



RecyclingWorks in Massachusetts



Spring 2018 TURA Continuing Education Conference



Materials Contributing to Solid Waste: Reducing Food Waste in your Facility



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RecyclingWorks in Massachusetts



- Free Assistance for businesses and institutions
 - Online Resources
 - Email and Phone Hotline
 - Recycling Database
 - Technical Assistance
 - Events and Workshops
- Funded by MassDEP, delivered under contract by the Center for EcoTechnology

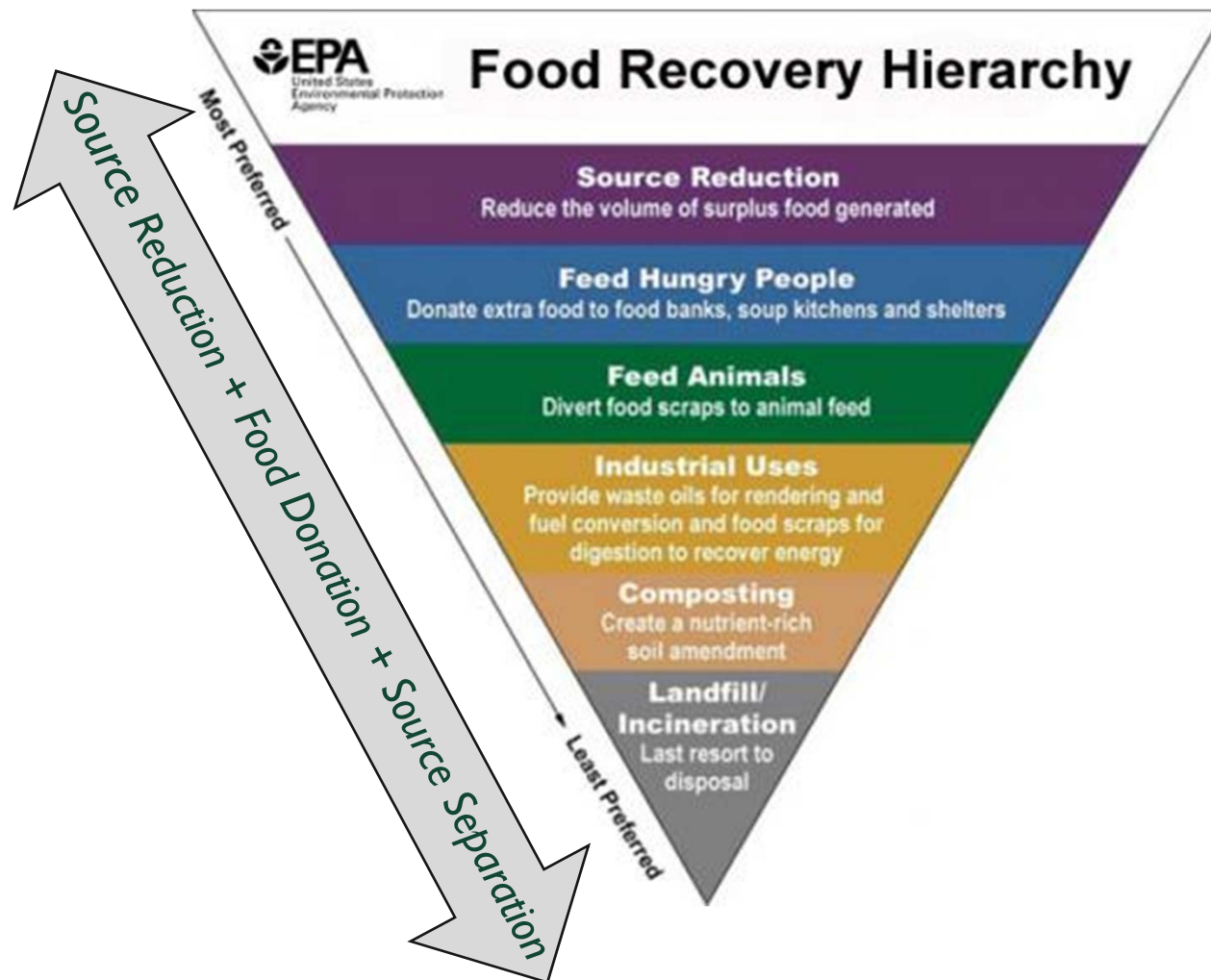
The screenshot displays the RecyclingWorks Massachusetts website. At the top, there is a green header bar with the email 'info@recyclingworksma.com' and a phone icon with the text 'CALL OUR HOTLINE: (888) 254-5525'. Below the header is a navigation menu with links: ABOUT US, RECYCLE, PROGRAMS, FOOD WASTE, REUSE, and BLOG/EVENTS. The main content area features a large image of a recycling center with signs for 'COMPOST', 'RECYCLE', and 'REUSE'. Overlaid on this image is a search form titled 'Recycling Assistance for Businesses & Institutions'. The form includes three dropdown menus: 'Pick Up/Drop Off?', 'Location', and 'Choose a Material', followed by a green 'SEARCH' button. Below these is a text input field with the placeholder 'Type in a material or the name of a business, e.g. food waste; Bob's Trucking;'. Underneath the search form, a paragraph states: 'RecyclingWorks in Massachusetts is a recycling assistance program that helps businesses and institutions maximize recycling, reuse, and food waste diversion opportunities.' Below this text are two green buttons: 'LIST YOUR BUSINESS' and 'MORE INFO ABOUT RECYCLINGWORKS'. At the bottom of the page, there is a green banner with the text 'GET HELP FROM A RECYCLINGWORKS RECYCLING EXPERT' and a brown button with the text 'Call our hotline or email us a question. Click here for more information'.



