



ISRAEL
RECOMMENDATIONS
FOOD DONATION
LAW AND POLICY

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Authors

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About The Global Food Donation Policy Atlas

The Global Food Donation Policy Atlas is a first-of-its-kind initiative to promote better laws on food donation to help address food loss and food insecurity. This project maps the laws affecting food donation in countries across the globe to help practitioners understand national laws relating to food donation, compare laws across countries and regions, analyze legal questions and barriers to donation, and share best practices and recommendations for overcoming these barriers. The project is a collaboration between the Harvard Law School Food Law and Policy Clinic (FLPC) and The Global FoodBanking Network (GFN). To learn about and compare the food donation laws and policies for the countries FLPC has researched to date, visit www.atlas.foodbanking.org.

About the Harvard Law School Food Law and Policy Clinic

The Harvard Law School Food Law and Policy Clinic (FLPC) serves partner organizations and communities by providing guidance on cutting-edge food system legal and policy issues, while engaging law students in the practice of food law and policy. FLPC focuses on increasing access to healthy foods; supporting sustainable food production and food systems; and reducing waste of healthy, wholesome food. For more information, visit www.chlpi.org/food-law-and-policy.



About The Global FoodBanking Network

The Global FoodBanking Network (GFN) supports community-driven solutions to alleviate hunger in more than 40 countries. While millions struggle to access enough safe and nutritious food, nearly a third of all food produced is lost or wasted. GFN is changing that. GFN believes food banks directed by local leaders are key to achieving Zero Hunger and building resilient food systems. For more information, visit www.foodbanking.org.



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ABOUT THESE RECOMMENDATIONS

This document is a product of The Global Food Donation Policy Atlas project, a partnership between the Harvard Law School Food Law and Policy Clinic (FLPC) and The Global FoodBanking Network (GFN). The Atlas project is an innovative partnership that maps the laws and policies affecting food donation in countries around the globe and provides a comparative legal analysis based on these findings. For each country, the Atlas project produces a Legal Guide to identify the laws relevant to food donation in that country. While the landscape differs across geopolitical borders, the Legal Guide recognizes universal issues that impact efforts to reduce food loss and waste (FLW) and increase food recovery. These issues include food safety, date labeling, liability, taxes, donation requirements and food waste penalties, and government grants or funding programs.

In-country interviews with relevant stakeholders, including food banks and other food recovery organizations, food donors, government officials, and legal experts, further informed the content of the Legal Guide and revealed priority actions for law and policy change. Based on these findings, FLPC has developed specific recommendations for each country. These recommendations serve as a companion to the Legal Guide, though both documents may stand alone. The purpose of the recommendations is to highlight select actions for improving upon laws, policies, and programs relevant to food loss, waste, and donation.

This document sets forth recommendations focused on Israel, where approximately 2.6 million tons of food is wasted each year, while 16.2% of the population is food insecure.¹ The discussion below provides a brief overview of the legal issues most pertinent to food donation, which the Israel Legal Guide explains in detail. The recommendations included in this report are not exhaustive but offer select best practices and policy solutions to reduce FLW and combat food insecurity through stronger food donation laws and policies in Israel.



SUMMARY OF RECOMMENDATIONS

The recommendations in this document provide a starting point for stakeholders in Israel to strengthen the legal and policy framework relevant to food donation. Food banks and other organizations whose mission is to reduce food waste and increase food donation (collectively referred to as “food distribution organizations,” or FDOs, which is the terminology used in Israel), donors, and policymakers should consider additional opportunities to advance food donation and reduce food waste. In summary, the recommendations are as follows:

To ensure that donated food is safe for human consumption and that donors and FDOs understand food safety requirements, the Ministry of Health should:

- **Complete the mandated instructions on food donation safety tasked to the Ministry of Health in the Public Health (Food) Protection Law.**

To ensure quality-based date labels do not result in the disposal of food that is otherwise safe for consumption, the Israeli government should:

