



States Regulating Date Labeling

State	Perishable Foods	Potentially Hazardous Foods (i.e., Reduced O ₂ & Refrigerated Ready-to-Eat Time/Temp Control for Safety)	Milk/Dairy	Meat/Poultry	Shellfish	Eggs	Other
Alabama		X		X	X		X
Alaska		X			X		
Arizona		X			X	X	
Arkansas		X			X		
California		X	X		X	X	
Colorado		X			X	X	
Connecticut		X	X		X		
Delaware		X			X		
District of Columbia*		X			X		
Florida		X	X		X		
Georgia		X	X		X	X	X
Hawaii		X	X		X		
Idaho		X			X		
Illinois		X			X	X	
Indiana		X			X	X	
Iowa		X			X	X	
Kansas		X			X	X	
Kentucky		X	X		X		
Louisiana		X			X	X	
Maine		X			X		
Maryland		X	X		X		X
Massachusetts	X	X	X	X	X	X	X
Michigan	X	X	X	X	X		
Minnesota	X	X	X		X	X	
Mississippi		X			X		



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State	Perishable Foods	Potentially Hazardous Foods (i.e., Reduced O ₂ & Refrigerated Ready-to-Eat Time/Temp Control for Safety)	Milk/Dairy	Meat/Poultry	Shellfish	Eggs	Other
Missouri		X			X		
Montana		X	X		X		
Nebraska		X			X		
Nevada		X	X		X		
New Hampshire		X			X		X
New Jersey		X	X		X		
New Mexico		X	X		X		
New York		X			X		
North Carolina		X			X		
North Dakota		X			X		
Ohio	X	X			X		
Oklahoma		X			X	X	
Oregon	X	X		X	X	X	X
Pennsylvania		X	X		X		
Rhode Island		X			X		X
South Carolina		X			X	X	
South Dakota		X					X
Tennessee	X	X			X		X
Texas		X	X		X		X
Utah		X			X		
Vermont		X			X		
Virginia		X	X		X		
Washington	X	X			X		
West Virginia		X			X	X	
Wisconsin		X			X	X	
Wyoming		X			X		

Policy research for this tool was conducted by the Harvard Law School Food Law and Policy Clinic (FLPC). For more information, visit the Food Waste Policy Finder at policyfinder.refed.org/.



States Regulating Past-Date Food Sales

State	No Past-Date Regulations Beyond Those in the FDA model Food Code	Foods for which past-date sale/donation is restricted
Alabama		Potentially Hazardous Foods, Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, Shellfish, Meat, Baby Food, Infant Formula
Alaska	x	Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Arizona		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Arkansas	x	Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
California		
Colorado		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, Eggs
Connecticut		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Delaware	x	Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
District of Columbia*		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Florida		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, Shellfish, Dairy
Georgia		Potentially Hazardous Foods, Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, Shellfish, Eggs, Infant Formula, Dairy
Hawaii		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, Dairy
Idaho	x	Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Illinois		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, Eggs
Indiana		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Iowa		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods



States Regulating Past-Date Food Sales

State	No Past-Date Regulations Beyond Those in the FDA model Food Code	Foods for which past-date sale/donation is restricted
Kansas		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Kentucky		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, Dairy
Louisiana		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Maine	x	Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Maryland		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, Milk, Potentially Hazardous Bakery Products
Massachusetts		All food products (emphasis on perishable and semi-perishable foods)
Michigan		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, Perishables, Meat, Dairy
Minnesota		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Mississippi		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Missouri	x	Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Montana		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, Milk
Nebraska	x	Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Nevada		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, Dairy
New Hampshire		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, Pre-wrapped Sandwiches
New Jersey		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, Dairy
New Mexico		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, Dairy
New York	x	Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods



