

# Towards Zero Food Waste: State Policies to Reduce Food Waste

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MAY 7, 2026



# Agenda

- ❖ A little bit about NRDC & ZFWC
- ❖ Food Waste: The Problem & Opportunity
- ❖ Learning from Other States
- ❖ 2026 State Legislative Update
- ❖ Additional Resources
- ❖ Q&A



NRDC's mission is to safeguard the earth—its people, its plants and animals, and the natural systems on which all life depends.



**FOOD WASTE**



**POLLINATORS AND PESTICIDES**



**NITROGEN FERTILIZER OVERUSE**

# ZERO FOOD WASTE

## COALITION

**The Coalition's goal is to** influence policy at the local, state, and federal levels to reach the national goal of reducing food waste by 50% by 2030.

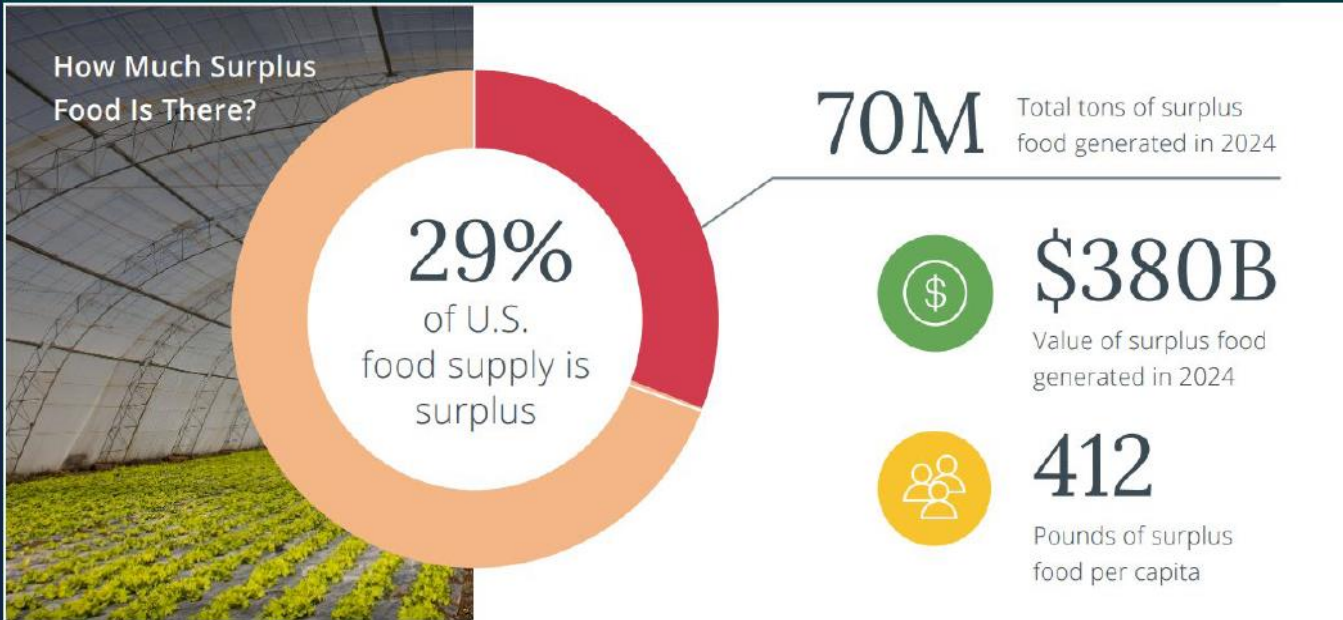
### ZFWC:

- **Advocates for policies** that address the climate crisis, improve equity, and increase access to healthy food by reducing food waste and advancing food recovery efforts.
- **Offers a central source of information** that enable communities, organizations, and governments to reduce food waste.
- **Increases the visibility and diversity** of organizations and leaders working to reduce waste and recover food across the country.

### Together, we have:

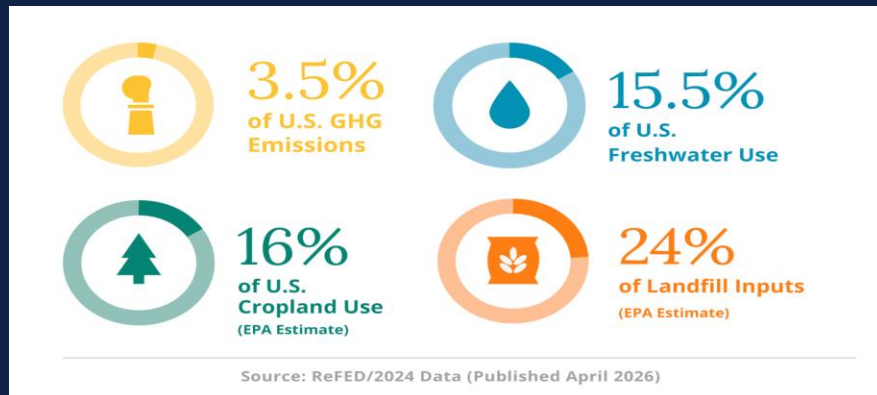
- ✓ Grown to 300+ members across 50 states and territories
- ✓ Released 4 policy reports
- ✓ Shaped 6 federal marker bills
- ✓ Met with 80+ Congressional offices
- ✓ Shared resources with influential leaders

# Food Waste in the U.S.



What happens to this surplus food?

