



# Legislation, Lobbying & Leveraging Elected Officials for Food Recovery

No matter the size of your organization,  
you can have an impact through an  
actionable government affairs plan!



**GUEST SPEAKER**

**Nina Sevilla**



# A few reminders:

**Drop your questions in the Q&A as we go!**

**Yes, this is being recorded!**

A recording of this presentation will be emailed within the next few days.

**Links provided at the end of the webinar:**

- Request a follow-up meeting
- Next webinar



# Why have a governmental relations strategy?

Elected officials can be helpful in many ways:

- Amplification and community advocacy
- Writing, sponsoring, championing and passing helpful legislation
- Thwart bad legislation



WORKING WITH OFFICIALS:

# Advocacy vs. Lobbying

## Advocacy

- Making your voice heard on issues that affect people you are serving
- Most nonprofits can and do engage in significant advocacy to achieve their goals

## Lobbying

- Direct support of or opposition to a specific piece of introduced legislation
- Can engage in lobbying at all levels of government
- **The IRS has rules about amount that can go toward these activities for 501(c)(3)s**





## ADVOCACY VS. LOBBYING:

# Examples

### Advocacy

- Telling legislators and supporters how a federal grant helped constituents
- Educating a member of Congress about the effects of a policy
- Inviting a member of Congress to visit your organization so that they may see how funding affects operations and the difference it makes.

### Lobbying

- Asking a member of Congress to vote for, against, or amend introduced legislation.
- Emailing a “call to action” to your supporters urging them to contact their members of Congress to request activity on introduced legislation
- Preparing materials or organizing events in support of lobbying activities.



LOBBYING:

## Restrictions on Activities of 501(c)(3)s



Cannot:

- ⊗ Campaign for a candidate, state opinions about **who** your supporters should vote for



Can:

- ✓ Lobby for a piece of legislation
- ✓ Educate officials on what you do
- ✓ Ask your supporters to call their rep and ask them to vote a certain way

*\*Individuals **not** acting on behalf of an organization can lobby as much as they want!*



LOBBYING:

## Restrictions on Activities of 501(c)(3)s

A 501(c)(3) organization is limited in how much lobbying they can do. You may engage in some lobbying, but if you violate rules, you risks loss of tax-exempt status.

→ **Lobbying may not constitute a “substantial part” of the activities of the 501(c)(3) organization.**

- The “Substantial Part” column applies to organizations that have NOT filed the Internal Revenue Service (IRS) Form 5768 - indicating that the organization plans to engage in permitted lobbying activities.
  - If you don’t file Form 5768, it’s up to the IRS to determine what a “substantial part” is (generally 20% of your operating budget)
- The “Expenditure Test” column applies to organizations that HAVE filed the IRS Form 5768
  - If you do fill out Form 5768, there is a table outlining the specific amount you can spend on lobbying efforts.

