



General Assembly

February Session, 2024

Raised Bill No. 191

LCO No. 1365



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING FOOD SCRAP DIVERSION FROM THE SOLID WASTE STREAM AND THE REDEMPTION OF OUT-OF-STATE BEVERAGE CONTAINERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsections (d) and (e) of section 22a-226e of the 2024
2 supplement to the general statutes are repealed and the following is
3 substituted in lieu thereof (*Effective October 1, 2024*):

4 [(d) Not later than January 1, 2022, the Commissioner of Energy and
5 Environmental Protection shall establish a voluntary pilot program for
6 any municipality that seeks to separate source-separated organic
7 materials and ensure that such source-separated organic materials are
8 recycled at authorized source-separated organic material composting
9 facilities that have available capacity and that will accept such source-
10 separated organic material.]

11 [(e)] (d) On or before March 1, 2025, and annually thereafter, each
12 wholesaler, distributor, manufacturer, processor, supermarket, resort,
13 conference center or institution that is subject to the provisions of this
14 section shall submit a report to the Department of Energy and

15 Environmental Protection in electronic format. Such report shall
16 summarize such entity's amount of edible food donated, the amount of
17 [food scraps] source-separated organic materials recycled and the
18 organics recycler or recyclers and associated collectors used.

19 (e) Each commercial food wholesaler or distributor, industrial food
20 manufacturer or processor, supermarket, institution, resort or
21 conference center that generates an average projected volume of not less
22 than twenty-six tons per year of source-separated organic material,
23 including any source-separated organic material subject to the
24 requirements of subsections (a) and (b) of this section, shall, on or before
25 January 1, 2025, adopt a written policy pertaining to a food donation
26 program that: (1) Describes how the wholesaler, distributor,
27 manufacturer, processor, supermarket, institution, resort or conference
28 center will make best efforts to donate excess edible food, as determined
29 by such entity, using acceptable industry standards; (2) is designed to
30 reduce such wholesaler's, distributor's, manufacturer's, processor's,
31 supermarket's, institution's, resort's or conference center's food waste,
32 support the operations of food relief organizations and ensure that all
33 food donated by such wholesaler, distributor, manufacturer, processor,
34 supermarket, resort or conference center under such policy is safe and
35 fit for human consumption; (3) provides for the education of such
36 wholesaler's, distributor's, manufacturer's, processor's, supermarket's,
37 institution's, resort's or conference center's management, employees and
38 third party vendors who manage food for such facility regarding the
39 food distribution process and the relationship between such process and
40 food waste; (4) requires such wholesaler, distributor, manufacturer,
41 processor, supermarket, institution, resort or conference center to make
42 reasonable efforts to identify, and partner with, not less than two food
43 relief organizations for the purpose of donating excess edible food to
44 such food relief organizations prior to any such food becoming source-
45 separated organic material, as described in subsections (a) and (b) of this
46 section; and (5) includes a framework to formalize and streamline such
47 wholesaler's, distributor's, manufacturer's, processor's, supermarket's,
48 institution's, resort's or conference center's protocols concerning food

49 donation.

50 (f) If multiple wholesalers, distributors, manufacturers, processors,
51 supermarkets, institutions, resorts or conference centers subject to the
52 provisions of subsection (b) of this section are under common
53 ownership, such wholesalers, distributors, manufacturers, processors,
54 supermarkets, institutions, resorts or conference centers may adopt a
55 common written policy under this section.

56 (g) For purposes of this section, "food relief organization" has the
57 same meaning as provided in section 38a-313c.

58 Sec. 2. Section 22a-241b of the general statutes is repealed and the
59 following is substituted in lieu thereof (*Effective October 1, 2024*):

60 (a) (1) On or before February 1, 1988, the Commissioner of Energy
61 and Environmental Protection shall adopt regulations in accordance
62 with the provisions of chapter 54 designating items that are required to
63 be recycled. The commissioner may designate other items as suitable for
64 recycling and amend such regulations accordingly.