- 2.5% is donated
- 11% goes to animal feed
- 85% goes to waste destinations



Source: [ReFED](#)

# Food Waste in Wisconsin



**3.05 million** total tons of surplus food generated in 2023 in the Wisconsin Food Supply System



**\$10.4 billion** value of Wisconsin surplus food generated in 2023



**1,033 pounds** of Wisconsin surplus food per capita based on ReFED estimates

FIGURE 3: ReFED ESTIMATE OF WISCONSIN FOOD WASTE GENERATION

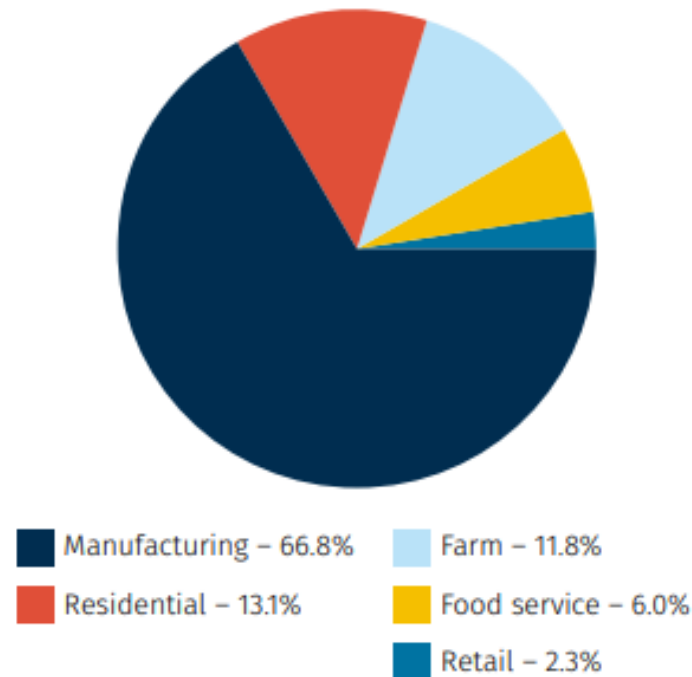
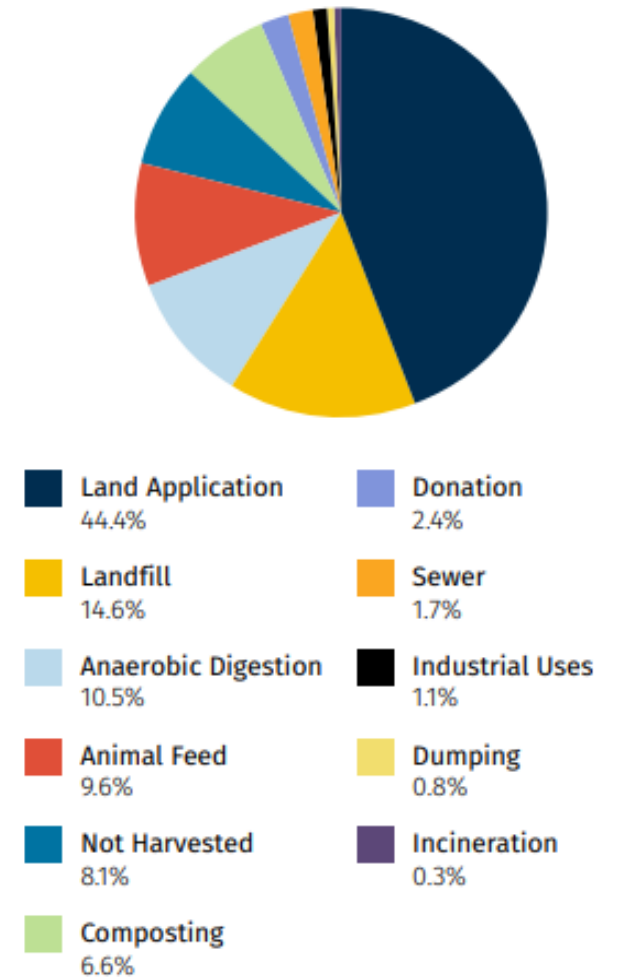
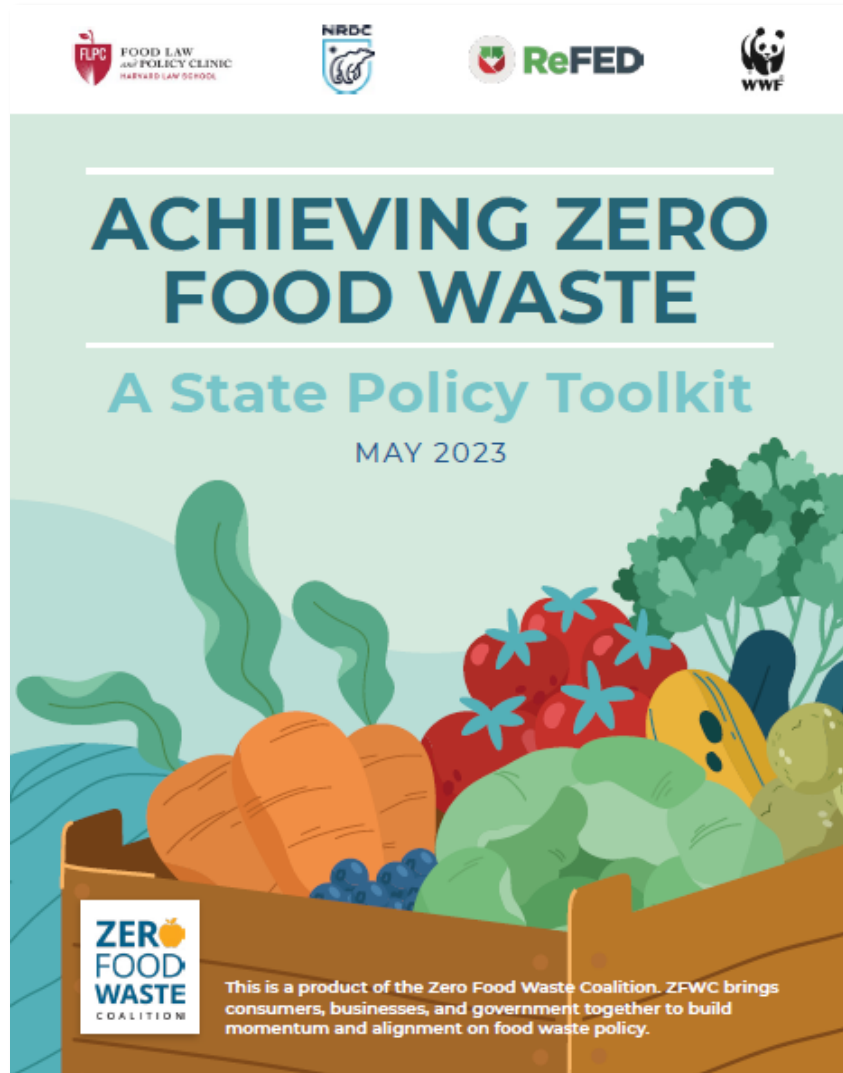


