

HOUSE No. 2201

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr. and Hannah Kane

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the promotion of food donation.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-------------------------------|-----------------------|------------------|
| <i>Bradley H. Jones, Jr.</i> | <i>20th Middlesex</i> | <i>1/17/2023</i> |
| <i>Hannah Kane</i> | <i>11th Worcester</i> | <i>1/19/2023</i> |
| <i>Nicholas A. Boldyga</i> | <i>3rd Hampden</i> | <i>1/26/2023</i> |
| <i>Susan Williams Gifford</i> | <i>2nd Plymouth</i> | <i>1/26/2023</i> |
| <i>F. Jay Barrows</i> | <i>1st Bristol</i> | <i>1/26/2023</i> |
| <i>Paul K. Frost</i> | <i>7th Worcester</i> | <i>1/31/2023</i> |
| <i>Kimberly N. Ferguson</i> | <i>1st Worcester</i> | <i>1/31/2023</i> |
| <i>Paul McMurtry</i> | <i>11th Norfolk</i> | <i>2/15/2023</i> |
| <i>Brian W. Murray</i> | <i>10th Worcester</i> | <i>2/18/2023</i> |

HOUSE No. 2201

By Representatives Jones of North Reading and Kane of Shrewsbury, a petition (accompanied by bill, House, No. 2201) of Bradley H. Jones, Jr., Hannah Kane and others relative to authorizing the Department of Public Health to provide guidance to businesses regarding best practices for food donation. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2326 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to the promotion of food donation.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The department of public health shall issue guidance to businesses in the
2 commonwealth regarding best practices for food donation, and state and federal policies
3 concerning liability protections when donating food.

4 The guidance shall include, but not be limited to, a review of:

5 (i) state and federal liability protection laws in place concerning food donation;

6 (ii) the community benefits of food donation, including, but not limited to, reducing food
7 waste, and providing food for those in need;

8 (iii) incentives for businesses to donate surplus food;

- 9 (iv) federal, state, and local regulations for safe food handling of food donations;
- 10 (v) best practices of food donation;
- 11 (vi) the types of food and produce that may be donated by businesses;
- 12 (vii) and contact information for staff at the department of public health that businesses
- 13 can reach out to with questions regarding food donation best practices and liability protections.

14 SECTION 2. The commissioner of the department of public health shall establish how

15 said guidelines regarding food donation by businesses be distributed to Massachusetts

16 establishments in a manner that ensures that they are easily accessible. The commissioner shall

17 also ensure that said guidelines are posted on the department of public health's website. The

18 guidelines shall be developed, distributed, and posted by the department of public health no later

19 than 6 months within the passage of this act.

20 SECTION 3. The department of public health shall conduct educational webinars for

21 health agents and local boards of health regarding best practices and strategies for implementing

22 effective and safe policies and programs regarding food donation. The commissioner of the

23 department of public health shall determine the educational content that shall be included in said

24 webinars, and the frequency with which they shall be held, provided that, said webinars are held

25 a minimum of 4 times per calendar year.

26 SECTION 4. The department of public health shall develop and implement a state-wide

27 educational campaign to conduct targeted outreach to Massachusetts businesses and consumers

28 to teach them about the importance of reducing food waste and how they can play a role in

29 reducing food waste. The commissioner of the department of public health shall ensure that the
30 campaign is developed and implemented no later than 12 months within the passage of this act.