

STATE LAW REQUIRES EDIBLE FOOD DONATION



Commercial Edible Food Recovery

State Senate Bill (SB) 1383 requires businesses classified as commercial edible food generators to donate all leftover or unsold edible food that would otherwise be disposed by contracting with an edible food recovery organization or service to reduce food waste and address food insecurity.

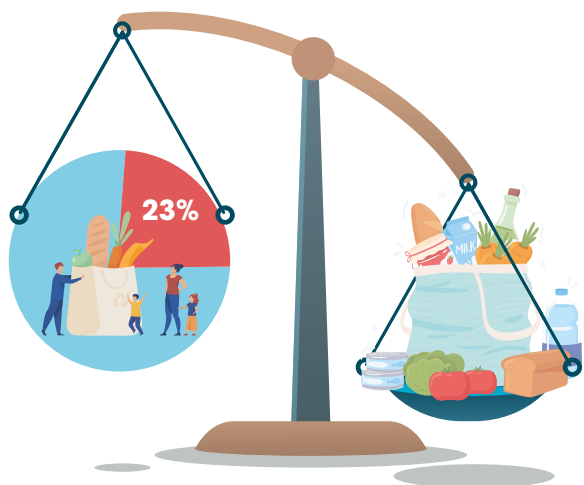
Edible food means food intended for people to eat, including food not sold because of surplus, appearance, age, or freshness, and includes prepared food, packaged food, and produce.



9.2 MILLION

Number of Californians without enough to eat

In 2020, 9.2 million Californians, **23% of the population**, did not have enough to eat (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 eat (CalRecycle.ca.gov).

- » Tier 1 generators were required to contract with an edible food recovery organization or service and maintain records of donations starting January 1, 2022.
- » Tier 2 generators must comply starting January 1, 2024.

For more information, visit [sacorganics.org](https://www.sacorganics.org)

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

Tier 2 Commercial Edible Food Generators Include:



Hotels with on-site food facility and 200+ rooms



Restaurant Facilities with a total facility size of ≥5,000 square feet or 250+ seats



Health Facilities with on-site food facility and 100+ beds



State Agency Cafeterias ≥5,000 square feet or 250+ seats



Local Education Agencies with on-site food facility



Large Venues and Events

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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 all excess 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 donated,
 - c. The established frequency that food will be donated, and
 - d. The pounds of food per month donated.



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.

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