

# WEST VIRGINIA LEGISLATURE

## 2026 REGULAR SESSION

Introduced

### House Bill 5135

FISCAL  
NOTE

By Delegate Young

[Introduced February 03, 2026; referred to the  
Committee on Health and Human Resources then  
Government Organization]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,  
2 designated §16-67-1, relating to establishing the food waste task force.

*Be it enacted by the Legislature of West Virginia:*

<b>ARTICLE</b>	<b>67.</b>	<b>FOOD</b>	<b>WASTE</b>	<b>TASK</b>	<b>FORCE.</b>
<b>§16-67-1.</b>	<b>Food</b>	<b>Waste</b>	<b>Task</b>	<b>Force</b>	<b>established.</b>

1 (a) There is established in the Department of Health the Food Waste Task Force, which  
2 shall be responsible for identifying and examining and making recommendations for legislative or  
3 executive action with regard to reducing food waste in this state, including, but not limited to the  
4 factors that lead to food waste in the state, and identifying strategies, policies, and legislative and  
5 executive actions that may be used to:

- 6 (1) Prevent food waste;
- 7 (2) Increase food donations;
- 8 (3) Provide consumers with education on food storage;
- 9 (4) Lower unreasonably high cosmetic standards for fruit and vegetables;
- 10 (5) Cease or significantly reduce the rejection of even marginally imperfect-looking food;
- 11 (6) Build statewide systems to distribute surplus edible food to charities;
- 12 (7) Eliminate unnecessary state statutes or regulations that contribute to food waste; and
- 13 (8) Modify "best by" food labels, consistent with uniform national standards, to inform  
14 consumers the latest possible date food can be safely consumed.

15 (b) The work undertaken by the task force shall supplement and be consistent with existing  
16 efforts and commitments to reduce food waste, including food donation efforts, composting efforts,  
17 date labeling efforts, and effective inventory management practices, which have been, or are  
18 being, undertaken at the national level pursuant to a uniform, nationwide model.

19 (c) The task force shall consist of 12 members to be appointed representatives from the  
20 Department of Health, the Department of Agriculture, the Legislature, and member of the public  
21 representing organizations combating hunger or food waste in the state.

22 (d) The task force shall organize as soon as practicable following the appointment of its  
23 members and shall select a chairperson from among its membership. The chairperson shall  
24 appoint a secretary who need not be a member of the task force.

25 (e) Members of the task force shall serve without compensation but shall be reimbursed for  
26 necessary expenses incurred in the performance of their duties as members of the task force,  
27 within the limits of funds appropriated or otherwise made available to the task force for its  
28 purposes.

29 (f) The task force may call to its assistance and avail itself of the services of the employees  
30 of any state, county, or municipal department, board, bureau, commission, or agency as it may  
31 require and as may be available to it for its purposes.

32 (g) The Department of Human Services shall provide staff support to the task force.

33 (h) No later than one year after organization, the task force shall submit to the Governor,  
34 and to the Legislature a report of its findings and recommendations for legislative, executive, or  
35 other action as may be appropriate to reduce food waste in this state. The task force shall expire  
36 upon submission of its report.

NOTE: The purpose of this bill is to establish the food waste task force.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.