



Legislation Text

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Int. No. 1673

By Council Members Rivera, Kallos, Ayala, Gibson, Lander, Van Bramer, Rosenthal and Yeger

A Local Law to amend the administrative code of the city of New York, in relation to city agency 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 16-307.2 to read as follows:

§ 16-307.2 City agency food waste. a. Definitions. As used in this section, the following terms have the following meanings:

Covered agency. The term “covered agency” means every city agency that enters into a food purchase contract.

Food products. The term “food products” means the types of fresh fruits, vegetables and field crops identified on the list promulgated by the New York state commissioner of agriculture and markets pursuant to subdivision eight-a of New York general municipal law section 103.

Food purchase contract. The term “food purchase contract” means any contract entered into by an agency for the direct purchase of food products or processed food.

Processed food. The term “processed food” means the types of foods that have been altered from their natural state, using methods including, but not limited to, canning, freezing, cooking, mixing, chopping, refrigeration, dehydration, liquefaction, and emulsification identified on the list promulgated by the New York state commissioner of agriculture and markets pursuant to subdivision eight-a of section 103 of New York general municipal law.

Surplus food. The term “surplus food” means any food products or processed 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 or uneaten.

b. Agency food waste prevention plans. Every covered agency shall, no later than July 1, 2020, prepare and submit to the commissioner for approval, a food waste prevention plan. The commissioner shall submit each approved agency food waste prevention plan to the speaker of the council not later than seven days after such approval. Such plan shall conform to applicable provisions of law and, at a minimum:

1. Identify surplus food that may be safely donated;
2. Identify methods to reduce the amount of surplus food;
3. Develop procedures for the safe, efficient donation of surplus food; and
4. Include any other provisions as are necessary for the reduction of surplus food and the handling of surplus food that may be donated.

c. Food waste prevention coordinator. Upon approval of an agency’s food waste prevention plan by the commissioner, each covered agency shall designate a coordinator to oversee implementation of the plans required in subdivision b.

d. Report. On or before January 1, 2021 for the period between the date of enactment of the local law that added this section through January 1, 2021, and annually thereafter for the previous 12-month reporting period, each agency food waste prevention coordinator established pursuant to subdivision c shall submit a report to the head of such coordinator’s respective agency and to the commissioner. Such report shall include, at a minimum:

1. A summary of actions taken to implement the food waste prevention plan;
2. Proposed actions to be taken to implement such plan; and
3. Updates or changes to any information included in such plan.

The department shall consolidate the information contained in all reports prepared pursuant to this

subdivision and include such information as part of the department's annual recycling report required pursuant to subdivision k of section 16-305 of this chapter.

§ 2. This local law takes effect 90 days after it becomes law, except that the commissioner shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

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