

NYS FOOD DONATION AND FOOD SCRAPS RECYCLING LAW

LEGISLATIVE GUIDANCE

Approximately 40% of the food produced in the United States goes uneaten. Meanwhile an estimated 2.8 million New Yorkers are food insecure. Simultaneously, excess edible food and food scraps see the end of their life at a landfill, where their decomposition produces methane, a potent greenhouse gas. NYS has taken a stand to make the most of our food by mandating large generators of food scraps to redirect wholesome edible food to those in need and food scraps to organics recycling facilities where they will be recycled into a product beneficial to our environment.

WHEN IS IT EFFECTIVE?

January 1, 2022

WHO WILL THIS IMPACT?

Large generators of food scraps (more than 2 tons of wasted food and food scraps per week on average)

Examples: Restaurants, grocery stores, hotels & motels, colleges & universities, malls, event centers, etc

WHAT ARE THE REQUIREMENTS?

Large generators of food scraps must:

- Separate and donate edible food
- Separate and recycle all remaining food scraps if within 25 miles of an organics recycler



WHO IS EXCLUDED?

- Hospitals, nursing homes, adult care facilities, K-12 schools
- Food scraps generators located in a city with a population of one million or more which has a local law, ordinance or regulation in place which requires the diversion of edible food and food scraps from disposal. Read more on NYC organics diversion legislation: <https://www1.nyc.gov/assets/dsny/site/services/food-scraps-and-yard-waste-page/commercial-requirements>
- Large generators of food scraps may petition the Department for a one-year waiver due to undue hardship

For More Information:

<https://www.dec.ny.gov/chemical/114499.html>

Submit questions to:

FoodScrapsLaw@dec.ny.gov



**Department of
Environmental
Conservation**