

**Sec. 1. 10 V.S.A. § 6602 is amended to read: § 6602.**

## **DEFINITIONS**

**(31) "Food residual" means source separated and uncontaminated material that is derived from processing or discarding off food** and that is recyclable, in a manner consistent with section 6605k of this title. Food residual may include preconsumer and postconsumer food scraps. "Food residual" does not mean meat and meat-related products when the food residuals are composted by a resident on site.

**(32) "Source separated" or "source separation" means the separation of compostable and recyclable materials from noncompostable, nonrecyclable materials at the point of generation.**

**Sec. 6.10 V.S.A. § 6605k is added to read:**

### **§ 6605k. FOOD RESIDUALS; MANAGEMENT HIERARCHY**

**(a) /t is the policy of the state that food residuals collected under the requirements of this chapter shall be managed according to the**

***o r d e r***

- (1) Reduction of the amount generated at the source;
- (2) Diversion for food consumption by humans;
- (3) Diversion for **agricultural use, including consumption by animals;**
- (4) Composting, land application, and digestion; and
- (5) Energy recovery.

• (b) A person who produces more than an amount identified under subsection (c) of this section in food residuals and is located within 20 miles of a certified organics management facility that has available capacity and that is willing to accept the food residuals shall:

**(1) Separate food residuals from other solid waste,** provided that a de minimis amount of food residuals may be disposed of in solid waste when a person has established a program to separate food residuals and the program includes a component for the education of program users regarding the need to separate food residuals; and

**(2) Arrange for the transfer of food residuals to a location that manages food residuals in a manner consistent with the priority uses** established under subdivisions (a)(2)—(5) of this section or shall manage food residuals on site.