



General Assembly

January Session, 2023

**Committee Bill No. 5577**

LCO No. 4098



Referred to Committee on ENVIRONMENT

Introduced by:  
(ENV)

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

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

1 Section 1. Section 22a-226e of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2023*):

3 (a) (1) On and after January 1, 2014, each commercial food wholesaler  
4 or distributor, industrial food manufacturer or processor, supermarket,  
5 resort or conference center that is located not more than twenty miles  
6 from an authorized source-separated organic material composting  
7 facility and that generates an average projected volume of not less than  
8 one hundred four tons per year of source-separated organic materials  
9 shall: (A) Separate such source-separated organic materials from other  
10 solid waste; and (B) ensure that such source-separated organic materials  
11 are recycled at any authorized source-separated organic material  
12 composting facility that has available capacity and that will accept such  
13 source-separated organic material.

14 (2) On and after January 1, 2020, each commercial food wholesaler or  
15 distributor, industrial food manufacturer or processor, supermarket,

16 resort or conference center that is located not more than twenty miles  
17 from an authorized source-separated organic material composting  
18 facility and that generates an average projected volume of not less than  
19 fifty-two tons per year of source-separated organic materials shall: (A)  
20 Separate such source-separated organic materials from other solid  
21 waste; and (B) ensure that such source-separated organic materials are  
22 recycled at any authorized source-separated organic material  
23 composting facility that has available capacity and that will accept such  
24 source-separated organic material.

25 (3) On and after January 1, 2022, each commercial food wholesaler or  
26 distributor, industrial food manufacturer or processor, supermarket,  
27 resort or conference center that is located not more than twenty miles  
28 from an authorized source-separated organic material composting  
29 facility and that generates an average projected volume of not less than  
30 twenty-six tons per year of source-separated organic materials shall: (A)  
31 Separate such source-separated organic materials from other solid  
32 waste; and (B) ensure that such source-separated organic materials are  
33 recycled at any authorized source-separated organic material  
34 composting facility that has available capacity and that will accept such  
35 source-separated organic material.

36 (b) Any such wholesaler, distributor, manufacturer, processor,  
37 supermarket, resort or conference center that performs composting of  
38 source-separated organic materials on site or treats source-separated  
39 organic materials via on-site organic treatment equipment permitted  
40 pursuant to the general statutes or federal law shall be deemed in  
41 compliance with the provisions of this section.

42 (c) Any permitted source-separated organic material composting  
43 facility that receives such source-separated organic materials shall  
44 report to the Commissioner of Energy and Environmental Protection, as  
45 part of such facility's reporting obligations, a summary of fees charged  
46 for receipt of such source-separated organic materials.

47 (d) Not later than January 1, [2022] 2024, the Commissioner of Energy

48 and Environmental Protection shall [establish a voluntary pilot program  
49 for any] require each municipality [that seeks] to separate source-  
50 separated organic materials and ensure that such source-separated  
51 organic materials are recycled at authorized source-separated organic  
52 material composting facilities that have available capacity and that will  
53 accept such source-separated organic material.

54 (e) Notwithstanding the provisions of subsections (a) and (b) of this  
55 section, each commercial food wholesaler or distributor, industrial food  
56 manufacturer or processor, supermarket, resort or conference center in  
57 this state that is not otherwise required to comply with the provisions  
58 of subsections (a) and (b) of this section shall adopt a written policy  
59 describing a food donation program that:

60 (1) Is designed to reduce such wholesaler's, distributor's,  
61 manufacturer's, processor's, supermarket's, resort's or conference  
62 center's food waste, support the operations of food relief organizations  
63 and ensure that all food donated by such wholesaler, distributor,  
64 manufacturer, processor, supermarket, resort or conference center  
65 under such policy is safe and fit for human consumption;

66 (2) Provides for the education of such wholesaler's, distributor's,  
67 manufacturer's, processor's, supermarket's, resort's or conference  
68 center's management and employees regarding the food distribution  
69 process and the relationship between such process and food insecurity  
70 and food waste;