Food Waste Guidance



Best Management Practices (BMPs) developed by RecyclingWorks:





Commercial Food Disposal Ban



Food and Vegetative material including but not limited to fruits, vegetables, grains, fish, animal products and by-products, including packaged organic materials, generated for disposal in ***excess of one ton per week.***

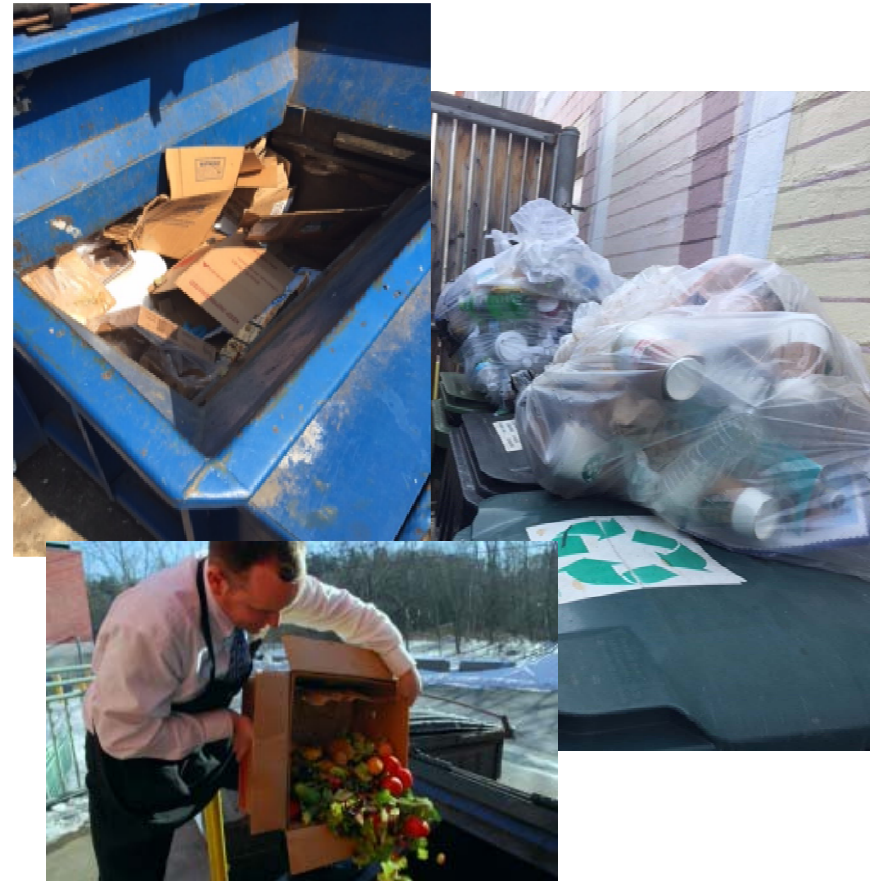




Know Your Waste



- Look into bins and dumpsters
- Conduct a waste assessment
 - Examine records
 - Walk-through
 - Waste sort
- Estimate your food waste





Estimate Using Industry Standards



Colleges and Universities

