

Harvard

Food Law and Policy Clinic

A Division of the Center for Health Law and Policy Innovation

Opportunities to Reduce Food Loss and Waste

ROLE OF LAW AND POLICY

Christina Rice

March 2, 2017



Harvard

Food Law and Policy Clinic

A Division of the Center for Health Law and Policy Innovation

- **Serve clients**
- **Train students**
- **4 Main Policy Areas:**
 - **Community Empowerment**
 - **Sustainable Food Production**
 - **Food Access & Obesity Prevention**
 - **Reducing Food Waste**



Food Waste Policy Solutions

- Date Label Reform
- Food Recovery Support
 - Tax incentives
 - Liability Incentives
- Food Recycling
 - Organic Waste Bans & Waste Recycling Laws

Keeping Food Out of the Landfill:

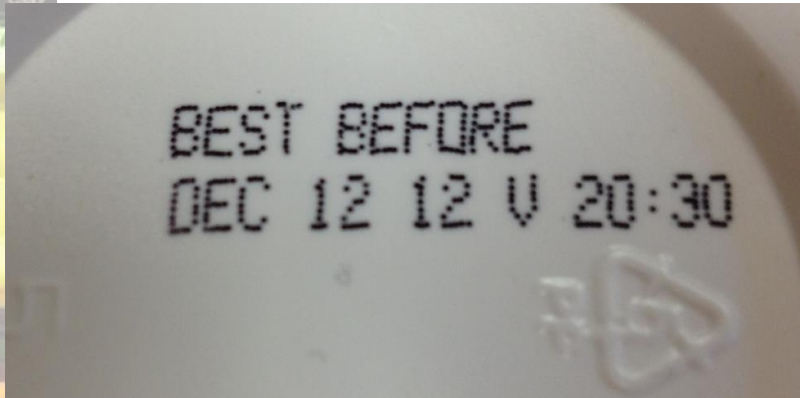
Policy Ideas for States and Localities



October 2016



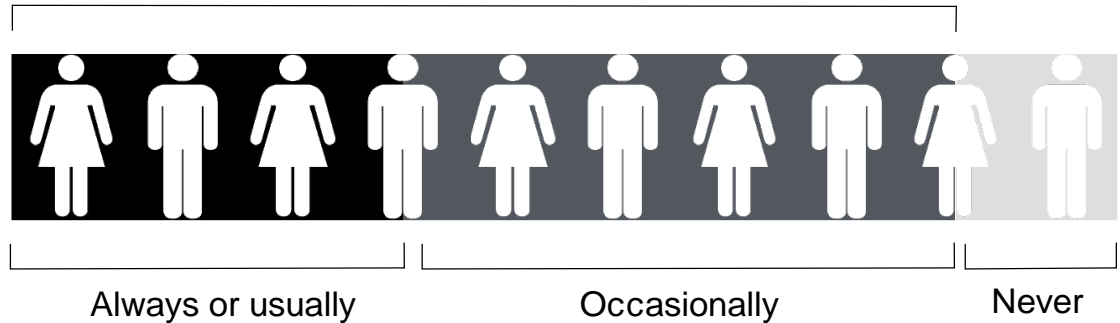
Date Labels



Consumer Perceptions of Date Labels: National U.S. Survey (April 2016)

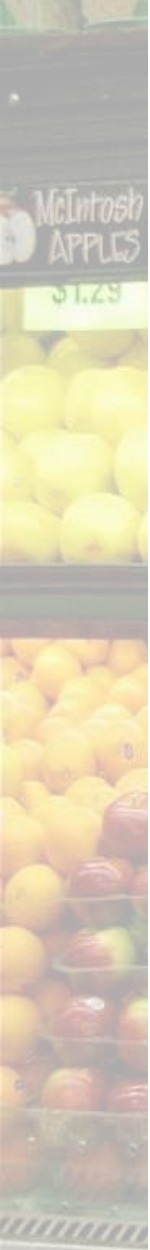


84% of consumers at least occasionally discarded food close to or past the date on its package

