



CT COMMERCIAL ORGANICS RECYCLING LAW (CGS 22a-226e)

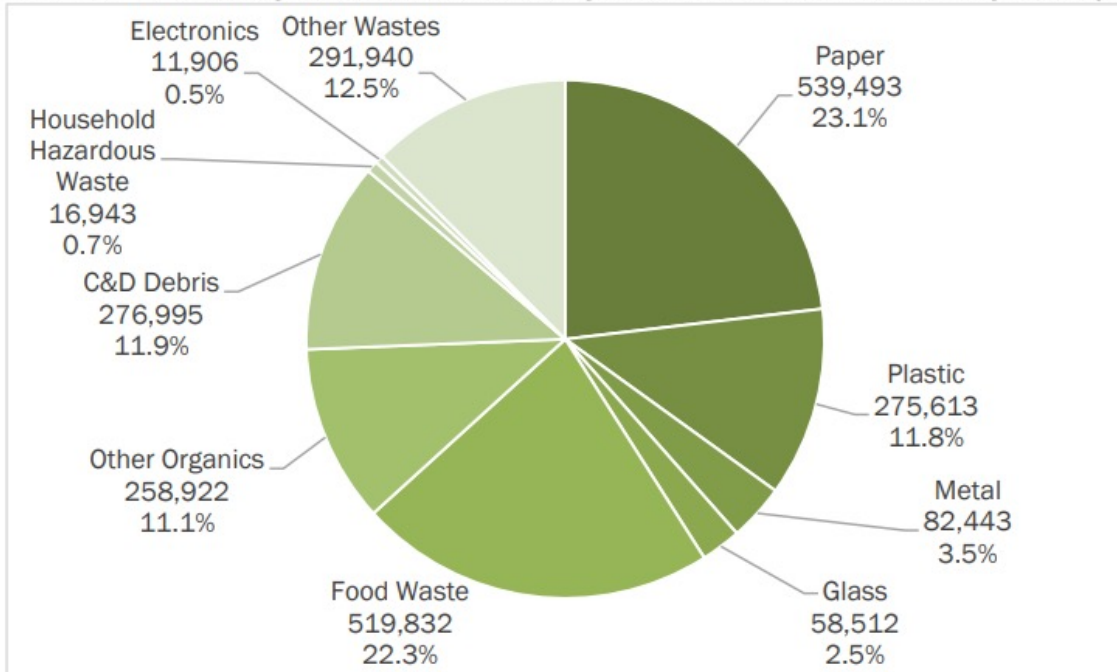
THE WASTE CRISIS



- CT disposes 2.2 million tons per year of municipal solid waste (MSW)
- 41% of disposed tonnage is organic material
- Export 860,000 tons per year out of state, primarily to landfills
- Limited disposal options remain
- Disposal costs increasing

WHY FOCUS ON ORGANICS?

Figure ES 2-1 Municipal Solid Waste Composition and Quantities Disposed (tons)



Compostable Materials By Weight Disposed by ICI (Industrial, Commercial, Institutional) Generators		
Source: 2015 Statewide Waste Characterization Study – Table 3-9		
Material	Est. Percent of Commercial Waste Stream	Est. Commercial-Only Tons Disposed in 2023
Food Waste	25.5%	232,618
Compostable Paper	12.3%	112,204
Leaves & Grass	2.2%	20,069
Prunings & Trimmings	0.6%	54,734
Branches & Stumps	0.2%	18,245
Total	40.8%	437,870

CURRENT FOOD SCRAP CAPTURE RATE



- In 2023, **16,000 – 20,000 tons** of food scraps were collected in-state* and diverted to composting, anaerobic digestion, or upcycling from commercial generators
- Represents about **8%** of the ~233,000 tons of commercially-generated food scraps currently being disposed

*DEEP does not receive reports from retailers backhauling food scraps directly to out-of-state facilities



HISTORIC REQUIREMENTS
(2011-2022)

22a-226e – THEN (effective 2014)

- Applies to each commercial food wholesaler or distributor, industrial food manufacturer or processor, supermarket, resort or conference center that:
- Generate an average projected volume of 104 tons/yr of source separated organic material (SSOM), and are
- Within 20 miles of a SSOM processing facility.
- Must source separate and ensure recycling “at any authorized SSOM composting facility” that has available capacity and can accept food scrap.



