



**Department of
Environmental
Conservation**

Rethinking Food Waste in New York State

Kristine Ellsworth

Organics Reduction and Recycling Section, Division of Materials Management

November 1, 2023

NYS Department of Environmental Conservation **Organics Reduction & Recycling Section**

Regulate and promote the diversion of organics (wasted food, yard waste, biosolids, food processing waste, etc.) from disposal to beneficial uses.

- Regulatory Oversight & Technical Assistance of Organics Recycling Facilities
- Policy Implementation & Legislative Advocacy
- Funding Programs
- Outreach & Education

The Organics Reduction & Recycling Team
(based in Albany, NY)

- Sally Rowland (Section Supervisor)
- Kristine Ellsworth
- Nasibah Elmi
- Chris Glander
- Molly Trembley



Food Donation & Food Scraps Recycling Law

Businesses and institutions that generate an annual average of two tons of wasted food per week or more must...

1. donate excess edible food to the maximum extent practicable; and
2. recycle all remaining food scraps if they are within 25 miles of an organics recycler (composting facility, anaerobic digester, etc.).

Exclusions:

- Hospitals
- Nursing Homes
- Adult Care Facilities
- Elementary and secondary schools
- New York City ([local law 146](#))
- Generators serviced by a mixed waste recycler (Delaware County)



By the Numbers – Entities Required to Comply

Year	Number of Establishments Required to Comply	Required to Donate	Required to Recycle
2022	874	874	284
2023	1,076	1,076	389
2024	1,164	1,164	458

Note: Some of these establishments already have robust donation programs, are recycling their food scraps, employing waste reduction initiatives, etc.

Examples: Colleges, Grocery Stores, Supercenters, Restaurants, Hotels, etc.

Waiver Petitions

- [2022 DFSG List](#) - Entities Who Received Waivers - 29
 - 26 entities – Justification 2: Total cost of solid waste management including organics recycling is at least 10% greater than the total cost of disposal without organics recycling
 - 3 entities – Justification 5: Unique circumstances applicable to the generator
- [2023 DFSG List](#) - Entities Who Received Waivers - 11
 - 10 entities - Justification 2: Total cost of solid waste management including organics recycling is at least 10% greater than the total cost of disposal without organics recycling
 - 1 entity – Justification 5: Unique circumstances applicable to the generator

Businesses and institutions are not requesting waivers from donation

2024 DFSG Waivers Due Nov 3, 2023



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First Year of Implementation

- Donation has been a great success!
- Food scraps recycling will take time to grow
- Spot inspections are happening across State (performed by DEC)
- Working with businesses to ensure they understand the law and their requirements under the law
- Continue to fine tune and assess DFSG list
- [2022 Report on implementation of the law now available](#)



New York State Food Donation and Food Scraps Recycling Law

REPORT TO THE GOVERNOR AND LEGISLATURE—2022

Food Tossed Is an Opportunity Lost

Kathy Hochul, Governor | Basil Seggos, Commissioner



2022 Donation

- Businesses and institutions were required to submit annual report by March 1, 2023
 - Donation Practices
 - Quantity of Food Donated
 - Donation Partners
 - Type of Food Donated
 - Food Scraps Recycling Practices
 - Baseline data: Donation and Food Scraps Recycling Practices from 2021

Food Donation Practices for 2022

Provide the following information on your food donation practices for the reporting period beginning January 1, 2022 and ending December 31, 2022.

Total Food Donated in 2022 (lbs):

List the organizations that received donations of food:

Types of food donated:

Check all that apply.

<input type="checkbox"/> Pre-packaged, shelf-stable foods (e.g., canned, boxed, or packaged foods)
<input type="checkbox"/> Baked goods
<input type="checkbox"/> Fresh produce (whole)
<input type="checkbox"/> Dairy products
<input type="checkbox"/> Prepared foods (food that has been prepared but was never served): e.g., entrees or other prepared meals, starches, prepared produce (e.g., cut/chopped fruit or vegetable), side dishes, chilled perishable prepackaged food (e.g., chilled fruit juice), etc.
<input type="checkbox"/> Meat, eggs, poultry, seafood (fresh or frozen)
<input type="checkbox"/> Frozen foods (not including meat, poultry or seafood): e.g., entrees, fruits, fruit juice, vegetables, baked goods, etc.
<input type="checkbox"/> Other

