



sanitation

Edward Grayson Commissioner

**Testimony of Bridget Anderson
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New York City Council Committees on Small Business

**Friday, September 17, 2021
10:00 A.M.**

Good morning Chair Gjonaj and members of the City Council Committee on Small Business. I am Bridget Anderson, Deputy Commissioner for Recycling and Sustainability at the New York City Department of Sanitation. Thank you for the opportunity to provide comments on behalf of the Administration on Intro. 568.

For background, households and businesses in New York City discard more than 1 million tons of food waste each year. According to Food Forward NYC, the City's 10-year food policy plan released earlier this year, as many as 1.6 million New Yorkers are food insecure, up from 1.2 million before the COVID-19 pandemic. To bridge this gap between those with excess food and those who are food insecure, the City has a robust network of food pantries and non-profits that receive donations of excess or surplus food. DSNY has also created the donateNYC online food donation tool to connect businesses interested in donating food to local organizations that feed hungry people.

Intro. 568, sponsored by Council Member Treyger, would require the departments of Sanitation and Consumer and Worker Protection (formerly Consumer Affairs) to create programs to establish a food donation program where food service establishments could have the civil penalties for eligible violations waived if they agree to donate their excess food. The proposed bill would apply to food service establishments and would only be applicable for types of violations identified in this bill by the respective departments by rule. The Administration agrees with the intended purpose of this bill, which would offer regulatory relief to some small businesses while incentivizing the donation of excess food to non-profits for the purposes of feeding hungry New Yorkers.

In its report on Local Law 74 of 2018 ("Report on the Feasibility of Establishing a Penalty Mitigation Program for Food Service and Retail Establishments"), DSNY specifically identified businesses covered by the commercial organics law as potential candidates for a penalty mitigation program related to food donation. Any food donation program created as a penalty mitigation program should be carefully tailored to avoid creating a glut of unwanted or inedible food and also must define clear requirements related to data tracking and compliance. In addition, many food businesses already engage in best practices for food donation, and we should be careful not to disrupt these existing relationships. The City looks forward to future discussions with the City Council on these important topics.

Thank you for the opportunity to testify today.