



## Legislation Details (With Text)

**File #:** Int 1673-2019 **Version:** A **Name:** City agency food waste prevention plans.

**Type:** Introduction **Status:** Enacted

**In control:** Committee on Economic Development

**On agenda:** 8/14/2019

**Enactment date:** 5/23/2021 **Enactment #:** 2021/057

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to city agency food waste prevention plans

**Sponsors:** Carlina Rivera, Ben Kallos, Diana I. Ayala, Vanessa L. Gibson, Brad S. Lander, James G. Van Bramer, Helen K. Rosenthal, Kalman Yeger, Adrienne E. Adams, Alicka Ampry-Samuel, James F. Gennaro, Farah N. Louis

**Indexes:** Agency Rule-making Required, Report Required

**Attachments:** 1. Summary of Int. No. 1673-A, 2. Summary of Int. No. 1673, 3. Int. No. 1673, 4. August 14, 2019 - Stated Meeting Agenda with Links to Files, 5. Hearing Transcript - Stated Meeting 8-14-19, 6. Minutes of the Stated Meeting - August 14, 2019, 7. Committee Report 9/18/19, 8. Report - Growing Food Equity in New York City, 9. Hearing Testimony 9/18/19, 10. Hearing Transcript 9/18/19, 11. Proposed Int. No. 1673-A - 4/15/21, 12. Committee Report 4/22/21, 13. Hearing Transcript 4/22/21, 14. Committee Report - Stated Meeting, 15. April 22, 2021 - Stated Meeting Agenda with Links to Files, 16. Hearing Transcript - Stated Meeting 4-22-21, 17. Minutes of the Stated Meeting - April 22, 2021, 18. Int. No. 1673-A (FINAL), 19. Fiscal Impact Statement, 20. Legislative Documents - Letter to the Mayor, 21. Local Law 57

Date	Ver.	Action By	Action	Result
8/14/2019	*	City Council	Introduced by Council	
8/14/2019	*	City Council	Referred to Comm by Council	
9/18/2019	*	Committee on Economic Development	Hearing Held by Committee	
9/18/2019	*	Committee on Economic Development	Laid Over by Committee	
9/18/2019	*	Committee on Education	Hearing Held by Committee	
9/18/2019	*	Committee on Education	Laid Over by Committee	
9/18/2019	*	Committee on General Welfare	Hearing Held by Committee	
9/18/2019	*	Committee on General Welfare	Laid Over by Committee	
4/22/2021	*	Committee on Economic Development	Amendment Proposed by Comm	
4/22/2021	*	Committee on Economic Development	Amended by Committee	
4/22/2021	A	Committee on Economic Development	Approved by Committee	Pass
4/22/2021	*	Committee on Economic Development	Hearing Held by Committee	
4/22/2021	A	City Council	Approved by Council	Pass
4/22/2021	A	City Council	Sent to Mayor by Council	
5/23/2021	A	Administration	City Charter Rule Adopted	

5/24/2021 A City Council

Returned Unsigned by Mayor

Int. No. 1673-A

By Council Members Rivera, Kallos, Ayala, Gibson, Lander, Van Bramer, Rosenthal, Yeger, Adams, Ampry-Samuel, Gennaro and Louis

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 prevention plans. a. Definitions. As used in this section, the following terms have the following meanings:

Covered agency. The term “covered agency” means an agency that has entered into at least one food purchase contract within the previous 12 months.

Food purchase contract. The term “food purchase contract” means: (i) a contract entered into by an agency in excess of the small purchase limits established by the procurement policy board, the principal purpose of which is to provide food, provided that such contract authorizes purchases only by the agency that entered into such contract, or (ii) a purchase order for food the value of which exceeds \$100,000, made by an agency against an existing contract.

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. Agency food waste prevention plan. Every covered agency shall, no later than October 1, 2021, prepare and submit to the commissioner for approval, a food waste prevention plan. Any agency that becomes a covered agency after October 1, 2021 shall prepare and submit to the commissioner for approval, a food waste prevention plan within 90 days of becoming a covered agency. 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 all applicable provisions of law and, at a minimum:

1. Establish guidelines for how to identify surplus food that may be safely donated;
2. Identify methods to reduce the amount of surplus food, including the utilization of the food donation web portal described in section 16-497, when appropriate;
3. Set forth procedures for the safe, efficient donation of surplus food; and
4. Include any other provisions necessary to facilitate the reduction of surplus food and the donation of surplus food.

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 plan required by subdivision b.

d. Report. 1. On or before October 1, 2022, for the period between the effective date of the local law that added this section through January 1, 2022, and annually thereafter for the previous 12-month reporting period, each covered agency shall submit a report to the commissioner. Such report shall include, at a minimum:

- i. A summary of the actions taken to implement the agency's food waste prevention plan;
  - ii. Any proposed additional actions to be taken to implement such plan; and
  - iii. Any updates or changes to any information included in such plan.
2. 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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