- **Educate consumers, donors, and FDOs on the meaning of expiration date labels and the protocols to donate sensitive and nonsensitive foods.**

To ensure that food suitable for donation is not sent to accumulate in landfills with damaging ecological consequences, the Knesset should:

- **Pass a law that requires stakeholders in the food system to donate safe, surplus food to FDOs and other intermediary organizations.**
- **Couple the food donation requirement with an organic waste ban or tax.**
- **Develop and enforce a food waste reporting requirement for all food businesses across Israel and make data publicly available.**

To ensure that food donors and FDOs can more effectively and safely recover, handle, transport, and distribute surplus food, the Israeli government should:

- **Allocate government funding for food donation activities and infrastructure.**
- **Implement the food donor recognition program established under the 2018 Food Donation Encouragement Law.**

To ensure that all government entities and ministries align toward a national goal of reducing FLW, the Israeli government should:

- **Set a national 50% food waste reduction goal by 2030, aligning with the United Nations Sustainable Development Goals.**
- **Develop a cohesive national plan for food waste reduction, with an emphasis on surplus food redistribution.**

INTRODUCTION

Israel faces a unique set of challenges regarding food production, food insecurity, and FLW. While Israel ranks higher than much of the world on issues such as food affordability, availability, and safety,² it falls below the global average on food security, with 16.2% of the population facing food insecurity.³ Simultaneously, Israel is seeing rising volumes of FLW, with 37% of domestic food production either lost or wasted, totaling nearly 2.6 million tons of food annually.⁴ Roughly 50% of food wasted in Israel could be recovered to feed those who are food insecure.⁵

In response to high rates of food waste and hunger, the Knesset (Israel's house of representatives) passed the 2018 Food Donation Encouragement Law, granting civil and criminal liability protection for food donors and FDOs.⁶ The law also established a recognition program for food donors, offering certificates and public recognition on the Ministry of Health's website. However, as of the time of this writing, this program has not yet been implemented.⁷ Besides the law, many Israeli ministries have also increased government focus on mitigating food waste. For example, the Ministry of Environmental Protection (MoEP) actively partners with Leket Israel, the largest food rescue group in the country, to compile annual FLW data reports and engage in ongoing research about FLW reduction strategies across the distribution chain. At the same time, the Ministry of Agriculture and Rural Development is funding research on FLW, developing improved packaging to extend shelf life, promoting the sale and purchase of "ugly" produce, and implementing food rescue pilot programs, among many other related initiatives.⁸

Alongside increasing government attention to FLW, a dense network of nonprofit organizations (NPOs) are working toward alleviating hunger in Israel and rescuing food fit for human consumption. Leket Israel operates as an umbrella organization and partners with more than 250 other NPOs, organizations, and municipalities throughout the country to rescue agricultural surplus and prepared meals for redistribution.⁹ In 2021 Leket Israel rescued approximately 1.7 million prepared meals from Israel Defence Forces military bases, hotels, catering companies, and other sources. It also received 25,000 tons of surplus fruits and vegetables directly from agricultural producers.¹⁰ Each week, this surplus food is distributed to approximately 223,000 people in need.¹¹

Despite activity in the public and private sector to combat FLW and increase food redistribution, barriers to food donation still exist in Israel. Policy strategies such as clearer food safety requirements for donations, enhanced education about the meaning of expiry date labels, laws that mandate donation or deter food waste disposal into landfills, or national grants and incentive programs could further Israel's ambition to reduce FLW and improve access to food for the Israeli people.

The following sections briefly summarize some of the most common legal issues relevant to food donation, as identified and described in more detail in the Legal Guide, and offer tailored policy recommendations to address these challenges.

LEGAL CHALLENGES AND POLICY RECOMMENDATIONS

Food Safety for Donations

Issue Overview

In many countries, a key barrier to the donation of surplus food is the lack of knowledge or readily available guidance regarding safety procedures for food donation. Potential donors are often uncertain as to which food safety regulations apply to donated food, as opposed to food offered for sale, as well as the steps necessary to

donate food safely and in compliance with applicable regulations. As a result, edible, surplus food that could feed populations in need is instead destined for landfills.

