



sanitation

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Enforcement Begins Tomorrow: City Law Requires Some Larger Restaurants, Chain Restaurants and Grocery Stores to Separate their Food Waste from their Trash

Businesses Required to Put Food Waste to Beneficial Use, Not Send it to Landfills

The New York City Department of Sanitation announced that starting tomorrow, the Department will begin enforcement of a city law requiring some larger restaurants, chain restaurants and grocery stores to separate their food waste from their trash, and ensure it is beneficially reused, not sent to a landfill. The fine for a violation starts at \$250.

When food waste ends up in a landfill, it releases methane, a harmful greenhouse gas and major contributor to climate change. However, that same food waste can be turned into compost or renewable energy. Some may even be able to be used as a food source. The law is expected to divert about 50,000 tons of food waste from landfills every year. This law is an expansion of a previous law covering some city stadiums, restaurants in hotels, food manufacturers and food wholesalers.

“We all need to do our part to make New York City healthy and green, and this includes food-related businesses that must reduce, reuse, or recycle their food scraps and food waste. It’s critical to meeting the City’s greenhouse gas emissions reduction goals,” said Sanitation Commissioner Kathryn Garcia. “Over the past year, our outreach staff has visited covered business, sent mailers, and otherwise helped them get ready for this law. At this point, we are confident they will be able to succeed and meet, or exceed, our expectations.”

Businesses covered under the rules include:

- Restaurants with a floor area of at least 15,000 square feet;
- Chain restaurants with 100 or more locations in the City that operate under common ownership or control, are individually franchised outlets of a parent business, or do business under the same corporate name; and
- Food retailers (grocery stores) having a floor area space of at least 25,000 square feet.

To comply, covered businesses can hire a private carter, self-transport, or process their food scraps onsite, as long as the material goes for beneficial use, such as for use as compost or in anaerobic digestion, a way of generating renewable energy. If appropriate, businesses may also donate food to a third-party charity or food bank, sell or donate the food to a farmer for feedstock, or sell or donate meat by-products to a rendering company.

Published in the [City Record](#) in February 2018, the law took effect in August 2018. Enforcement was delayed until February 15, 2019 to allow time for education and outreach.

The Department's outreach staff, along with other relevant agency partners, have worked to inform the covered businesses of the new rules. Over the past year, Sanitation staff have completed some 2,000 site visits to affected businesses. Additionally, multiple mailers were sent to affected businesses. Moving forward, the Department of Sanitation will offer businesses the opportunity to attend semi-monthly trainings; request educational site visits and watch an educational video series. Further, the Department of Sanitation hosts off-site group trainings; provides sample signs, labels and electronic copies of notices in multiple languages; produces the DSNY Business Rules and Regulations Guidebook; and hosts workshops with the NYC Department of Small Business Services, Chambers of Commerce, Business Improvements Districts and other organizations to educate businesses in all five boroughs.

The new rule is a result of Local Law 146 of 2013, which requires the Sanitation Commissioner to evaluate whether there is sufficient capacity at regional food waste processing facilities to require additional City food waste-generating businesses to separate it from their refuse for its beneficial use. The Department's most recent assessment found that substantial available capacity exists to handle material from the newly covered establishments.

About the New York City Department of Sanitation

The Department of Sanitation (DSNY) promotes a healthy environment through the efficient management of solid waste and the development of environmentally sound long-range planning for handling refuse, including recyclables. The Department operates 59 district garages and manages a fleet of more than 2,000 rear-loading collection trucks, 450 mechanical brooms and 695 salt/sand spreaders. The Department clears litter, snow and ice from approximately 6,500 miles of City streets and removes debris from vacant lots as well as abandoned vehicles from City streets.