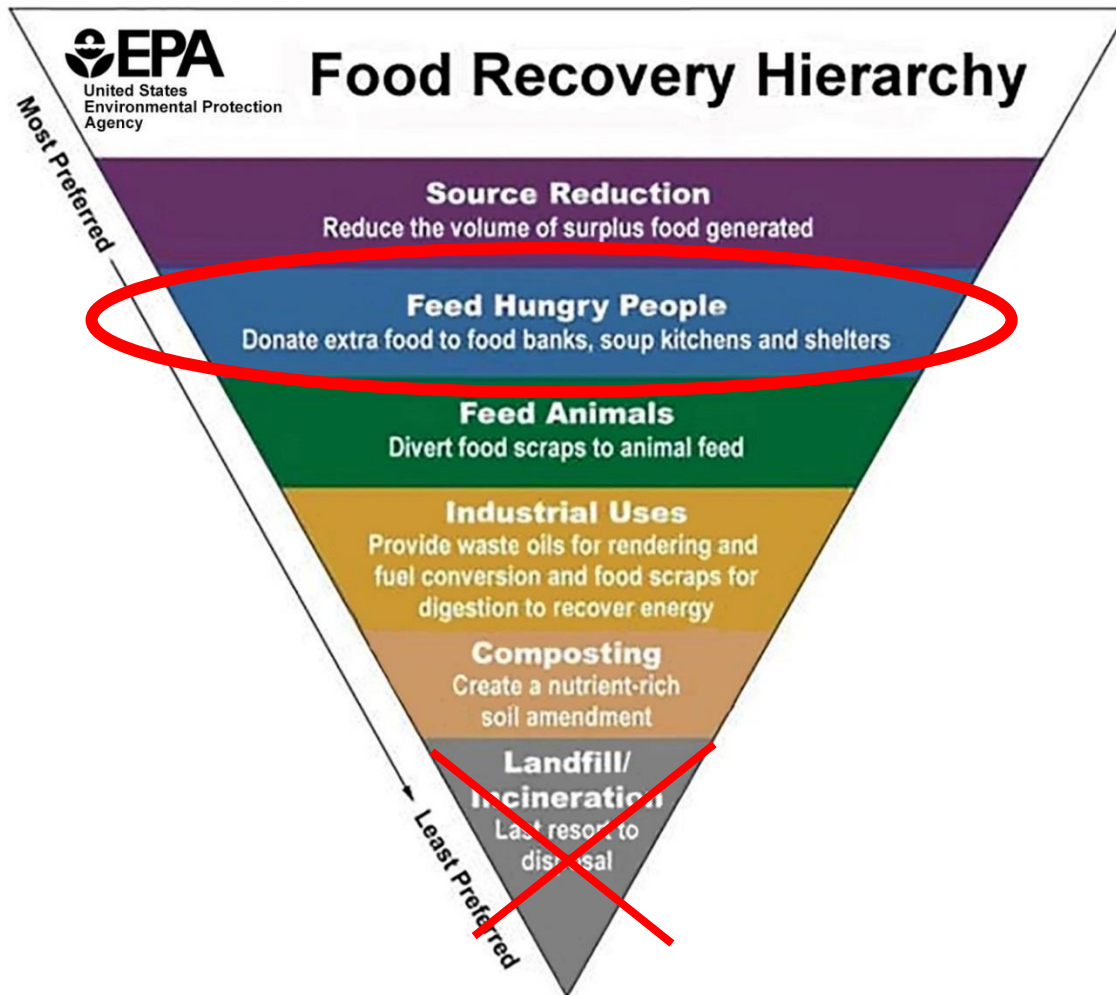
Connecticut October 2014 – 2-ton, Jan. 2020 – 1-ton w/in 20 miles.

Rhode Island January 2016 – 2-ton w/in 15 miles.

California January 2016 – 8-cu.yd. May phase to 2-cu.yd. in 2020.

