

# Policies to Fight Hunger and Food Waste in the LAC Region

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# About FLPC

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Provide **legal and policy advice** to nonprofits, government agencies, businesses



**Educate students** about law and policy in the food system

# Food Waste & Recovery Portfolio

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## State & Local

Examples: state bill tracking;  
technical assistance to state governments

## U.S. National

Examples: Zero Food Waste Coalition;  
*Opportunities to Reduce Food Waste in the Farm Bill*

## Global

Example: Global Food Donation Policy Atlas

# Mapping food donation policies around the world

The Atlas evaluates laws and policies across the most relevant issue areas relating to food donation and food loss and waste. Explore the map to compare and contrast existing legislation and learn from best practices around the world.

[Explore Interactive Map](#)

## POLICY AREA: DATE LABELING

- |   |  |
|---|--|
|  Strong Policy   |  No policy  |
|  Moderate policy |  Ratings unavailable<br><i>Click to view research</i> |
|  Limited policy  |  Forthcoming  |

# Atlas Project Goals

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## IDENTIFY AND ANALYZE LAWS

*Share relevant laws, common legal barriers in 25+ countries.*

## RECOMMEND POLICY CHANGE

*Tailored for each country to achieve stronger, more sustainable food donation operations.*

## GLOBAL ENGAGEMENT

*Though an online, interactive atlas tool that allows for comparison between countries; through webinars and conferences.*

## TAILORED TECHNICAL ASSISTANCE

*Strategic engagements with in-country partners on policy implementation.*

# Atlas Project Methodology

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Select country with input from GFN & ask in-country food banks if they want to partner

Conduct extensive legal & policy research

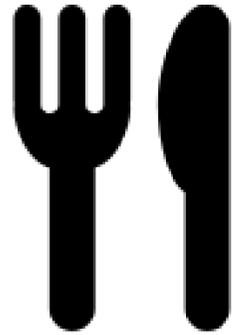
Visit country & interview stakeholders

Develop policy recommendations for change & vet with in-country partners

Consult with in-country legal experts & partners

# Legal Issues

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Food Safety



Date Labeling



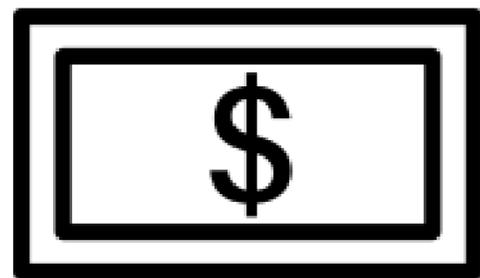
Liability



Food Waste  
Law & Policy



Tax Incentives  
& Barriers



Requirements  
& Penalties



Govt. Grants  
& Incentives

# Liability Protection Laws



### LIABILITY PROTECTION FOR FOOD DONATIONS

Transportation and storage costs are often cited as the main expenses that manufacturers, retailers, and restaurants need to overcome to donate food. Tax incentives, including deductions and credits, can help to offset these financial inputs and make donation a more attractive, affordable option.

- Strong Policy
- Limited Policy
- Ratings Unavailable
- Moderate Policy
- No Policy
- Forthcoming

