



NEW YORK STATE SENATOR

Pete Harckham

Harckham and Abinanti Bill to Increase Food Donations Signed into Law

PETE HARCKHAM December 30, 2020

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Albany, NY— New York State Senator Pete Harckham and Assemblyman Tom Abinanti announced today that their bill to increase food donations, which requires supermarkets to make excess food available to qualifying entities that help feed residents in need, has been signed into law by Governor Andrew M. Cuomo.

Titled the Excess Food Act (S.4176A / A.4398A,) the new law addresses a sad fact: hunger and food insecurity are on the rise across the nation, now even more so because of the economic devastation caused by the Covid-19 pandemic. Yet nearly 40% of the food produced in the U.S. ends up thrown away, uneaten. With the new law, guidelines will exist for supermarkets to donate food to non-profit or religious organizations that provide food free to community members.

“This law ensures that, in New York, food formerly destined for landfills will now be available for the more than two million state residents who are food insecure,” said Harckham. “And with so many great community-based organizations and initiatives at work to help our neighbors, making sure they have ‘access to the excess’ will be all around beneficial.”

“Some people call it food insecurity, but the kid who goes to school every day without lunch calls it hunger,” said Abinanti. “This is about making sure that the food banks and soup kitchens that feed the hungry in our communities have enough food.”

The excess food from grocery stores will be made available to various food pantries, food banks, soup kitchens and other entities that are providing free food to community members who are food insecure. The legislation states these entities must come pick the food up; providing stores are not obligated to have it delivered. And the donated food will be edible items that are safe to be consumed but have not been sold or used by the supermarket because of labeling, appearance or surplus. There are other restrictions on the food to be donated as well.

The legislation also takes into consideration the positive environmental and economic benefits from food being donated instead of thrown away. Besides impacting natural resources, food waste dominates municipal landfills and emits methane, a greenhouse gas.

Harckham has held eight food drives in the past few months—one each in Sleepy Hollow, Peekskill, Mount Kisco, Mohegan Lake, Brewster, Bedford, Pleasantville and Carmel—and collected over 30,000 pounds of food items and \$10,000 in cash donations so far. Hundreds of residents from the 40th Senate District have volunteered to help at the food drives as well—“a real grassroots show of support,” said Harckham.