Benefits to date

- MA Study: organics hauling, processing, and food rescue jobs increased 150% between 2010-2015
<http://www.mass.gov/eea/agencies/massdep/recycle/reduce/food-waste-ban.html>
- VT informal study: ~73 jobs (hauling, processing food scraps, making and delivering compost)
- NY Study: Wasted Food costs the state ~\$41M and waste reduction and diversion could save \$15-22M
<http://www.mass.gov/eea/agencies/massdep/recycle/reduce/food-waste-ban.html>



Rethink

CHANGING HOW WE THINK ABOUT OUR RESOURCES FOR A BETTER TOMORROW

Federal Legislation

Bill Emerson Good Samaritan Food Donation Act (1996) provides liability protection for food donors.



Extended Tax Benefits for Donation (2015) Extends tax benefits to all companies & permanent for all businesses. Higher Deduction Cap –15% of donor net income, with options to carry forward up to five years.

Development of Best Management Practices BMPs

- Stakeholder Process in 2015
- Generator focused guidance

<http://recyclingworksma.com/donate/>



Stakeholder Meetings 2015

- Three stakeholder meetings
 - Springfield
 - Worcester
 - Boston
- Engage stakeholders
 - MA Department of Public Health
 - EPA
 - Harvard Food Law and Policy Clinic
 - Local health agents and Boards of Health
 - Food donation and rescue organizations



Image courtesy of Katy Jordan/Lovin' Spoonfuls

Best Practices for Diverting Food for Donation



Legal Fact Sheets:

- Date Labels
- Tax Incentives
- Liability Protections
- Animal Feed

MA, CT, RI, VT, TN, NC
ME coming soon

[ABOUT US](#)[RECYCLE](#)[PROGRAMS](#)[FOOD WASTE](#)[REUSE](#)[BLOG/EVENTS](#)

FOOD DONATION GUIDANCE

The RecyclingWorks in Massachusetts program has worked with state and local health officials, food rescue organizations, food banks, and organizations with established food donation programs to develop this Food Donation guidance document by holding three stakeholder meetings across the state in Springfield (March 25, 2015), Worcester (April 9, 2015) and Boston (April 29, 2015). The information gained from the meetings was used to create this guidance document.

The US EPA's Food Recovery Hierarchy ranks feeding hungry people near the top of its priorities as a strategy to reduce wasted food. Businesses should consider how each strategy on the EPA Hierarchy can contribute to a comprehensive food waste reduction plan.

This document is intended to provide guidance to organizations interested in establishing Food Donation programs by offering a broad overview of how successful food donation programs should be structured. In order to have a successful food donation program there are four major steps that must be taken:



Find A Recycler

Where Location All ca... or try with a Keyword[UPDATE](#)

Upcoming Events

December 06, 2016

MassDEP C&D Subcommittee Meeting

The MassDEP C&D Subcommittee is a subgroup of the Solid Waste Advisory...

December 08, 2016

Massachusetts Commercial Food Waste Ban Economic Impact Analysis October 2016 by ICF Corporation

INTERVIEW FINDINGS

Trends: Food Recovery and Rescue



Challenges	<ul style="list-style-type: none">○ Ban doesn't differentiate between food compost and food rescue○ Big vendors still prefer to compost due to ease and safety concerns○ Growth limited by transportation (trucks with refrigeration) and transportation infrastructure (parking)
Opportunities	<ul style="list-style-type: none">○ Increasing education about food rescue and best practices○ Prepared food from universities, hospitals, conference centers is a huge (untapped) market○ Tax incentives for vendors who choose to have their organics recused
Impact of ban	<ul style="list-style-type: none">○ Outreach materials have been generated○ Ban has been used as a marketing tool○ Ban has raised awareness on organic waste diversion options



Food For Free





Department of ENERGY & ENVIRONMENTAL PROTECTION

Food Waste Reduction and Recovery

[Why Does It Matter?](#)

[EPA Food Recovery Hierarchy](#)

[Food Banks and Rescue Programs](#)

[Food Donation: Liability and Food Safety](#)

[Preventing Wasted Food at Home](#)