CURRENT REQUIREMENTS

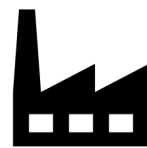
(2022 – 2024)

22a-226e – NOW (2022-2024)

- Applies to each commercial food wholesaler or distributor, industrial food manufacturer or processor, supermarket, resort or conference center that:
- Generate an average projected volume of 26 tons/yr of source separated organic material (SSOM), and are
- Within 20 miles of a SSOM processing facility.
- Must source separate and ensure recycling “at any authorized SSOM composting facility” that has available capacity and can accept food scraps.
- **Estimated recovery potential for 25,000-60,000 tons of food scraps from covered generators**

WHICH CT FOOD SCRAP GENERATORS ARE SUBJECT TO THE LAW (2022-2024)?

- Food Wholesale & Distributors
- Industrial Food Manufacturers & Processors
- Supermarkets
- Resorts or Conference Centers





FORTHCOMING REQUIREMENTS

(2025 – 2026)

22a-226e – NEXT YEAR (2025)

- Applies to each commercial food wholesaler or distributor, industrial food manufacturer or processor, supermarket, resort conference center or institution that:
- Generate an average projected volume of 26 tons/yr of source separated organic material (SSOM), and are
- ~~Within 20 miles of a SSOM processing facility.~~
- Must source separate and ensure recycling “at any authorized SSOM composting facility” that has available capacity and can accept food scrap.
- **Estimated recovery potential for 90,000-200,000 tons of food scraps from covered generators**

22a-226e – NEXT YEAR (2025)

“**Institution**” means any establishment engaged in providing hospitality, entertainment or rehabilitation and health care services, and any hospital, public or independent institution of higher education building or facility or correctional facility.

Reporting Requirement added:

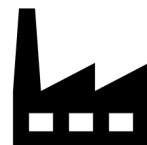
On or before **March 1, 2025**, and annually thereafter, each wholesaler, distributor, manufacturer, processor, supermarket, resort, conference center or institution that is subject to the provisions of this section shall submit a report to the Department of Energy and Environmental Protection in **electronic format**. Such report shall summarize such entity's amount of edible food donated, the amount of food scraps recycled and the organics recycler or recyclers and associated collectors used.

WHICH CT FOOD SCRAP GENERATORS ARE SUBJECT TO THE LAW (2025)?

- Food Wholesale & Distributors
- Industrial Food Manufacturers & Processors
- Supermarkets
- Resorts or Conference Centers

• Institutions:

- Hospitality
- Entertainment
- Rehabilitation
- Health care services
- Public or independent institution of higher education building or facility
- Correctional facilities

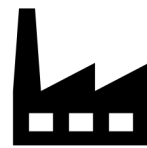


22a-226e – EXPANSION OF EDUCATIONAL FACILITIES (2026)

- On and after July 1, 2026 - each public or nonpublic school building or educational facility in which students in grades kindergarten to twelve, inclusive, or any combination thereof, are enrolled that is located within 20 miles from either an authorized SSOM composting facility and that generates an average projected volume of 26 tons/yr of SSOM. (P.A. 24-45)
- **Estimated recovery potential for additional 2,000-12,000 tons of food scraps from covered schools**

WHICH CT FOOD SCRAP GENERATORS ARE SUBJECT TO THE LAW (2026)?