Preliminary Findings from 2022 DFSG Annual Reports

- 629 of 874 DFSG's submitted annual report (~72% reporting rate)
- Food donation increased by 60% from 2021 to 2022
 - 552 DFSGs donated 20,147 tons (40,292,000 lbs) in 2022
 - Plenty of work for those who still don't have donation programs
 - 293 DFSGs donated 12,603 tons (25,206,000 lbs) in 2021
 - 193 additional reported they donated, but didn't provide data
- Grocery, Supermarkets and Wholesale & Distribution reporting the highest donation quantities
- Many DFSG's reported multiple donation partners

Note: Final learnings will be published in 2023 annual update to Governor and Legislature



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Feeding NYS

FeedingNYS Call Center

- Setting up a donation program
- Finding a food bank or local food rescue organization to partner with
- Understanding food safety practices when donating

Onboarding new businesses required to donate

Working with businesses who are already donating to expand what they are donating

Over 5 million pounds donated

Funding to Assist Food Donation

Feeding NYS

- \$800,000 for staffing and outreach and education needs at 10 regional food banks
- \$1.5 million to assist in COVID-19 relief (movement of dairy and produce)
- \$2 million for equipment to enhance agency enabled pick up at the 10 regional food banks

Emergency Food Relief Organizations

- \$1.1 million distributed to 84 non-profits
- \$1.75 for Local Emergency Food Relief Equipment (*reviewing applications*)



Rethink Food Waste NY

- Contracted with Center for EcoTechnology
- **Free** technical assistance to New York State businesses, and institutions
- **Free** technical assistance to organics recyclers -- composting consultants on hand

[For more information](#)

No-Cost Waste Assistance for NY Businesses

Sign up to have a CET expert provide on-the-spot, no-cost waste assessments and identify opportunities for improved recycling, solutions to surplus food and loss, and other resources.

wastedfood.cetonline.org/states/new-york

Food Recovery & Composting

Cost Savings

Sustainability Tools

CET CENTER FOR ECOTECHNOLOGY

NEW YORK STATE OF OPPORTUNITY

Department of Environmental Conservation

Call to Expand and Amend the Law

What would that mean?

- Include smaller businesses and institutions
- Eliminate some or all current exclusions of the law
- Eliminate the 25 mileage limit to a composting or other organics recycling facility

Recommended by

- Climate Leadership & Community Protection Act (CLCPA) Final Scoping Plan
- Draft New York State Solid Waste Management Plan





More Food is Coming

Questions?

Kristine Ellsworth

NYS Department of Environmental
Conservation

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[Sign up to receive updates and
announcements pertaining to the Food
Donation & Food Scraps Recycling law](#)



FEEDING[®]
NEW YORK STATE

Food Recovery Program
State of the State

1

Oct 2023

Today's Agenda

- Feeding NYS Overview
- NYS Food Donation and Scraps Law
- Our Program
 - Actions
 - Results
 - Lessons Learned
- Questions



Feeding New York State



- Ten Feeding America food banks; eight service areas
- 5,000 member agencies
- New York population 20.2 M; 2.5M food insecure
- FNYS growth 10X since 2019
 - Advocacy
 - Produce Sourcing/Co-Op
 - Retail Rescue
 - Centralized Grants

FNYS Team



NYSDEC + FNYS at the Annual Summit



New York State Food Donation and Food Scraps Recycling Law

- **7.8 billion pounds** of food wasted per year in NYS
- **Pressure** on the **environment**
- **Business expenses**
- **Opportunity for Food Banks**

Statistics from P2i, DEC Guidance document and USDA Food Waste report

Actions

Statewide Food Recovery Manager

- Work with all 10 member Food Banks across the state
- Create new donor relationships
- Assist Food Bank staff
 - Manage data
 - Consult on tactics and strategy
 - Assist with Food Bank hiring and training