FIGURE 4: FOOD WASTE DESTINATIONS<sup>15</sup>





# Learning from Other States

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# Toolkit Policies



## Building & Broadening Organic Waste Bans

- Organic Waste Bans
- Food Donation Requirements
- Mandatory Reporting Laws
- Disposal Surcharge Fees



## Opportunities to Promote Food Donation

- Liability Protections
- Tax Incentives
- Food Safety Guidance



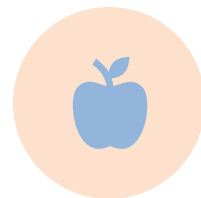
## Supporting Organic Waste Processing Infrastructure

- Permitting & Zoning for Composting & AD Facilities
- Recycling Food Scraps into Animal Feed



## Developing End Markets for Compost

- Compost Procurement
- Incentivize Compost Application



## Preventing Food Waste Upstream

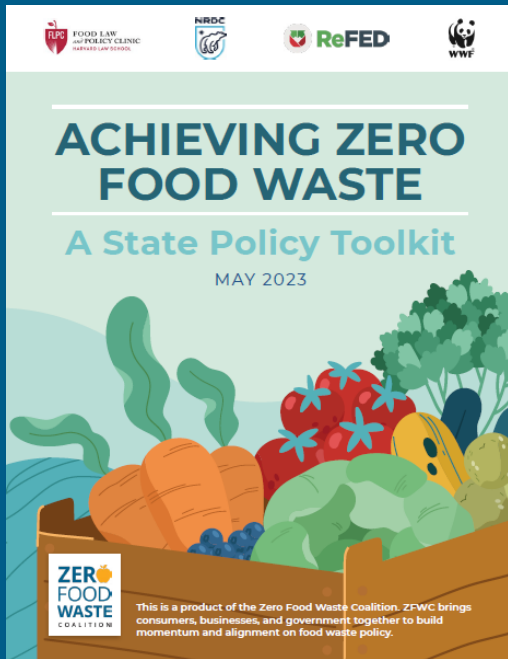
- Date Labeling



## Other Governmental Actions

- Food Waste Reduction in K-12 Schools
- Climate & Solid Waste Plans
- Government Support for Food Waste Reduction