Israel's Public Health (Food) Protection Law (PHPL) authorizes the Ministry of Health to promulgate regulations to guarantee the safety of food products.¹² The National Food Services (NFS), a unit of the Israeli Ministry of Health, is the regulatory agency responsible for setting standards, preparing and publishing regulations, and issuing licenses.¹³ The PHPL contains several sections that specifically address FDOs, including an exemption from acquiring production, transportation, and storage licenses.¹⁴ While these sections confirm that food donation is legal and provide clarity to FDOs on licensing requirements and the use of specific food after the quality expiration date, the NFS has not issued clarifying food safety guidance related to food donations.¹⁵ Further, despite section 160 mandating the Ministry of Health to establish further instructions regarding the applicability of the rest of the law (specifically chapter 3-7) to FDOs, the instructions have not yet been released.¹⁶ Because of the lack of regulations and clarifying food safety guidance related to food donations, food businesses may be hesitant to donate for fear of potential liability, and FDOs may refuse to accept donations that would otherwise be safe for human consumption due to uncertainty around the food safety requirements.

Recommended Policy Actions

1. COMPLETE THE MANDATED INSTRUCTIONS ON FOOD DONATION SAFETY TASKED TO THE MINISTRY OF HEALTH IN THE PUBLIC HEALTH (FOOD) PROTECTION LAW.

Clear food safety guidance for donations both enhances the efficiency of food redistribution systems and protects end consumers. To eliminate existing uncertainty regarding which food safety requirements within the PHPL apply to donated food, as opposed to food for sale, the Ministry of Health and the NFS should complete the clarifying instructions anticipated in section 160 of the law.¹⁷ Clearly distinguishing food safety protocols for donated food will minimize confusion around which requirements are germane to donated food as opposed to only food for sale and offer guidance on best practices for donating food safely and efficiently. The instructions should clearly state which requirements pertain to food safety, and therefore apply to food donors and FDOs, and which are unnecessary burdens from which free food redistribution activities may be excused.

For example, India's Surplus Food Regulations set specific food safety, handling, and distribution requirements related to food donation.¹⁸ By outlining instructions around storage, temperature control, and handling while removing any additional unnecessary obstacles—as they have already done through the exemption of FDOs from licensing requirements—the minister can streamline the food donation process and instill confidence in donors and FDOs, particularly as the food donation liability protection in Israel is contingent upon compliance with relevant food safety laws.¹⁹ Legal clarification will help avoid unnecessary food waste and encourage supply chain actors to donate rather than discard safe food that is no longer marketable. Such guidance would ease the concerns of food donors and FDOs as well as ensure that donated food meets applicable safety standards and does not pose a risk to beneficiaries. To produce maximally beneficial instructions, the minister should consult and coordinate with food donors and FDOs such as Leket Israel. The guidance should also emphasize that food donors and FDOs are protected from civil and criminal liability under the 2018 Food Donation Encouragement Act, assuming they comply with relevant laws and are not negligent.²⁰

For a detailed description of what should be included in food donation safety regulations, please refer to the food safety issue brief on the Atlas website. For example, the instructions should clarify for food donors and food recovery organizations which food safety requirements do not apply to donations and should exempt donated food from certain unnecessary protocols or distribution limitations, such as permitting requirements, misbranding unrelated to safety, or other cosmetic labeling flaws that do not affect food safety or suitability for human consumption. Beyond designating which existing rules do and do not apply to food donations, the instructions should also offer best practices such as outlining required or recommended distribution

timelines, temperature controls, and other hygiene requirements for safe food donation, including storage, transportation, and handling.

