

ASSEMBLY, No. 4937

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED NOVEMBER 9, 2020

Sponsored by:

Assemblyman BRIAN BERGEN

District 25 (Morris and Somerset)

SYNOPSIS

Authorizes voluntary donation of expired food or food waste to farmers;
authorizes donations if farmer waives liability.

CURRENT VERSION OF TEXT

As introduced.



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

18 (3) waives any right to legal action as a result of accepting the
19 donated expired food or food waste.

26 (2) coordinate communications about expired food or food
27 waste available for donation and distribution.

“Expired food or food waste” means any produce, meat, fish, seafood, poultry, eggs, dairy products, or any other food that has passed its best-by or sell-by date, or has spoiled, or leftover food from preparation of food for patrons of a restaurant, or that otherwise has become unsuitable for sale and the grocery store, restaurant, supermarket, or other retail seller or distributor of the food otherwise would be required by law, rule, or regulation to dispose of the food.

37 “Retail seller or distributor” means a grocery store, restaurant,
38 supermarket, or other business that sells, distributes, or offers for
39 retail sale or distribution any produce, meat, fish, seafood, poultry,
40 eggs, dairy products, or any other food for human consumption.

42 2. This act shall take effect immediately.

STATEMENT

46 This bill authorizes any retail seller or distributor to donate
47 expired food or food waste to a farmer for use as animal feed,
48 provided the farmer signs and submits to the retail seller or
49 distributor a liability waiver.

1 The bill also directs the Farm Liaison, established pursuant to
2 P.L.2019, c.94 (C.4:1-48), to:

3 1) collaborate with farmers and retail sellers and distributors to
4 develop contacts and networks to request, process, and receive
5 expired food or food waste donations; and

6 2) coordinate communications about expired food or food
7 waste available for donation and distribution.

8 The bill specifies the liability waiver provide that the person
9 signing the waiver:

10 1) understands and accepts the potential dangers and negative
11 impacts for people or animals consuming expired food or food
12 waste;

13 2) releases the retail seller or distributor from any liability with
14 regard to the donated expired food or food waste; and

15 3) waives any right to legal action as a result of accepting the
16 donated expired food or food waste.