States Regulating Past-Date Food Sales

State	No Past-Date Regulations Beyond Those in the FDA model Food Code	Foods for which past-date sale/donation is restricted
North Carolina		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
North Dakota	x	Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Ohio		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Oklahoma		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Oregon		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, Perishables, Eggs, Meat, Sandwiches, Shellfish
Pennsylvania		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, Milk
Rhode Island		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, Bakery Products
South Carolina		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
South Dakota		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Tennessee		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, and Some Refrigerated Ready-to-Eat Foods
Texas		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Utah	x	Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Vermont	x	Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Virginia		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, Dairy
Washington		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, and Some Other Perishables
West Virginia		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods
Wisconsin		Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods, Eggs

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States Regulating Past-Date Food Sales

State	No Past-Date Regulations Beyond Those in the FDA model Food Code	Foods for which past-date sale/donation is restricted
Wyoming	x	Reduced O ₂ & Refrigerated, Ready-to-Eat, Time/Temp Control for Safety Foods

*Washington, D.C. passed The Save Good Food Act of 2018, which charges the D.C. Department of Health with updating date labeling regulations to focus on reducing the amount of safe, quality food that is wasted. The new regulations were supposed to be released by March 30, 2019, but had yet to be issued as of March 2024.



The Bill Emerson Good Samaritan Food Donation Act, as amended by the Food Donation Improvement Act, provides a strong federal baseline of protection for food donors against state and federal liability claims. It covers individuals, businesses, schools, nonprofit organizations, the officers of businesses and nonprofit organizations, and gleaners. A donor must donate in good faith to a nonprofit organization that distributes the donated food to needy populations, or, if the donor is a qualified direct donor, they may donate food directly to needy individuals. Donated food must meet all quality and labeling standards imposed by federal, state and local laws and regulations. A state's liability protection law can provide more, but not less, protection than the Emerson Act. States shown below offer protections beyond the federal baseline.

State Liability Protection Laws

State	Citation	Protections apply to past-date donations	Protections apply regardless of compliance with regulations on the quality or labeling of food
Alaska	Alaska Stat. §§ 17.20.345-47	X	
California	Cal. Civ. Code § 1714.25; Cal. Health & Safety § 114433	*	
Hawaii	Haw. Rev. Stat. § 145D-1—D-5	X	
Kentucky	Ky. Rev. Stat. § 411.240—243	X	
Massachusetts	Mass. Gen. Laws Ann. Ch. 94, § 328	*	
New Jersey	N.J. Stat. Ann. § 24:4A-1—A5	X	X
Ohio	Ohio Rev. Code Ann. § 2305.37	X	
Oregon	Or. Rev. Stat. § 30.890		X
Rhode Island	R.I. Gen. Laws Ann. § 21-34.1-1—6	*	
Tennessee	Tenn. Code Ann. § 53-13-101—103	*	
Virginia	Va. Code Ann. § 3.2-5144	*	*
Washington	Wash. Rev. Code Ann. § 69.80.031	X	X

*Protections in this area are limited in scope.

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State Tax Incentives for Food Donations

State	Deduction or Credit	Benefit	Eligible Donors	Eligible Food	Eligible Recipients	Expired or Repealed
Arizona Ariz. Rev. Stat. Ann. § 42-5074	Deduction	Gross proceeds of sales or gross income from donated food	Restaurants	Prepared food, drink or condiment	Nonprofits that regularly distribute food at no cost.	None
Arizona Ariz. Rev. Stat. Ann. § 43-1025	Deduction	Greater value of the wholesale market price or the most recent sale price of donated crops	Farmers	Agricultural Crops	Arizona Nonprofits whose use of the crop is related to their tax-exempt status	None
California CAL. REV. & TAX. CODE § 17053.88.5	Credit	15% of the wholesale market price of donated item	Farmers and any person responsible for packing, or processing a qualified donation item, provided that person is not a retailer.	Produce, raw agricultural products, and processed foods	California Food Banks	January 1, 2027
California CAL. REV. & TAX. CODE § 17053.12	Credit	50% of transportation costs of donated crops	Taxpayers engaged in the business of processing, distributing, or selling agricultural products	Agricultural Crops	Nonprofits	None