# Toolkit Contents



## Background

- Connection to Food Recovery Hierarchy
- Historical Development and Current United States Landscape
- Federal Law Context

## Components of Model Policy

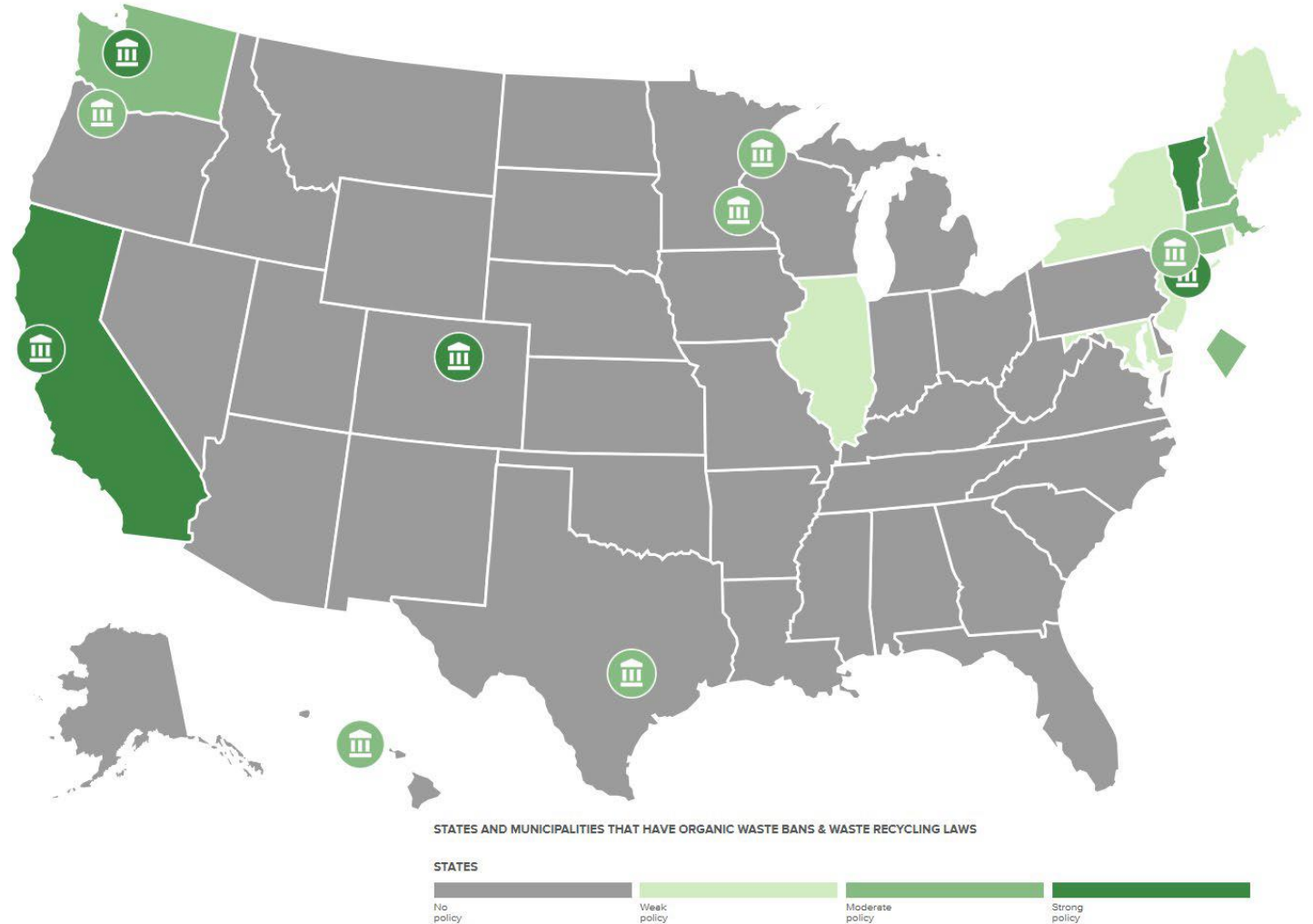
- Key Considerations
- Lessons Learned from Other States
- Links to Additional Resources

## Model Legislation

- Drafted State Legislation
- Adaptable for Each State's Context

# Organic Waste Bans & Recycling Laws

*aka  
Food Waste Diversion Policies*



Source: [ReFED Policy Finder](#)



Food Waste Diversion Policies (FWDPs) are one of the most effective tools to keep good food out of landfills and on people's plates.

