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# The Food Date Labeling Act

## S.7618A (Hinchey) / A.7291B (Reyes)

**Explanation:**
This bill simplifies food date labels by limiting language for date labeling to “Best if Used by” and “Use by”, and requires producers and manufacturers to use scientifically valid methods to estimate food dates.

According to a US Environmental Protection Agency 2025 report, American families are losing $3,000 annually on wasted food. Currently, 40% of food ends up in landfills. This is food that could be consumed or donated to local food banks. Instead, it contributes to approximately 58% of fugitive methane emissions from municipal solid waste landfills.

Making food date labeling clearer for New Yorkers will save New Yorkers money, fight food insecurity, and reduce methane emissions. Research has consistently found confusion regarding food date labels. A 2025 study found that while 88% of U.S. consumers discard food near or past the label date, at least occasionally, only 53% of them were able to correctly identify their meanings. Moreover, 44% of U.S. consumers mistakenly believe the federal government regulates the phrases on food labels, when only the date labels on infant formula and shellfish are federally regulated. All this translates to safe, nutritious food being thrown away unnecessarily due to confusing labeling.

ReFED, a U.S.-based nonprofit working to catalyze the food system toward evidence-based action to stop wasting food, estimates that standardizing date labels and educating people on what the revised labels mean can annually prevent 390k tons of food waste, which would reduce CO2e by 2 million metric tons and save an estimated 133 billion gallons of water. Further ReFED data shows that standardizing date labels could save U.S. consumers $1.23 billion annually.

This bill addresses unnecessary food waste, allowing for cost savings and emission reductions by making standardized date labels both meaningful and impactful. Compliance with this law would only apply to businesses who choose to use food date labels on their products. This is a common-sense, cost-efficient, and consumer protection-based solution to a preventable kitchen table problem.

**Summary:**
Agriculture and Markets law is amended by adding a new section to define "Use by," "Best if Used by," and prohibits any other phrasing, including "Sell by" unless in coded format. It requires producers and manufacturers to use scientifically valid methods to estimate food "Best if Used by" and "Use by" dates. The bill does not require the use of food date labels; a manufacturer must only comply if they choose to use food date labels on their packaging.