

- (iii) reduce reliance on, and limit the use of, fertilizer;
- (iv) improve soil quality;
- (v) encourage waste management and permaculture business development;
- (vi) increase rainwater absorption;
- (vii) reduce municipal food waste; and
- (viii) divert food waste from landfills.

(C) Evaluation and ranking of applications

(i) Criteria

Not later than 180 days after December 20, 2018, the Secretary shall establish criteria for the selection of pilot projects under this paragraph.

(ii) Consideration

In selecting, undertaking, or funding pilot projects under this paragraph, the Secretary shall consider any commonly known significant impact on existing food waste recovery and disposal by commercial, marketing, or business relationships.

(iii) Priority

In selecting a pilot project under this paragraph, the Secretary shall give priority to an application for a pilot project that—

- (I) anticipates or demonstrates economic benefits;
- (II) incorporates plans to make compost easily accessible to agricultural producers, including community gardeners;
- (III) integrates other food waste strategies, including food recovery efforts; and
- (IV) provides for collaboration with multiple partners.

(D) Matching requirement

The recipient of assistance for a pilot project under this paragraph shall provide funds, in-kind contributions, or a combination of both from sources other than funds provided through the grant in an amount equal to not less than 25 percent of the amount of the grant.

(E) Evaluation

The Secretary shall conduct an evaluation of the pilot projects funded under this paragraph to assess different solutions for increasing access to compost and reducing municipal food waste, including an evaluation of—

- (i) the amount of Federal funds used for each project; and
- (ii) a measurement of the outcomes of each project.

(e) Authorization of appropriations

There is authorized to be appropriated to carry out this section and the amendments made by this section \$25,000,000 for each of fiscal years 2019 through 2023.

(Pub. L. 103-354, title II, §222, as added Pub. L. 115-334, title XII, §12302, Dec. 20, 2018, 132 Stat. 4958.)

§ 6924. Food Loss and Waste Reduction Liaison

(a) Establishment

The Secretary shall establish a Food Loss and Waste Reduction Liaison to coordinate Federal,

State, local, and nongovernmental programs, and other efforts, to measure and reduce the incidence of food loss and waste in accordance with this section.

(b) In general

The Food Loss and Waste Reduction Liaison shall—

- (1) coordinate food loss and waste reduction efforts within the Department of Agriculture and with other Federal agencies, including the Environmental Protection Agency and the Food and Drug Administration;
- (2) support and promote Federal programs to measure and reduce the incidence of food loss and waste and increase food recovery;
- (3) provide information to, and serve as a resource for, entities engaged in food loss and waste reduction and food recovery, including information about the availability of, and eligibility requirements for, participation in Federal, State, local, and nongovernmental programs;
- (4) raise awareness of the liability protections afforded under the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791) to persons engaged in food loss and waste reduction and food recovery; and
- (5) make recommendations with respect to expanding innovative food recovery models and reducing the incidence of food loss and waste.

(c) Cooperative agreements

For purposes of carrying out the duties under subsection (b), the Food Loss and Waste Reduction Liaison may enter into contracts or cooperative agreements with the research centers of the Research, Education, and Economics mission area, institutions of higher education (as defined in section 1001 of title 20), or nonprofit organizations for—

- (1) the development of educational materials;
- (2) the conduct of workshops and courses; or
- (3) the conduct of research on best practices with respect to food loss and waste reduction and food recovery.

(d) Study on food waste

The Secretary shall conduct a study, in consultation with the Food Loss and Waste Reduction Liaison, to evaluate and determine—

- (1) methods of measuring food waste;
- (2) standards for the volume of food waste;
- (3) factors that contribute to food waste;
- (4) the cost and volume of food loss;
- (5) the effectiveness of existing liability protections afforded under the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791); and
- (6) measures to ensure that programs contemplated, undertaken, or funded by the Department of Agriculture do not disrupt existing food waste recovery and disposal efforts by commercial, marketing, or business relationships.

(e) Reports

(1) Initial report

Not later than 1 year after December 20, 2018, the Food Loss and Waste Liaison shall

submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subsection (d).