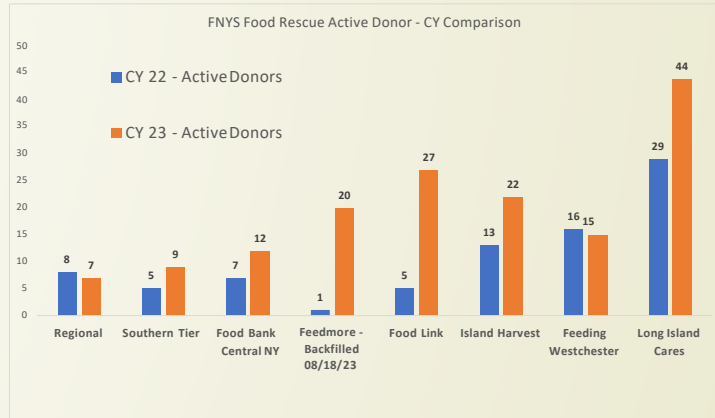


Results – Oct 2021 – Aug 2023



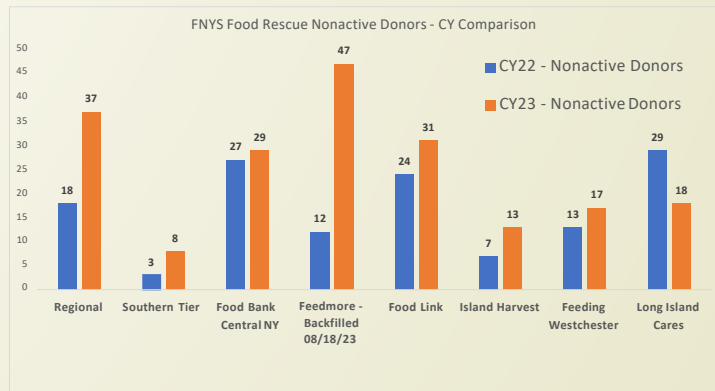
Data: Active vs. Nonactive Donors

Actual Active Donors				
	CY 2022 (Active) 12/31/22	FY 22 Active Rate	CY 2023 (Active) 10/31/23	FY 23 Active Rate
Regional	8	9.52%	7	4.49%
Southern Tier	5	5.95%	9	5.77%
Food Bank Central NY	7	8.33%	12	7.69%
Feedmore - Backfilled 08/18/23	1	1.19%	20	12.82%
Food Link	5	5.95%	27	17.31%
Island Harvest	13	15.48%	22	14.10%
Feeding Westchester	16	19.05%	15	9.62%
Long Island Cares	29	34.52%	44	28.21%
Total	84		156	



** Active - Donors have donated LBS

Nonactive Donors				
	CY 2022 - Nonactive Donors 12/31/22	FY 22 Nonactive Rate	CY 2023 Nonactive 10/31/23	FY 23 - Total Nonactive Donors
Regional	18	13.53%	37	18.50%
Southern Tier	3	2.26%	8	4.00%
Food Bank Central NY	27	20.30%	29	14.50%
Feedmore - Backfilled 08/18/23	12	9.02%	47	23.50%
Food Link	24	18.05%	31	15.50%
Island Harvest	7	5.26%	13	6.50%
Feeding Westchester	13	9.77%	17	8.50%
Long Island Cares	29	21.80%	18	9.00%
Total	133		200	