[Preventing Wasted Food at School](#)



[Preventing Wasted Food at Food Businesses](#)

[EPA Food Recovery Challenge](#)

[U.S. Food Waste Challenge](#)

[Gleaning Crops from Local Farms / Survey](#)

[Additional Resources](#)

"Throwing away food is like stealing from the tables of the poor, the hungry"

~ Pope Francis, World Environment Day, 2013

Legal Fact Sheets

[Connecticut Food Donation: Date Labeling Laws](#)

[Connecticut Food Donation: Liability Protections](#)

[Connecticut Food Donation: Tax Incentives for Businesses](#)

NEW: [Connecticut Food Donation: Feeding Food Scraps to Animals](#)

AGENCY OF NATURAL RESOURCES

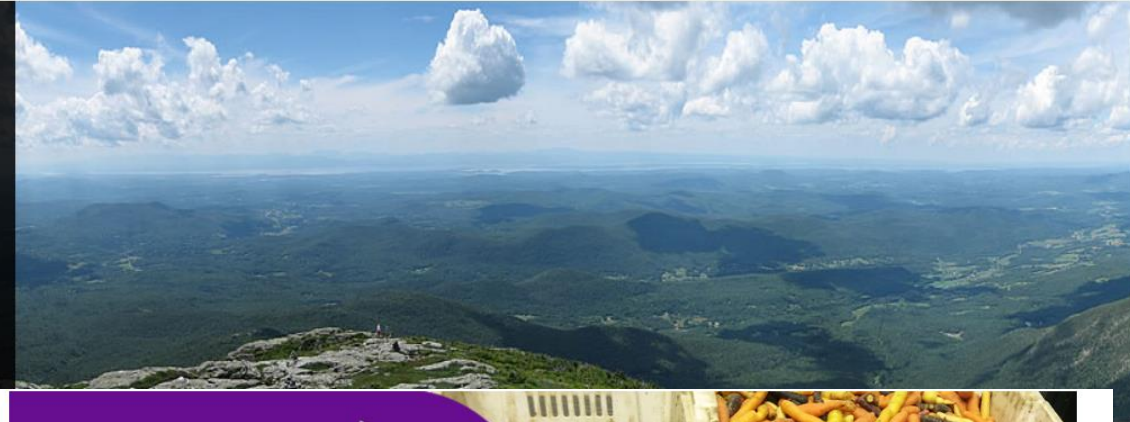
Department of Environmental Conservation

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Welcome to DEC

Welcome to the Vermont
Department of Environmental
Conservation**FOOD
DONATION**

FOOD DONATION IN VERMONT

Feed People Not Landfills

Vermont's Universal Recycling law adopted a Food Recovery Hierarchy into law in 2012. Vermont is the first state in the nation to legislatively adopt priority management for food before it is discarded.

The USEPA and USDA estimate that food waste is over 30% of the United States food supply. In 2010 an estimated 133 billion pounds of food never was eaten. In response to the impact of wasted food on the environment, the USEPA and USDA announced in September 2015 a national goal to reduce food waste by 50% by 2030.



Guidance for Food Donation: Businesses and Institutions

Vermont's Universal Recycling and Composting Initiative bans throwing away food and food scraps in landfills by 2020. This law adopted the Food Recovery Hierarchy that sets priorities for managing food and food scraps.

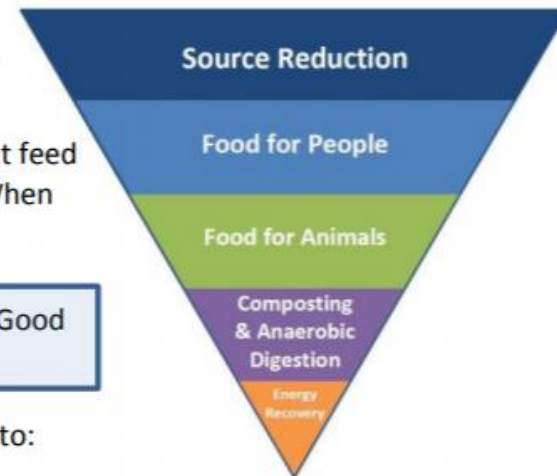
Extra food can be donated to food rescue agencies or organizations that feed the hungry only if it was handled properly and not previously served. When creating a program to donate food, follow these guidelines.

