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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To provide grants to reduce the amount of food waste, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. BROWNLEY introduced the following bill; which was referred to the
Committee on _____

A BILL

To provide grants to reduce the amount of food waste, and
for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Zero Food Waste Act”.

5 **SEC. 2. FOOD WASTE REDUCTION GRANTS.**

6 (a) IN GENERAL.—

7 (1) ESTABLISHMENT.—The Administrator shall
8 establish and carry out a program to award competi-
9 tive grants as provided in paragraph (3).

1 (2) PURPOSE.—The purpose of the program es-
2 tablished under paragraph (1) is to help reduce the
3 amount of food waste by 50 percent by 2030, rel-
4 ative to such amount in 2010.

5 (3) GRANTS.—

6 (A) STUDY ON FOOD WASTE GENERATION
7 AND FOOD WASTE MANAGEMENT PLANNING.—

8 Under the program established under para-
9 graph (1), the Administrator may award a
10 grant to an eligible entity, excluding any eligible
11 entity that is a nonprofit organization, to—

12 (i) study—

13 (I) the generation of food waste
14 in the State or area in which the eligi-
15 ble entity is located or otherwise
16 serves; and

17 (II) policies and programs that
18 significantly reduce the amount of
19 food waste, including policies and pro-
20 grams to carry out food waste reduc-
21 tion activities; and

22 (ii) develop a plan under which such
23 eligible entity will carry out at least one
24 food waste reduction activity, prioritizing
25 prevention to the extent practicable.

1 (B) FOOD WASTE DATA AND REPORTS.—

2 Under the program established under para-
3 graph (1), the Administrator may award a
4 grant to an eligible entity, excluding any eligible
5 entity that is a nonprofit organization, to—

6 (i) collect data on the amount of food
7 waste generated in the State or area in
8 which the eligible entity is located or other-
9 wise serves; and

10 (ii) publish, on any publicly available
11 website (which may include the website of
12 a nongovernmental organization), a month-
13 ly or quarterly report on the data collected
14 under clause (i).

15 (C) FOOD WASTE REDUCTION
16 PROJECTS.—Under the program established
17 under paragraph (1), the Administrator may
18 award a grant to an eligible entity to—

19 (i)(I) carry out or otherwise support a
20 food waste reduction activity;

21 (II) implement a differential pricing
22 policy on the disposal of food waste to—

23 (aa) disincentivize disposing of
24 food waste by incineration or deposit
25 in a landfill; and

1 (bb) incentivize carrying out food
2 waste reduction activities;

3 (III) pay for or provide technical as-
4 sistance to carry out a food waste reduc-
5 tion activity;

6 (IV) implement restrictions on dis-
7 posing of food waste by incineration or de-
8 posit in a landfill;

9 (V) implement food waste reduction
10 activity requirements;

11 (VI) implement demand-stimulating
12 policies for recycling end-markets; or

13 (VII) carry out any other activity the
14 Administrator determines will reduce the
15 amount of food waste in the applicable
16 area; and

17 (ii) collect data and publish reports as
18 described in subparagraph (B).

19 (b) APPLICATIONS.—

20 (1) IN GENERAL.—To apply for a grant under
21 this section, an eligible entity shall submit to the
22 Administrator an application at such time and in
23 such form as the Administrator may require, which
24 such application shall demonstrate how the eligible

1 entity will use the grant in accordance with sub-
2 section (a)(3).

3 (2) NONPROFIT ORGANIZATIONS.—In the case
4 of an application from an eligible entity that is a
5 nonprofit organization, the application shall in-
6 clude—

7 (A) a letter of support for the proposed
8 use of the grant from—

9 (i) the relevant local government, ter-
10 ritorial government, Tribal government, or
11 State; or

12 (ii) another nonprofit organization
13 that—

14 (I) has a demonstrated history of
15 undertaking work in the geographic
16 region where the proposed use of the
17 grant is to take place, as determined
18 by the Administrator; and

19 (II) would not be involved in the
20 proposed use of the grant; and

21 (B) any other information the Adminis-
22 trator may require.