## **What Are Food Waste Diversion Policies?**

Laws that restrict the amount of organic waste, including food waste, that can be disposed of in landfills and incinerators and/or require food donation and food scrap recycling.

## **Benefits of Food Waste Diversion Policies:**

**Preserve Landfill Lifespan**

**Decreased Waste**

**Reduce Methane Emissions**

**Green Job Creation**

**Increased Food Rescue**

**More Local Compost Collection**

# Food Waste Diversion Policies

## Best practices:

- 🍏 Apply a tiered and phased-in approach
- 🍏 Grant limited/no waivers and exemptions
- 🍏 Promote outreach to generators, and specify enforcement
- 🍏 Provide grants for food waste reduction efforts



# Food Waste Diversion Policies

## Model State: Vermont

(Universal Recycling Law—2012)

- 🍏 Encourages management in accordance with VT's food recovery hierarchy
- 🍏 No waivers and no exemptions
- 🍏 Applied a phased in approach:
  - 🌿 July 2014: 104 tons/year of organic waste
  - 🌿 July 2015: 52 tons/year
  - 🌿 July 2016: 26 tons/year
  - 🌿 July 2017: 18 tons/year
  - 🌿 July 2018: all generators
- 🍏 Provides for enforcement scheme and awareness/education efforts to support voluntary compliance



# Food Donation Requirements

## Best Practices

- 🍏 Require donation of food that meets health and safety requirements and recycling of remaining food scraps
- 🍏 Apply a tiered and phased-in approach
- 🍏 Perform capacity planning and provide grants for food recovery organizations
- 🍏 Promote education and outreach
- 🍏 Monitor and track outcomes



# Food Waste Diversion Policy with Food Donation Requirements

## Model State: California

(SB 1383—2016)

- 🍏 Sets targets for food recovery and requires the donation of food that meets health and safety requirements
- 🍏 Applies a phased in approach, based on the type of generator
- 🍏 Includes grant funding
- 🍏 Delegates educational authority to local jurisdictions



# Compost Procurement

Purchases finished compost to support end-markets

## Best practices:

- 🍏 Cover the maximum number of government agencies
- 🍏 Set targets for the amount of compost to purchase
- 🍏 Use an established standard for compost quality
- 🍏 Prioritize local compost
- 🍏 Outline compost uses
- 🍏 Require recordkeeping and reporting