State Tax Incentives for Food Donations

State	Deduction or Credit	Benefit	Eligible Donors	Eligible Food	Eligible Recipients	Expired or Repealed
Colorado Colo. Rev. Stat. § 39-22-536	Credit	25% of wholesale market price, up to \$5,000 annually	Taxpayers	Agricultural Crops, Livestock, Eggs, Dairy	Nonprofit hunger-relief charitable organizations	Expired 2020
Colorado Colo. Rev. Stat. Ann. § 39-22-301	Credit	25% of wholesale market price, up to \$1,000 annually	C-Corporations	Agricultural Crops, Livestock	Charitable organizations that do not charge end recipients	Repealed 2022
District of Columbia D.C. CODE § 48-1806.16	Credit	50% of fair market value, up to \$2,500 for individuals or \$5,000 for joint filings	Taxpayers	Produce grown or food prepared within the district	Food recovery organizations	Repealed 2021
District of Columbia D.C. CODE § 48-1806.14	Credit	50% of fair market value, up to \$2,500 for individuals and \$5,000 for businesses	Taxpayers and businesses	Food grown at urban farms and community gardens	Food banks and shelters	Repealed
Iowa Iowa Code §§ 190B.101-.106, 422.33(30)	Credit	15% of fair market value, up to \$5,000 annually	Taxpayers who produce food	Any apparently wholesome food	Emergency feeding organizations and food bank	None
Kentucky Ky. Rev. Stat. Ann. § 141.392	Credit	10% of fair market value	Taxpayer who derives income from agricultural products	Edible agricultural products	Nonprofit food programs operating in Kentucky	Repealed 2018



State Tax Incentives for Food Donations

State	Deduction or Credit	Benefit	Eligible Donors	Eligible Food	Eligible Recipients	Expired or Repealed
Maryland MD Code Ann., Tax-Gen., § 10-745	Credit	100% of the wholesale value of the eligible food donation up to \$5,000	Farm businesses	Fresh farm products for human consumption	Not specified	None
Maryland MD Code Ann., Tax-Gen., § 10-746	Credit	Up to a \$75 for the expenses incurred to butcher and process venison, not to exceed \$600 annually	Taxpayers	Deer Carcass	501(c)(3) nonprofit venison donation programs	
Massachusetts M.G.L.A. 62 § 6	Credit	100% of fair market value, not to exceed \$5000 annually	Farm businesses	Food, meals, crops	nonprofit food distribution organization	
Missouri Mo. Rev. Stat. § 135.647	Credit	50% of food or cash donation, up to \$2,500 annually.	Taxpayers	Any food or monetary donation	Food pantries, homeless shelters, and soup kitchens in the area where the donor resides in MO	December 31, 2026
Nebraska Neb. Rev. Stat. § 77-27,241	Credit	50% of the value of the qualified donation, not to exceed \$2,500 annually	Grocery stores, restaurants, and agricultural producers	Nebraska grown	Food bank, food pantry or food rescue organization	Sunsets after 2025 tax year



State Tax Incentives for Food Donations

State	Deduction or Credit	Benefit	Eligible Donors	Eligible Food	Eligible Recipients	Expired or Repealed
New York N.Y. Tax Law §210-B(52)	Credit	25% of the fair market value of the qualified donations, not to exceed \$5,000 per tax year	Farmers	Apparently wholesome food that meets all quality and labeling standards	NY food banks, pantries, or other emergency food programs	None
Oregon Or. Rev. Stat. § 315.154, 315.156	Credit	15% of wholesale market price	Farmers and farm businesses	Agricultural Crops, Livestock	Food banks or other charitable organizations that distribute food free of charge	January 1, 2026
Pennsylvania 72 P.S. Taxation and Fiscal Affairs § 8904-A	Credit	55% of the total contribution	Food rescue projects serving low-income neighborhoods	Wholesome foods with nutritional value	Not specified	None
South Carolina S.C. Code Ann. § 12-6-3750	Credit	\$75 per carcass	Meat packers, butchers, and processing plants	Deer carcass	Nonprofits engaged in food distribution	None
Virginia VA Code Ann. § 58.1-439.12:12	Credit	50% of fair market value, up to \$10,000 annually	Farmers	Grains, fruits, nuts, vegetables, or other wholesome foods	Nonprofit food banks	Will sunset January 1, 2028
West Virginia W. Va. Code, § 11-13DD-1—7	Credit	10% of the value of the donated edible agricultural products, up to \$2,500	Farmers	Fruits, vegetables, beef, poultry, pork, and fish, raised or grown in WV	Nonprofit food programs that distribute to needy individuals	None



