

CHAPTER 54

AN ACT concerning certain surplus food donations and supplementing P.L.1982, c.178 (C.24:4A-1 et seq.).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.24:4A-4.1 Online portal to facilitate surplus food donations.

1. a. (1) The Department of Human Services, in consultation with the Department of Agriculture and the Department of Health, shall create, maintain, and update, as appropriate, an online portal, in the form of an Internet website, and links to information, as provided pursuant to subsection b. of this section, to facilitate collaboration of surplus food donations among nonprofit organizations, gleaners, and food retailers in the State. The online portal shall be designed, and shall function, in a manner that maximizes communication among all entities that wish to donate food and receive surplus food within this State, in order to minimize the amount of surplus food that is wasted. The online portal shall provide real-time information on surplus food resources, as well as the logistical resource needs of donors and food banks, and gleaners and non-profit organizations that transport donated food. In providing that information, the online portal shall serve as an online logistics chain for the movement of surplus food throughout the State.

(2) The online portal may be hosted by a nonprofit organization pursuant to an agreement entered into between the Department of Human Services and a nonprofit organization. The nonprofit organization hosting the online portal shall:

(a) demonstrate a proficiency in understanding the needs of the diverse food donors and recipients of donated food;

(b) establish a collaborative system of surplus food donation that meets stringent food safety standards and maintains the integrity of the logistics chain from food donor to recipient of donated food;

(c) be able to inform, monitor, and maintain the necessary tools, training, and resources to meet the requirements for both a food donor and a recipient of donated food;

(d) adhere to all federal, State, and local laws including, but not limited to, the federal "Food, Drug, and Cosmetic Act," 21 U.S.C. s.301 et seq.; the federal "Fair Packaging and Labeling Act," 15 U.S.C. s.1451 et seq.; United States Food and Drug Administration rules and regulations promulgated under Subchapter B of Chapter 1 of Title 21 of the Code of Federal Regulations, including the "Current Good Manufacturing Practice in Manufacturing, Packing, or Holding Human Food," 21 C.F.R. Part 110 et seq.; and the "Food Sorting Guidance and Model Consumer Commodity Salvage Code," published by the Association of Food & Drug Officials; and

(e) employ, onsite, a minimum of one certified safe food handler, and pass a third-party food safety scored audit at least once every two years.

b. The online portal, created pursuant to subsection a. of this section, shall include, but not be limited to:

(1) the name and contact information of a donor, and a description of the surplus food available for donation or the food needing to be gleaned, as appropriate;

(2) the name and contact information of a nonprofit organization available to receive surplus food to be donated or gleaned;

(3) links to the laws and model code listed in subparagraph (d) of paragraph (2) of subsection a. of this section;

(4) a statement describing the provisions of the “Food Bank Good Samaritan Act,” P.L.1982, c.178 (C.24:4A-1 et seq.), and that act’s liability protections available for food donations, gleaning, and other related activities;

(5) a link to the Department of Agriculture’s Internet website page, established pursuant to section 4 of P.L.2017, c.311 (C.4:10-25.2d); and

(6) a link to the Department of Agriculture’s Internet website page, established pursuant to section 1 of P.L.2015, c.214 (C.4:1-20.3).

2. This act shall take effect immediately.

Approved March 18, 2019.