Date Labeling

Issue Overview

A major driver of food waste and an obstacle to food donation is the general misconception about date labels such as “sell by,” “use by,” or “best by” affixed to food products. Many donors and consumers interpret these date labels as indicators of food safety. Despite this interpretation, for the vast majority of foods, date labels indicate freshness or quality rather than food safety, and few foods become more likely to carry foodborne illnesses over time. Nevertheless, cautious food donors and food recovery organizations may discard food once the date passes even if the food is perfectly safe to donate and consume.

In countries that have measured the impact of date labels, research shows that consumers generally misconstrue date labels as indicators of safety rather than quality. In the United Kingdom, for example, research shows that consumers discard about 22% of food that they could have eaten due to confusion over date labeling.²¹ Similarly, 84% of Americans report throwing away food after the expiration date passes due to safety concerns, even if there is minimal risk of a foodborne illness at that time.²² This confusion occurs in the home but also impacts food businesses’ willingness to donate and creates a stigma against past-date food among food donation recipients.

Israel uses a dual date labeling scheme with one of two expiry date (“minimum durability date”) labels on products: (1) “use by” (*רִירָאָת דַּע שׁוּמִיִּשׁ*) is a safety-related date determined by law that is used on food that is sensitive to microbial spoilage and may be a danger to human health after a short period (called “sensitive foods”),²³ and (2) “best before” (*יִנְפֵּל שְׁמַתְשָׁהּ לַיָּדַע*) for nonsensitive foods, determined by the manufacturer.²⁴ The Ministry of Health’s website clarifies that even after this date nonsensitive foods are often still safe to consume if stored correctly without damaged packaging, though the food may begin to lose characteristics such as taste or texture.²⁵

Food cannot be sold past the expiry date, but section 162 of the PHPL permits a FDO to use food that has passed the quality-based “best before” date if it is not a “designated” type of food and if the FDO has received written authorization from the manufacturer to use the food after the date.²⁶ “Designated” foods are those adapted to special health or nutritional needs.²⁷

Despite the fact that food quality labels do not indicate safety, many people still frequently misunderstand them, leading to the unnecessary waste of wholesome food. While the dual date labeling scheme that Israel employs is a best practice, enhanced education among consumers, donors, FDOs, and other food system stakeholders could facilitate improved individual consumption and disposal habits and organizations’ willingness to donate nonsensitive food past expiration.

Recommended Policy Actions

1.

EDUCATE CONSUMERS, DONORS, AND FDOs ON THE MEANING OF EXPIRATION DATE LABELS AND THE PROTOCOLS TO DONATE SENSITIVE AND NONSENSITIVE FOODS.

While Israeli date labeling laws distinguish between sensitive and nonsensitive foods with two different labels, no widespread mechanism or public campaign educates consumers that nonsensitive foods past the quality date remain safe for consumption. Further, the similar wording between the two labels (“שׁוּמִיִּשׁ” for “use”) may make their meanings difficult for consumers to tell apart.

Improved awareness among consumers and potential food donors would reduce point-of-consumption food waste and increase food donors' perceived ability to donate foods past the food quality date. As such, the Ministry of Health—in partnership with the MoEP—should launch a consumer education campaign on the definitions and implications of each date label through the media, public service announcements, and awareness efforts tailored to consumers, manufacturers, and donors. With improved knowledge on the distinct meaning of each date label, consumers can make more informed decisions on when they should eat or discard certain foods, and donors can understand which foods they may donate past the food quality date.

For example, in 2020 the Food Standards Agency in the United Kingdom partnered with the nonprofit WRAP to publish and disseminate guidance on date labels in the context of donation and redistribution.²⁸ The UK guidance clarifies that food with a “best before” (i.e., quality, nonsensitive) date can legally be sold, redistributed, and consumed after this date and explicitly states that food cannot be sold, redistributed, or consumed after its “use by” (i.e., safety, sensitive food) date, unless the food has been safely frozen or cooked prior to the date.²⁹ With support from government and food industry actors, WRAP also launched several nationwide consumer awareness campaigns, including “Love Food Hate Waste,”³⁰ and “Look, Smell, Taste, Don't Waste,”³¹ to encourage individuals to consume and donate food after the quality-based date.