You are protected from liability by federal law under the Bill Emerson Good Samaritan Food Donation Act when donating properly handled food.

Donating surplus food to local food rescue organizations will allow you to:

- Lower trash disposal and diversion costs
- Follow the Universal Recycling law by not throwing food away
- Support your community by helping the one in four Vermonters who is in need
- Take possible federal tax deductions (ask your accountant about the details)

Vermont Food Recovery Hierarchy



DONATING FOOD SAFELY & SAFE FOOD HANDLING GUIDE

TIME & TEMPERATURE CONTROLS

Potentially hazardous foods require temperature control for safety (see guide below). Examples include prepared



http://dec.vermont.gov/sites/dec/files/wmp/SolidWaste/Documents/Universal-Recycling/VT_DonatingFoodSafely_final.pdf

SHARING TABLES are an effort to reduce the amount of wasted food and encourage the consumption of food served at schools. Children can place unconsumed food and beverage items they choose not to eat or drink on the table. This provides other children the opportunity to take additional helpings of food or beverages at no extra cost. Use these guidelines to help your school start a sharing table program. The Vermont Department of Health can help you plan your program.

Sharing Table Checklist

- ☐ The table should be close to the cashier or wherever students exit the food service line.
- ☐ The sharing table must be monitored by any employee other than the cashier.
- ☐ Food or beverages that must be under temperature control (e.g., milk, cut fruit) must be placed in a small refrigerator, cooler or ice bath.
- ☐ Recovered food and beverages should be clearly labeled and not mixed with unsold foods.

Food Safety Checklist



- ☐ Develop Standard Operating Procedures in the school's Food Safety HACCP Plan.

Allowable Products

- Non-temperature-controlled, pre-packaged products like food bars, drinks, crackers and cereal packs
- Wrapped fruit and vegetables or fruit with a thick skin, like bananas and oranges
- Temperature-controlled, pre-packaged products like cheese and milk as long as they are placed in a cooler, refrigerator, or ice bath

Best Practices

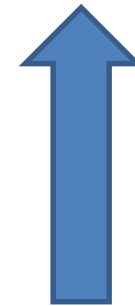
Partnership: State Government & the Vermont Food Bank

Food rescued is UP!

2015: 30%

2016: 40%

2017: 10%





University of Rhode Island Food Safety Education

College of the Environment and Life Sciences

2016 RI Food Safety Task Force Annual Food Safety Conference-
Waste Not/Want Not: Reducing Food Waste

<http://web.uri.edu/foodsafety/food-safety-conferences/>



December 16th, 2016 9:00AM-1:00PM

Harborside Academic Center, HAC Amphitheater, Johnson & Wales University
265 Harborside Boulevard, Providence, Rhode Island



State of Rhode Island

Department of Health

A to Z

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Contact

✉ Sean McCormick

Rhode to End Hunger Initiative

Mission

To mitigate food insecurity of at-risk populations in the state by promoting and managing a donation system where safe, edible food that may otherwise be thrown away is matched with the needs of food pantries and soup kitchens.

What we do

- **Promote** and manage a partnership with MEANS, a donation system where wholesome, safe food can be contributed by individuals, restaurants, and food markets to local pantries and meal sites. [MORE](#)

Program Publications

Letters

- ✱ MEANS Donor
- ✱ MEANS Recipient



The Department of Health's Center for Food Protection has started a groundbreaking program structured by the policy goals expressed in Rhode Island's Food Strategy. *The Rhode to End Hunger* is an ambitious project that hopes to alleviate food hunger and insecurity in Rhode Island by creating a sustainable system in which food donors (restaurants, bakeries, catering companies; etc.) contribute their excess wholesome foods to soup kitchens and food pantries throughout the state of Rhode Island.