65 (2) On or before October 1, 2011, the Commissioner of Energy and
66 Environmental Protection shall amend the regulations adopted
67 pursuant to subdivision (1) of this subsection to expand the list of
68 designated recyclable items to add (A) containers of three gallons or less
69 made of polyethylene terephthalate plastic and high-density
70 polyethylene plastic, and (B) additional types of paper, including, but
71 not limited to, boxboard, magazines, residential high-grade white paper
72 and colored ledger.

73 (3) On or before July 1, 2025, the commissioner shall amend the
74 regulations adopted pursuant to subdivision (1) of this subsection to
75 designate residentially generated food scraps as an item that is required
76 to be recycled.

77 (b) (1) Any designated recyclable item shall be recycled by a
78 municipality within six months of the availability of service to such

79 municipality by a regional processing center or local processing system,
80 including, but not limited to, a facility authorized to receive source-
81 separated organic material.

82 (2) On or before January 1, 2028, the Commissioner of Energy and
83 Environmental Protection shall require each municipality to establish a
84 program requiring residents to separate food scraps and food
85 processing residues from other solid waste to ensure that such
86 residentially generated source-separated organic material is recycled,
87 including at authorized source-separated organic material composting
88 facilities that have available capacity and that will accept such source-
89 separated organic material.

90 (c) Each person who generates solid waste from residential property
91 shall, in accordance with subsection (f) of section 22a-220, separate from
92 other solid waste the items designated for recycling pursuant to
93 [subdivision (1) of] subsection (a) of this section.

94 (d) Every person who generates solid waste from a property other
95 than a residential property shall, in accordance with subsection (f) of
96 section 22a-220, make provision for and cause the separation from other
97 solid waste of the items designated for recycling pursuant to
98 [subdivision (1) of] subsection (a) of this section through the use of one
99 or more collection containers for designated recyclable items that are
100 separate from the collection containers for other solid waste, except food
101 scraps that are subject to management pursuant to section 22a-226e.
102 Collection containers that have been used for the collection of solid
103 waste may be converted to containers for the collection of designated
104 recyclable items by labeling or other means to identify that such
105 container is dedicated to collecting designated recyclable items. On and
106 after July 1, 2012, the provisions of this subsection shall also apply to
107 items designated for recycling pursuant to subdivision (2) of subsection
108 (a) of this section.

109 (e) No person shall knowingly combine previously segregated
110 designated recyclable items with other solid waste.

111 (f) For the purposes of this section, "boxboard" means a lightweight
112 paperboard made from a variety of recovered fibers having sufficient
113 folding properties and thickness to be used to manufacture folding or
114 set-up boxes.

115 Sec. 3. Section 22a-245 of the general statutes is amended by adding
116 subsections (g) to (i) as follows (*Effective from passage*):

117 (NEW) (g) Notwithstanding the provisions of subsections (b) to (d),
118 inclusive, of this section, no person shall tender to a dealer, redemption
119 center, reverse vending machine, distributor or deposit initiator for the
120 purpose of obtaining a refund value or handling fee any empty beverage
121 container that the person knows or has reason to know was not
122 originally sold in this state as a filled beverage container or that was
123 previously redeemed through a dealer, redemption center, reverse
124 vending machine, distributor or deposit initiator.

125 (h) Each dealer, redemption center or reverse vending machine
126 operator shall post where empty containers are redeemed a conspicuous
127 "Redemption Warning" sign using at least one-inch font that states the
128 following: "Returning empty beverage containers for refund that were
129 not purchased in Connecticut or which were previously redeemed is
130 illegal. Any person who returns empty beverage containers that the
131 person knows or has reason to know were not originally sold in this
132 state as filled beverage containers or which were previously redeemed
133 shall be subject to fines and state enforcement action. Connecticut
134 General Statutes section 22a-245."

135 (i) Any violation of subsection (g) of this section shall constitute an
136 unfair trade practice pursuant to section 42-110b.

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|---|------------------------|---------------------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>October 1, 2024</i> | 22a-226e(d) and (e) |
| Sec. 2 | <i>October 1, 2024</i> | 22a-241b |
| Sec. 3 | <i>from passage</i> | 22a-245(g) to (i) |

Statement of Purpose:

To require the diversion of food scraps from the solid waste stream and prohibit the redemption of out-of-state beverage containers.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]