Per the 2015 Public Health (Food) Protection Law, FDOs can donate nonsensitive foods after the food quality date with written approval from the manufacturer.³² However, despite the legal permission, many donors lack awareness or clarity about this provision and remain hesitant to donate food past the expiry date. Education similar to the guidance issued in the United Kingdom can empower donors to confidently redistribute foods without fear of breaking a law, facing potential liability, or endangering beneficiaries. This could increase the amount of safe food that reaches those in need and would also reduce stigma around receiving foods past the food quality date. Also, in line with the UK guidance, the Ministry of Health could consider allowing the donation of sensitive foods that were safely cooked or frozen prior to the expiry date. The minister may also consider waiving the requirement for written approval prior to donating past-date, nonsensitive foods to further expedite the food redistribution process.

Donation Requirements or Food Waste Penalties

Issue Overview

Food waste deterrence laws are the universe of laws, policies, or regulatory requirements that aim to reduce food waste and increase food recovery by making food waste financially burdensome for food waste generators. They include policies that restrict food waste going to landfills, mandate food donation or diversion, or impose economic penalties on food waste. These policies influence business behavior and promote sustainable food systems. The design of this category of law varies in terms of which types of entities are covered, how much organic waste an entity must produce to be covered, and whether exceptions or waivers exist based on geographic, financial, or other considerations.³³ One example increasingly implemented worldwide is organic waste bans. By placing restrictions on food waste disposal, organic waste bans can drive food waste generators to explore more sustainable practices such as food waste prevention, recycling food waste through composting or anaerobic digestion, and food donation.

Often complementary to organic waste bans, food donation requirements mandate that certain generators redirect excess edible food to people rather than dispose or compost it. Food donation requirements can be either stand-alone laws or a component within organic waste bans. Several countries, such as the Czech Republic,³⁴ Ecuador,³⁵ France,³⁶ and Peru,³⁷ require the donation of surplus food fit for human consumption.

Such a law has been considered in Israel, particularly due to heightened attention to the ecological damage associated with organic waste. In 2021 the Israeli government set national targets for reducing greenhouse gas emissions and transition to a low-carbon economy. Identifying that a large amount of emissions are associated

with food waste in landfills, the goal includes a commitment to reduce emissions from solid waste by 47% by 2030, compared with 2015 levels.³⁸ In October 2022 draft organic waste ban regulations by the MoEP were issued for public comment.³⁹ The proposed regulations would ban entities from burying organic matter in landfills, excluding organic matter that has undergone compost treatment.⁴⁰ They would also provide financial incentives to local authorities for implementing household waste separation programs (such as composting) within their jurisdiction, as well as establish a NIS600 million (US\$170 million) compost infrastructure grant program.⁴¹ As of the time of this writing, the Israeli government has not passed the proposed regulations.

Recommended Policy Actions

1. PASS A LAW THAT REQUIRES FOOD BUSINESSES TO DONATE SAFE, SURPLUS FOOD TO FDOS AND OTHER INTERMEDIARY ORGANIZATIONS.

To ensure that safe, surplus food is redistributed to people facing food insecurity rather than discarded in landfills, the Knesset should pass a food donation requirement. Aligning the policy design with the food recovery hierarchy,⁴² the law should prioritize donating surplus food above composting or other food recycling methodologies. It would force attention upstream on minimizing waste in the first place and, otherwise, rescuing food for human consumption rather than relying on reactive downstream waste management strategies. Food donation requirements are hugely impactful for diverting waste from disposal, feeding people experiencing food insecurity, supporting food rescue, and shifting the culture around food waste. The law should cover a broad scope of food businesses (i.e., food suppliers, manufacturers, marketers, corporations, and institutional canteens, with as few exemptions as possible) and require these actors to establish contracts with FDOs to redistribute safe, unsold, surplus food or alternately recover it for animal feed if it is no longer suitable for human consumption.