State Food Donation Safety Laws & Guidance

State	Regulations or Guidance	Share Tables	Wild Game Meat
Alabama			
Alaska	Limited	X	X
Arizona			
Arkansas			
California	Limited	X	
Colorado		X	
Connecticut		X	X
Delaware			
District of Columbia	Limited	X	
Florida		X	
Georgia			
Hawaii			
Idaho			X
Illinois	Limited	X	X
Indiana		X	
Iowa		X	
Kansas			
Kentucky			X
Louisiana			
Maine		X	
Maryland	Limited; Donations During Covid-19 Pandemic		
Massachusetts			
Michigan	Limited	X	
Minnesota	Limited		X

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State Food Donation Safety Laws & Guidance

State	Regulations or Guidance	Share Tables	Wild Game Meat
Mississippi	Limited		
Missouri	Limited	X	
Montana			X
Nebraska			
Nevada	Limited		X
New Hampshire			
New Jersey		X	
New Mexico			
New York	Limited	X	
North Carolina		X	
North Dakota			
Ohio		X	
Oklahoma	Limited	X	X
Oregon	Limited		
Pennsylvania			
Rhode Island	Limited	X	
South Carolina	Limited	X	
South Dakota			
Tennessee		X	
Texas	Comprehensive		
Utah			X
Vermont	Limited	X	
Virginia			
Washington	Comprehensive	X	X
West Virginia			
Wisconsin		X	
Wyoming	Limited		X

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State Laws for Feeding Food Scraps to Swine*

State	Specific Food Bans		Heat-Treatment Requirements		Licensure Requirements		Individual Use Regs.
	Full prohibition on veg. waste	Full prohibition on animal waste	Veg. waste must be treated	Animal waste must be treated	To treat waste	To feed waste to swine	May feed household garbage to own swine
Alabama	x	x					x
Alaska**							x
Arizona				x		x	x
Arkansas		x				x	x
California				x		x	x
Colorado				x		x	x
Connecticut				x		x	x
Delaware		x					x
District of Columbia**							x
Florida				x		x	x
Georgia	*	*				x	x
Hawaii			x	x	x	x	x
Idaho		x					x
Illinois	x	x					x
Indiana				x	x	x	x
Iowa			x	x		x	x
Kansas		x					x
Kentucky	x	x					
Louisiana	x	x					
Maine				x		x	x
Maryland				x		x	x
Massachusetts		*		x		x	x
Michigan				x		x	
Minnesota			x	x		x	x

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State Laws for Feeding Food Scraps to Swine*

State	Specific Food Bans		Heat-Treatment Requirements		Licensure Requirements		Individual Use Regs.
	Full prohibition on veg. waste	Full prohibition on animal waste	Veg. waste must be treated	Animal waste must be treated	To treat waste	To feed waste to swine	May feed household garbage to own swine
Mississippi	X	X					X
Missouri			X	X		X	X
Montana		X					X
Nebraska				X		X	X
Nevada				X	X		X
New Hampshire				X		X	X
New Jersey			X	X	X	X	X
New Mexico				X	X	X	X
New York**				X			X
North Carolina				X		X	X
North Dakota	X	X					X
Ohio		X					
Oklahoma	X	X					X
Oregon	X	X					X
Pennsylvania				X	X	X	X
Rhode Island			X	X		X	X
South Carolina		X					X
South Dakota**	*	*					X
Tennessee			X	X		X	X
Texas		X				X	X
Utah**							X
Vermont		X					X
Virginia				X	X	X	
Washington				X		X	X
West Virginia			X	X		X	X
Wisconsin		X					X



