

STATE LAW REQUIRES EDIBLE FOOD DONATION



Commercial Edible Food Recovery

State Senate Bill (SB) 1383 requires commercial edible food generators to donate all leftover or unsold food that would otherwise be disposed by donating the food to a food recovery organization or service such as a food bank or soup kitchen.

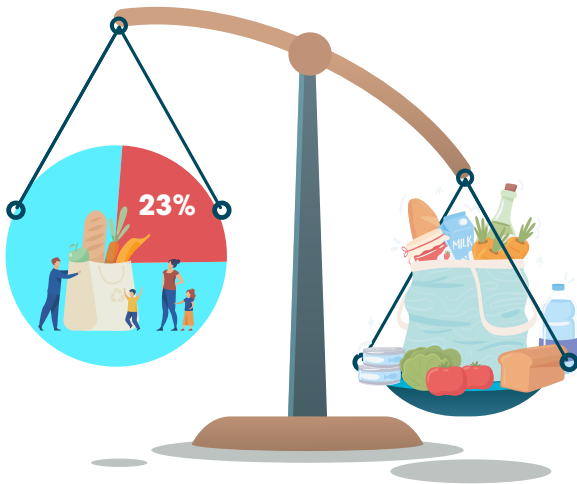
Edible food means it is intended for people to eat, including food not sold because of surplus, appearance, age, or freshness, and includes prepared food, packaged food, and produce.



**9.2
MILLION**

Number of Californians without enough to eat

In 2018, 4.3 million Californians (10.8% of California's population) didn't have enough to eat. By May 2020, that number had doubled, surging to 9.2 million Californians, which is **23% of California's population** (CalRecycle.ca.gov).



**11.2
BILLION**

Pounds of food sent to landfills in California each year.

Californians send 11.2 billion pounds of food to landfills each year, some of which is still fresh enough to be recovered to feed people in need (CalRecycle.ca.gov).

SB 1383 sets a statewide goal to recover 20% of edible food waste by 2025 to address food insecurity in California and reduce food waste. To reach this goal, Tier 1 Commercial Edible Food Generators must contract with a food recovery organization or service for the collection or drop-off of edible food starting January 1, 2022.

Tier 1 Commercial Edible Food Generators Include:



Supermarkets with an annual revenue of \$2 million or greater



Grocery stores with a total facility size of 10,000 square feet or more



Food service providers, food distributors, and wholesale food vendors

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Commercial Edible Food Generator Requirements

1. **Secure a contract or written agreement** with an edible food recovery organization or service, such as a food bank, to recover the maximum amount of edible food that would otherwise be disposed.
2. **Keep a list** of each food recovery organization or service that receives or collects the edible food and maintain copies of the contracts or agreements.
3. **Keep a record** of the following for each contract or written agreement:
 - a. Name, address, and contact information of the service or organization,
 - b. The types of food that will be collected by or self-hauled to the service or organization,
 - c. The established frequency that food will be collected or self-hauled, and
 - d. The pounds of food per month collected by or self-hauled to a service or organization for food recovery.



Food Recovery Organizations and Services

A **food recovery organization** is an entity that engages in the collection or receipt of edible food and distributes that edible food to the public for food recovery.

A **food recovery service** is a person or entity that collects and transports edible food to a food recovery organization or other entities for food recovery.

Food Recovery Organizations and Services Recordkeeping Requirements

A food recovery organization or service contracted to collect or receive edible food directly from commercial edible food generators must maintain the following records:

Food Recovery Organization

1. Name, address, and contact info for each commercial edible food generator that the organization receives edible food from,
2. Pounds of edible food per month received from each commercial edible food generator, and
3. Name, address, and contact info for each food recovery service that the organization receives edible food from.

Food Recovery Service

1. Name, address, and contact info for each commercial edible food generator that the service collects edible food from,
2. Pounds of edible food per month collected from each commercial edible food generator,
3. Pounds of edible food per month transported to each food recovery organization, and
4. Name, address, and contact info for each food recovery organization that the service transports edible food to.