For example, several member states of the European Union have recently enacted food donation requirements focused on the food retail sector. In Belgium, two laws in the Brussels⁴³ and Walloon⁴⁴ regions oblige supermarkets to donate surplus food that remains safe for human consumption and compost any additional food waste to maintain their environmental permits. The Czech Republic⁴⁵ requires food retailers with supermarkets of more than 400 square meters to establish contracts with relevant charitable organizations to donate food surplus.⁴⁶ And France⁴⁷ has a donation requirement that applies to supermarkets as well as institutional mass catering entities (those preparing more than 3,000 meals a day) and the rest of the food industry with an annual turnover that exceeds €50 million⁴⁸ with strong fiscal penalties for destroying unsold food products fit for human consumption.⁴⁹

To facilitate the transition, covered entities should receive sector-specific guidance and education on the specifics of the food donation requirement and how best to comply. The Israeli government may delegate certain aspects of implementation to local authorities—such as enforcing compliance and analyzing donation capacity.

2. COUPLE THE FOOD DONATION REQUIREMENT WITH AN ORGANIC WASTE BAN OR TAX.

A thoughtful combination of a waste ban and a donation requirement is a maximally effective policy design, as it ensures food safe to consume can go to its highest use, while keeping as much food as possible—even food that is no longer safe to consume—out of landfills. To prevent excess food waste, the Israeli government should consider coupling the aforementioned food donation requirement with an organic waste ban or a similar policy.⁵⁰

The law should cover a broad range of food waste generators (e.g., businesses, institutions, and even households) and require diversion of all food waste from landfills over time—though it can use a phased approach, starting

first with the largest generators (i.e., those with more than a certain threshold volume of food waste per week or per year), but including smaller generators over time. For example, Vermont’s organic waste disposal ban originally applied only to generators that produced at least 104 tons of food waste per year. Now, after gradually reducing the amount of food waste that must be generated to trigger the ban to include smaller and smaller businesses, the waste ban applies to all people who generate any amount of food waste.⁵¹ These policies are typically outcome-oriented rather than process-oriented, which allows generators to choose how to comply with the ban. The generator could prevent food waste up front, donate surplus food, or send food waste to organic or anaerobic digestion processing facilities to comply with the law’s requirements. In general, organic waste bans result in more food donation, even where a food donation requirement was not explicitly included. For example, in Massachusetts, after one year with an organic waste ban, businesses diverted food waste from landfills at a rate five times higher than before the ban was adopted, resulting in a 25,000 ton increase in food donated.⁵² Similarly, Vermont saw a 60% increase in food donation following the implementation of its organic waste ban.⁵³ The law should be complemented with technical assistance and education to encourage generators to divert food to its most beneficial uses, such as feeding people.

3. DEVELOP AND ENFORCE A FOOD WASTE REPORTING REQUIREMENT FOR ALL FOOD BUSINESSES ACROSS ISRAEL AND MAKE DATA PUBLICLY AVAILABLE.

To make continued gains in food waste reduction and identify key hot spots where more work is needed, the Israeli government should introduce a food waste reporting requirement for food businesses, mandating accurate, transparent, and publicly available data on food waste and food surplus each year. A reporting requirement is a public-facing mechanism that would help encourage food waste reduction and the donation of food surplus. Even with a waste ban in place, businesses could still elect to pay a penalty and send their food waste to landfills rather than divert their food waste. A reporting requirement could help by creating additional public pressure for businesses to adhere to a potential waste ban or other policies designed to deter food waste.

Government Grants and Incentives

Issue Overview

Grants and incentive programs funded at the national or local level can help countries launch new food recovery programming and scale up existing donation efforts. For example, infrastructure grants can help food donors and FDOs acquire the equipment and resources necessary for recovering, storing, processing, and transporting food for donation. Grants can also support new innovations and emerging technologies that will make food donation more efficient and sustainable. Additionally, government recognition programs can function as an incentive for food donors, recognizing that positive public relations may influence consumer purchasing behavior and brand loyalty.