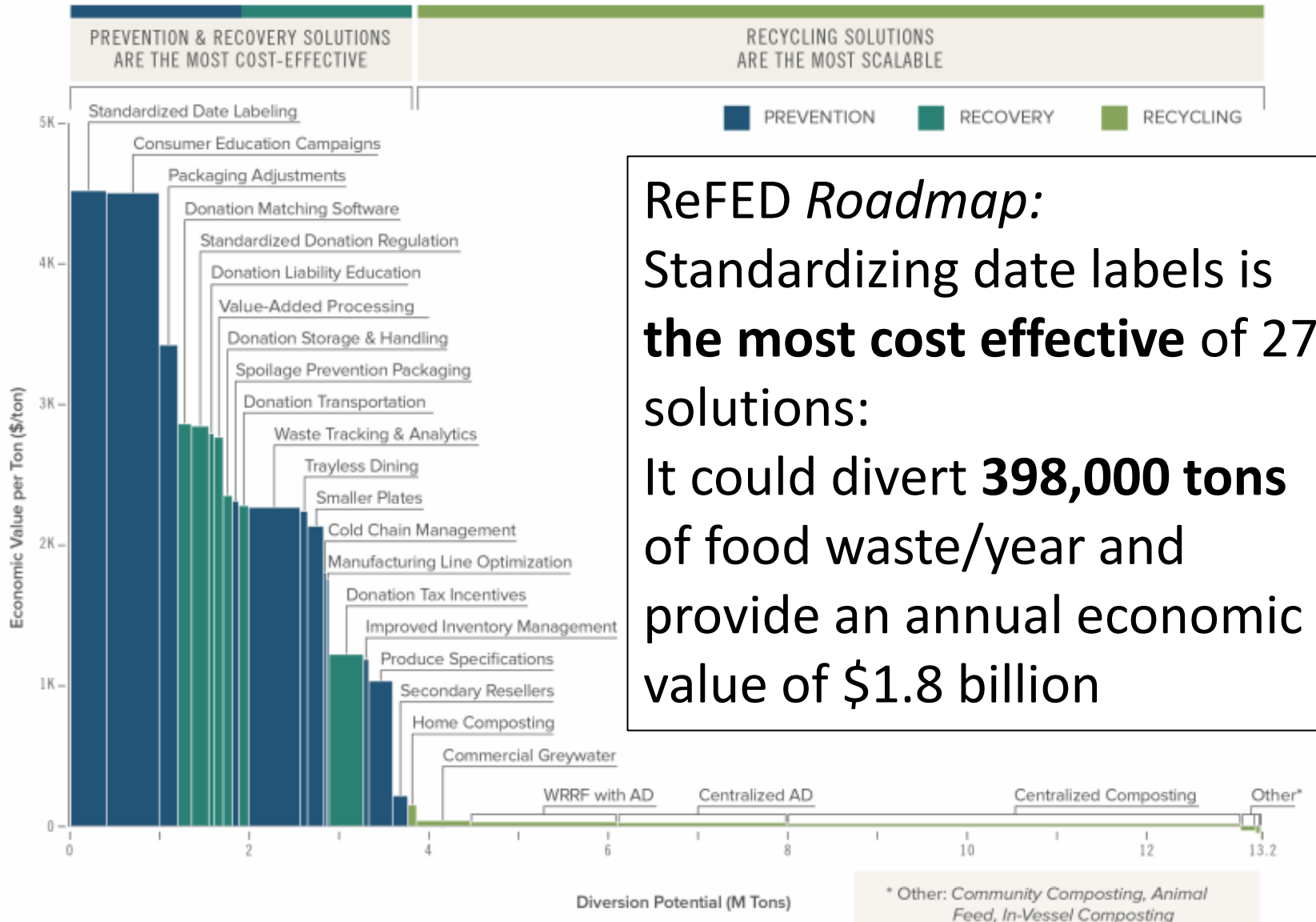


36% of consumers think date labels are federally regulated





MARGINAL FOOD WASTE ABATEMENT COST CURVE



Food Recovery: Barriers to Food Donation

- **Cost**

Tax Incentives

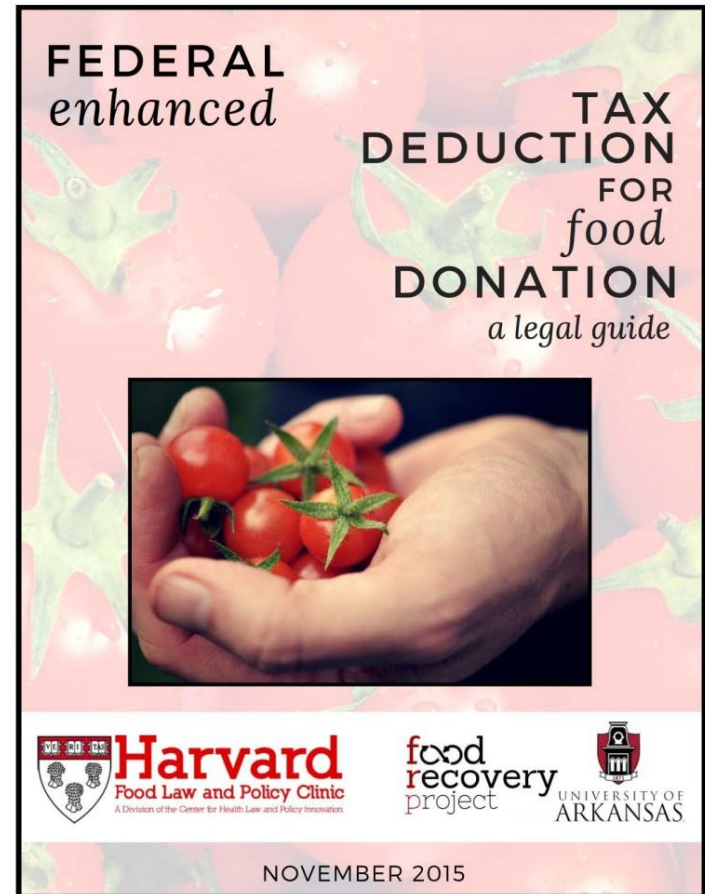
- **Fear of Liability**

Liability Protections



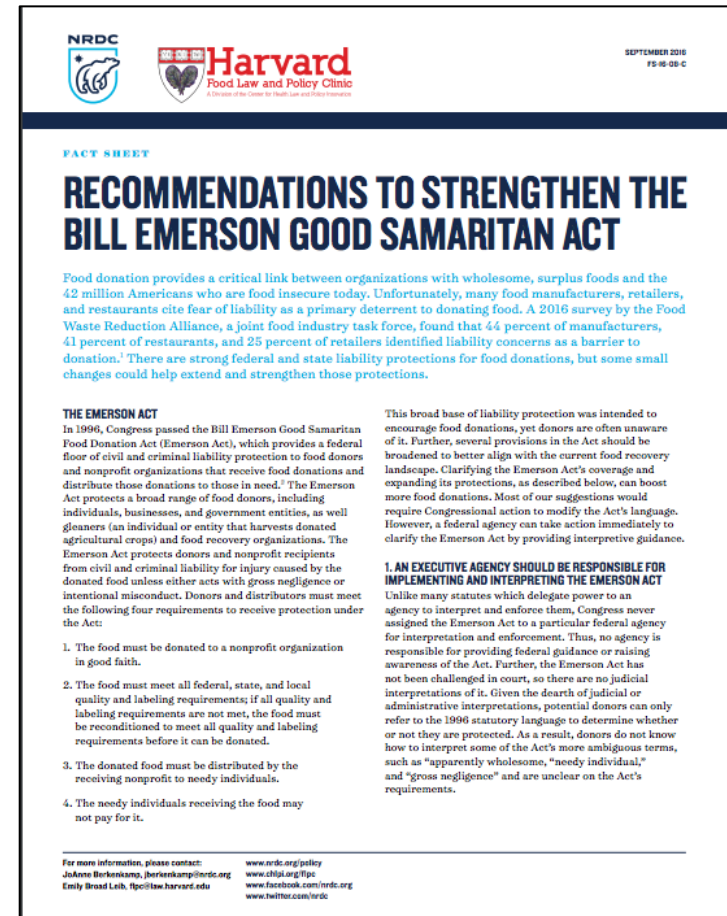
Tax Incentives for Food Donations

- Tax incentives are cost effective & economically beneficial
- A win-win for all parties involved
- **U.S. Model**
 - Federal
 - General Deduction
 - Enhanced Deduction for food donations
 - State tax Incentives
 - 9 States & Washington, D.C.



Liability Protections for Food Donations

- **25%** of food retailers and wholesalers and **50%** of food manufacturers cite liability concerns as one of the main barriers to food donation.
- Providing liability protection to food donors and nonprofits can help address these concerns.
- **U.S. Model**
 - Federal Bill Emerson Good Samaritan Act
 - Provides a federal baseline of civil and criminal liability protections
 - All 50 states provide some form of liability protection for food donations.



Food Recycling

Over 97% of wasted food ends up in landfills, and food waste is the largest filler of landfills nationwide, and a significant contributor to methane emissions nationally.

- Prevent wasted food from reaching landfills:
 - Organic waste bans or waste recycling laws
 - Composting
 - Anaerobic digestion



Organic Waste Bans & Recycling Laws in The U.S.

- 5 states and several localities in the U.S. have implemented waste bans or recycling laws
- Organic Waste Bans
 - Ban waste from landfills; entity determines alternative action
 - E.g., Rhode Island, Massachusetts, Connecticut, Vermont
- Waste Recycling Laws
 - Require entities to take specific action with waste
 - Composting or anaerobic digestion
 - E.g., California

A photograph of fresh vegetables, including radishes and kohlrabi, in a wooden crate at a market. The text "WHAT ARE SOME OTHER POLICY SOLUTIONS?" is overlaid in red, bold, sans-serif font in the center of the image.

WHAT ARE SOME OTHER POLICY SOLUTIONS?

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flpc@law.harvard.edu
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