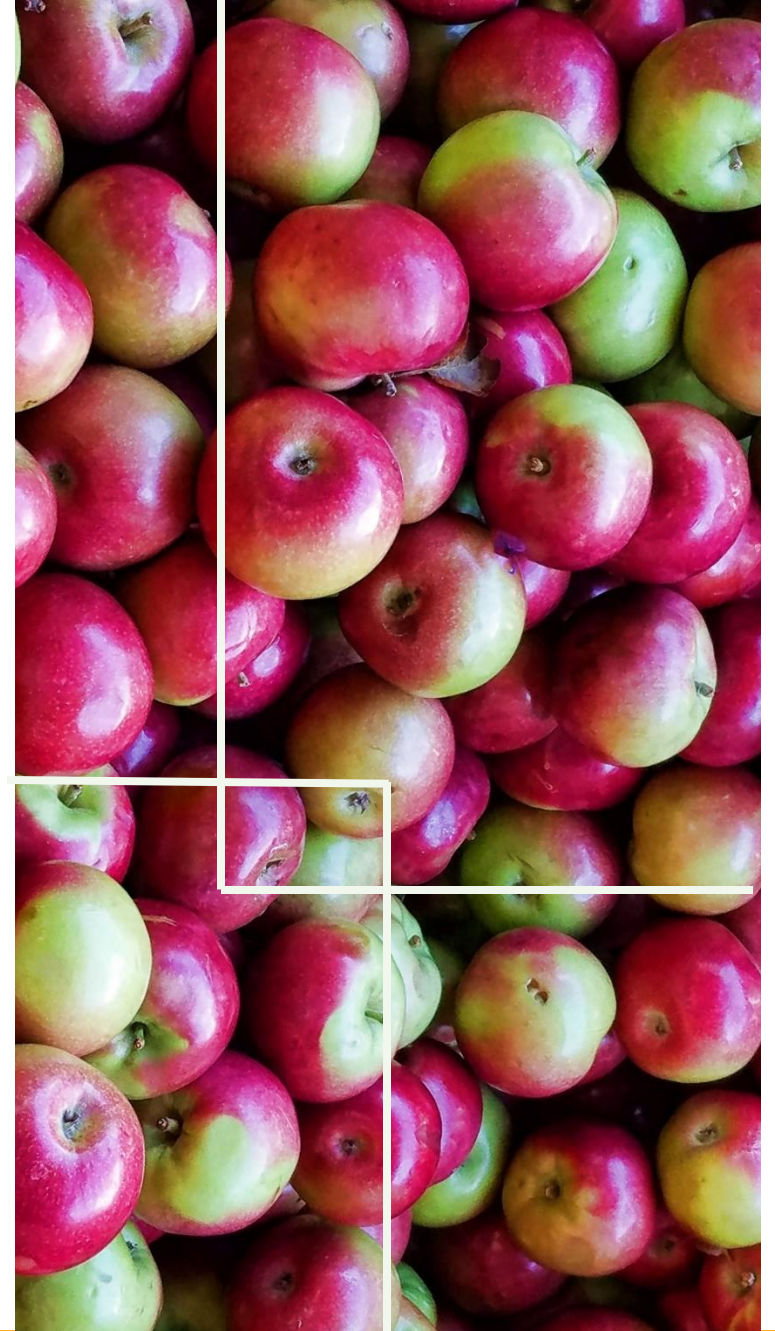


# Compost Procurement

## Model State: Washington

(Revenue Code §§ 43.19A.005 – 43.19A.160)

- 🍏 Covers state and local governments
- 🍏 Prioritizes local compost made of food scraps
- 🍏 Incentivizes farmers to use compost




# 2026 State Legislative Session

2026 Food Waste Legislative Tracker - External

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9	This guide was created by Divert, in partnership with the Harvard Law School Food Law and Policy Clinic, to help members of the Zero Food Waste Coalition gain insight and access into real-time policy tracking for a variety of wasted food issues across state legislatures in the U.S.	
10	If you have any questions or have additional/updated information to add to the sheet, please email <a href="mailto:hyana@divertinc.com">hyana@divertinc.com</a> .	
11		
12		
13	This interactive database is intended to provide an overview of wasted food prevention, food rescue, and food waste recycling bills in each state for stakeholders that are interested in engaging on these topics. The legislative tracker, which will be updated regularly throughout the legislative cycle includes:	
14	1) Insights into proposed policies from all 50 states	
15	2) Bill topic areas including donation program mandates, food donation safety, liability protection, source separation and recycling requirements, date labeling, food scraps for animal feed, and much more.	
16	3) summaries of bill content	
17	4) status updates on each bill tracked	
18		
19	Please note, bill summaries marked with a * were developed utilizing BillTrack50's AI summary software. The summary has been checked for correctness and updated if necessary.	
20	Last Updated on April 1, 2026.	
21		

Topic Area	Total # of Bills	Passed/Enacted
Animal Feed	0	0
Awareness	15	1 signed/enacted/adopted
Composting/ Anaerobic Digestion Permitting	26	1 passed
Date Labeling	13	0
Disposal Surcharge Fees	5	0
Donation Safety	8	0
Donation Program or Donation Requirements	17	0
End Market Development	9	1 passed
Funding	34	0
Liability Protection	11	1 passed, 1 signed/enacted/adopted
Research	12	0
Reporting	7	0
Source Separation and Recycling Requirements	26	1 passed
Schools	23	0
Tax Incentive	28	0
Waste Reduction	6	1 signed/enacted/adopted