23 (3) PRIORITIZATION.—In awarding grants
24 under this section, the Administrator shall—

1 (A) seek to award grants for use in diverse
2 locations and for diverse uses; and

3 (B) prioritize awarding grants to—

4 (i) any eligible entity, excluding any
5 eligible entity that is a nonprofit organiza-
6 tion, that—

7 (I) implements a program to
8 carry out food waste reduction activi-
9 ties; or

10 (II) has a demonstrated need, as
11 determined by the Administrator, for
12 additional investment in infrastruc-
13 ture or other resources to be able to
14 implement a program to carry out
15 food waste reduction activities; or

16 (ii) an eligible entity that will use
17 such grant as provided in subsection
18 (a)(3)(C)(i) in a community of color, low-
19 income community, or Tribal community
20 that has been disproportionately affected
21 by adverse human health or environmental
22 effects.

23 (4) ANAEROBIC DIGESTION PROJECTS.—With
24 respect to any grant awarded under subsection

1 (a)(3)(C) to carry out an anaerobic digestion
2 project, the Administrator shall—

3 (A) require that the applicant submit a
4 plan for end-product recycling that, in accord-
5 ance with guidelines the Administrator shall es-
6 tablish—

7 (i) provides for the use of the material
8 resulting from the project as a soil amend-
9 ment; and

10 (ii) ensures that the use of the mate-
11 rial resulting from the project does not cre-
12 ate an environmental hazard; and

13 (B) require the eligible entity that is car-
14 rying out the project—

15 (i) to limit its use of animal waste to
16 not more than 20% of the total feedstock
17 of the project; and

18 (ii) to only use source separated
19 organics as the portion of the total feed-
20 stock that is not animal waste.

21 (c) REPORTING.—

22 (1) EFFECT OF USE OF GRANT.—Each eligible
23 entity that receives a grant under this section shall
24 submit to the Administrator a report, at such time
25 and in such form as the Administrator may require,

1 on the results of the use of the grant, which such
2 report shall include any relevant data requested by
3 the Administrator for purposes of tracking the effec-
4 tiveness of the program established under subsection
5 (a)(1).

6 (2) ANNUAL REPORT.—The Administrator shall
7 submit to Congress and make publicly available on
8 the website of the Environmental Protection Agency
9 an annual report describing—

10 (A) the effectiveness of the program estab-
11 lished under subsection (a)(1) at reducing the
12 amount of food waste by 50 percent by 2030,
13 relative to such amount in 2010, including in-
14 formation on the progress of such reduction;
15 and

16 (B) how the Administrator is promoting
17 learning among grantees and other stakeholders
18 to better achieve results.

19 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated to carry out this section
21 \$650,000,000 for each of fiscal years 2024 through 2033,
22 to remain available until expended.

23 (e) DEFINITIONS.—In this Act:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Environ-
3 mental Protection Agency.

4 (2) ELIGIBLE ENTITY.—The term “eligible enti-
5 ty” means—

6 (A) a State, a local government, a terri-
7 torial government, or a Tribal government;

8 (B) a nonprofit organization; or

9 (C) a partnership of two or more of any of
10 the entities described in subparagraphs (A) and
11 (B).

12 (3) FOOD WASTE.—The term “food waste”
13 means any uneaten food and inedible parts of food.

14 (4) FOOD WASTE REDUCTION ACTIVITY.—The
15 term “food waste reduction activity” means any
16 method or activity that reduces the amount of food
17 waste disposed of in landfills or incinerated, includ-
18 ing through prevention, rescue, upcycling, and recy-
19 cling.

20 (5) NONPROFIT ORGANIZATION.—The term
21 “nonprofit organization” means an organization that
22 is described in section 501(c)(3) of the Internal Rev-
23 enue Code of 1986 (26 U.S.C. 501(c)(3)) and is ex-
24 empt from taxation under section 501(a) of such
25 Code.

1 (6) PREVENT.—The term “prevent” means to
2 forestall the generation of food waste.

3 (7) RECYCLE.—The term “recycle” means to
4 reuse food waste as a feedstock for a non-food prod-
5 uct.

6 (8) RESCUE.—The term “rescue” means to re-
7 direct surplus food for consumption.

8 (9) SOURCE SEPARATED ORGANICS.—

9 (A) IN GENERAL.—The term “source sepa-
10 rated organics” means organic waste that is
11 separated from other waste by the waste gener-
12 ator.

13 (B) INCLUSION.—The term “source sepa-
14 rated organics” includes materials that are cer-
15 tified to meet ASTM standard D6400 or
16 D6868.

17 (C) EXCLUSION.—The term “source sepa-
18 rated organics” excludes mixed solid waste.

19 (10) UPCYCLE.—The term “upcycle” means to
20 make new food from ingredients that otherwise
21 would become food waste.