

## LAW OF GEORGIA

### ON THE REDUCTION OF FOOD LOSSES AND FOOD WASTE AND FOOD DONATION

#### Chapter I - General Provisions

##### Article 1 – Scope of regulation of the Law

1. This Law shall regulate relations with regard to the prevention and reduction of food losses and food waste, food waste accumulation management, food donation and redistribution.
2. For the purposes of this Law:
  - a) issues related to food safety shall be regulated in accordance with the requirements determined by Food/Feed Safety, Veterinary and Plant Protection Code;
  - b) issues related to food waste management shall be regulated in accordance with the procedures established by this Law and the Waste Management Code.
3. The legislation of Georgia on the prevention and reduction of food losses and food waste, food waste accumulation management, food donation and redistribution shall include this Law, the Waste Management Code, the Food/Feed Safety, Veterinary and Plant Protection Code, and other legislative and subordinate acts.

##### Article 2 – Goals and objectives of the Law

1. The purpose of this Law is to prevent and reduce food losses and food waste at all stages of the food supply chain, and to encourage food donation, recovery and redistribution.
2. This Law shall ensure the development and implementation of a respective policy for reducing food losses and food waste and facilitating food redistribution, and the taking of the relevant measures.
3. The objectives of this Law shall be as follows:
  - a) improving food safety in the country;
  - b) encouraging the transfer (delivery) of food surplus to beneficiaries and ensuring their access to safe food;
  - c) facilitating food surplus donation, redistribution and use;
  - d) mitigating and limiting the negative impact on the environment caused by food waste;
  - e) developing and implementing a respective policy for reducing food losses and food waste;
  - f) facilitating the provision of a sufficient and adequate food supply to those groups mainly at risk of food insecurity and malnutrition;
  - g) taking appropriate actions to raise awareness of food supply chain participants, and encouraging measures for their support, and implementing relevant programmes.



### **Article 3 – Definition of terms**

For the purposes of this Law, the terms used herein have the following meanings:

- a) food – food as determined by the Food/Feed Safety, Veterinary and Plant Protection Code;
- b) waste – waste as determined by the Waste Management Code;
- c) food waste – food remaining at a certain stage of the food supply chain as a result of the action of a food supply chain participant, which has turned into waste;
- d) food losses – the reduction in the quantity or quality of food caused by decisions made and actions taken by suppliers participating in the food supply chain, except for decisions made and actions taken by business operators of the retail trade or public catering facilities or consumers;
- e) food surplus – safe food that turns into food waste or food loss, unless appropriate measures are taken;
- f) food supply chain – the full circle of food supply covering each stage of food supply from production to the receipt by a beneficiary;
- g) food supply chain participant – a natural or legal person participating in the food supply chain;
- h) food donation – the transfer of food free of charge to a food charity organisation or food bank, or directly to a beneficiary by a food supply chain participant;
- i) food redistribution – a process to ensure continued access to food, which includes the collection, storage, recovery and redistribution of food surplus donated by a food supply chain participant;
- j) food recovery – a process, which may include physical examination, organoleptic assessment, sorting, the packaging of food and any other procedures, after which food can be redistributed and used as intended;
- k) food charity activities – charity activities authorised in accordance with the procedure established by this Law, which entails food donation and redistribution by a food supply chain participant;
- l) food charity organisation or food bank – a non-entrepreneurial (non-commercial) legal entity carrying out food charity activities;
- m) business operator – a business operator as determined by the Food/Feed Safety, Veterinary and Plant Protection Code;
- n) beneficiary – a person receiving donated food (final consumer);
- o) food security – the sufficient quantity and reliable accessibility of safe and nourishing food;
- p) food recycling – the reprocessing of food for the purpose of re-use;
- q) Ministry – the Ministry of Environmental Protection and Agriculture of Georgia.

## **Chapter II - Actions for the Management of Food Losses and Food Waste**

### **Article 4 – Food waste management hierarchy**

1. The management of food losses and food waste shall be carried out in accordance with the general principles of waste



management hierarchy as determined by Article 4 of the Waste Management Code, in accordance with this Law and the requirements determined this Law.

2. The actions provided for by the principles of food waste management hierarchy shall apply in accordance with the food safety requirements determined by the Food/Feed Safety, Veterinary and Plant Protection Code.