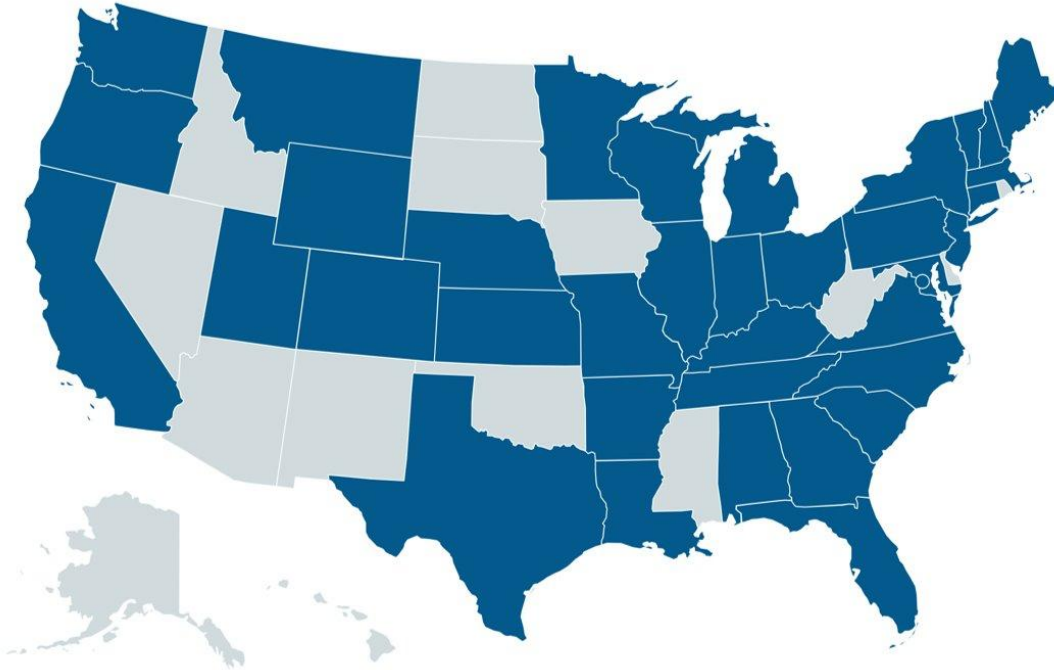


# Nina Sevilla



NRDC Program Advocate,  
Food Waste & Food  
Systems, Nature

- ❖ Zero Food Waste Coalition
- ❖ Farm Bill
  - Timeline & Status
  - Opportunities
- ❖ Other Legislative Opportunities



**Our goal is to** influence policy at the local, state, and federal levels to reach our national goal of reducing food waste 50% by 2030.

**Together, we have:**

- ✓ Released 4 policy reports
- ✓ Grown to 170 members across 40 states, and are still growing
- ✓ Shaped 6 federal marker bills
- ✓ Met with 80+ congressional offices

# ZERO FOOD WASTE

## COALITION

### The ZFWC:

- **Advocates** for policies that address the climate crisis, improve equity, and increase access to healthy food by reducing food waste and advancing food recovery efforts
- Offers a central source of **information, resources, and toolkits** that enable communities, organizations, and governments to reduce food waste
- **Increases the visibility** and diversity of organizations and leaders working to reduce waste and recover food across the country

**Membership:** nonprofit organizations, food businesses, local governments

Interested in joining or learning more?

- Email [zfwcoalition@gmail.com](mailto:zfwcoalition@gmail.com)
- Visit [www.zerofoodwastecoalition.org](http://www.zerofoodwastecoalition.org)

# Coalition's Top Recommendations to Reduce Food Waste in the Farm Bill



**1** Create a FLW Reduction Office in USDA & authorize funding for it to offer grants and support food waste reduction

**2** Increase funding for planning & infrastructure that reduce food waste and enhance food recovery

**3** Fund research in food waste prevention, upcycling, and recycling solutions

**4** Standardize and clarify date labels

# Key Marker Bills



APRIL 2023  
FS 23-04-0

## FACT SHEET

### ZERO FOOD WASTE COALITION'S TOP FARM BILL PRIORITIES

In the United States, approximately 38 percent of all food goes unsold or uneaten. We use 22 percent of our fresh water and 16 percent of our cropland to produce just this wasted food, which releases greenhouse gas emissions equivalent to 372 million metric tons of carbon dioxide across its lifecycle. We also spend \$444 billion annually to grow, process, store, distribute, and dispose of it. Despite the surplus of food produced—and the fact that much of it is safe to eat—10.5 percent of American households face food insecurity.<sup>1</sup>

In 2015 the U.S. Environmental Protection Agency (EPA) and the Department of Agriculture (USDA) announced a federal goal of reducing food waste by 50 percent by 2030. The Zero Food Waste Coalition (ZFWC)—led by NRDC, WWF, the Harvard Food Law Policy Clinic, and ReFED—was formed to meet that goal, uniting nonprofits, businesses, and government that work together to inform and influence food waste reduction policy at the local, state, and federal levels.