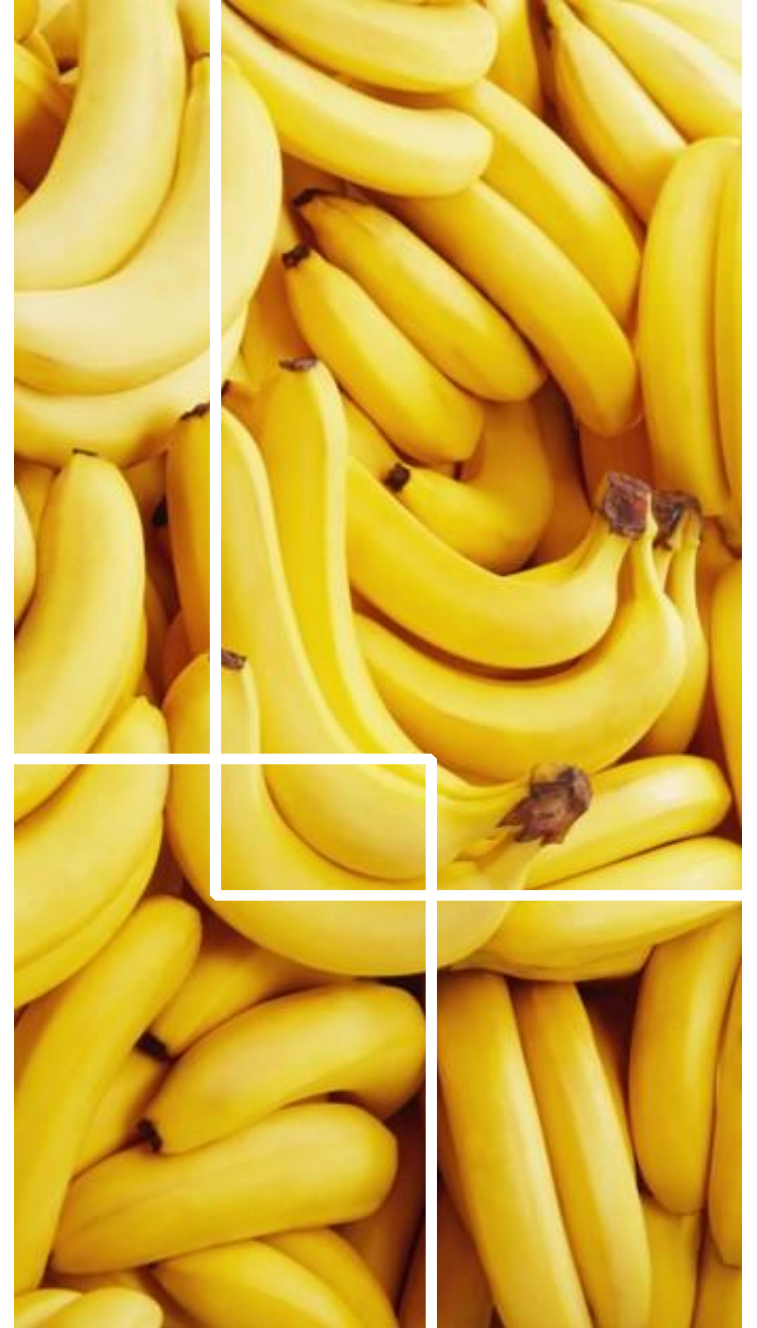
## Trends in Food Waste Legislation

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# Trends in State Food Waste Legislation

States are...

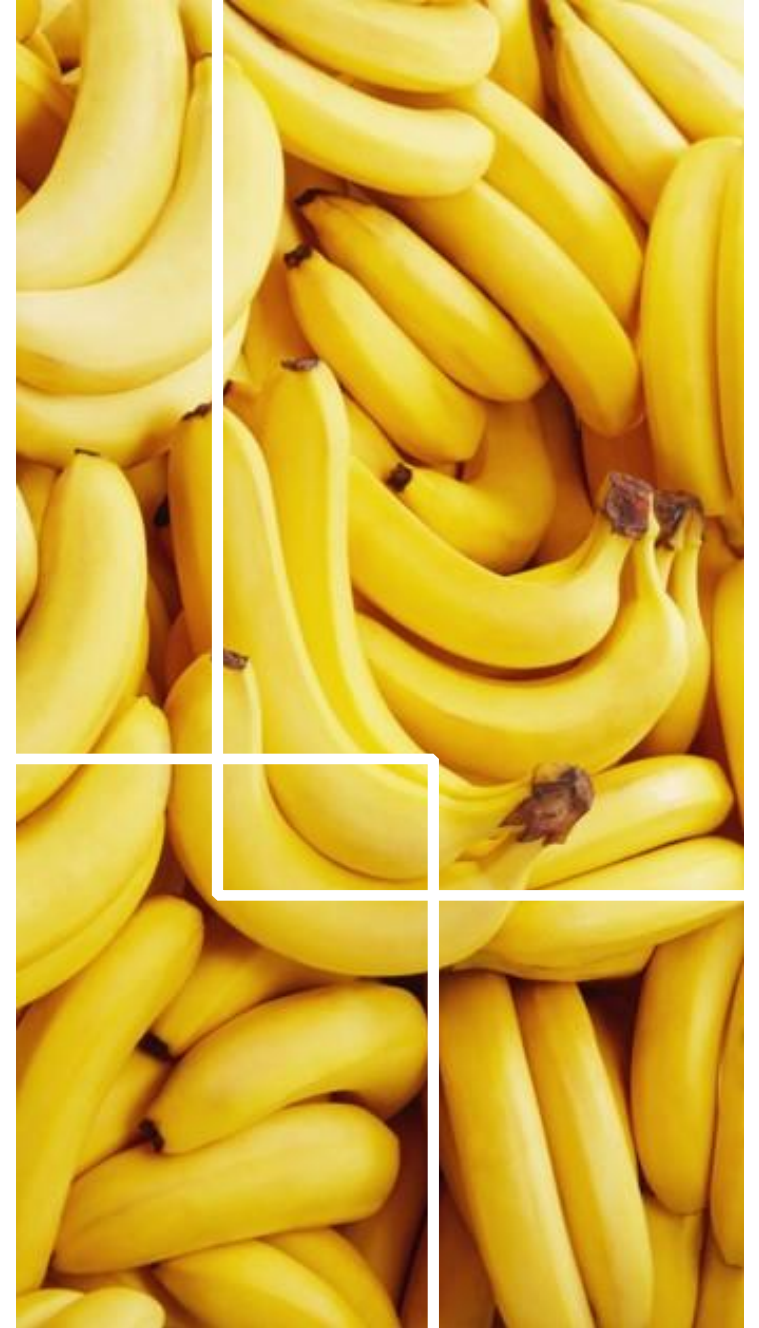
- **Working to implement new or expanded waste bans**
  - Expanding the organics waste ban reach and prioritizing food donation (CT [HB05524](#))
  - Proposing a new organic waste ban for large food waste generators near a recycling facility (IL [1398](#))
- **Engaging local governments**
  - Setting municipal recycling performance targets, coupled with annual reporting (MA [S621](#) / [S2685](#))
  - Enabling localities to enact organic waste ban ordinances (VA [HB1011](#))