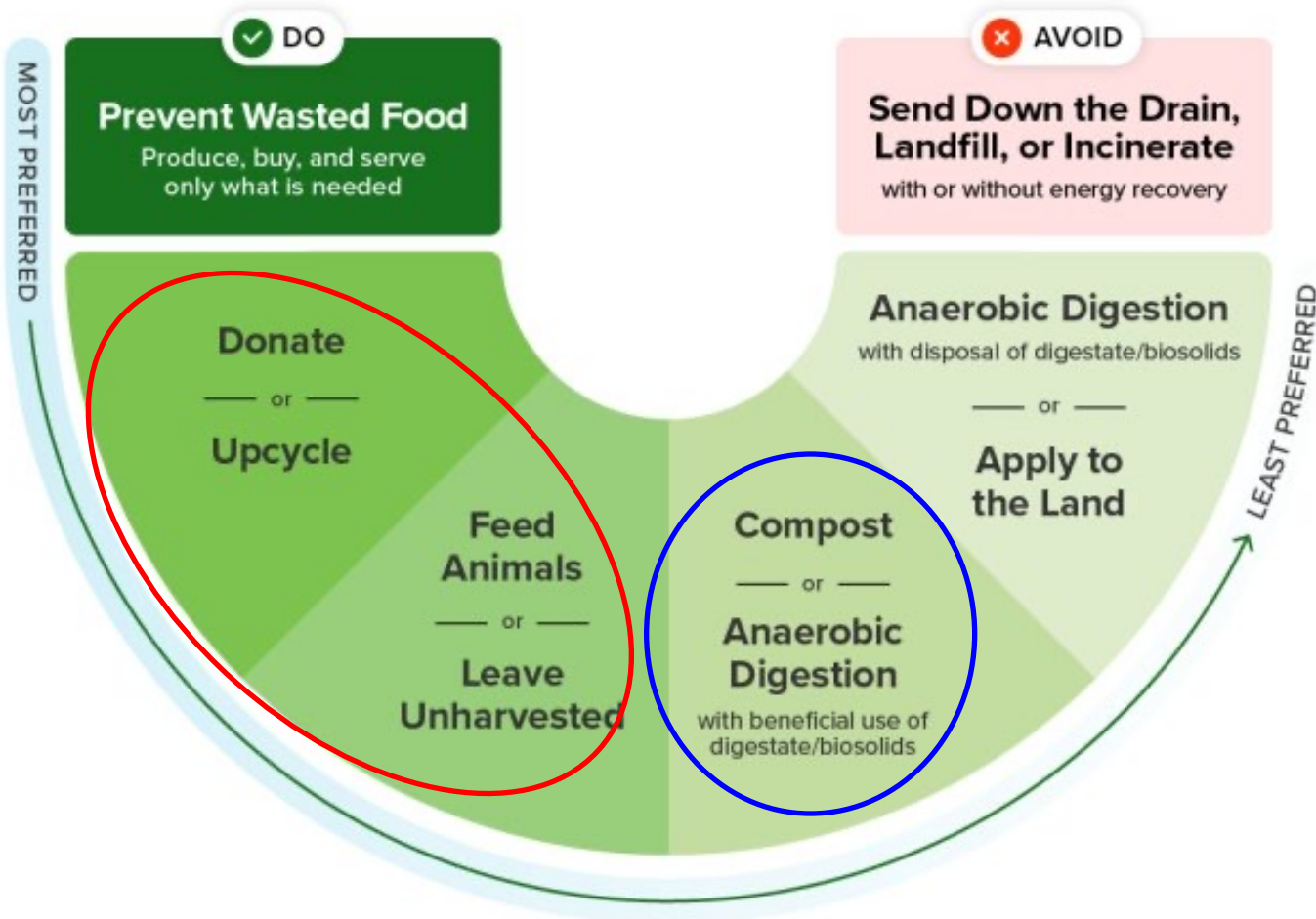
- Food Wholesale & Distributors
- Industrial Food Manufacturers & Processors
- Supermarkets
- Resorts or Conference centers
- **Institutions:**
 - Hospitality
 - Entertainment
 - Rehabilitation
 - Healthcare services
 - Public or independent institution of higher education building or facility
 - Correctional facilities
- Each public or nonpublic school building or educational facility in which students in grades kindergarten to twelve, inclusive, or any combination thereof, are enrolled that is located within 20 miles from either an authorized SSOM composting facility **and** that generates an average projected volume of **26 tons/yr of SSOM**





Wasted Food Scale

How to reduce the environmental impacts of wasted food



October 2023

Even though the law mentions sending separated food scraps to an SSOM processing facility, DEEP also supports & encourages food scrap generators to:

- take steps to reduce wasted food in the first place; and
- maximize donations to feed humans and animals.