[Click here](#) for a printable, fill-in version of this Commercial Food Waste Disposal Ban threshold estimation guide for colleges and universities.

	Average Measurement		Material
Meals Served	0.35	lbs/meal	Food waste
Students ¹ [Residential]	141.75	lbs/student/year	Food waste
Students ² [Non-Residential]	37.8	lbs/student/year	Food waste

If you have **734 students living on campus**, then:

$141.75 \text{ lbs/student/year} * 734 \text{ residential students} = 104,045 \text{ lbs/year}$

$104,045 \text{ lbs/year} \div 52 \text{ weeks/year} = 2,001 \text{ lbs/week} = 1 \text{ ton of food waste per week}$



Source Reduction Guidance



✓ **Tracking**

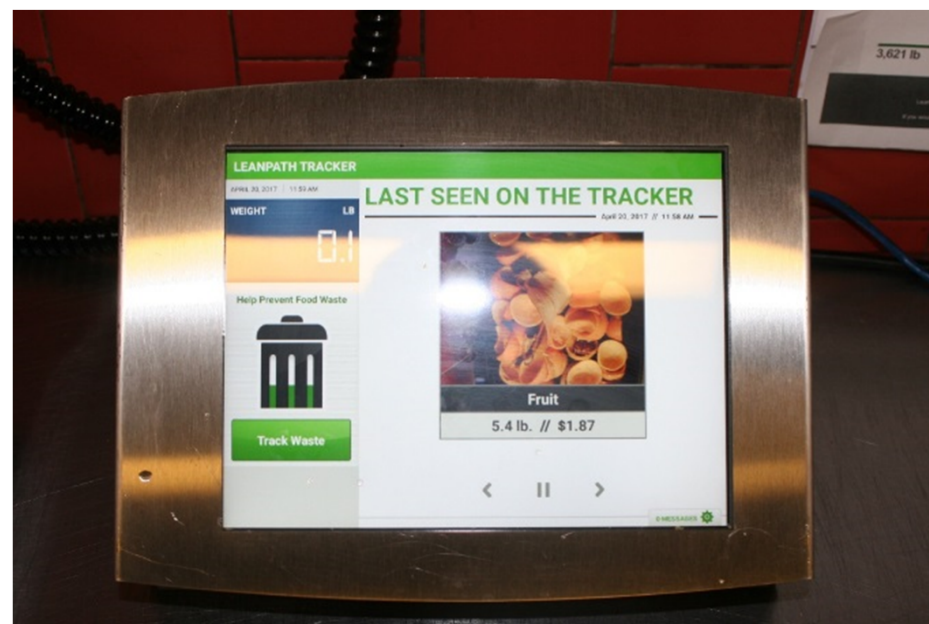
- Waste audit
- Record food waste
- Find what works for you

