

A Bill for an Act relating to the Reduction of Food Wastage in Supermarkets
Bill 2020.

To be enacted by the YMCA Victoria Youth Parliament;

Reduction of Food Wastage in Supermarkets 2020 Bill

A Bill for an Act to establish Food Wastage Victoria (FWV); an entity with the resolute intent in helping to reduce food wastage during the manufacturing, distribution and selling of food in Victorian supermarkets and along the production line, by donating it to respected charities or transporting it to designated biofuel refineries, based on edibility.

The Australian Federal Government estimates that food wastage costs the Australian economy \$20 billion annually¹. Supermarkets such as Coles have pledged that they will divert 90% of their food and material wastage to donating 100 million meals to people in need by 2020². The purpose of this bill is to extend this philanthropic vision to more supermarkets. Thus, establishing Food Wastage Victoria (FWV) to facilitate the donation of surplus edible, perishable foods or fresh produce to charities or the distribution of inedible, perishable foods or fresh produce to designated biofuel refineries; ultimately, reducing food waste along the production line of supermarkets. This bill will oblige supermarkets to sell their fresh produce regardless of aesthetic; imploring that surplus food, rather than being simply disposed of, should be used for humanitarian or environmental good.

¹ The Nest - wearethenest.com.au. "Food Waste Facts - OzHarvest." OzHarvest, October 18, 2018. <https://www.ozharvest.org/what-we-do/environment-facts/>.

² AAP and Inside FMCG. "Coles Pledges to Halve Food Waste by 2020." Inside FMCG. InsideFMCG, June 4, 2018. <https://insidefmcg.com.au/2018/06/04/coles-targets-plastic-wrap-food-waste/>.

PART I—Preliminary

Clause 1 Purpose

The main purposes of this Act are—

- (a) to reduce the amount of food waste that is unnecessarily disposed of in Victorian supermarkets;
- (b) to create an entity whose purpose is to minimise food wastage in the fresh produce industry;
- (c) to find effective means by which food can be salvaged, redistributed to charities or converted into renewable energy resources;
- (d) to reduce food wastage within Victorian supermarkets, whilst minimising economic and logistical impacts.

Clause 2 Commencement

This Bill shall commence upon receiving assent from the Youth Governor of Victoria.

Clause 3 Definitions

In this Bill, we define the following to mean—

- (a) **edible** means food that is safe to eat, regardless of the use by/best before date;
- (b) **inedible** means food that is not safe for human consumption (i.e. rotten fruit);
- (c) **Non-perishable** means processed or packaged to withstand prolonged storage without refrigeration;
- (b) **fresh produce** means foods, like fruits and vegetables, that have been picked or produced recently and have not been preserved by being frozen or tinned;
- (c) **expired** means food that is past the use by and best before date given;
- (d) **supermarkets** means large-scale enterprises or local businesses where consumers purchase fresh produce; fruits and vegetables, meat and dairy products and processed or packaged goods;
- (e) **charities** means non-profit, large-scale organisations such as *OzHarvest* or *FoodBank*; local, volunteer-run organisations, providing food for homeless individuals, such as *Soup Kitchens* or religious organisations that provide free meals for local communities;
- (f) **biofuel refinery** means an enterprise that is responsible for the mass production of bioenergy from organic material, such as inedible fresh produce (fruits and vegetables).

PART II — Establishment

Clause 4 Establishment of food wastage Victoria

4.1 Food Wastage Victoria (FWV) shall be created to oversee the following—

- (a) transport logistics of vehicles and drivers;

- (b) implementation and regulation of penalties;
 - (c) logistics of donations and distributions to local, respected and designated—
 - (i) charities as outlined in Clause 6;
 - (ii) biofuel refineries as outlined in Clause 8.
- 4.2 FWV shall employ—
- (a) management and head office roles;
 - (b) officers responsible for the distribution of penalties;
 - (c) drivers responsible for the transport of food.

Clause 5 Quality standards of food

- 5.1 The following shall be the new quality standards for fresh produce sold within supermarkets—
- (a) if a particular food is considered edible, it is to be sold within the supermarket. Should there be surplus, edible fresh produce after a given business day, refer to clause 6;
 - (b) if a food is considered entirely inedible, it is not to be sold within the supermarket;
 - (c) Should there be surplus, inedible fresh produce after a given business day, refer to clause 8.
- 5.2 Fresh produce that is blemished, yet still considered edible, may be sold at a lowered or discounted price, at the supermarket's discretion.
- 5.3 At the end of each business day, food must be classified by supermarkets as either edible or inedible.

Clause 6 Donation of food to charities

- 6.1 Supermarkets are to donate all surplus edible, perishable foods and fresh produce to charities.
- 6.2 Supermarkets donating surplus edible, perishable foods or fresh produce to charities must ensure that it complies strictly with the **Wrongs & Other Acts (Public Liability Insurance Reform) Act 2002**.
- 6.3 Foods that are permitted to be donated to charities include—
- (a) surplus edible, perishable foods or fresh produce at food markets or supermarkets;
 - (b) food purchased by a food related business that becomes surplus to their requirements such as fresh or long-life produce;
 - (c) leftover unused portions of food that have not been served to customers or consumers such as packaged sandwiches or salads.
- 6.4 Donated foods should be given to—
- (a) non-profit, large-scale organisations;
 - (b) local, volunteer-run organisations, providing food for homeless individuals;
 - (c) religious organisations that provide free meals for local communities.

Clause 7 Transportation of edible food

- 7.1 Following the end of each business day, surplus edible, perishable foods or fresh produce deemed eligible by sub-clauses 6.2 and 6.3, shall be collected by assigned FWV Drivers, responsible for the transport and distribution of the given food.
- 7.2 FWV will provide respected modes of transportation. However, supermarkets are required to assist in the packing of FWV vehicles, prior to distribution.
- 7.3 The collected surplus edible, perishable foods or fresh produce shall then be donated to designated charities, as outlined in sub-clause 6.4.

Clause 8 Transportation of inedible food

- 8.1 All surplus, perishable foods or fresh produce that is suitably considered inedible are to be transported to the closest, designated, Victorian biofuel refinery.
- 8.2 Close consideration must be taken to ensure foods are not wrongly determined inedible by—
 - (a) ensuring that the quality of the given food meets the requirements stated in clause 5.
 - (b) ensuring that the quality of the given food does not strictly comply with the **Wrongs and Other Acts (Public Liability Insurance Reform) Act 2002** as stated in sub-clause 6.2.
 - (c) ensuring that the classification of food as inedible, acts as last resort to guarantee sufficient amounts of produce is transported to entities stated in sub-clause 6.4.
- 8.3 Each supermarket shall designate a specific location, whereby inedible food is set aside for collection by assigned FMW Drivers, responsible for the transport and distribution of the given food.
- 8.4 On a Sunday of every given business week, FWV will provide respected modes of transport to collect the given food.
- 8.5 Biofuel refineries receiving the distributions of surplus, inedible, perishable foods or fresh produce will be designated by FWV, within close proximity to that of the given supermarket, to maximise logistical efficiency.

Clause 9 Penalties

- 9.1 Should a supermarket not comply with the above, an initial fine of 10 penalty units shall be imposed on the business.
- 9.2 Should a business or entity not comply a second time, they shall be fined 100 penalty units.