HOW TO COMPLY WITH THE LAW

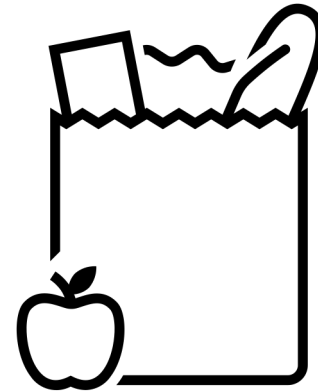
There are several ways to comply with this law:

- **Reduce** the generation of wasted food through more efficient operations.
- **Donate** food to shelters, food pantries, and food rescue operations.
- Use an on-site system to **compost** or anaerobically digest food scraps.
- Work with your current hauler or another hauler to send separated food scraps for **animal feed**.
- Work with your current hauler or another hauler to send separated food scraps to an **anaerobic digestion** or composting facility.



FOCUS ON FOOD DONATION

- Federal and state liability protection laws
- DEEP worked with the Harvard Food Law & Policy Clinic to create CT-specific fact sheets that are posted on the [DEEP website](#):
 - Date labeling laws
 - Food donation liability protections
 - Tax incentives for businesses
 - Feeding food scraps to animals



DONATING SURPLUS & EXCESS FOOD

Federal Liability Protections

The Bill Emerson Good Samaritan Food Donation Act (Emerson Act) - provides limited liability protections for food donations. In order to receive protection under the act, a person or gleaner must donate in good faith apparently wholesome food or apparently fit grocery products to a nonprofit organization for ultimate distribution. The act also provides protection against civil and criminal liability to the nonprofit organizations that receive such donated items in good faith.

Food Donation Improvement Act of 2011 - enhances the coverage of the Good Samaritan Act by expanding liability protections to include donations offered to recipients at a good Samaritan reduced price, to individuals in addition to only nonprofit organizations and also allows for food recovery organizations to resell recovered food at a reduced price to cover their costs.

Connecticut Liability Protections

Act Concerning Food Donation - [Public Act 22-28](#), expands federal liability protections and tax benefits for food donors and liability protections for organizations such as food banks, and food recovery organizations who redistribute recovered and surplus food.



DONATING SURPLUS & EXCESS FOOD: TAX INCENTIVES

Federal Tax Incentives

Deduction from taxable income from value of food inventory (deduction may not exceed 10% of their net income for the year).

Enhanced deduction for pass-through entities and c-corporations.

Connecticut Tax Incentives

Farmers – Farmers that allow gleaning of their crops can receive an enhanced tax deduction for donating food to a nonprofit organization.



OUTREACH EFFORTS & OFFERED RESOURCES

- Presentations by DEEP
- Co-branded letter from DEEP and Center for EcoTechnology (CET) for businesses
- Technical support offered by CET to businesses
- Mail campaigns sent to 200+ grocery stores / supermarkets
- Discussion with CT Restaurant Association

FOOD SCRAPS

Please keep **NON**-food scrap items out of your food scraps.

Yes Acceptable Food Scraps



These **ARE** food scraps.

No Food Packaging or Trash



These **ARE NOT** food scraps.

OTHER ONLINE RESOURCES

CT DEEP [Food Waste Reduction and Recovery](#) webpage:

- Food Banks & Rescue Programs
- Preventing Wasted Food at Home
- Preventing Wasted Food at School
- Preventing Wasted Food at Food Businesses
- EPA Food Recovery Challenge
- U.S. Food Waste Challenge
- Gleaning Crops from Local Farms
- Additional Resources

A stylized landscape illustration. The top right corner features a bright yellow sun. Below it is a large green hill with a dark blue outline. To the left, a smaller, lighter green hill is visible. The bottom of the image shows a light blue area representing water, also outlined in dark blue. The text "Thank you!" is centered on the green hill.

Thank you!