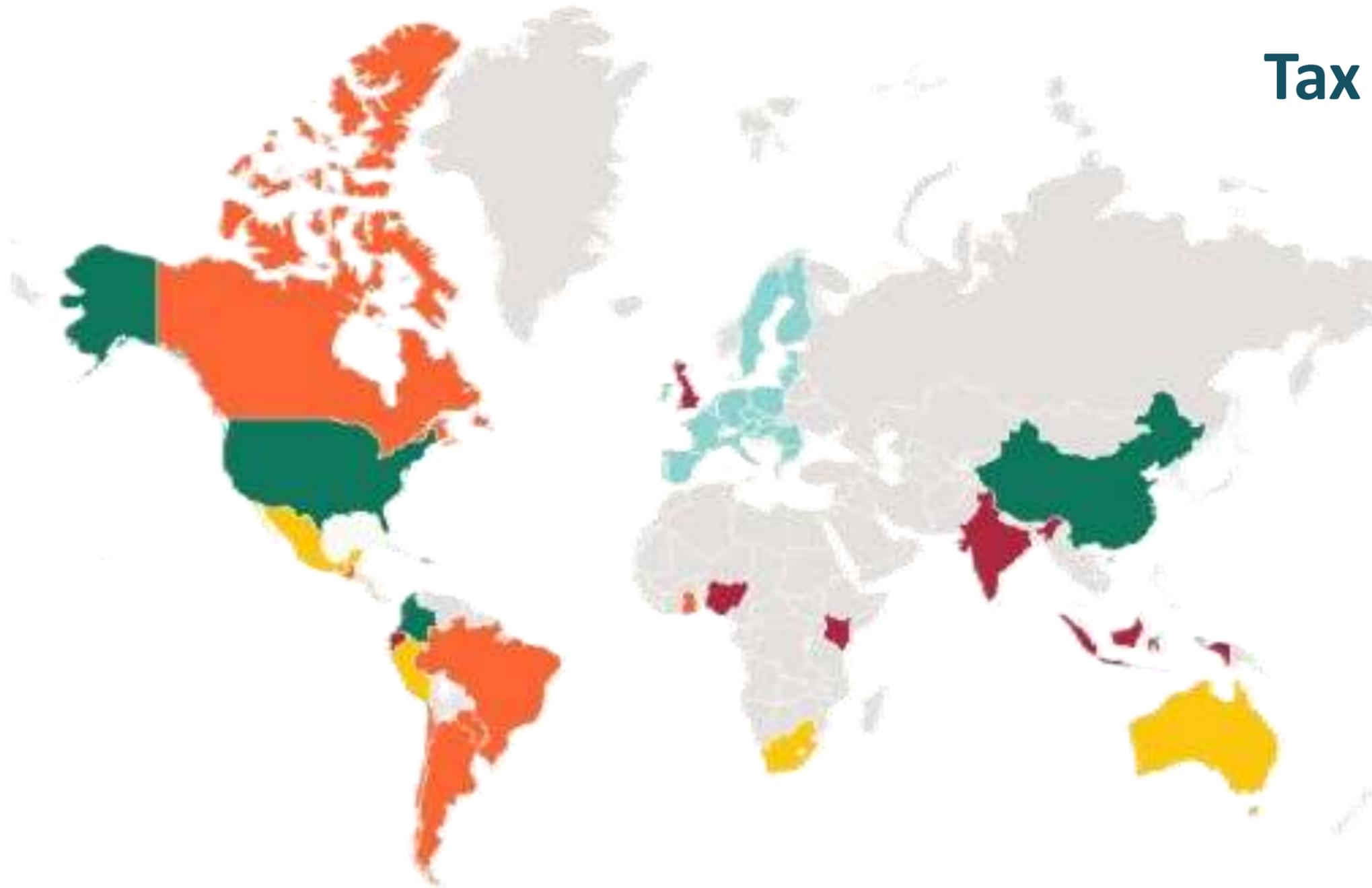
# Spotlight: Brazil



**Brazil's Food Waste and Donation Law (14,016/20)** limit liability for food donations.

Provided the donation complies with the Law's requirements and is donated with good intent to qualifying intermediary charitable organizations or directly to final beneficiaries

# Tax Incentive Laws



## TAX INCENTIVES

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# Spotlight: Colombia

## Tax Incentives

- Donors may claim a generous tax credit up to 37% of the value of food donations made to registered nonprofit entities.
- Tax credit covers transportation costs as well as food value.
- Colombia also ensures that the value-added tax (VAT) does not deter food donations: donations made to registered food banks are exempt from the VAT.



Asociación de Bancos de Alimentos de Colombia (ABACO)

# Food Waste Deterrence Policies



## FOOD WASTE DETERRENCE POLICIES

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# Spotlight: Ecuador

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## Organic Waste Ban

- Bans destruction of food fit for human consumption
- Includes hierarchy of alternative uses
  - Reduce
  - Donate
  - Animal feed
  - Renewable energy
  - Compost
  - Landfill
- Includes fines for non-compliance





# Global Best Practice: United Kingdom

## Date Labeling

- The dual date labeling scheme distinguishes between safety-based and quality-based date label language.
- Food may not be sold or donated after the “use by” date, but the law *explicitly* states that food products past their “best before” date may be sold or donated.



Graphic from Food Standards Agency of the United Kingdom

# LAC Regional Spotlight: Costa Rica

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- In response to the COVID crisis, Costa Rica issued guidance permitting and clarifying donation past-quality date to enhance food security



Graphic from Food Standards Agency of the United Kingdom

# Spotlight: Other Innovative Policies

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## Donating Seized Food

- *Example:* Paraguay's Food Donation Law bans authorities, including those at customs, from destroying seized food without a well-founded cause if it is deemed safe for human consumption after undergoing lab testing.