(2) Report

Not later than 1 year after the date of the submission of the report under paragraph (1), the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that contains, with respect to the preceding year—

(A) an estimate of the quantity of food waste during such year; and

(B) the results of the food waste reduction and loss prevention activities carried out or led by the Department of Agriculture.

(Pub. L. 103-354, title II, § 224, as added Pub. L. 115-334, title XII, § 12504, Dec. 20, 2018, 132 Stat. 4987.)

§ 6925. Food Access Liaison

(a) Establishment

The Secretary shall establish the position of Food Access Liaison to coordinate Department programs to reduce barriers to food access and monitor and evaluate the progress of such programs in accordance with this section.

(b) Duties

The Food Access Liaison shall—

(1) coordinate the efforts of the Department, including regional offices, to experiment and consider programs and policies aimed at reducing barriers to food access for consumers, including but not limited to participants in nutrition assistance programs;

(2) provide outreach to entities engaged in activities to reduce barriers to food access in accordance with the statutory authorization for each program;

(3) provide outreach to entities engaged in activities to reduce barriers to food access, including retailers, markets, producers, and others involved in food production and distribution, with respect to the availability of, and eligibility for, Department programs;

(4) raise awareness of food access issues in interactions with employees of the Department;

(5) make recommendations to the Secretary with respect to efforts to reduce barriers to food access; and

(6) submit to Congress an annual report with respect to the efforts of the Department to reduce barriers to food access.

(Pub. L. 103-354, title II, § 225, as added Pub. L. 115-334, title XII, § 12614(a), Dec. 20, 2018, 132 Stat. 5014.)

Editorial Notes

CODIFICATION

Another section 225 of Pub. L. 103-354 is classified to section 6931 of this title.

Statutory Notes and Related Subsidiaries

TECHNICAL ASSISTANCE

Pub. L. 115-334, title XII, § 12614(b), Dec. 20, 2018, 132 Stat. 5014, provided that: “The Secretary [of Agriculture] shall provide technical assistance to entities that are participants, or seek to participate, in Department of Agriculture programs related to reduction of barriers to food access.”

SUBCHAPTER II—FARM PRODUCTION AND CONSERVATION

Editorial Notes

CODIFICATION

Pub. L. 115-141, div. A, title VII, § 772(a)(1), Mar. 23, 2018, 132 Stat. 397, substituted “FARM PRODUCTION AND CONSERVATION” for “FARM AND FOREIGN AGRICULTURAL SERVICES” in subchapter heading.

§ 6931. Under Secretary of Agriculture for Farm Production and Conservation

(a) Authorization

The Secretary is authorized to establish in the Department the position of Under Secretary of Agriculture for Farm Production and Conservation.

(b) Confirmation required

If the Secretary establishes the position of Under Secretary of Agriculture for Farm Production and Conservation authorized under subsection (a), the Under Secretary shall be appointed by the President, by and with the advice and consent of the Senate.

(c) Functions of Undersecretary¹

The Under Secretary of Agriculture for Farm Production and Conservation shall perform such functions and duties as the Secretary shall prescribe.

(d) Succession

Any official who is serving as Under Secretary of Agriculture for Farm and Foreign Agricultural Services on March 23, 2018, and who was appointed by the President, by and with the advice and consent of the Senate, shall not be required to be reappointed under subsection (b) to the successor position authorized under subsection (a).

(Pub. L. 103-354, title II, § 225, Oct. 13, 1994, 108 Stat. 3213; Pub. L. 115-141, div. A, title VII, § 772(a)(2), Mar. 23, 2018, 132 Stat. 397.)

Editorial Notes

CODIFICATION

Section is comprised of section 225 of Pub. L. 103-354. Subsec. (e) of section 225 of Pub. L. 103-354 amended section 5314 of Title 5, Government Organization and Employees, and repealed section 5691 of this title.

Another section 225 of Pub. L. 103-354 is classified to section 6925 of this title.

AMENDMENTS

2018—Pub. L. 115-141 amended section generally. Prior to amendment, section related to Under Secretary of Agriculture for Farm and Foreign Agricultural Services.

¹ So in original. Probably should be “Under Secretary”.