
OLR Bill Analysis

sHB 5577

AN ACT CONCERNING SURPLUS FOOD DONATION AND ESTABLISHING FOOD COMPOSTING REQUIREMENTS.

SUMMARY

Under this bill, by January 1, 2024, the Department of Energy and Environmental Protection (DEEP) commissioner must require each municipality to (1) separate source-separated organic materials and (2) have them recycled at authorized composting facilities with available capacity that will accept them.

The bill requires the commissioner, by October 1, 2023, to amend DEEP's regulations that designate (i.e., mandate) certain items to be recycled by (1) expanding the list of designated recyclables to add food scraps and (2) including best practices for residential customers to separate food scraps from other solid waste and other designated recyclables. It authorizes municipalities to impose a per-violation \$50 fine for residential property owners who fail to separate designated recyclables from other solid waste. Additionally, the bill requires those who generate solid waste from non-residential properties to separate food scraps from other solid waste beginning October 1, 2023.

The bill also requires each commercial food wholesaler or distributor, industrial food manufacturer or processor, supermarket, resort, and conference center in the state to adopt, by written policy, a food donation program. The program must be designed to (1) reduce food waste and (2) support food relief organizations' (FROs) operations.

Lastly, the bill corrects a statutory reference in the commercial penalty for failing to separate designated recyclables from other solid waste and makes technical changes.

EFFECTIVE DATE: October 1, 2023, except the provisions on

designated recyclables take effect upon passage.

DESIGNATED RECYCLABLES: FOOD SCRAPS

The bill requires the DEEP commissioner to amend department regulations that designate certain items to be recycled to include food scraps. Under current law and regulations, designated recyclables include things like cardboard, boxboard, glass and metal food containers, containers of three gallons or less made of certain plastics, scrap metal, certain white and colored paper, and other items (Conn. Agencies Regs. § 22a-241b-1 et seq.).

Existing law, unchanged by the bill, requires municipalities to recycle designated recyclables within six months after there is an available service by a regional processing center or local processing system (i.e., service providers). Together with the designated recyclable's expansion to include food scraps, the bill adds authorized source-separated organic material composting facilities and other composting facilities to this list of service providers.

FOOD DONATION POLICY

The written food donation policy that the bill requires wholesalers, distributors, manufacturers, processors, supermarkets, resorts, and conference centers to adopt must be designed to (1) reduce food waste, (2) support FROs' operations, and (3) ensure that all donated food is safe and fit for human consumption. Under existing law and the bill, an FRO is a public or private entity, including community-based organizations, food banks, food pantries, and soup kitchens that give free nutritional assistance to needy people in Connecticut on a nonprofit basis and in their ordinary course of business or operations.

The bill also requires the donation policies to include the following:

1. education for management and employees on the food distribution process and its relationship to food insecurity and food waste;
2. a commitment to making reasonable efforts to identify and partner with at least two FROs to donate excess edible food

- before the food becomes source-separated organic material;
3. a framework for formalizing and streamlining food donation protocols; and
 4. a process for ensuring that the donated food has significant nutritional value.

The bill allows supermarkets, resorts, and conference centers that are under common ownership to adopt a common written policy that applies to each facility under the common owner.

BACKGROUND

Related Bills

sSB 1046 (File 105), favorably reported by the Children’s Committee, includes several provisions related to the disposal of organic material in public schools, including a requirement for some school districts to separate and recycle it at composting facilities (i.e., those that meet existing law’s 26-ton and 20-mile triggers) and the establishment of a voluntary composting station program.

sHB 6664, favorably reported by the Environment Committee, among other things, (1) expands, beginning January 1, 2025, existing law’s source separation and recycling requirements for certain large organic material generators to include institutions like hospitals, public schools, and correctional facilities, and (2) requires municipalities to separate and collect food scraps by October 1, 2028.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute
Yea 33 Nay 0 (03/10/2023)