2022 Detailed Data: Donors

Total organizations subject to law: 1428

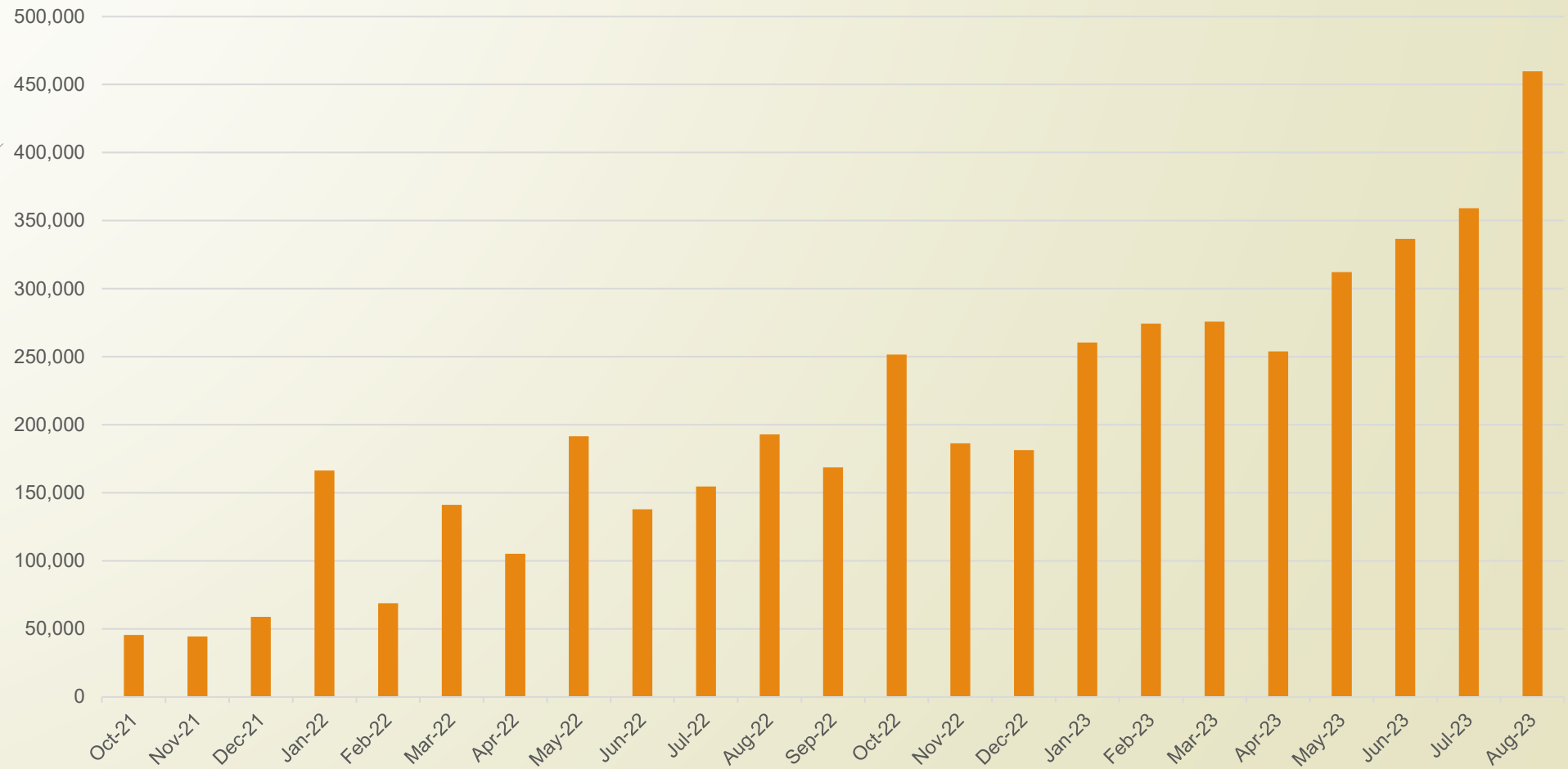
Total donors acquired by food banks: 160 (11%)

Total donors added by FNYS: 171 (12%)

Remaining nondonors (Aug 2023): 1097 (77%)

Detailed Data: Pounds, Monthly

Oct 2021 – Aug 2023



Secondary Results

- CO2 Reduction of 13.5M pounds – equal to 1460 cars off the road for one year
- Improved networking Between Food Bank
- Over 4,000,000 lbs. of food donated
- Greatly improved data quality – 100% unexpected
- Appealing program for advocacy work



Lessons Learned

- **Communication Lessons:**
 - Government letters necessary, but not effective
 - Postcards – not effective
 - Videos on social media – effective for program
 - Videos very effective in advocacy
 - Donor hotline – effective for program
- **Face to Face Communication has been the Key**
 - Enlisted donors
 - Trained donors
 - Solving problems
 - **No Substitute for Personal Relationships**



Lessons Learned

- **Operations Lessons:**
 - Be a Reliable Partner
 - Driver retention
 - Constant communication
 - Staff turnover at retail donors ~70% annually
 - Planning is essential but execution is much harder
 - Every Food Bank is different
 - Donor enlistment can outpace ability to pick up
 - Typical partner agency (food pantry) cannot do this work unassisted



