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ASSEMBLY, No. 3056

STATE OF NEW JERSEY
217th LEGISLATURE

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SYNOPSIS

Requires Department of Agriculture to develop voluntary guidelines to encourage school districts and institutions of higher education to donate excess food; extends "Food Bank Good Samaritan Act" protections to school districts.

CURRENT VERSION OF TEXT

As reported by the Assembly Agriculture and Natural Resources Committee on May 19, 2016, with amendments.

(Sponsorship Updated As Of: 5/27/2016)

A3056 [1R] TALIAFERRO, DANCER

2

1 AN ACT concerning the donation of excess food by school districts
2 and institutions of higher education, supplementing Title 4 of the
3 Revised Statutes, and amending P.L.1982, c.178.

4

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

7

8 1. a. The Department of Agriculture, in consultation with the
9 Department of Education, the Department of Health, and the Office of
10 the Secretary of Higher Education, shall establish, or work with
11 appropriate nonprofit organizations to establish, voluntary guidelines
12 to encourage and facilitate the ability of school districts and
13 institutions of higher education to donate excess, unused, edible food
14 from meals served at schools to local voluntary food assistance
15 programs including, but not limited to, food banks, food pantries, soup
16 kitchens, and other nonprofit organizations that distribute food to the
17 poor and the disadvantaged.

18 b. The guidelines shall include, but need not be limited to:

19 (1) information on food waste and the need of local voluntary food
20 assistance programs for excess, unused, edible food;

21 (2) recommendations on how schools may incorporate this
22 information into their curricula, and create programs and activities for
23 the donation of excess, unused, edible food;

24 (3) information on the types of food that schools may donate to
25 local voluntary food assistance programs;

26 (4) a cost-effective, safe, and sanitary means by which schools
27 may donate excess, unused, edible food to local voluntary food
28 assistance programs; and

29 (5) a means by which schools and local voluntary food assistance
30 programs may connect with each other for the donation of excess,
31 unused, edible food.

32 c. The Department of Education and the Office of the Secretary
33 of Higher Education shall ¹**【**distribute these guidelines to each school
34 district and institution of higher education, respectively, and**】**¹ publish
35 the guidelines on their respective Internet websites.

36 d. The Department of Agriculture and the Department of
37 Education shall coordinate the implementation of these guidelines with
38 Jersey Fresh Farm to School Week and the New Jersey Farm to School
39 Program, established pursuant to P.L.2011, c.10 (C.4:10-25.1 et seq.).

40

41 2. Section 2 of P.L.1982, c.178 (C.24:4A-2) is amended to read
42 as follows:

43 2. As used in this act:

44 a. "Donor" includes, but is not limited to, any farmer,
45 processor, distributor, wholesaler, or retailer of perishable or

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】 in the above bill is not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AAN committee amendments adopted May 19, 2016.

- 1 prepared food, or **[an]** any school district or institution of higher
2 education in this State;
- 3 b. "Food" means articles used for food or drink for humans and
4 articles used for components of any such article;
- 5 c. "Gleaner" means a person who harvests for distribution an
6 agricultural food that has been donated by the owner;
- 7 d. "Nonprofit organization" means an organization
8 incorporated under the provisions of Title 15 or Title 16 of the
9 Revised Statutes of New Jersey, an organization exempt from
10 taxation under section 501(c)(3) of the Internal Revenue Code or an
11 entity to which a charitable contribution as defined under
12 subsection (c) of section 170 of the Internal Revenue Code is
13 deductible under section 170;
- 14 e. "Perishable food" means any food that may spoil or
15 otherwise become unfit for human consumption because of its
16 nature, type or physical condition. Perishable food includes, but is
17 not limited to, fresh or processed meats, poultry, seafood, dairy
18 products, bakery products, eggs in the shell, fresh fruits or
19 vegetables and foods that have been canned or otherwise processed
20 and packaged and which may or may not require refrigeration or
21 freezing;
- 22 f. "Prepared food" means food commercially processed and
23 prepared for human consumption;
- 24 g. "Food bank" means a nonprofit food clearinghouse that
25 solicits, stores, and distributes donations of edible but unmarketable
26 surplus food. The food is distributed to nonprofit organizations that
27 feed the needy.
28 (cf: P.L.2012, c.68, s.1)
29
- 30 3. This act shall take effect immediately.