3. In order to meet the requirements provided for by paragraph 1 of this article, the following actions shall be taken:

- a) the prevention of the origination of food losses and food waste at each stage of the food supply chain;
- b) food surplus donation, recovery and redistribution in accordance with food safety requirements;
- c) the use of food surplus as animal feed or reprocessing into other, food or non-food products;
- d) food surplus recycling;
- i) the use of food surplus for the purpose of generating energy;
- f) food waste disposal in accordance with the requirements determined by the legislation of Georgia.

### **Chapter III - Food Losses and Food Waste Reduction Policy and Bodies Responsible for the Implementation of the Policy**

#### **Article 5 – Food losses and food waste reduction policy**

1. A food losses and food waste reduction policy shall include the prevention, reduction and management of the origination of food losses and food waste, food donation and redistribution.

2. A food losses and food waste reduction policy shall be implemented by the Government of Georgia and the Ministry within the scope of their competence.

3. For the purpose of reducing food losses and food waste, and facilitating food surplus donation and use, the State shall ensure the development of the relevant regulatory provisions and the establishment of a taxation regime, as well as the raising of awareness of food donation, the taking of relevant encouraging measures, the introduction of relevant programmes, and the preparing of proposals on the use, management and redistribution of food surplus.

#### **Article 6 – Bodies responsible for the implementation of a food losses and food waste reduction policy**

1. The Ministry and the Legal Entity under Public Law (LEPL) called the National Food Agency ('the Agency') under the state control of the Ministry shall, within the scope of their competence, be responsible for the implementation of a food losses and food waste reduction policy.

2. The Ministry shall exercise the following powers in the field of food losses and food waste management:

- a) determining and implementing a respective policy for the purpose of managing food losses and food waste;
- b) facilitating the establishment of a public-private partnership in a food supply chain;
- c) developing and/or participating in the development of inclusive and relevant legal acts with regard to food surplus donation, reprocessing, storage and redistribution;
- d) developing procedures for the authorisation of food charity activities and submitting same to the Government of Georgia for approval;
- e) developing procedures for food donation and redistribution and submitting same to the Government of Georgia for approval;



- f) developing the concept of food waste management and submitting same to the Government of Georgia for approval;
- g) ensuring the establishment of a database of persons authorised to carry out food charity activities;
- h) developing and implementing the principles of waste management hierarchy, and encouraging state programmes for the reduction of food losses;
- i) developing guiding principles, methodological guidelines, recommendations or other guideline documents for the purpose of ensuring food donation management;
- j) preparing innovative projects and proposals related to the reduction of food losses and food waste and to food donation;
- k) supporting scientific research, and the latest technologies and innovations for the reduction of food losses and food waste, especially with regard to food shelf life;
- l) taking appropriate actions in order to raise awareness of food supply chain participants, and encouraging measures for their support and implementing relevant programmes.

3. In the field of management of food losses and food waste, the Agency is obliged to:

- a) authorise food charity activities and maintain a database of persons authorised to carry out food charity activities;
- b) exercise state control over the compliance of activities of persons authorised to carry out food charity activities with the requirements determined by the legislation of Georgia.

4. A municipality is obliged to include in a municipal waste management plan the principles of food waste management hierarchy provided for by this Law.

*Law of Georgia No 439 of 2 April 2025 – website, 4.4.2025*

## **Chapter IV - Food Donation and Redistribution**

### **Article 7 – Minimum standards for the procedures of food donation and redistribution**

1. Food surplus donation and redistribution shall be carried out in accordance with this Law and the procedures for food donation, recovery and redistribution, taking into consideration the social dimensions of food insecurity and malnutrition.
2. A food supply chain participant shall have the right to donate food surplus to a food charity organisation or food bank or directly to a beneficiary, if the food is suitable for human consumption and meets the food safety requirements determined by the legislation of Georgia.
3. A food charity organisation or food bank shall have the right to receive food surplus as donation, recover and redistribute it to other food charity organisations or food banks or deliver directly to beneficiaries, if the food is suitable for human consumption and meets the food safety requirements determined by the legislation of Georgia.
4. Food donation may be carried out before the expiry of the minimum 'best before date until....,' if the food meets the food safety requirements determined by the legislation of Georgia.
5. A preferential tax regime shall apply in the field of food donation and redistribution.