In the ZFWC report *Opportunities to Reduce Food Waste in the 2023 Farm Bill*, we detail a suite of effective levers for promoting long-lasting solutions to the problem of food waste.<sup>2</sup> Here, we highlight our top four recommendations for the 2023 Farm Bill: improve federal coordination through the

creation of a Food Loss and Waste Reduction Office within the USDA; fund food waste prevention, surplus food recovery, and food waste recycling planning and infrastructure support research in food waste prevention; and standardize the food date labeling system.

#### CREATE A FOOD LOSS AND WASTE REDUCTION OFFICE WITHIN THE USDA AND AUTHORIZE FUNDING FOR IT TO OFFER GRANTS AND SUPPORT FOOD WASTE REDUCTION EFFORTS

The 2018 Farm Bill took an important first step of establishing a Food Loss and Waste Reduction Liaison to coordinate federal food waste reduction efforts at the USDA. To build on these efforts, the 2023 Farm Bill should create an office to enhance this work and better position the federal government to meet the nation's food waste reduction goal. Congress should:

- Authorize up to \$100 million in annual appropriations and provide \$20 million a year in mandatory funding, for a total of \$120 million in annual funding to support the activities of the office for the following purposes:
  - Improve federal coordination of the Federal Interagency Food Loss and Waste Collaboration;
  - Administer grants and cooperative agreements to support food waste reduction and surplus food recovery efforts as well as food waste reduction infrastructure for states, local governments, tribes, businesses, and food banks and other nonprofits;



### NO TIME TO Waste Act (S. 2889 | H.R. 5657)

- Representative Pingree (D-ME-1) and Representative Lawler (R-NY-17)
- Senator Coons (D-DE) and Senator Moran (R-KS)

### Food Date Labeling Act (S.1484 | H.R.3159)

- Representative Pingree (D-ME-1) and Representative Newhouse (R-WA-4)
- Senator Blumenthal (D-CT)



# Bipartisan NO TIME TO Waste Act (S.2889 | H.R.5657)

- ✓ Strengthens **federal agency coordination** on food waste
- ✓ Establishes an **Office of Food Loss and Waste** at USDA
- ✓ Support **public-private partnerships** that commit to reducing food loss and waste
- ✓ Strengthens current USDA **research programs** to include food loss and waste as part of their priorities
- ✓ Provides support to States to **assist local food recovery infrastructure and coordination** efforts
- ✓ Starts a **public awareness and education campaign** at USDA



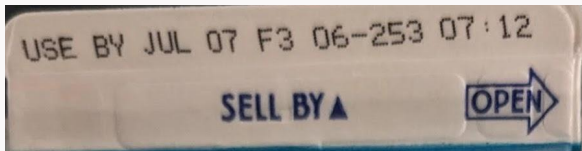
# Bipartisan Food Date Labeling Act (S.1484 | H.R.3159)



**\$4B**  
net benefit

**8%**  
of all food waste

**5M**  
MTCO<sub>2</sub>e emissions  
reduced



- ✓ Streamlines date labels on food to two terms: **“BEST If Used By”** (quality date) or **“USE By”** (discard date)
- ✓ Food **manufacturers can decide** which of their products carry a quality date or a discard date
- ✓ **Allows donation** of food past quality date
- ✓ Requires **consumer education** on meaning of date labels