We would like you to be involved in our effort of reducing food insecurity of at-risk populations in the state while simultaneously reducing the amount of wholesome food that is wasted. The *Bill Emerson Good Samaritan Food Donation Act* (42 U.S. Code § 1791) protects donors whom are donating safe wholesome foods in good faith from liability. There is also a federal tax deduction for donated food under Section 170 of the Internal Revenue Code which makes all companies eligible for an enhanced tax deduction based on the fair-market value per pound of food donated.

The web based application called MEANS helps match food donors to meal sites. The Department of Health is pairing with MEANS to make sure that unused wholesome food is given to people in need instead of disposed of. We are asking you to be on the frontline of our cause by being some of the organizations to take part in *the Rhode to End Hunger* by signing up for

http://health.ri.gov/programs/detail.php?pgm_id=1118

Maine Food Recovery Coalition formed Fall 2016

An illustration of a large teal bowl overflowing with various fruits and vegetables, including apples, oranges, and leafy greens. A hand is shown holding the bowl from below, while another hand pours more produce from a red bowl into it. The background is light blue with stylized green leaves and yellow and red circular accents.

OCT 7 2016
11AM > 4PM
**FEEDING
THE 5000**
**PORTLAND
MAINE**
MONUMENT SQUARE
 **#F5KUSA**

**JOIN US
FOR A FREE
LUNCH!**

**A FREE FEAST FOR THOUSANDS, MADE ENTIRELY FROM FRESH, TOP-QUALITY
PRODUCE THAT WOULD HAVE OTHERWISE BEEN WASTED**

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June 28-29, 2016



Harvard
Food Law and Policy Clinic
A Division of the Center for Health Law and Policy Innovation



EPA

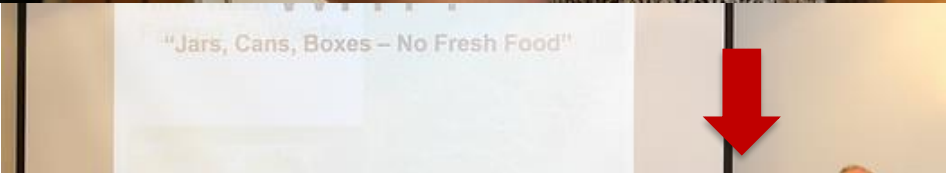
United States
Environmental Protection
Agency



Food Safety for Food Donations Working Group



ion of individuals from
very organizations,
ne nonprofit sector



Goal: To understand and promote safe food donation practices from retail and food establishment sectors

Slide
credit
HFLPC

Food Safety Donation Working Group: Steering Committee

- **Emily Broad Leib; Harvard Law School Food Law and Policy Clinic**
- **Bill Reighard, Food Donation Connection**
- **Michael Moore MA Department of Public Health**
- **Kevin Smith, US Food and Drug Administration**
- **Karen Franczyk, Whole Foods Market**
- **Mitzi Baum, Feeding America**
- **Kris Zetterlund, Darden Restaurants**
- **Christine Beling, US Environmental Protection Agency**

Background

- FDA Food Code has no language specifically about food safety for food donation
- **Comprehensive Resource for Food Recovery Programs:** guidance on food safety rules relevant to food recovery programs and a breakdown of food recovery programs' responsibilities
 - Originally supposed to be an annex to the FDA Food Code
 - Eventually published as a standalone document



Challenges

- **For businesses:** No easy place to find relevant information and regulations
 - Many misconceptions about what foods can and cannot be donated (*e.g.* prepared foods)
- **For health inspectors:** No training on food safety for food donation
 - Must answer question with no guidance, and many understandably err on the side of caution
- Comprehensive Resource is written for the wrong audience: food recovery organizations, not health inspectors

50 state reasearch

- Better understand the food recovery landscape across the country
- Learn about existing and planned state-level food safety-related regulation and guidance that may impact food donations
- If no regulation or guidance exists, better understand barriers that have prevented the state from creating them

