



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 491

An Act to combat food waste

Introduction

**Introduced by
Madam Émilise Lessard-Therrien
Member for Rouyn-Noranda-Témiscamingue**

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EXPLANATORY NOTES

The purpose of this bill is to fight food waste in Québec by setting an objective of a 50% reduction by 2025.

To that end, the bill creates an obligation for processors, distributors and retailers of food products fit for human consumption to make serious efforts to enter into agreements to reduce waste of unsold products with recognized organizations.

However, the Minister of Agriculture, Fisheries and Food may determine exemption conditions, in particular for small retailers.

The bill also authorizes the Minister to compel processors, distributors and retailers to enter into agreements with Recyc-Québec to manage unsold food products.

Lastly, the bill establishes a public register for unsold food products and waste reduction agreements.

Bill 491

AN ACT TO COMBAT FOOD WASTE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

ACTION PLAN

- 1.** The Minister is to develop and propose to the Government a multiyear food waste reduction action plan. The Minister is responsible for the implementation and coordination of the action plan.
- 2.** The Government establishes, by regulation, the indicators needed to attain the objective of a 50% reduction in food waste in Québec by 2025.

CHAPTER II

WASTE REDUCTION AGREEMENTS

- 3.** Every processor, distributor and retailer of food products must offer one or more recognized organizations the opportunity to enter into an agreement with respect to reducing waste of their unsold products.

Offers are made on a priority basis to local and regional organizations to limit transportation and to facilitate the preservation of these food products.

- 4.** Within three months of entering into an agreement, the processor, distributor or retailer of food products sends the Minister a copy of the agreement.
- 5.** The Minister establishes a list of recognized organizations. The Minister may, by regulation, determine the conditions that organizations must meet to be recognized.
- 6.** The Minister may require any processor, distributor or retailer of food products to provide, in the form and within the time the Minister determines, any information on its unsold food products, the steps taken to enter into a waste reduction agreement or any other information the Minister considers relevant for the application of this Act.

7. The Minister may require any processor, distributor or retailer who, despite the serious efforts made, was unable to enter into an agreement with a recognized organization to enter into an agreement to manage unsold food products with Recyc-Québec.

CHAPTER III

PUBLIC REGISTER

8. The Minister establishes and keeps up to date a public register containing, in particular, the following information:

(1) the annual quantity of unsold food products for every processor, distributor or retailer of food products;

(2) the names of the parties and the term of any agreement entered into under this Act;

(3) the annual quantity of food products dealt with under each agreement; and

(4) the name of every processor, distributor or retailer found guilty of an offence under section 9, and the nature of the offence.

The Minister communicates the information referred to in subparagraphs 1 to 3 of this section to Recyc-Québec.

CHAPTER IV

PENAL PROVISIONS

9. Every processor, distributor or retailer of food products who

(1) voluntarily causes food products that could otherwise have been subject to an agreement under this Act to be unfit for human consumption;

(2) fails to make serious efforts to enter into an agreement under section 3 of this Act;

(3) fails to provide the information requested by the Minister under section 6;

(4) fails to provide a copy of the donation agreement as provided in section 4; or

(5) provides erroneous, falsified or misleading information or documents;

is liable to a fine of \$250 to \$2,000 and, for a subsequent offence, to a fine of \$750 to \$6,000.

CHAPTER V

TRANSITIONAL AND FINAL PROVISIONS

10. Processors, distributors and retailers of food products have 18 months to comply with the requirements of this Act, as of the date on which the Minister establishes the list of recognized organizations provided for in section 5.

11. The Minister of Agriculture, Fisheries and Food is responsible for the administration of this Act.

12. This Act comes into force on *(insert the date of assent to this Act)*.