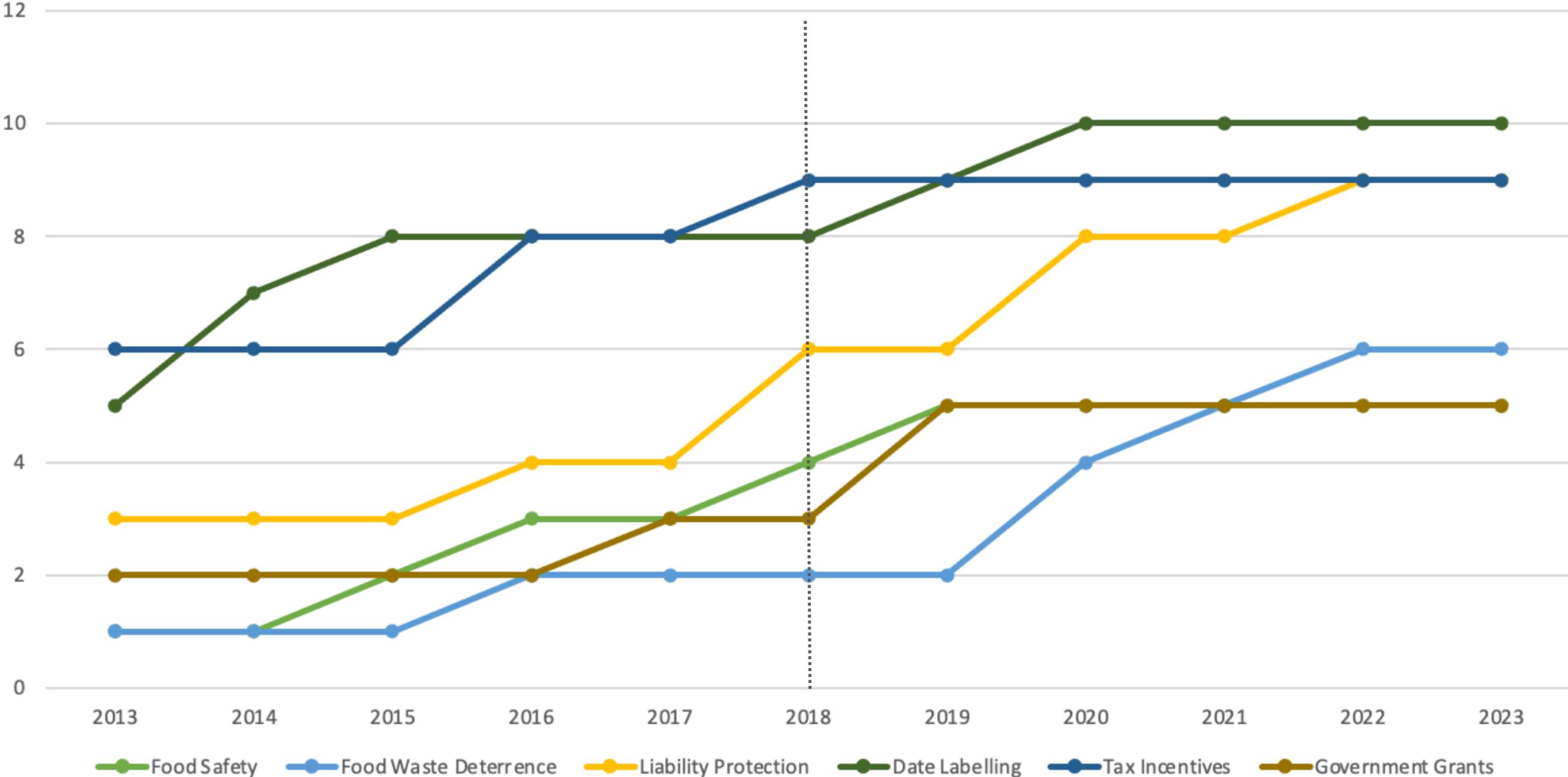
## Limit "Business Losses" for Disposed Food

- *Example:* in Chile businesses cannot claim "business loss" tax deduction for wasted food unless they can prove they couldn't donate it

## National FLW Strategy

- *Example:* Australia's comprehensive national food waste strategy, implementation roadmap, and feasibility study

# Total Strong & Moderate Policies Over Time



# Explore Key Policy Issues

- Date Labeling
- Liability Protection
- Tax Incentives
- Food Safety
- Food Waste Deterrence
- National Strategies
- ESG/Scope 3 Reporting
- Government Grants & Incentives

Coming soon:

- Carbon Accounting and Carbon Credits



## ATLAS PROJECT

**Website Link:**

<https://atlas.foodbanking.org/>

## FLPC WEBSITE

**Website Link:**

[www.chlpi.org/flpc](http://www.chlpi.org/flpc)