# Farm Bill

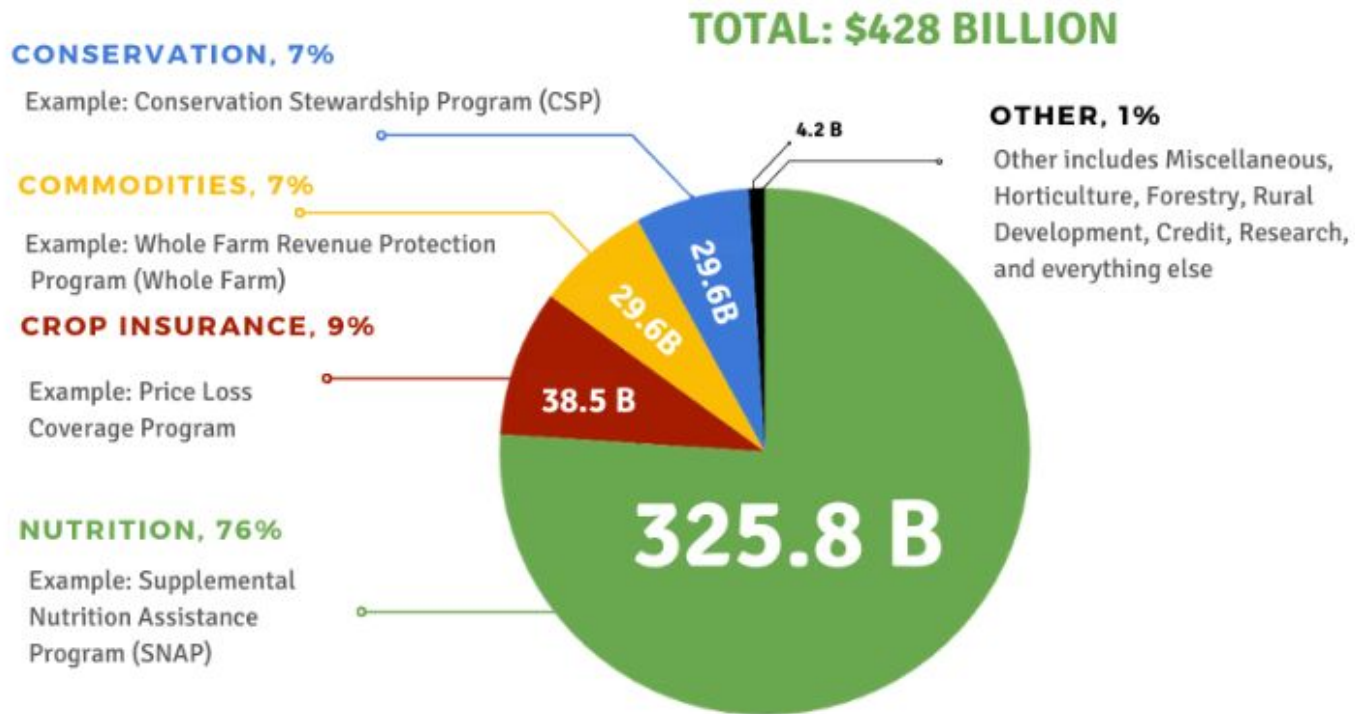


# 12 TITLES OF THE FARM BILL

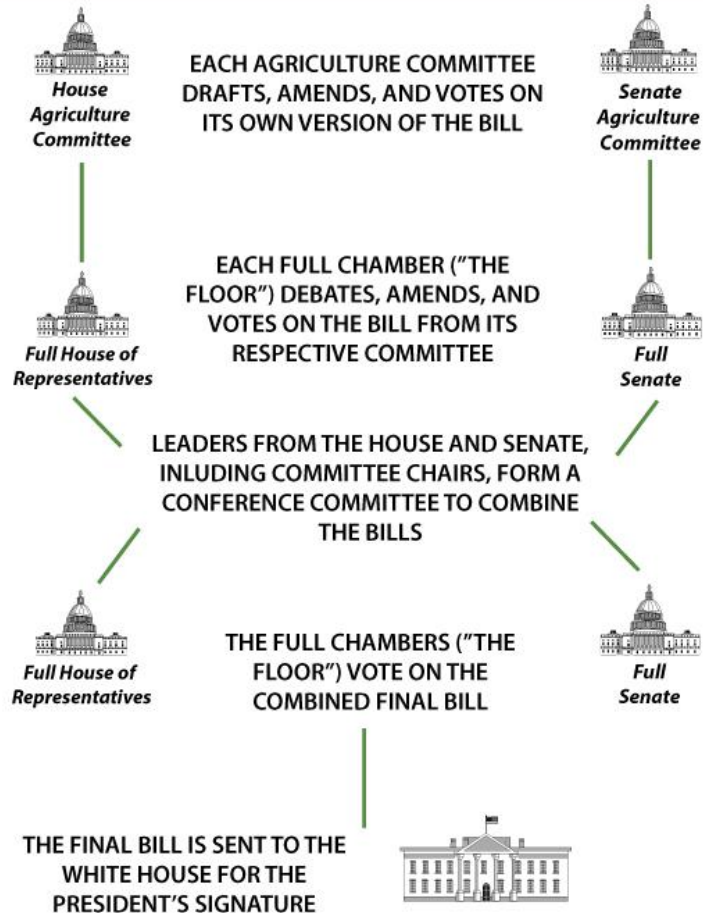
The 2018 U.S. Farm Bill is currently the law of the land, and it consists of twelve titles that cover commodities, risk, market development, credit, nutrition, conservation and more.