To date, Israel does not offer many significant national grants specifically to promote on-farm recovery or food donation, nor is there government funding allocated to support the research, development, innovation, or human resources necessary to maintain and bolster food recovery operations. However, some current programs designed to mitigate food insecurity allocate funding for recovered produce, such as the National Food Security Project—a partnership between the Ministry of Social Affairs and Social Services, Eshel Jerusalem, and Leket Israel—which earmarks a portion of the program budget for distributing rescued agricultural products.⁵⁴ For example, as of 2021, the program offers home delivery of NIS150 worth of rescued fruits and vegetables to 26,000 food-insecure families.⁵⁵

Recommended Policy Actions

1. ALLOCATE GOVERNMENT FUNDING FOR FOOD DONATION ACTIVITIES AND INFRASTRUCTURE.

Grants and incentive programs funded at the national or regional levels offer an important resource for food donation initiatives, as cost is a main barrier preventing food businesses from donating food. In the United States, transportation and storage costs are often cited as the main expenses that manufacturers, retailers, and restaurants must overcome to donate food.⁵⁶ Accordingly, the Israeli government should establish government grant programs targeted at creating infrastructure to help FDOs harvest, store, process, and transport surplus food. Grants should be broad enough to allow FDOs to purchase or lease transportation vehicles (i.e., refrigerated trucks) and storage facilities (i.e., warehouses and processing facilities), to pay staff and volunteers, and to fund other such activities that reasonably assist the organization in providing wholesome food to food-insecure individuals. Providing financial support for food donation logistics will enable FDOs to significantly enhance their impact, reduce the economic and environmental costs of food waste, and support those in need.

A number of countries implemented grant programs to create infrastructure to enhance food recovery. For example, in 2019 Argentina's Ministry of Agribusiness launched a contest to grant nonreimbursable financing for innovative food waste solutions in the country's horticultural sector.⁵⁷ The grant is administered under the government's National Food Loss and Waste Reduction Program and in partnership with the Inter-American Development Bank. Additionally, in an effort to incentivize states to implement food waste reduction plans, the US Congress created the Compost and Food Waste Reduction Pilot program through the Agriculture Improvement Act of 2018. The act authorized funding of up to \$25 million for the US Department of Agriculture (USDA) to support pilot projects in at least 10 states to develop and implement municipal compost and food waste reductions plans.⁵⁸ In 2023 the USDA injected an additional \$9.4 million into this program.⁵⁹ Another example is the California Department of Resources Recycling and Recovery (CalRecycle)'s Edible Food Recovery Grant program, which has awarded more than \$20 million to food rescue organizations since 2018.⁶⁰ The Israeli government could similarly provide grants to support new innovations and emerging technologies that will make food donation more efficient and sustainable and create new infrastructure and incentives to recover food. Particularly amid geopolitical uncertainty, climate crises, and public health emergencies, allocating funding for food rescue as both an environmental protection and food security measure is a matter of national security and economic preparedness.

2. IMPLEMENT THE FOOD DONOR RECOGNITION PROGRAM ESTABLISHED UNDER THE 2018 FOOD DONATION ENCOURAGEMENT LAW.

While the food waste reporting requirement recommended in the previous section could generate compliance among businesses seeking to avoid negative publicity, food donor recognition programs take an opposite approach by celebrating businesses that donate rather than discard surplus food. In particular, the certificate of appreciation program that was established in the 2018 Food Donation Encouragement Law should be implemented.⁶¹ By awarding businesses that donate surplus food with appreciation certificates and promoting those businesses through the Ministry of Health's website, the minister may motivate more businesses to donate rather than discard surplus food.

