WW, Grubhub, 71 Others Release Open Letter to Congress to Fight Food Waste and Insecurity

In partnership with the undersigned companies and organizations, both the House and Senate have introduced bills that address two of the three major concerns outlined in the original open letter (S.3281, H.R.6251). As a result, the open letter has been updated to specifically address the Food Donation Improvement Act of 2021, as well as display the increase in organizations and companies who have given their support. More below:

- The updated open letter calls on Congress to pass the Food Donation Improvement Act of 2021 You can find the original open letter here.
- The 73 signatories, which are corporate partners, nonprofits, school districts, cities, and mayor’s offices, include Harvard Law School Food Law and Policy Clinic, Panera Bread, City Harvest, and more. You can find the Food Donation Improvement Act open letter here.

To Congress:

We write to you today to discuss the issue of food insecurity and food waste in the United States. During the coronavirus pandemic, levels of food insecurity increased dramatically: In 2021, an unprecedented 42 million people were estimated to have experienced food insecurity.¹

At the same time, $408 billion is spent processing, transporting, storing, and disposing of food that’s never eaten each year, meaning millions of pounds of fresh food goes to waste.²

The issue is not so much lack of food—it’s the inability to effectively leverage our food system to get food where it serves its most beneficial purpose. In 1996, Congress passed the bipartisan Federal Bill Emerson Good Samaritan Food Donation Act (42 U.S. Code § 1791), which was designed to encourage companies to donate their surplus food and grocery products to nonprofits. While the act provides civil and criminal liability protection to food donors and food recovery organizations, some parts of it are unclear. So many food manufacturers, retailers, farmers, and restaurants still cite fear of liability as one of the main reasons they don’t donate.

That is why we, the undersigned companies and nonprofits, urge you to support the bipartisan Food Donation Improvement Act of 2021 (S.3281/H.R.6251), which would help increase food donation and reduce food waste by updating long-standing food donation liability protections. Enactment of this legislation would help a wider number of organizations to donate and rescue surplus food in three key ways:

- It extends liability protections to food that is sold at an extremely discounted price (i.e. food sold at a social supermarket) as current law only protects food donations where the end participant receives food free of charge.
- It extends liability protections to certain direct donations made by qualified donors directly to those in need. Current law only covers donations to nonprofits, which creates an unnecessary barrier for grocers, restaurants, school food authorities, and other organizations looking to donate food directly to those in need.
- It directs USDA to clarify the quality and labeling standards that donated food products must meet to be eligible for liability protection.

Additionally, the Food Donation Improvement Act of 2021 has bicameral, bipartisan support. It was introduced by Senators Blumenthal and Toomey in the Senate and Representatives McGovern, Pingree, Newhouse, and Walorski in the House. At the time of writing, the bill is co-sponsored by Representatives Reschenthaler, Wild, Brown, Keller, Hayes, Norton, Stansbury, Maloney, Panetta, Salazar, Gottheimer, Velazquez, Veasey, Meng, Lee, Kuster, Case, Dean, Jackson, Espaillat, Casten, Malinowski, McBath, Bass, Fitzpatrick, McKinley, Stefanik, Blumenauer, Wilson, Chu, Hinson, Cherfilus-McCormick, Payne, Sewell, Auchincloss, Titus, Luria, Krishnamoorthi, Levin, Bishop, Aguilar, and Kim, as well as Senators Braun, Booker, Casey, and Gillibrand.

We believe that passing the Food Donation Improvement Act of 2021 is a crucial step toward making food security a reality, and we urge members of Congress to consider supporting the bill, as well as prioritizing its passing. Thank you for your attention, and we welcome the opportunity to collaborate with you on this important issue.

The undersigned companies and nonprofit organizations include:

**WW International, Inc.**
*New York, NY*

**Harvard Law School Food Law and Policy Clinic**
*Cambridge, MA*

**Grubhub**
*Chicago, IL*

**Ahold Delhaize USA**
Salisbury, NC

Beyond Hunger
Oak Park, IL

Blue Apron
New York, NY

Bowery Farming
New York, NY

Brass Roots
New Orleans, LA

Bread for the World
Washington, DC

ButcherBox
Boston, MA

Careit
Burbank, CA

Center for EcoTechnology
Pittsfield, MA

The City of Chicago
Chicago, IL

City Harvest
New York, NY

Clean Memphis
Memphis, TN

COOMER
Lexington, KY

Concordia College-Moorhead
Moorhead, MN

DC Central Kitchen
Washington, D.C.

Denver Mayor's Office
Denver, CO
Dole Packaged Foods, LLC  
*Westlake Village, CA*

**Eat Just, Inc.**  
*San Francisco, CA*

**Environmental Health and Food Safety**  
*Memphis, TN*

**Farmer’s Fridge**  
*Chicago, IL*

**Farmstead**  
*Burlingame, CA*

**Food for Climate League**  
*Chicago, IL*

**The Food Depot**  
*Santa Fe, NM*

**Food For Free**  
*Cambridge, MA*

**Food Link**  
*Arlington, MA*

**Food Recovery Network**  
*Washington, D.C.*

**Food Rescue US - Detroit**  
*Detroit, MI*

**Food Rescue US**  
*Stamford, CT*

**Food Tank**  
*Baltimore, MD*

**Global Cooking School, LLC**  
*Deland, FL*

**Goodr**  
*Atlanta, GA*
Grace Klein Community
*Birmingham, AL*

Greater Cincinnati Regional Food Policy Council
*Cincinnati, OH*

The Hope Center for College, Community, and Justice
*Philadelphia, PA*

Hunger Network Food Rescue
*Cleveland, OH*

**Hellmann’s**
*Englewood Cliffs, NJ*

Hope’s Harvest
*Providence, Rhode Island*

Illinois Environmental Council
*Springfield, IL*

**Instacart**
*San Francisco, CA*

**Impossible Foods**
*Redwood City, CA*

Institute for Local Self-Reliance
*Washington, DC*

**JEE Foods**
*Hamilton, OH*

Just Food of Douglas County
*Lawrence, KS*

**Just Salad**
*New York, NY*

Keep Austin Fed
*Austin, TX*

**The Kroger Co.**
*Cincinnati, OH*

**Lineage Logistics**
Novi, MI

Los Gatos Union School District
Los Gatos, CA

Lovin’ Spoonfuls
Boston, MA

Make Food Not Waste
Detroit, MI

Misfits Market
Delanco, NJ

Midwest Food Bank
Normal, IL

Midwest Food Connection
Minneapolis, MN

Natural Resources Defense Council
New York, NY

New Wave Foods
San Francisco, CA

Northern Virginia Food Rescue
Manassas, VA

Our Daily Bread Soup Kitchen and Social Center
Cincinnati, OH

Panera Bread
St. Louis, MO

Peninsula Food Runners Organization
San Francisco, CA

Replate
San Francisco, CA

Rescuing Leftover Cuisine
New York, NY

Rethink Food
New York, NY
Share My Meals
Princeton, NJ

Saving Grace Perishable Food Rescue
Omaha, NE

Second Servings of Houston
Houston, TX

Too Good To Go
New York, NY

Unilever United States
Englewood Cliffs, NJ

Upcycled Food Association
Greenwood Village, CO

We Don’t Waste
Denver, CO

Your Store of the Queen City
Cincinnati, OH