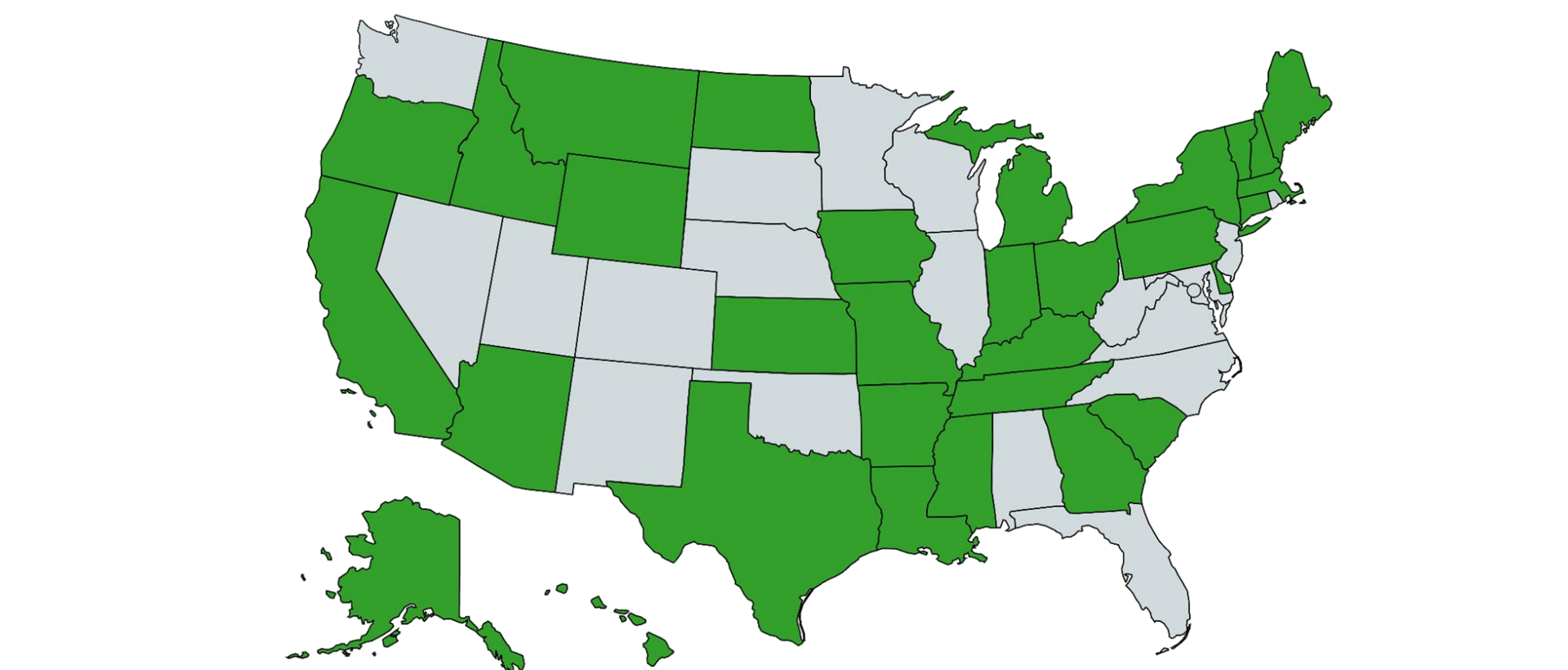
Methodology

- Identify state agency (or agencies) that handles inspection and regulation of food service and retail food establishments (Dep't of Health or Dep't of Agriculture)
- Contact and conduct phone interview with the individual within that agency who manages food safety
- Standardized four-part questionnaire
 1. Regulation & Policy
 2. Guidance & Education
 3. Developing Regulation & Guidance
 4. Closing Thoughts



Research Project Status

31 states participated so far!



* Green states have participated

Created with mapchart.net ®

Of the 31 states surveyed...