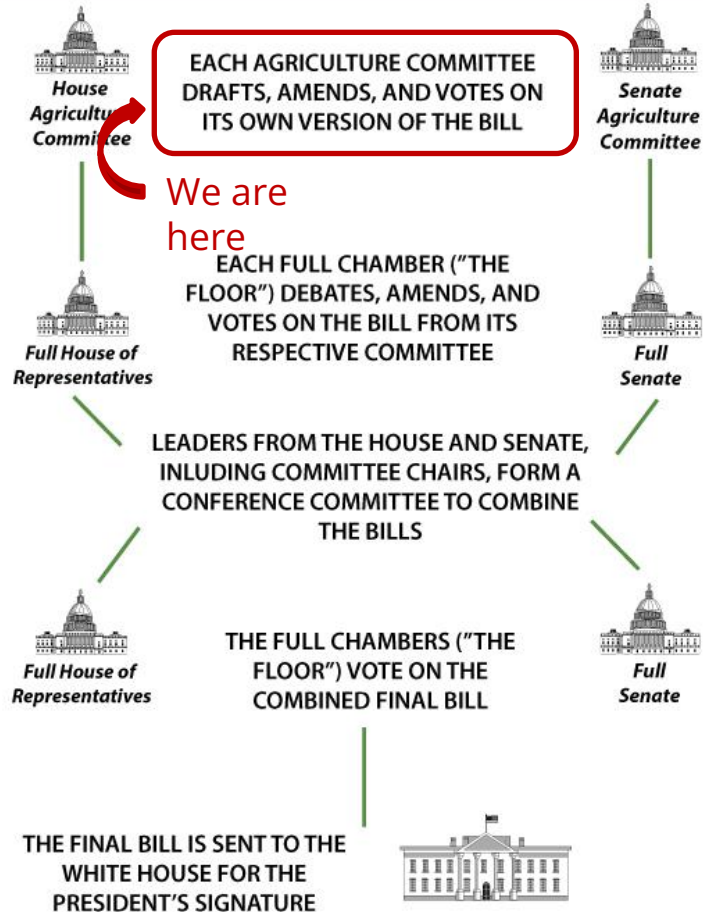
# FARM BILL PROJECTED FUNDING, IN BILLIONS 2019-2023



# The Path to a New Farm Bill



# The Path to a New Farm Bill



2018 Farm  
Bill signed  
into law

Sept 30,  
2023

December  
2018

2018 Farm Bill  
extended until  
Sept 30, 2024

Spring,  
2024





# Other Marker Bills



## 2023 Farm Bill Priorities

### Strengthening SNAP Benefit Adequacy and Equitable Access

**The Closing the Meal Gap Act** (H.R. 3037, S. 1336) championed by Rep. Alma Adams (D-NC) and Sen. Kirsten Gillibrand (D-NY) will boost Supplemental Nutrition Assistance Program (SNAP) benefits for all participants and make further improvements. SNAP benefit adequacy will be improved by replacing the Thrifty Food Plan with the more appropriate Low-Cost Food Plan as the basis for SNAP allotments; eliminating the cap on the SNAP Excess Shelter Deduction; and streamlining SNAP Standard Excess Medical Deductions for persons who are older or have disabilities (with a minimum standard of \$40). These changes will ease choices too many people face between paying for food and rent or between paying for food and medicine.