State Laws for Feeding Food Scraps to Swine*

State	Specific Food Bans		Heat-Treatment Requirements		Licensure Requirements		Individual Use Regs.
	Full prohibition on veg. waste	Full prohibition on animal waste	Veg. waste must be treated	Animal waste must be treated	To treat waste	To feed waste to swine	May feed household garbage to own swine
Wyoming			X	X		X	X

*Some states have laws governing the feeding of animals beyond swine. This is noted with an asterisk if the law does not also pertain to swine.

** Alaska, District of Columbia, and Utah do not regulate the feeding of food scraps beyond federal regulations. New York policy mirrors federal policy and does not include any additional requirements; therefore, we consider it a Strong Policy. South Dakota generally does not impose restrictions on feeding food waste to animals; however, cattle that are enrolled in the Dakota Certified Beef Program may not be fed any feed products containing food processing waste, restaurant food waste, dried poultry waste, dried poultry litter, dried ruminant waste, dried swine waste, undried processed animal waste products, or processed animal waste.

State Organic Waste Bans & Recycling Laws

	Food waste generators covered	Waste production threshold	Distance exemptions	Other
California Cal. Code Regs. Tit. XIV, § 18981.1-18998.4	All waste generators are required to source-separate and recycle organic waste.	None	None	Commercial edible generators must measure food waste production and donate edible food to recovery organizations. Commercial edible food generators (e.g., supermarkets, grocery stores with at least 10,000 square feet, food service providers, restaurants with 250+ seats or at least 5,000 square feet, hotels with 200+ rooms and on-site food facilities, 100+ bed health facilities with on-site food facilities, large venues and events, state agencies with 250+ seat cafeteria or that at least 5,000 square feet, and educational agencies with on-site food facilities), California set waste goals of reducing organic waste disposal 75% by 2025 and rescuing at least 20% of currently disposed surplus food by 2025 for people to eat.

State Organic Waste Bans & Recycling Laws

	Food waste generators covered	Waste production threshold	Distance exemptions	Other
Connecticut Conn. Gen. Stat. Ann. § 22a-226e	Commercial food wholesaler or distributor, industrial food manufacturer or processor, supermarket, resort or conference center and institutions (establishments 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).	26 tons/year	20 miles from an authorized composting facility; only applies to K-12 schools	
District of Columbia DC Code § 8-1031.01; DC Code § 8-1031.03; DC Code § 8-1031.03a	Retail food stores with at least 10,000 square feet of floor area; any other retail store food chain with combined floor area of 10,000 square feet; college or university campuses with at least 500 residential students; arenas or stadiums that hold at least 15,000 people; hospitals or nursing homes with at least 300 beds	None	None	N/A



State Organic Waste Bans & Recycling Laws

	Food waste generators covered	Waste production threshold	Distance exemptions	Other
Illinois 415 ILCOS 190/5; 415 ILCS 190/10	Permanent large event facilities with capacity for at least 3,500 people, such as convention centers, performing arts venues, and sports stadiums	None	Only applies in counties with composting facilities	Required to offer food and organic waste composting via clearly labeled organic waste disposal containers. School stadiums, county fairs, and hotels are exempted from the definition of covered event facilities.
Maine 38 MRSA §2147	All persons and entities	Starting July 1, 2030, anyone generating more than two tons of food waste per week	20 miles of organics recycler with capacity to accept food waste	By July 1, 2032, the threshold will drop to one ton per week with a 25-mile radius. Can apply for a hardship waiver. Starting March 1, 2031, covered entities will also be subject to an annual reporting requirement (volume of food waste generated, how managed, and location of processing facilities used).



