December 10, 2019

The Honorable Joanne M. Comerford, Senate Chair

The Honorable John J. Mahoney, House Chair

Joint Committee on Public Health

Massachusetts State House

Boston, MA 02133

Dear Chairman Comerford and Chairman Mahoney,

I appreciate the consideration of the Joint Committee on Public Health of **Senate Bill 492, An Act decreasing food waste by standardizing the date labeling of food.** I am the sponsor of this billand urge the Committee to support the favorable passage of this legislation

Food waste is an enormous problem in the United States, with an estimated 30 to 40 percent of our food supply – about 400 pounds per year per American - trucked to landfills according to the USDA. Discarding past-date food is an enormous cost to retailers and to the environment; left rotting in landfills it generates methane, which contributes to climate change.

Meanwhile, as food, much of which is perfectly safe and good to eat is thrown away, hunger remains a tremendous issue in my district, across the Commonwealth, and the nation.

The current voluntary labeling standard is confusing and bills at the federal level to create a standard labeling practice have stalled.

When a food package is branded with a “sell by” date, and it is beyond the ‘sell by’ date, you may know you can consume the food, but you do not know for how long. Most dates on food are about peak quality, not safety, and many are arbitrary.

A survey by the Harvard Food Law and Policy Clinic showed 85 percent of consumers said they had thrown food away based on the date on the package. Over-cautious consumers may throw food away when it hits its “sell by “ date or its “best by” date when it is still perfectly good to eat.

This bill creates uniformity in labeling to make it less confusing, in an effort to reduce food waste. The bill calls for foods that use a quality date to use the term “best if used by.” The foods may still be safely consumed after the date on the label; it may not be at its peak after that date, but is still safe to eat.

Ready to eat products that have a legitimate expiration date after which they will become unsafe to consume will be labeled “expires on.” The Commissioner of Public Health will determine criteria determining what ready-to-eat products may have a high level of risk associated with consumption after a certain date.

These changes to create a standardized food labeling system will eliminate consumer confusion and reduce food waste, which in part will help to reduce hunger as well as benefit retailers and the environment.

For these reasons, I respectfully request that this legislation receive a favorable report from your Committee. Thank you for your time and your consideration of this matter. If you have any questions or concerns, please contact me at (617) 722-1630.

Sincerely,

Edward J. Kennedy
State Senator
First Middlesex District