

CHAPTER 228

AN ACT concerning the reduction of food waste and supplementing P.L.1970, c.39 (C.13:1E-1 et seq.).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.13:1E-227.1 Strategy; measures for solid waste management districts; rules and regulations.

1. a. No later than two years after the effective date of this section, each solid waste management district in the State shall develop and implement a strategy for reducing, by the year 2035, the amount of food waste generated annually in the district by at least 50 percent of the amount which was generated in the year 2022. The strategy shall be adopted as an amendment to the district solid waste management plan required pursuant to the “Solid Waste Management Act,” P.L.1970, c.39 (C.13:1E-1 et seq.), or pursuant to an administrative action by the solid waste management district authorized pursuant to rules and regulations adopted for that purpose, and shall be subject to the approval of the department. Any increase in the amount of perishable food donated for human consumption, as well as any increase in the amount of food waste composted or anaerobically digested, shall count toward the food waste reduction target established pursuant to this subsection. Food waste sent for final disposal to a sanitary landfill facility that collects and delivers landfill gas to a gas-to-energy facility as fuel for the generation of Class I renewable energy or for the generation of renewable natural gas of pipeline quality standards or transportation fuel grade requirements shall not be subject to the food waste reduction requirements of this section.

b. No later than 180 days after the effective date of this section, the department shall develop, and publish on its Internet website, a list of measures solid waste management districts can take in order to achieve the food waste reduction requirement established in subsection a. of this section. Such measures shall include, but need not be limited to, measures to increase the donation of surplus edible food, the source separation and recycling of food waste, the composting and anaerobic digestion of food waste and other food waste diversion methods that also reduce methane emissions, and public awareness campaigns.

c. The department shall adopt rules and regulations, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to create a tiered regulatory structure for composting facilities, pursuant to the “Solid Waste Management Act,” P.L.1970, c.39 (C.13:1E-1 et seq.), in order to facilitate the use of organic waste recycling facilities in the State.

d. As used in this section, “food waste” means any food-derived organic waste that is disposed of in a landfill, including, but not limited to, edible food, food scraps generated by a consumer after the generator issues or sells food to the consumer, food processing waste, food processing residue generated from processing and packaging operations, overripe or spoiled produce, trimmings from food, food product over-runs, soiled and unrecyclable paper, and used cooking fats, oil, and grease.

2. This act shall take effect immediately.

Approved January 12, 2026.