State Organic Waste Bans & Recycling Laws

	Food waste generators covered	Waste production threshold	Distance exemptions	Other
Maryland Md. Code Ann. Env't § 9-1701; Md. Code Ann. Env't § 9-1723; Md. Code Ann. Env't § 9-1724.1	Persons, businesses, schools, supermarkets, convenience stores, and cafeterias	1 ton/week* *Generators are covered only for weeks during which they meet the threshold	30 miles	Restaurants with dining rooms that are open to the public are not covered by the law. Businesses may apply for a waiver if the cost of diverting food residuals from a refuse disposal system is more than 10% more expensive than the cost of disposing the food residuals at a refuse disposal system. Maryland also prohibits the owner or operator of a refuse disposal system from accepting loads of separately collected organic waste for disposal unless the owner or operator recycles the organic waste.
Massachusetts 310 Mass. Code Regs. 19.006; 310 Mass. Code Regs. 19.017	Any entity, excluding a residence	½ ton per week *Generators are covered only for weeks during which they meet the threshold	None	N/A



State Organic Waste Bans & Recycling Laws

	Food waste generators covered	Waste production threshold	Distance exemptions	Other
New Hampshire N.H. Rev. Stat. § 149-M:27	All persons and business entities	1 ton/week	20 miles	Diversion to alternative facilities shall prioritize, in the following order, consumption by humans; consumption by animals; composting, digestion, or land application; and energy recovery.
New Jersey N.J. Stat. Ann. § 13:1E-99.122-125	Large food waste generator	52 tons/year	25 miles	Generators may apply for exemption if the cost of proper recycling and transportation to recycling facilities is at least 10 percent more than the cost of transporting the food waste for disposal as solid waste plus the disposal fee charged for solid waste disposal.
New York N.Y. Envtl. Conservation Law §§ 27-2201 – 27-2219.	Businesses, nonprofits, government entities, and other organizations Excludes healthcare facilities, and elementary and secondary schools	2 tons/week	25 miles	All designated food scraps generators are required to donate surplus edible food for human consumption to the extent possible. From January 1, 2026, to December 31, 2027, the threshold lowers to 1 ton per week, with the recycling radius expanding to 50 miles. Beginning January 1, 2028, the threshold further lowers to 0.5 tons per week, maintaining the 50-mile radius requirement.



State Organic Waste Bans & Recycling Laws

	Food waste generators covered	Waste production threshold	Distance exemptions	Other
Rhode Island R.I. Gen. Laws Ann. § 23-18.9-7; R.I. Gen. Laws Ann. § 23-18.9-17	Commercial food wholesaler or distributor, industrial food manufacturer or processor, supermarket, resort or conference center, banquet hall, restaurant, religious institution, military installation, prison, corporation, hospital or other medical care institution, casino, and covered educational facility.	Higher Educational & Research Institutions: 52 tons/year Other Educational Entities: 30 tons/year All other generators: 104 tons/year	15 miles	Waivers apply if the landfill tipping fee is less than the fee charged by an authorized composting or anaerobic digestion facility located within 15 miles of the business.
Vermont Vt. Stat. Ann. tit. 10, § 6605k, Vt. Stat. Ann. tit. 10, § 6602	Persons, organizations, business entities, municipalities, Vermont state governmental agencies, departments, and subdivisions, and federal agencies	None	None	N/A



State Organic Waste Bans & Recycling Laws

	Food waste generators covered	Waste production threshold	Distance exemptions	Other
Washington Wash. Rev. Code § 70A.205.540; Wash. Rev. Code § 70A.205.545; Wash. Rev. Code § 43.19A.150	2024-2026: Businesses 2027: Municipalities with over 25,000 residents are required to provide curbside composting	2024: 8 cubic yards 2025: 4 cubic yards 2026: 96 gallons 2027: Residential provided 2030: all persons receiving curbside collection must source-separate organics	None	Businesses are encouraged to donate edible food. By 2023, municipalities with over 25,000 residents must adopt a compost procurement ordinance.