**The Improving Access to Nutrition Act** (H.R. 1510, S. 2435) sponsored by Rep. Barbara Lee (D-CA) and Sen. Peter Welch (D-VT) would eliminate three-month time limits on SNAP eligibility for certain working-age adults who cannot document sufficient hours of work. The current law provision takes food off the table of unemployed and underemployed people. The proposal is a long overdue and permanent law change that will promote food security and equity for Americans with low incomes.

**The Enhance Access to SNAP Act** (H.R. 3183, S. 1488) championed by Rep. Jimmy Gomez (D-CA) and Sen. Gillibrand would put college students with lower incomes on an equal footing with other people in qualifying for SNAP. SNAP would no longer condition eligibility for most people attending college at least half time on performing work study, or 20 hours or more per week of outside employment.

**Hot Foods Act of 2023** (H.R. 3519, S. 2258) championed by Rep. Grace Meng (D-NY) would permanently end the prohibition on use of SNAP benefits to purchase hot prepared foods from food retailers. The proposed change would afford SNAP customers broader choices available to other food shoppers.



**The Lift the Bar Act** (H.R. 4170, S. 2038) championed by Rep. Pramila Jayapal (D-WA) seeks to restore access to public programs for lawfully present immigrants by removing the five-year waiting period and other restrictions to SNAP eligibility. The proposal also would remove that waiting period in Medicaid, the Children's Health Insurance Program, and the Temporary Assistance for Needy Families Program. Additional proposals would provide more equitable access to SNAP, including for residents of Puerto Rico, American Samoa, and the U.S. Virgin Islands, as well as for formerly incarcerated individuals.

- Closing the Meal Gap Act (H.R.3037 | S.1336 )
- Improving Access to Nutrition Act (H.R.1510 | S.2435)
- Enhance Access to SNAP Act (H.R.3183 | S.1488 )
- Hot Foods Act of 2023 (H.R.3519 | S.2258 )
- Lift the Bar Act (H.R.4170 | S.2038)

# Other Legislative Opportunities

## Appropriations



- Annual budget bill
- In the middle of the FY25 process

## Child Nutrition Authorization



- Bill that covers school meals, after-school meals, summer meals and WIC
- Last past in 2010 and extended since then

# Creating a Plan

## 1. Who ARE your officials?

- Keep a list of key elected officials at all levels and update regularly

## 2. Get to know them

- Go visit them
- Have them do a rescue

## 3. Share your impact

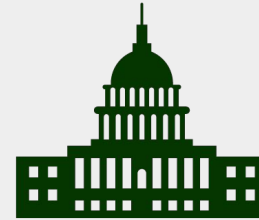
- Send impact report
- Invite them to a presentation of your impact report



# Creating a Plan

Identify opportunities  
& threats

EXAMPLES  
**Farm Bill**  
**FDIA**



**Federal**

EXAMPLES  
**State food waste ban**  
**State coalition**  
**DEP funding**



**State**

EXAMPLES  
**Health Code rewrites**  
**Local food waste ban**



**Local**



# Creating a Plan

Create the right sized plan for your organization:

## Advocacy

- Share on social media
- Leverage your supporters
- Create a campaign

## Lobbying

- Send an email/letter to appropriate legislators
- Call their office to register your interest
- Create a lobby schedule and visit each one for a one-to-one conversation



# Stay Informed



# Thank you!

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Questions? Thoughts?

Email us at [zfwcoalition@gmail.com](mailto:zfwcoalition@gmail.com)

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# Next webinar

Thursday, April 4th  
3pm ET / 12pm PT



EARTH MONTH



FOOD RESCUE HERO™

*Completing the equation:*

## ENDING Food Waste AT Home

THURSDAY, APRIL 4 | 3:00pm ET

*featuring*







**Making greater impact, together.**



*FoodRescueHero.org*