

May 1, 2024

The Honorable Martin Heinrich  
Subcommittee Chairman  
U.S. Senate Committee on Appropriations  
Subcommittee on Agriculture, Rural Development  
Food and Drug Administration, & Related Agencies  
709 Hart Senate Office Building  
Washington, DC 20510

The Honorable Andy Harris  
Subcommittee Chairman  
U.S. House Committee on Appropriations  
Subcommittee on Agriculture, Rural  
Development, Food and Drug Administration  
1536 Longworth House Office Building  
Washington, DC 20515

The Honorable John Hoeven  
Subcommittee Ranking Member  
U.S. Senate Committee on Agriculture  
Subcommittee on Agriculture, Rural Development  
and Drug Administration, & Related Agencies  
338 Russell Senate Office Building  
Washington, DC 20510

The Honorable Sanford Bishop, Jr.  
Subcommittee Ranking Member  
U.S. House Committee on Appropriations  
Subcommittee on Agriculture, Rural Food  
Development, Food and Drug Administration  
2407 Rayburn House Office Building  
Washington, DC 20515

Dear Chair Heinrich, Ranking Member Hoeven, Chair Harris, and Ranking Member Bishop:

Up to forty percent of all the food we produce or import in the United States goes uneaten, costing Americans \$473 billion every year.<sup>1</sup> Farmers, food businesses, and households are spending money to grow, process, purchase, and ultimately dispose of perfectly safe, wholesome food. Most of this surplus food (\$317 billion worth) is incinerated, sent down the drain, or thrown in landfills.<sup>2</sup> Meanwhile, over 12% of American households still lack consistent access to enough nutritious food.<sup>3</sup>

Recognizing the potential to feed more people while reducing the food system's environmental impact, the United States committed to reducing food loss and waste by 50% by 2030.<sup>4</sup> The U.S. Department of Agriculture (USDA), the U.S. Environmental Protection Agency (EPA), and U.S. Food and Drug Administration (FDA) have been working in collaboration to address food loss and waste since 2018,<sup>5</sup> and recently released a Draft National Strategy for Reducing Food Loss and Waste and

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<sup>1</sup> *Food Waste*, REFED, <https://refed.org/food-waste/the-problem/> (last visited April 2, 2024).

<sup>2</sup> *ReFED Insights Engine by Destination*, REFED [https://insights-engine.refed.org/food-waste-monitor?break\\_by=destination&indicator=us-dollars-surplus&view=detail&year=2022](https://insights-engine.refed.org/food-waste-monitor?break_by=destination&indicator=us-dollars-surplus&view=detail&year=2022) (last visited April 2, 2024).

<sup>3</sup> Matthew Rabbitt et al., *Household Food Security in the United States in 2022*, U.S. DEPARTMENT OF AGRIC. ECON. RSCH. SERV. i (Oct. 2023), <https://www.ers.usda.gov/webdocs/publications/107703/err-325.pdf?v=7804.9>.

<sup>4</sup> *United States 2030 Food Loss and Waste Reduction Goal*, U.S. ENV'T PROT. AGENCY (Feb, 21, 2024), <https://www.epa.gov/sustainable-management-food/united-states-2030-food-loss-and-waste-reduction-goal#goal>; *U.S. Food Loss and Waste 2030 Champions*, U.S. DEP'T OF AGRIC., <https://www.usda.gov/foodlossandwaste/champions> (last visited April 2, 2024).

<sup>5</sup> U.S. ENV'T PROT. AGENCY, U.S. DEP'T OF AGRIC., U.S. FOOD AND DRUG ADMIN., FORMAL AGREEMENT RELATIVE TO COOPERATION AND COORDINATION ON FOOD LOSS AND WASTE (Oct. 2018), <https://www.usda.gov/sites/default/files/documents/usda-fda-epa-formal-agreement.pdf>.

Recycling Organics.<sup>6</sup> Agency actions in the Draft Strategy include researching new supply chain technologies to prevent food loss, measuring the quantity and impact of food loss and waste in the United States, and leveraging existing grant funding to support food recovery, composting, and anaerobic digestion infrastructure. Directed federal funding is needed to allow the agencies to build upon their current momentum in addressing food loss and waste. As you develop the FY 2025 agriculture appropriations bill, the undersigned organizations respectfully request that you include the following recommendations to address food loss and waste:

**Direct \$1 million for the Food Loss and Waste Reduction Liaison in the Office of the Chief Economist.** The Liaison was authorized under the 2018 Farm Bill to coordinate food loss and waste reduction efforts across the three food agencies (USDA, EPA, and FDA), support greater measurement of food loss and waste, and act as a resource to agency and private partners on how to leverage existing programming to address food loss and waste, among other responsibilities.<sup>7</sup> The Liaison has taken great steps in supporting food loss and waste reduction across federal programming, but does not have sufficient funding to comprehensively carry out their Farm Bill mandate and increased appropriations in 2025 would help them do so. For example, the Liaison could support a government-led consumer education campaign on food loss and waste. ReFED estimates that a large-scale advocacy campaign with public, private, and philanthropic investment would have a net financial benefit of \$17.2 billion, creating 1,200 jobs and reducing 18.9 million metric tons of CO2 equivalent.<sup>8</sup> There are also untapped opportunities in manufacturing, transportation, and production to reduce on-farm and supply chain food loss. Fifteen percent (or over \$70 billion) of all unsold or uneaten food is due to spoilage and the Liaison could support directing USDA funding for supply chain technology development and research to address this spoilage and extend the shelf-life of food.<sup>9</sup>