# Trends in State Food Waste Legislation

States are...

- **Focusing on agricultural producers**
  - Offering property tax credits to farmers who donate food (*MN* [HF 3386](#) / [SF3924](#))
  - Enabling nonprofits to pay producers for surplus WA-grown products (*WA* [HB 2463](#))
  - Establishing grant programs for on-farm recycling, compost use, and food rescue (*MD* [HB429](#) / [SB599](#))
- **Keeping contaminants out of compost**
  - Establish a 5-year moratorium on sale/use of biosolids in agriculture; exempt compost from food waste if not derived from and not containing biosolids (*NY* [A10138](#))
  - Prohibit land application/sale of compost from sewage sludge, including compost from agricultural products grown in soil treated with biosolids (*Oklahoma* [SB1799](#))
  - Requiring Department of Resources, Recycling, and Recovery to adopt regulations for “compostable” and “home-compostable” labeling (*CA* [AB1812](#))



States are...

Exploring  
Creative  
Funding  
Approaches



**Raising Waste Disposal  
Surcharges**

Rhode Island: [S2441](#)



**State Bond Funding**

Minnesota: [HF508](#) / [SF254](#)



**Tapping Lottery Trust Funds**

Minnesota: [HF1218](#) / [HF1482](#) /  
[SF506](#)



**Food Rescue Tax Credit**

New York: [S08878](#) / [A09329](#)



**Income Tax Credits to Cover  
Costs of Food Donation Program  
Development**

Hawaii: [HB499](#) / [SB 369](#)

# 2026 Wisconsin Bills

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## AB 769, SB 741

- *Topic:* Funding
- *Summary:* This bill requires the Department of Agriculture, Trade and Consumer Protection to provide grants for food waste reduction pilot projects that have an objective of preventing food waste, redirecting surplus food to hunger relief organizations, and composting food waste. Under the bill, the Department of Agriculture, Trade and Consumer Protection must give preference to grant proposals that serve census tracts for which the median household income is below the statewide median household income and in which no grocery store is located.
- *Status:* Failed to pass before legislature adjourned

## SB 878

- *Topic:* Funding
- *Summary:* This bill requires the Department of Agriculture, Trade and Consumer Protection to provide planning grants for establishing regional biodigesters.
- *Status:* Failed to pass before legislature adjourned

# Food Waste Policy in Wisconsin



<p>Organic Waste Bans &amp; Recycling Laws</p>	<p>Wisconsin has a yard waste disposal ban. However, it has not enacted a disposal ban for food waste, and there is no financial incentive structure to encourage food donation or waste diversion.</p>	<p>No policy</p>
<p>Organics Processing Infrastructure Permitting</p>	<p>Wisconsin has a separate permitting tier for source-separated organics at facilities processing more than 50 cubic yards per year, and stricter regulations according to facility size. It has exemptions for small operations.</p>	<p>Moderate Policy</p>
<p>Food Safety Policies for Share Tables</p>	<p>Wisconsin has created guidelines for rescue of surplus food in schools, which include food safety requirements for share tables in school cafeterias.</p>	<p>Strong Policy</p>

Source: [Wisconsin Food Waste Policy Inventory and Gap Analysis \(NRDC\)](#)

# Additional Resources

## Zero Food Waste Coalition:

- [State Policy Toolkit](#)

## ReFED:

- [ReFED Insights Engine](#)
- [ReFED State Policy Tracker](#)

## NRDC:

- [Model Municipal Policies](#)
- [Tackling Food Waste in Cities: A Policy & Program Toolkit](#)
- [Wisconsin Food Waste Policy Inventory and Gap Analysis](#)

## Other:

- [Harvard Food Loss and Waste Policy Hub](#)
- [Global Food Banking Network Atlas](#)
- [Food Waste Warriors K-12 Curriculum \(WWF\)](#)
- [A Toolkit for Incorporating Food Waste in Municipal Climate Action Plans \(ELI\)](#)



**THANK YOU!**

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