

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2021**

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**No. 65**

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Introduced by Council Members Van Bramer, Kallos, Ayala, Gibson, Lander, Louis, Rosenthal, Holden, Cornegy, Riley, Rose, Barron, Brannan, Feliz, Gennaro, Rivera and Yeger.

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to school food waste prevention plans**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 2 of chapter 3 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-307.3 to read as follows:

*§ 16-307.3 School food waste. a. Definitions. As used in this section, the following terms have the following meanings:*

*Chancellor. The term “chancellor” means the chancellor of the city school district of the city of New York.*

*Food purchase contract. The term “food purchase contract” means any purchase order or contract entered into by the department of education, the principal purpose of which is to provide food, and the value of which exceeds \$100,000.*

*School. The term “school” means a school of the city school district of the city of New York.*

*Surplus food. The term “surplus food” means any food obtained through a food purchase contract that is not used for the purpose for which it was purchased and that would otherwise be discarded.*

*b. Food waste prevention plan. No later than October 1, 2021, the chancellor shall prepare and submit to the commissioner a food waste prevention plan. Preparation of such food waste prevention plan shall provide school sustainability coordinators designated pursuant to subdivision c of section 16-307.1 an opportunity to offer ideas concerning food waste prevention. Such plan shall conform to all applicable provisions of law and include, but need not be limited to, the following information:*

- 1. Guidelines for how to identify surplus food that may be safely donated;*
- 2. Any methods the chancellor has identified to reduce the amount of surplus food in schools;*
- 3. Any procedures the chancellor has identified that would allow the department of education or a school to donate surplus food safely and efficiently; and*
- 4. Any barriers the chancellor has identified that would prevent the safe and efficient donation of surplus food.*

*c. Review by commissioner. The commissioner shall review the plan required pursuant to subdivision b of this section within 90 days of its submission and shall submit recommendations on the plan to the chancellor. The commissioner shall simultaneously submit a copy of the chancellor's plan and the commissioner's recommendations to the speaker of the council.*

*d. Report. On or before February 1, 2022, the chancellor shall submit a report to the commissioner. Such report shall include, at a minimum:*

- 1. A summary of actions taken to implement the food waste prevention plan;*
- 2. A summary of actions that the chancellor proposes be taken to implement such plan; and*
- 3. Any updates or changes to any information included in such plan.*

*e. The department shall include the information contained in the report prepared pursuant to subdivision d of this section as part of the department's March 1, 2022 annual recycling report required pursuant to subdivision k of section 16-305.*

§ 2. This local law takes effect 90 days after it becomes law.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on May 12, 2021 and returned unsigned by the Mayor on June 14, 2021.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 65 of 2021, Council Int. No. 1681-A of 2019 to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEPHEN LOUIS, Acting Corporation Counsel.