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### **Article 8 – The procedure for food donation and redistribution**



1. The procedure for food donation and redistribution shall be approved by the Ordinance of the Government of Georgia, which shall regulate relations in the field of food donation, recovery and redistribution in accordance with the Food/Feed Safety, Veterinary and Plant Protection Code and this Law. The procedure shall comply with the minimum standards of procedures for food donation and redistribution as determined by Article 7 of this Law.

2. The procedure for food donation and redistribution shall determine:

- a) the specific food safety requirements for food redistribution, including food donation, recovery, storage and redistribution;
- b) the rules and procedures for transferring food surplus between food supply chain participants (a list of mandatory information, the registry of food, food safety, quality etc.);
- c) the procedures for exercising state control over food with the expired minimum 'best before date until....';
- d) the list of food permitted for use and redistribution;
- e) food hygiene procedures;
- f) other requirements as determined by the legislation of Georgia on food safety.

## **Article 9 – The obligations and responsibilities of a food supply chain participant**

1. A food supply chain participant is obliged to improve the practice of food production and sale in order to prevent food losses, and to reduce and eliminate food waste in the processes of food production, distribution, consumption, storage, sale and marketing.

2. A food supply chain participant is obliged to comply with the principles of food waste management hierarchy provided for by this Law.

3. A food supply chain participant shall not donate and redistribute food that does not meet the food safety requirements determined by the legislation of Georgia and that poses a risk to human life and health.

4. Any violation of the requirements provided for by paragraph 3 of this article shall entail the responsibility of a food supply chain participant in accordance with the procedure established by the Food/Feed Safety, Veterinary and Plant Protection Code.

## **Chapter V - Food Charity Activities**

### **Article 10 – Authorisation of food charity activities**

1. Food charity activities, food donation and food redistribution to beneficiaries, may be carried out only through the procedure established by this Law, after authorisation.

2. The following shall be subject to the authorisation of food charity activities:

- a) a person carrying out food donation;
- b) food charity organisation or food bank receiving food donation.

3. The authorisation of food charity activities shall be carried out and a database of persons authorised to carry out food charity activities shall be maintained by the Agency.

4. The procedure for the authorisation of food charity activities shall be approved by an Ordinance of the Government of Georgia.



## **Article 11 – Food charity organisation / food bank**

1. A food charity organisation or food bank shall be a business operator, having been granted a status of charity organisation in accordance with Article 32 of the Tax Code of Georgia and having been authorised in accordance with the procedure established by this Law to carry out all the activities related to food donation and redistribution.
2. A food charity organisation or food bank shall be responsible for food surplus redistribution (delivery). Its main function is to redistribute food surplus to other food charity organisations or food banks and/or deliver it directly to beneficiaries.
3. A food charity organisation or food bank is obliged to:
  - a) act in accordance with the procedures established by the legislation of Georgia;
  - b) ensure food surplus redistribution in accordance with the requirements determined by the legislation of Georgia, mainly for the groups facing the risk of food insecurity and malnutrition;
  - c) comply with the food safety requirements determined by the legislation of Georgia, and introduce and implement procedures based on the principles of Hazard Analysis and Critical Control Point (HACCP) system;
  - d) develop and approve an annual action plan;
  - e) submit to the Legal Entity under Public Law called the Revenue Service under the governance of the Ministry of Finance of Georgia an annual financial plan on performed activities in accordance with the procedures established by Article 32 of the Tax Code of Georgia.

## **Article 12 – Limitation of responsibilities of a food supply chain participant with regard to the donation of food**

A food supply chain participant shall not be held responsible if the food surplus donated to a food charity organisation or food bank for the delivery to a beneficiary meets the food safety requirements determined by this Law and the legislation of Georgia.

## **Chapter VI - Transitional and Final Provisions**

### **Article 13 - Normative acts to be adopted in relation to the entry into force of this Law**

The Government of Georgia shall approve:

- a) within 6 months after the entry into force of this Law:
  - a.a) the procedure for food donation and food redistribution;
  - a.b) the procedure for the authorisation of food charity activities;
- b) the concept of food waste management no later than 1 January 2025.

### **Article 14 – Entry into force of this Law**

This Law shall enter into force upon its promulgation.



Tbilisi,

4 October 2023

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