3 have incorporated language into the retail food code

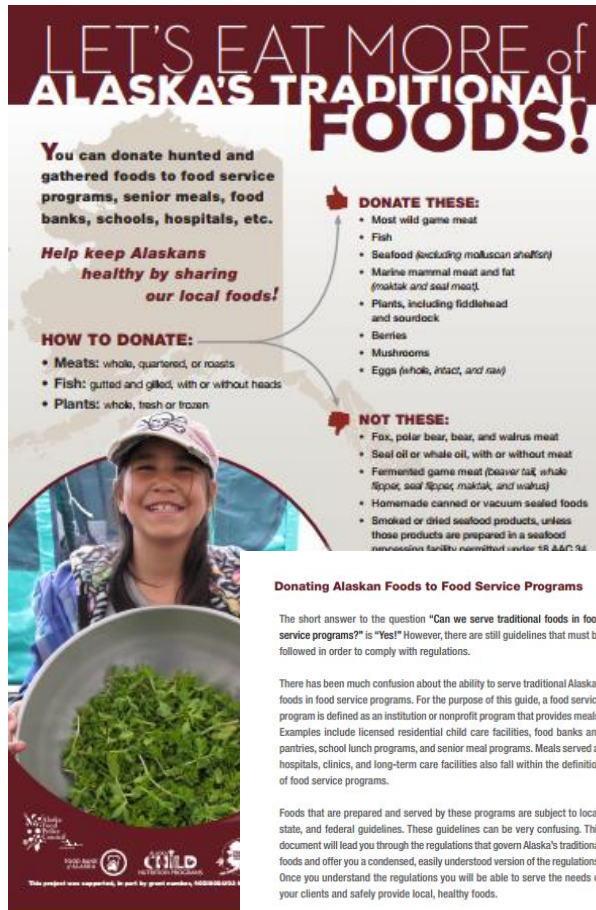


10 have established requirements outside the food code



10 have state-level guidance

State Profile: Alaska



Donating Alaskan Foods to Food Service Programs

The short answer to the question "Can we serve traditional foods in food service programs?" is "Yes!" However, there are still guidelines that must be followed in order to comply with regulations.

There has been much confusion about the ability to serve traditional Alaskan foods in food service programs. For the purpose of this guide, a food service program is defined as an institution or nonprofit program that provides meals. Examples include licensed residential child care facilities, food banks and pantries, school lunch programs, and senior meal programs. Meals served at hospitals, clinics, and long-term care facilities also fall within the definition of food service programs.

Foods that are prepared and served by these programs are subject to local, state, and federal guidelines. These guidelines can be very confusing. This document will lead you through the regulations that govern Alaska's traditional foods and offer you a condensed, easily understood version of the regulations. Once you understand the regulations you will be able to serve the needs of your clients and safely provide local, healthy foods.

If you find that you still have questions after reading the document, please don't hesitate to call the *State of Alaska Department of Environmental Conservation, Food Safety*, by phone at 1(877) SAFEFOOD.



The Alaska Department of Environmental Conservation has released a poster and toolkit encouraging and providing more information about traditional food donation

Community Building

Food is a way to bring communities together. Donating food to food service providers can create bonds between community members, generations, and families. Hunting and foraging for local foods is a way to engage youth and Elders and pass on valuable knowledge about the world around us.



Meal Ideas

Breakfast and Brunch:

- Local berries with oatmeal, yogurt, or cereal
- Omelets with local eggs and seasonal greens
- Salmon in omelets or on breakfast breads, such as bagels or English muffins
- Tundra tea, or other gathered teas

Lunch and Dinner:

- Substitute moose or caribou in place of beef or chicken in recipes, such as moose stew or caribou spaghetti
- Fillet salmon and make a salmon lasagna or salmon with rice and greens
- Incorporate local greens into salads or main dishes
- Serve roasts with potatoes and greens

Desserts and Snacks:

- Fresh berries
- Berry spritzer
- Fireweed jelly (with a variance or canned on site)



Guidance focuses on donation of unprocessed and unprepared traditional foods

Information on food safety for food donations is included in Alaska Food Code (18 AAC 31.205)