Lessons Learned

- **Data Management**
 - Measurement/tracking is essential
 - For management
 - For future funding
 - It may not be happening
 - It's a lot of work to get it right
 - Meal Connect is an easy way to track pounds



Actions - Underway

Training Videos

- Great majority of problems can be solved with training and communication
- Contact us if you want the videos

Funding projects

- Nine distinct projects funded at ~\$150K each
- FB cost held below \$0.50/pound
- Goal for FY24 – 6M pounds

FNYS Sourcing Team Annual Summit



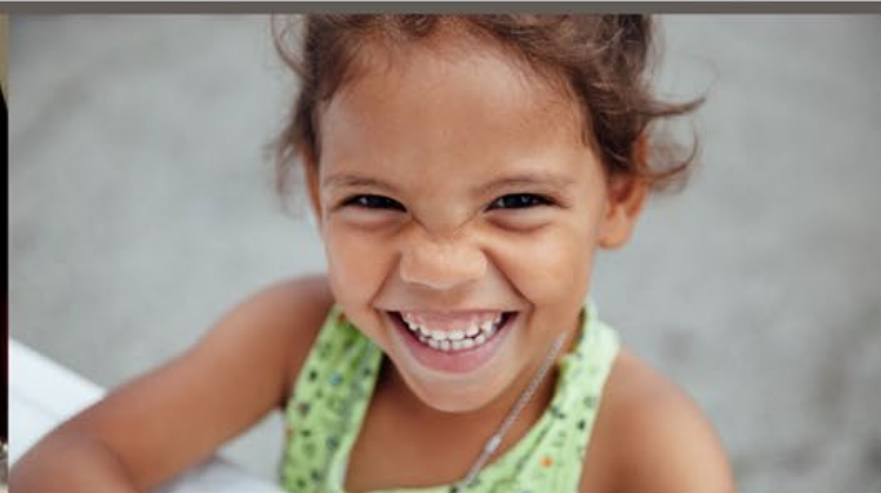


**Hunger and Food
Insecurity in New York**

New York State Food
Rescue Network Conference

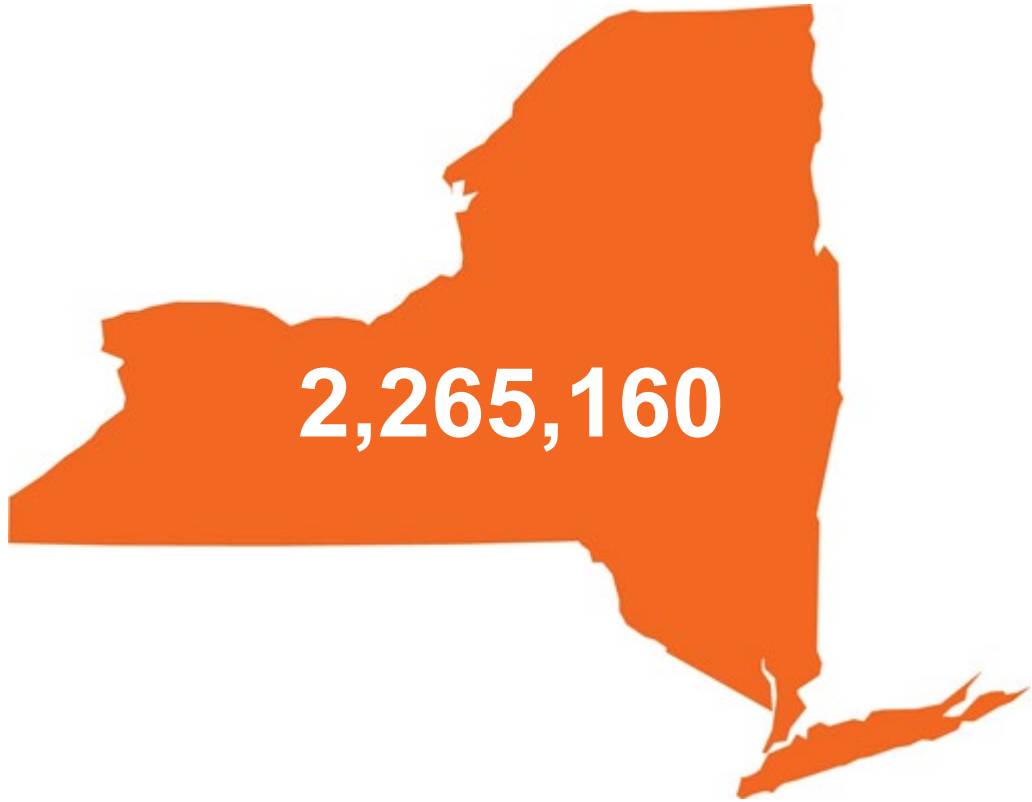
November 1, 2023





Hunger in New York





2,265,160

1 in 9

New Yorkers Face Hunger

Older Adults (50-59) – 256,455 NY residents

Seniors (60+) – 311,500 NY residents



1 in 6

Kids in New York State Face Hunger

Deep Dive: Children Facing Hunger in New York by County

County	Child food insecurity rate - %
Albany	11%
Allegany	14%
Bronx	31%
Broome	15%
Cattaraugus	15%
Cayuga	12%
Chautauqua	15%
Chemung	14%
Chenango	12%
Clinton	12%
Columbia	11%
Cortland	10%
Delaware	15%
Dutchess	8%
Erie	14%
Essex	11%

County	Child food insecurity rate - %
Franklin	15%
Fulton	14%
Genesee	9%
Greene	10%
Hamilton	9%
Herkimer	13%
Jefferson	14%
Kings	22%
Lewis	11%
Livingston	9%
Madison	8%
Monroe	14%
Montgomery	16%
Nassau	4%
New York	15%
Niagara	13%

County	Child food insecurity rate - %
Oneida	13%
Onondaga	14%
Ontario	8%
Orange	10%
Orleans	14%
Oswego	15%
Otsego	10%
Putnam	4%
Queens	16%
Rensselaer	11%
Richmond	12%
Rockland	11%
St. Lawrence	14%
Saratoga	5%
Schenectady	11%
Schoharie	11%

County	Child food insecurity rate - %
Schuyler	13%
Seneca	11%
Steuben	12%
Suffolk	5%
Sullivan	15%
Tioga	8%
Tompkins	8%
Ulster	11%
Warren	9%
Washington	12%
Wayne	10%
Westchester	7%
Wyoming	9%
Yates	11%
State Total	15%

New York Voices

Key Findings from 2023 No Kid Hungry/Change Research Poll

2 in 5

adults experienced food insecurity within the last 12 months



93%

of New Yorkers said childhood hunger should be a bipartisan issue