✓ **Planning**

- Use trends
- Prevent spoilage

✓ **Procurement**

- Think end-use
- Quality and fresh
- Inspect



Online resource: <https://recyclingworksma.com/source-reduction-guidance/>



Reduction Practices



Back of House

- Root-to-stalk/nose-to-tail cooking
- Train staff on knife skills
- Batch or on-demand cooking
- Pre-plated and portioned meals



Front of House

- Trayless dining and/or smaller plates
- Educational signage or screens
- Use false bottom displays
- Design for shorter lines





Food Donation Guidance



- ✓ Donation laws
- ✓ Labeling
- ✓ Storage
- ✓ Transportation
- ✓ Partnering with a food rescue organization



Image courtesy of Katy Jordan/Lovin' Spoonfuls

Online resource: <https://recyclingworksma.com/donate/>



Legal Fact Sheets



Legal Fact Sheet for Massachusetts Food Donation: Liability Protections - July 2015

Businesses and nonprofits that provide or receive donated food are generally well-protected by laws designed to provide immunity from liability related to such donations. The federal Bill Emerson Good Samaritan Food Donation Act provides liability protection for food donors; and Massachusetts' Good Samaritan law provides additional liability protection to businesses in the state.

The Emerson Good Samaritan Act

The Bill Emerson Good Samaritan Food Donation Act (the Emerson Act) provides a federal baseline of protection for food donors.¹ The Emerson Act covers individuals, businesses, non-profit organizations, and the officers of businesses and non-profit organizations. It also covers gleaners—individuals that harvest donated agricultural crops to a nonprofit organization that distributes to the needy.² These individuals and businesses are protected so long as they donate qualifying types of food in good faith.

- **Qualifying Food:** The donated food must be "apparently wholesome" or an "apparently fit grocery product" and meet "all quality and labeling standards imposed by Federal, State, and local laws and regulations," even if it is not "readily marketable due to appearance, age, freshness, grade, size, surplus, or other conditions."³
- **Exception for Reconditioned Food:** Even if a food does not meet all applicable standards, the donor can still be protected by the Emerson Act as long as (s)he follows all of the Act's reconditioning procedures,⁴ which include:
 - 1) The donor informs the nonprofit of the nonconforming nature of the product;
 - 2) The nonprofit agrees to recondition the item so that it is compliant; and
 - 3) The nonprofit knows the standards for reconditioning the item.⁵

The Emerson Act protects most but not all donations of qualifying food. In order to get protection, the transaction must be structured such that:

- 1) The donor donates to a non-profit organization.⁶
- 2) This nonprofit organization that receives the donated food distributes it to needy populations.⁷ Direct donations from the donor to needy individuals do not seem to be protected by the Act.⁸
- 3) The ultimate recipients do not pay for this donated food.⁹ However, if one nonprofit donates food to another nonprofit for distribution, the Act allows the first nonprofit to charge the distributing nonprofit a nominal fee to cover handling and processing costs.¹⁰

So long as these criteria are met, the Emerson Act is quite protective of donors, and does not hold a donor liable unless the donor acts with gross negligence or intentional misconduct.¹¹

- **Gross Negligence** involves "voluntary and conscious conduct (including a failure to act)" by a person or organization that knew when the donation was made that the donated food was likely to have harmful health impacts.¹²

¹ 42 U.S.C.A. §1791 [West 2015].

² *Id.* §1791(b)(5).

³ There is an exception for mislabeled food products that are "not readily marketable," which can also be protected so long as the donor explains the mislabeling to the donee, and the donee has sufficient knowledge to and does recondition the product to meet applicable standards. *Id.* §1791(b)(1)-(2).

⁴ *Legal Guide to Food Recovery*, U. Ark. L.L.M. Dir't of Agr. & Food Law 10 [2013], available at <http://law.uark.edu/documents/2013/06/Legal-Guide-To-Food-Recovery.pdf>.

⁵ *Id.*

⁶ The Act defines a non-profit as an incorporated or unincorporated entity that satisfies these requirements: (1) operates "for religious, charitable, or educational purposes" and (2) "does not provide net earnings to, or operate in any other manner for the benefit of any officer, employee, or shareholder." 42 U.S.C.A. §1791(b)(9) [West 2015].

