

**Local Law 57 (2021) Agency Food Waste Prevention
COMPLIANCE PLAN TEMPLATE**

Agency Food Waste Prevention Plan

[Local Law 57 of 2021](#) requires that all City agencies that have entered into at least one food purchase contract within the previous 12 months, submit to the Sanitation Commissioner for approval, a food waste prevention plan, **by October 1, 2021**. The plans must establish guidelines for how to identify surplus food that may be safely donated, identify methods to reduce the amount of surplus food, set forth procedures for the safe donation of food and include any other provisions necessary to facilitate the reduction of surplus food and the donation of such food.

Requirements Under Local Law 57

1. Covered agencies must submit a Food Waste Prevention Plan to the Department of Sanitation's Commissioner for approval, no later than October 1, 2021. Any agency that becomes a covered agency after October 1, 2021 must prepare and submit the plan within 90 days of becoming a covered agency. The plans must:
 - a. Establish guidelines for how to identify surplus food that may be safely donated.
 - b. Identify methods to reduce the amount of surplus food, including the utilization of the food donation web portal described in [section 16-497](#), when appropriate.
 - c. Set forth procedures for the safe, efficient donation of surplus food.
 - d. Include any other provisions necessary to facilitate the reduction of surplus food and the donation of surplus food.

The Department of Sanitation's Commissioner will submit plans to the speaker of the council within 7 days of the plan's approval.

2. Upon approval of an agency's food waste prevention plan, each covered agency shall designate a coordinator to oversee implementation of the plan.
3. On or before October 1, 2022, for the period between the effective date of the local law through January 1, 2022, and annually thereafter for the previous 12-month reporting period, each covered agency shall submit an annual report to the Department of Sanitation Commissioner. The annual reports must include:
 - a. A summary of the actions taken to implement the agency's food waste prevention plan.
 - b. Any proposed additional actions to be taken to implement such plan.
 - c. Any updates or changes to any information included in such plan.

Annual reports will be collected as part of the agency's recycling report, as mandated by Local Law 36 (2010). The Department of Sanitation will share annual report templates and reporting procedures. If you have any questions, email us at agencies@dshy.nyc.gov.

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Please read the following guidelines to help you determine if you are a covered agency and to assist you in submitting your agency's Food Waste Prevention Plan.

Guidelines

Part 1: Determine if your agency is a covered agency.

- Covered agencies must have entered into at least one food purchase contract within the previous twelve months.
 - Food service contracts are defined as being in excess of the small purchase limits established by the procurement policy board OR as a purchase order for food, the value of which exceeds \$100,000, made by an agency against an existing contract.
 - The principal purpose of the food service contract must be to provide food. For example, if you are entering into a contract to provide summer camp services and the contract has a food component valued over \$100,000, this is not covered because providing food is not the principal purpose of the contract.
 - This law does not cover food purchase contracts entered into by other entities, such as permittees.
 - This law does not cover situations where agencies enter into multiple contracts or purchase orders valued at less than \$100,000 each, but ultimately totaling more than \$100,000. Individual contracts must be over \$100,000 to be covered.
 - The number of covered agencies may change year to year depending on your food procurement practices.
 - Coverage begins when you enter into a food purchase contract and coverage will last for twelve months. If you do not renew or enter into a new contract, you will no longer be considered a covered agency. You must submit an updated plan if this applies to your agency.
 - If your agency enters into a purchase order off of the DCAS requirements contract in excess of \$100,000, you are required to submit your own Food Waste Prevention Plan.

Part 2: Create your Food Waste Prevention Plan.

- Establishing guidelines to identify surplus food that may be safely donated:
 - Identify your agency's food purchasing contracts and work with individual offices as needed to determine how much surplus food you have.
- Methods to reduce the amount of surplus food:
 - Visit the [United States Environmental Protection Agency's website](#) to learn how to reduce food loss and waste.
- Procedures to donate surplus food:
 - Visit the [NYC Department of Health's website](#) to learn how to safely donate food and to assist you in developing your agency's donation procedures.
 - Agencies can donate and receive surplus food using [donateNYC's Food Portal](#). To see if the donateNYC Food Portal could be a part of your Food Waste Prevention Plan, please contact donate@dsny.nyc.gov.

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Definitions

Agency: A city, county, borough, or other office, department, division, bureau, board or commission, or a corporation, institution or agency of government, the expenses of which are paid in whole or in part from the city treasury.

Covered agency: The term “covered agency” means an agency that has entered into at least one food purchase contract within the previous 12 months.

Food purchase contract: The term “food purchase contract” means: (i) a contract entered into by an agency in excess of the small purchase limits established by the procurement policy board, the principal purpose of which is to provide food, provided that such contract authorizes purchases only by the agency that entered into such contract, or (ii) a purchase order for food the value of which exceeds \$100,000, made by an agency against an existing contract.

Surplus food: The term “surplus food” means any food obtained through a food purchase contract that is not used for the purpose for which it was purchased and that would otherwise be discarded

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Plan Template

This document will serve as your agency's Food Waste Prevention Plan. Please answer the questions below and send the document to the Department of Sanitation at agencies@dshs.nyc.gov. Agencies are encouraged to keep their own plans and reports on file for future reference.

Part 0: Agency Information

Agency Name: _____

Plan completed by:

Name: _____

Title: _____

Email: _____

Phone: _____

Signature: _____

Date: _____

Part 1: Covered Agencies

1. In the past twelve months, has your agency entered into a food purchase contract, exceeding the value of \$100,000 OR in excess of the small purchase limits established by the procurement policy board?

If no, you are not required to file a Food Waste Prevention Plan. If yes, please include the date(s) your agency's contract(s) went into effect below.

Part 2: Reducing and Donating Surplus Food

1. How will you establish guidelines to identify surplus food that may be safely donated?

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2. What methods will your agency use to reduce the amount of surplus food?

3. What will the procedures be to donate surplus food safely and efficiently?

4. Are there any other provisions necessary to facilitate the reduction and donation of surplus food?

5. Local Law 57 (2021) calls for covered agencies to designate a Food Waste Coordinator to oversee the implementation of your plan. Please provide the Food Waste Coordinator's information below and have them sign this template to acknowledge responsibility in implementing the Food Waste Prevention Plan.

Name: _____

Title: _____

Email: _____

Signature _____