National FLW Law or Policy

Recommended Policy Actions

Adopting a national FLW or food donation framework can help governments ensure policy coherence and

advance food recovery efforts along the supply chain. Offering a unified and comprehensive framework may better enable governments to adopt complementary policies that advance an established national food waste reduction goal, such as clear food safety rules, additional tax, food waste deterrence policies, or government grants for food waste diversion and recovery infrastructure. A national law or policy can also serve as a foundation for government grant programs and awareness campaigns focused on food system sustainability and food security.

1. SET A NATIONAL 50% FOOD WASTE REDUCTION GOAL BY 2030, ALIGNING WITH THE UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS.

Setting a national food waste reduction goal ensures that all stakeholders—from the public to the private sector—align in advancing FLW reduction strategies. The government should consider including a subgoal for the amount of edible food that should be rescued, similar to California’s 2016 food waste law (SB 1383), which sets an ambitious statewide target of recovering 20% of all edible food that would otherwise be sent to disposal to feed people in need by 2025.⁶² Placing FLW on the national agenda will significantly elevate the urgency surrounding the issue as well as generate a government commitment to action. To monitor and ensure compliance with the national goal, the Israeli government should institute appropriate measurement and reporting mechanisms such as the aforementioned food waste reporting requirement.

2. DEVELOP A COHESIVE NATIONAL PLAN FOR FOOD WASTE REDUCTION, WITH AN EMPHASIS ON SURPLUS FOOD REDISTRIBUTION.

Complementing the national food waste reduction goal, the Israeli government should establish a national plan that outlines the necessary operational, budgetary, and regulatory requirements at all stages of the value chain to achieve the proposed FLW and food rescue goal. Other countries have effective and specific national food waste reduction plans. One such example is Australia, which established a national goal to halve food waste by 2030 and in 2017 released their National Food Waste Strategy,⁶³ including a detailed plan of action and the introduction of a multistakeholder partnership called Stop Food Waste Australia.⁶⁴

In 2022, following the government’s approval of a 100-Step Climate Action Plan, the Ministry of Environmental Protection led an interministerial Committee on Preparing Food Systems for Climate Change—including representatives from the Ministries of Agriculture and Rural Development, Health, Intelligence, and Education as well as the Institute for National Security Studies (INSS)—with the objective to develop targets and a medium-range action plan (through to 2030) to prepare food systems for climate change (both adaptation and mitigation), including a working group specifically focused on reducing food waste.⁶⁵ This established interministerial food waste reduction working group should be tasked with drafting a cohesive and comprehensive plan to meet the national 2030 goal, with implementation assistance from the prime minister’s office or the Council for Food Security.

CONCLUSION

While these Policy Recommendations are intended to help strengthen food donation in Israel, they are not exhaustive. Those committed to reducing FLW and promoting food recovery should seek the advice of legal experts, policymakers, and other stakeholders to identify the most effective and feasible policy interventions.

ENDNOTES

- ¹ LEKET ISRAEL & MINISTRY OF ENVIRONMENTAL PROTECTION, REPORT 2020: FOOD WASTE AND RESCUE IN ISRAEL 12 (Dec. 2021), <https://foodwastereport.leket.org/en/unique-ness-of-israeli-food-production-and-consumption>.
- ² *Global Food Security Index: Israel*, ECONOMIST IMPACT, [HTTPS://IMPACT.ECONOMIST.COM/SUSTAINABILITY/PROJECT/FOOD-SECURITY-INDEX/COUNTRY/ISRAEL](https://impact.economist.com/sustainability/project/food-security-index/country/israel) (last visited Aug. 4, 2022).
- ³ *Id.*
- ⁴ REPORT 2020: FOOD WASTE AND RESCUE IN ISRAEL *Supra* note 1.
- ⁵ *Id.*
- ⁶ §1-2a, Food Donation Encouragement Law 2751-2018 (Isr.), https://fs.knesset.gov.il/20/law/20_Isr_518938.pdf [https://perma.cc/B247-Z7LQ]
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