**Include report language directing USDA to update and finalize the Food Safety Inspection Service food donation guidelines to improve food donations and reduce food waste.** Entities selling USDA regulated food products are prime potential donors of surplus products and would benefit from finalized and official guidance on how to safely donate that food. The agencies should identify the quality, labeling, and adulteration requirements that do not affect food safety and therefore should not apply to the food donation context.<sup>10</sup> Guidance to regulated entities on how to safely donate food would incentivize further donation.

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<sup>6</sup> U.S. ENV'T PROT. AGENCY, U.S. DEP'T OF AGRIC., U.S. FOOD AND DRUG ADMIN., DRAFT NATIONAL STRATEGY FOR REDUCING FOOD LOSS AND WASTE AND RECYCLING ORGANICS (Dec. 2023),

<https://www.usda.gov/sites/default/files/documents/food-waste-strategy.pdf>.

<sup>7</sup> 7 U.S.C. § 6924.

<sup>8</sup> ReFED Insights Engine Solutions Database – Consumer Education Campaigns, ReFED, <https://insights-engine.refed.org/solution-database/consumer-education-campaigns> (last visited April 2, 2024).

<sup>9</sup> ReFED Insights Engine Food Waste Monitor by Cause, ReFED, [https://insights-engine.refed.org/food-waste-monitor?break\\_by=cause&indicator=us-dollars-surplus&view=detail&year=2022](https://insights-engine.refed.org/food-waste-monitor?break_by=cause&indicator=us-dollars-surplus&view=detail&year=2022) (last visited April 2, 2024).

<sup>10</sup> For example, food that is adulterated merely in the sense that it does not adhere to the standard of identity should be donated.

**Include report language directing USDA to update the guidance documents related to liability protections provided through the Bill Emerson Good Samaritan Act, as amended in 2023 by the Food Donation Improvement Act (FDIA).** The FDIA extended liability protections to donations offered at an extremely discounted price by food recovery organizations and donations directly to individuals from specified donors (such as retail grocers and school food authorities). While comprehensive liability protections for food donations exist through these Acts, donors and food recovery organizations still identify liability as a barrier to donation and would benefit from comprehensive guidance from USDA on how donate and receive these liability protections. The existing frequently asked questions from USDA on available liability protections do not adequately address stakeholders' questions.<sup>11</sup>

Thank you for your support in addressing food loss and waste in the United States. We urge you to continue investing in a more efficient food system.

Sincerely,

A1A Realty Associates  
Accountable Impact  
Amvets Post 45  
Boulder Food Rescue  
Bread for the World  
Center for Science in the Public Interest  
Change Today, Change Tomorrow  
City and County of Denver  
Compassionate St Augustine  
Creation Justice Ministries  
Dana Siles Photographer  
Delaware State University  
Earthjustice  
EastWest Food Rescue  
Epic Cure Inc.  
Farmlink Project  
Feeding Charlotte  
Flashfood  
Food Cycle Science  
Food Link  
Food Recovery Network  
FoodRecovery.org  
Global Cooking School, LLC

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<sup>11</sup> See U.S. DEP'T OF AGRIC., FREQUENTLY ASKED QUESTIONS ABOUT THE BILL EMERSON GOOD SAMARITAN FOOD DONATION ACT, (<https://www.usda.gov/sites/default/files/documents/FAQs-GoodSamaritanAct.pdf>) (last visited April 2, 2024).

Good Trouble St. Johns!  
Gotham Food Pantry  
Harvard Law School Food Law and Policy Clinic  
Institute for Local Self-Reliance  
Island Harvest Food Bank  
La Soupe  
Lisa K. Johnson Consulting  
Littlefoot Ventures  
Mill Industries Inc.  
Move For Hunger  
My Mindful Kitchen  
The Nashville Food Project  
Natural Resources Defense Council  
Northern California Recycling Association  
Paschal Farms International  
ReFED  
Rescuing Leftover Cuisine, Inc.  
Saving Grace Perishable Food Rescue  
Second Harvest Food Bank of Orange County (CA)  
Share My Meals Inc  
Solid Waste Environmental Excellence Performance (SWEEP)  
Spoonfuls  
StopWaste  
The Southwest Collective  
Too Good To Go  
TotalCtrl  
University of Arkansas  
Upcycled Food Association  
US Composting Council  
Vivaria Ecologics  
Waste Not  
We Don't Waste  
Winnow  
Women Advancing Nutrition Dietetics and Agriculture (WANDA)  
World Wildlife Fund