73%

of New Yorkers said it's harder to afford groceries than it was a year ago



1 in 4

parents/caregivers worried they wouldn't have enough food to feed their family



“

During the week my daughter gets free lunch from school so I don't have to buy anything for lunch to send her with. As it is I can't afford to feed myself lunch but at least I don't have to worry about my child being hungry.

— ULSTER COUNTY RESIDENT

“

We're in a two income household with a combined salary of 80,000 a year and are STILL living paycheck to paycheck because of the cost of food, increase on the price of gas, electric, utilities, health insurance and child care. This is not sustainable.

ORLEANS COUNTY RESIDENT



Policy Solutions to Address Hunger and Poverty in New York



No Kid Hungry New York

A Campaign of Share Our Strength

We work to end child hunger in New York by partnering with schools, community organizations and government agencies to launch and enhance programming providing healthy meals to kids and families. We do this through advocacy, awareness building, technical assistance, partnership development and grant-making.



Our Strategies in New York State

Putting Equity First

Treating families and communities with dignity and putting them at the center of our work

Advocating for Kids

Strengthening policies at the national, state and local level to improve access to meals

Providing Resources

Grant funding plus strategic and operational support for schools and community groups

Changing the Story

Change how Americans understand hunger and poverty – and the choices they make

“

I fully support giving back to the NY community that has welcomed me in and expanding access to food. Food may seem like a small part, but from someone who received free lunch it makes a difference. Events like accidents, pandemics, and inflation are not one offs, they impact a family for many years. Let's be human and support others.

———— KINGS COUNTY RESIDENT





THANK YOU

Stephanie Wu Winter

Senior Program Manager

No Kid Hungry New York

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