

P.L. 2025, CHAPTER 228, *approved January 12, 2026*
Assembly, No. 2090 (*Second Reprint*)

1 AN ACT concerning the reduction of food waste and supplementing
2 P.L.1970, c.39 (C.13:1E-1 et seq.).
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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
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7 1. a. No later than two years after the effective date of this
8 section, each solid waste management district in the State shall
9 develop and implement a strategy for reducing, by the year **'[2030]**
10 **2035'**¹, the amount of food waste generated annually in the district by
11 at least 50 percent of the amount which **'[is] was'**¹ generated in the
12 year **'[this section takes effect] 2022'**¹. The strategy shall be adopted
13 as an amendment to the district solid waste management plan required
14 pursuant to the "Solid Waste Management Act," P.L.1970, c.39
15 (C.13:1E-1 et seq.) ¹, or pursuant to an administrative action by the
16 solid waste management district authorized pursuant to rules and
17 regulations adopted for that purpose,¹ and **'shall be'** subject to the
18 approval of the department. ¹Any increase in the amount of perishable
19 food donated for human consumption, as well as any increase in the
20 amount of food waste composted or anaerobically digested, shall count
21 toward the food waste reduction target established pursuant to this
22 subsection.¹ ²Food waste sent for final disposal to a sanitary landfill
23 facility that collects and delivers landfill gas to a gas-to-energy facility
24 as fuel for the generation of Class I renewable energy or for the
25 generation of renewable natural gas of pipeline quality standards or
26 transportation fuel grade requirements shall not be subject to the food
27 waste reduction requirements of this section.²

28 b. No later than 180 days after the effective date of this section,
29 the department shall develop, and publish on its Internet website, a list
30 of measures solid waste management districts can take in order to
31 achieve the food waste reduction requirement established in subsection
32 a. of this section. Such measures shall include, but need not be limited
33 to, measures to increase the donation of surplus edible food, the source
34 separation and recycling of food waste, the composting and anaerobic
35 digestion of food waste and other food waste diversion methods that
36 also reduce methane emissions, and public awareness campaigns.

37 c. ¹The department shall adopt rules and regulations, in
38 accordance with the "Administrative Procedure Act," P.L.1968, c.410

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ABU committee amendments adopted June 27, 2025.

²Senate floor amendments adopted December 22, 2025.

1 (C.52:14B-1 et seq.), to create a tiered regulatory structure for
 2 composting facilities, pursuant to the “Solid Waste Management Act,”
 3 P.L.1970, c.39 (C.13:1E-1 et seq.), in order to facilitate the use of
 4 organic waste recycling facilities in the State.

5 d.¹ As used in this section, “food waste” means ¹any food-derived
 6 organic waste that is disposed of in a landfill, including, but not
 7 limited to, edible food, food scraps generated by a consumer after the
 8 generator issues or sells food to the consumer.¹ food processing waste,
 9 food processing residue generated from processing and packaging
 10 operations, overripe or spoiled produce, trimmings from food, food
 11 product over-runs, soiled and unrecyclable paper, and used cooking
 12 fats, oil, and grease.

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14 2. This act shall take effect immediately.

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19 Requires solid waste management districts to develop strategy to
 20 reduce food waste; requires DEP to adopt certain rules and
 21 regulations regarding composting facilities.