

General Law Committee JOINT FAVORABLE REPORT

Bill No.: HB-5146

Title: AN ACT ESTABLISHING A SUPERMARKET FOOD DONATION PROGRAM.

Vote Date: 3/15/2022

Vote Action: Joint Favorable Substitute

PH Date: 2/22/2022

File No.:

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SPONSORS OF BILL:

General Law Committee

Co-Sponsors

Rep. Kimberly Fiorello, 149th Dist.

Rep. Stephen R. Meskers, 150th Dist.

Sen. Dennis A. Bradley, 23rd Dist.

Rep. Dorinda Borer, 115th Dist.

Rep. William A. Petit, 22nd Dist.

REASONS FOR BILL:

This bill effective October 1, 2022 will require that supermarkets located in Connecticut periodically make food donations, which include edible canned foods and perishable foods to food banks. There are several reasons why the bill is important, it will help those individuals in our state who suffer from food insecurity and need nutritional support, it would support the food banks in the state, and it would promote zero-waste.

Proposed Substitute Language/LCO 3101

By January 1, 2023 the bill requires supermarkets adopt a written policy describing how they will operate a food donation program. Supermarket is defined in Section 1 (4) also in Section 1 Food relief organizations is defined. The requirements for insurers is also Section 1 (b). Liability protections are expanded in Section 3. Section 4 creates a task force to study the program of supermarket food donation program and submit a written report by January 1, 2023 at which time the task force will be terminated.

RESPONSE FROM ADMINISTRATION/AGENCY:

Michelle Seagull, Commissioner, Department of Consumer Protection State of Connecticut

DCP appreciates the intent of this program, however there aren't sufficient resources for staffing and administration to implement such a program when a supermarket fails to make the required available appropriations. It is also not clear how the DCP would enforce the provisions that are proposed if periodical food donations

NATURE AND SOURCES OF SUPPORT:

Jason Jakubowski, President and CEO, CT Foodshare

Supports this bill. It is well intended and aims to find a solution to an issue that we all hope to address fully in Connecticut

Rep. Michel, House of Representatives, State of Connecticut

Rep. Michel supports the concept of the bill, however, feels it is quite vague and maybe inefficient if passed as is. He strongly recommends the bill's language is worked on making it a proper bill that addresses the issues that exist versus an ineffective piece of legislation.

Sarah Aaron-Bromley

Supports this bill in spirit only but would like additional language to achieve her goal of Zero Waste. Ms. Aaron-Bromley is a volunteer for the Haven's Harvest Food Recovery. She would also like the bill to include language that conveys the Food Recovery Organizations are equal partners with the larger groups such as CT Foodshare.

Black and Brown United in Action

Though there are food assistance programs and pantries in Connecticut, most are not able to meet the need as demand has increased. Several Black and Brown households are unable to meet the needs due to the increase in cost of living in the state and little supplemental relief. This is also difficult for those who are undocumented. The supermarket donation program will help those in need during these difficult times, as well as reduce wastage.

Bishop, Dr. Philip A. Boone

The local supermarkets have been a wonderful source and we are thankful, however by adding language to the proposed bill, it will add societal economic value and other non-financial impacts to marginalized communities. Food rescue provides food while being good for the environment.

Fred Camillo, First Selectman, Town of Greenwich

Thank you to Rep. Fiorello and Rep. Michel for bringing this bill forward. There is not downside to the concept. It will help those in need and reduce food waste.

Rachel Merva, Missions Chair, Mary Taylor Memorial United Methodist Church

This bill provides a lifeline to those experiencing food insecurity and the pantries throughout the state that support food programs. Having grocery stores donate excess food to local distribution sites will help mitigate both food waste and food insecurity.

The following also submitted testimony in support of HB5146

Max Coretto, Windsor, CT

Timothy Gabriel, North Haven, CT

Tess MacKenzie, New Canann, CT

Therese Eke, Milford, CT

Katherine Hinds, Hamden, CT

Robert E. Marra, West Haven, CT

Hilary Ormond, New Canaan, CT
Bettina Theil, Milford, CT

Alyson Rodgerson, Milford, CT
Carol Topitzer, Milford, CT

NATURE AND SOURCES OF OPPOSITION:

Connecticut Trial Lawyers Association

Though Connecticut Trial Lawyers Association supports every business and individual taking any action necessary to help those facing food insecurity, it is respectfully opposed to Section 3 (c) of this proposal. Immunity provisions like this are bad public policy and CTLA opposes their enactment.

Lori Price Abrams, Government Relations Manager, Wakefern Food Corp.

There already exists a well-established and robust food donation infrastructure with protocols in partnership with area food banks. Wakefern Food's also partners with CT Foodshare and many other local charities. The legislature should be cautious about well-intended changes that could expose our members to unnecessary regulation and unintended consequences that could impact their ongoing and well received programs.

Wayne Pesce, CT Food Association

Today every reputable food retailer in the state of Connecticut contributes significant resources to local communities by way of food donations and direct financial support of local civic groups. A more equitable allocation of these charitable resources seems to be the heart of this discussion. Mr. Pesce further provided a list what supermarkets do to support the communities it serves.

Molly Devanney, Highland Park Markets

Highland Park Markets is a family-owned market. In addition, Ms. Devanney serves on the board of directors for CT Foodshare and teach Sustainable Food Systems at Manchester Community College. Highland Park Markets practices a zero-waste policy in its stores. CT Foodshare has become statewide agency where it has been able to address and continue to address the hunger in our state. The systems in place are working. Mandating a food donation policy or adding regulations adds no increase to charitable food supply, if anything, it could have unintended consequences to discourage charitable food donations, it also will cause additional paperwork in the stores.

Reported by: Bonnie Gray, Asst. Clerk

Date: March 21, 2022