⁷ *Id.* §1791(c).

⁸ *See id.*

⁹ *Id.* §1791(b)(3).

¹⁰ *Id.*

¹¹ *Id.* §1791(c)(3).



Harvard Food Law and Policy Clinic

A Division of the Center for Health Law and Policy Innovation

Legal Fact Sheet:

- Date Labeling
- Tax Incentives
- Liability Protections



Fact Sheet on Liability Protection



- Federal Laws
 - Bill Emerson Good Samaritan Act (42 USC § 1791)
 - Qualifying Donations
- Massachusetts State Laws
 - Food must be handled and stored in compliance with state and local public health regulations
 - Receiving non-profit organization must be inspected and permitted
 - State labeling laws apply to donated food
 - Food can be sold, if at cost



Source Separation Guidance



Kitchen Separation

Recommended practices for source separation, starting in the kitchen



Hauler Collection Frequencies

Suggested timelines for hauler collection of food waste



Outdoor Storage Practices

Guidelines for proper storage, from cleanliness to container maintenance

Online resource: <https://recyclingworksma.com/local-health-department-guidance-for-commercial-food-waste-separation/>



Instructional Video and Case Studies



RecyclingWorks MA Case Study | Food Recovery Across the Hierarchy | UMass Amherst

Instructional Video: <https://www.youtube.com/watch?v=ZmdvRoY2bjU>



RecyclingWorks Hotline

(888) 254-5525

info@recyclingworksma.com

www.RecyclingWorksMA.com



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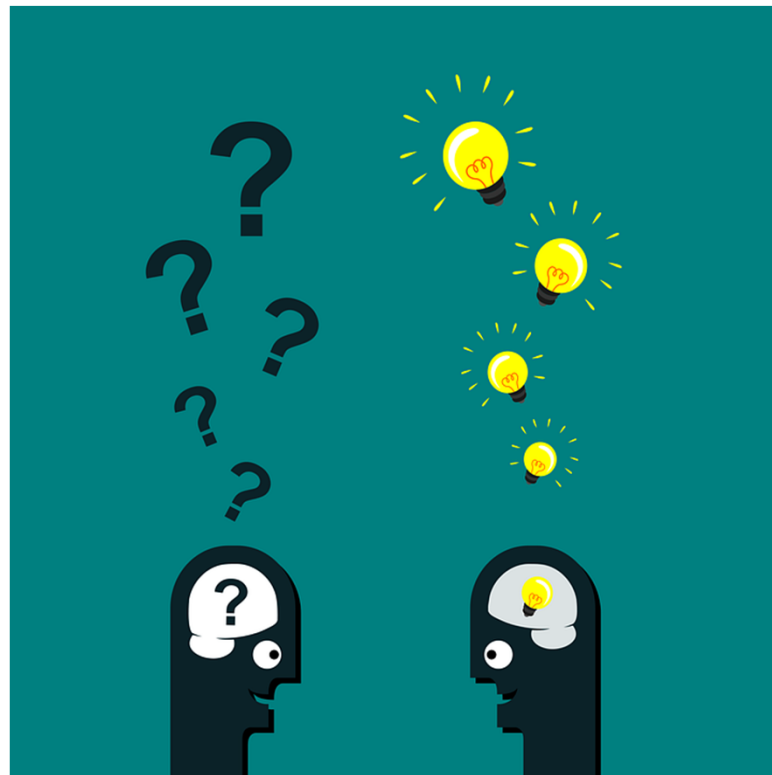


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Introductions:

Name? Position? Place of work?

How does food happen at work?



Food Waste Estimation Guide for Corporate Cafeterias

	Average	Measurement	Material
Meals Served	0.625*	lbs/meal	Food waste

*estimate (range .5-.75 lbs/meal).

[EPA Food Waste Management Cost Calculator \(2009\)](#)