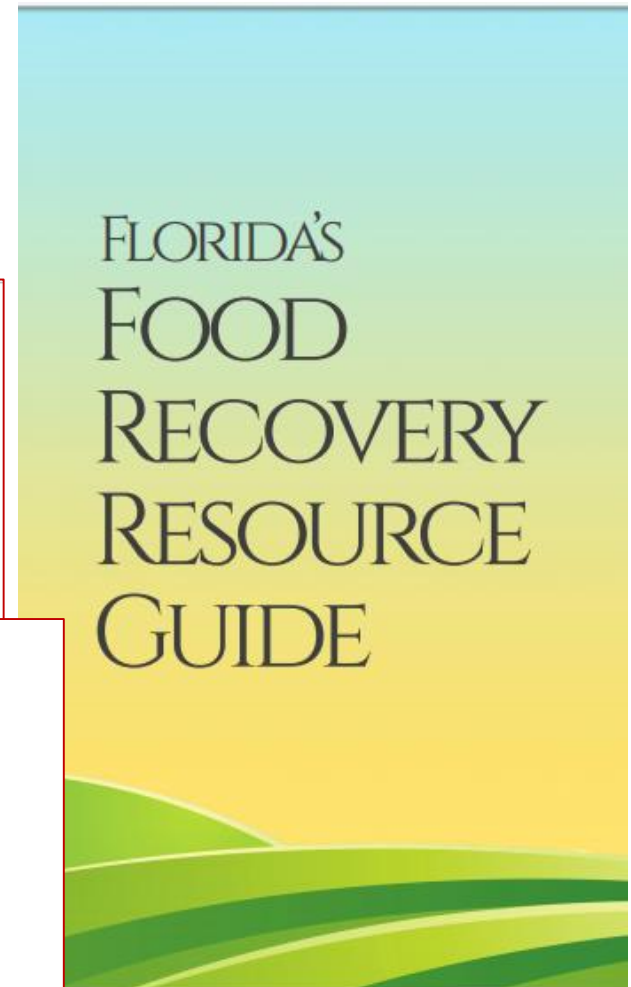
State Profile: Texas

Comprehensive food safety criteria related to food donations are outlined in the Texas Food Establishment Rules Field Inspection Manual §228.83

Specifically, donated foods must:

- Not have been previously served to a customer
- Have been properly handled and kept at appropriate temperatures (if a time/temperature control for safety food)
- Be labeled with the name and source of the food and the date of preparation
- Not exceed the shelf life (if a time/temperature controlled for safety food)
- Not be damaged or distressed

Other States





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Ohio Food Scraps Recovery Initiative



Did you know that each year a typical household throws away an estimated 474 pounds of food waste? In Ohio, that's enough food scraps to pile on a football field as high as the Willis Tower (former Sears Tower) - more than 1,450 feet! Food scraps generated by all households in the United States could be piled on a football field more than 5 miles (26,400 feet) high!

Up to 90 percent of waste thrown out by supermarkets and restaurants is food scraps. In fact, food scraps is the third largest



Ohio Department of Agriculture
and
Ohio Department of Health



Governor John R. Kasich	Lieutenant Governor Mary Taylor	ODA Director David T. Daniels	ODH Interim Director Lance Himes
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Guidance for School Share Tables

To reduce food waste, many schools in Ohio are operating share tables, in which foods that are served to students but not consumed are placed on a table for other students to take at no charge.

Section 3717-1-03.2(X) of the Ohio Uniform Food Safety Code states the following:

Ohio EPA
does the
compos
addition
e/food scrap



Stay tuned for full report.....

Food

- 1 - buy it with thought
- 2 - cook it with care
- 3 - serve just enough
- 4 - save what will keep
- 5 - eat what would spoil
- 6 - home-grown is best

don't waste it

Christine Beling
beling.christine@epa.gov
617-918-1792

Sustainable Materials Management

Food Recovery Challenge



Changing how we think about our resources today for our children's tomorrow