

117TH CONGRESS
1ST SESSION

H. R. 4444

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

IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2021

Ms. BROWNLEY (for herself, Ms. PINGREE, and Ms. KUSTER) introduced the following bill; which was referred to the Committee on Energy and Commerce

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).

10 (2) PURPOSE.—The purpose of the program es-
11 tablished under paragraph (1) is to help reduce the

amount of food waste by 50 percent by 2030, relative to such amount in 2010.

(3) GRANTS.—

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

Under the program established under paragraph (1), the Administrator may award a grant to an eligible entity, excluding any eligible entity that is a nonprofit organization, to—

(i) study—

(I) the generation of food waste in the State or area in which the eligible entity is located or otherwise serves; and

(II) policies and programs that significantly reduce the amount of food waste, including policies and programs to carry out food waste reduction activities; and

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

(B) FOOD WASTE DATA AND REPORTS.—

Under the program established under para-

graph (1), the Administrator may award a grant to an eligible entity, excluding any eligible entity that is a nonprofit organization, to—

(i) collect data on the amount of food waste generated in the State or area in which the eligible entity is located or otherwise serves; and

(ii) publish, on any publicly available website (which may include the website of a nongovernmental organization), a monthly or quarterly report on the data collected under clause (i).

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

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

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

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

(bb) incentivize carrying out food waste reduction activities;

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

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

7 (V) implement food waste reduction
8 activity requirements;

9 (VI) implement demand-stimulating
10 policies for recycling end-markets; or

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

15 (ii) collect data and publish reports as
16 described in subparagraph (B).

17 (b) APPLICATIONS.—

18 (1) IN GENERAL.—To apply for a grant under
19 this section, an eligible entity shall submit to the
20 Administrator an application at such time and in
21 such form as the Administrator may require, which
22 such application shall demonstrate how the eligible
23 entity will use the grant in accordance with sub-
24 section (a)(3).

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

5 (A) a letter of support for the proposed
6 use of the grant from—

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

10 (ii) another nonprofit organization
11 that—

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

17 (II) would not be involved in the
18 proposed use of the grant; and

19 (B) any other information the Adminis-
20 trator may require.

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

23 (A) seek to award grants for use in diverse
24 locations and for diverse uses; and

25 (B) prioritize awarding grants to—

1 (i) any eligible entity, excluding any
2 eligible entity that is a nonprofit organiza-
3 tion, that—

4 (I) implements a program to
5 carry out food waste reduction activi-
6 ties; or

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

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

20 (4) ANAEROBIC DIGESTION PROJECTS.—With
21 respect to any grant awarded under subsection
22 (a)(3)(C) to carry out an anaerobic digestion
23 project, the Administrator shall—

24 (A) require that the applicant submit a
25 plan for end-product recycling that, in accord-

1 ance with guidelines the Administrator shall es-
2 tablish—

3 (i) provides for the use of the material
4 resulting from the project as a soil amend-
5 ment; and

6 (ii) ensures that the use of the mate-
7 rial resulting from the project does not cre-
8 ate an environmental hazard; and

9 (B) require the eligible entity that is car-
10 rying out the project—

11 (i) to limit its use of animal waste to
12 not more than 20% of the total feedstock
13 of the project; and

14 (ii) to only use source separated
15 organics as the portion of the total feed-
16 stock that is not animal waste.

17 (c) REPORTING.—

18 (1) EFFECT OF USE OF GRANT.—Each eligible
19 entity that receives a grant under this section shall
20 submit to the Administrator a report, at such time
21 and in such form as the Administrator may require,
22 on the results of the use of the grant, which such
23 report shall include any relevant data requested by
24 the Administrator for purposes of tracking the effec-

1 tiveness of the program established under subsection
2 (a)(1).

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

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

13 (B) how the Administrator is promoting
14 learning among grantees and other stakeholders
15 to better achieve results.

16 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated to carry out this section
18 \$650,000,000 for each of fiscal years 2022 through 2031,
19 to remain available until expended.

20 (e) DEFINITIONS.—In this Act:

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

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

1 (A) a State, a local government, a terri-
2 torial government, or a Tribal government;

3 (B) a nonprofit organization; or

4 (C) a partnership of two or more of any of
5 the entities described in subparagraphs (A) and
6 (B).

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

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

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

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

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

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

3 (9) SOURCE SEPARATED ORGANICS.—

4 (A) IN GENERAL.—The term “source sepa-
5 rated organics” means organic waste that is
6 separated from other waste by the waste gener-
7 ator.

8 (B) INCLUSION.—The term “source sepa-
9 rated organics” includes materials that are cer-
10 tified to meet ASTM standard D6400 or
11 D6868.

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

14 (10) UPCYCLE.—The term “upcycle” means to
15 make new food from ingredients that otherwise
16 would become food waste.

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