71 (3) Calls for such wholesaler, distributor, manufacturer, processor,  
72 supermarket, resort or conference center to make reasonable efforts to  
73 identify, and partner with, not less than two food relief organizations  
74 for the purpose of donating excess edible food to such food relief  
75 organizations;

76 (4) Includes a framework to formalize and streamline such  
77 wholesaler's, distributor's, manufacturer's, processor's, supermarket's,  
78 resort's or conference center's protocols concerning food donation; and

79 (5) Includes a process to ensure that the food donated as part of such  
80 program has significant nutritional value.

81 (c) If multiple supermarkets, resorts or conference centers subject to  
82 the provisions of subsection (b) of this section are under common  
83 ownership, such supermarkets, resorts or conference centers may adopt  
84 a common written policy under this section.

85 (d) For purposes of this subsection, "food relief organization" has the  
86 same meaning as provided in section 38a-313c.

87 Sec. 2. Section 22a-241b of the general statutes is repealed and the  
88 following is substituted in lieu thereof (*Effective October 1, 2023*):

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

94 (2) On or before October 1, 2011, the Commissioner of Energy and  
95 Environmental Protection shall amend the regulations adopted  
96 pursuant to subdivision (1) of this subsection to expand the list of  
97 designated recyclable items to add (A) containers of three gallons or less  
98 made of polyethylene terephthalate plastic and high-density  
99 polyethylene plastic, and (B) additional types of paper, including, but  
100 not limited to, boxboard, magazines, residential high-grade white paper  
101 and colored ledger. On or before October 1, 2023, the commissioner shall  
102 amend the regulations adopted pursuant to subdivision (1) of this  
103 subsection to expand the list of designated recyclable items to add food  
104 scraps. Such regulations shall include best practices for residential  
105 customers to separate food scraps from other solid waste and other  
106 items designated as recyclable pursuant to this subsection.

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

109 municipality by a regional processing center or local processing system,  
110 including, but not limited to, an authorized source-separated organic  
111 material composting facility or a composting facility.

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

116 (d) Every person who generates solid waste from a property other  
117 than a residential property shall, in accordance with subsection (f) of  
118 section 22a-220, make provision for and cause the separation from other  
119 solid waste of the items designated for recycling pursuant to  
120 [subdivision (1) of] subsection (a) of this section through the use of one  
121 or more collection containers for designated recyclable items that are  
122 separate from the collection containers for other solid waste. Collection  
123 containers that have been used for the collection of solid waste may be  
124 converted to containers for the collection of designated recyclable items  
125 by labeling or other means to identify that such container is dedicated  
126 to collecting designated recyclable items. On and after July 1, 2012, the  
127 provisions of this subsection shall also apply to items designated for  
128 recycling pursuant to subdivision (2) of subsection (a) of this section. On  
129 and after July 1, 2023, the provisions of this subsection shall also apply  
130 to food scraps.

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

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

137 Sec. 3. Section 22a-241i of the general statutes is repealed and the  
138 following is substituted in lieu thereof (*Effective October 1, 2023*):

139 Notwithstanding any other sections of the general statutes to the  
140 contrary, a municipality may impose a penalty not to exceed: [five] (1)  
141 Five hundred dollars for each violation by a commercial establishment  
142 of the requirements of subsection [(c)] (d) of section 22a-241b, as  
143 amended by this act, and (2) fifty dollars for each violation by the owner  
144 of a residential property of the requirements of subsection (c) of section  
145 22a-241b, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023</i>	22a-226e
Sec. 2	<i>October 1, 2023</i>	22a-241b
Sec. 3	<i>October 1, 2023</i>	22a-241i

**Statement of Purpose:**

To help households in need of food and reduce food waste in the municipal solid waste stream.

*[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.]*

Co-Sponsors: REP. MUSHINSKY, 85th Dist.; REP. MICHEL, 146th Dist.

H.B. 5577