

California Senate Bill 1383 (SB 1383) Edible Food Recovery

1. Does my business need to donate excess edible food? If so, when do we need to start donating?

The following requirements must be implemented by Tier One commercial edible food generators on or before January 1, 2022, and Tier Two commercial edible food generators on or before January 1, 2024.

- Arrange to recover the maximum amount of edible food that would otherwise be disposed.
- Prepare a contract or written agreement with a food recovery organization or service that collects edible food or accepts edible food that your business self-hauls to their facility.
- Maintain the following records:
 - List of food recovery organizations that collect or receive your businesses edible food. Include organization name, address, and contact.
 - Copies of the contracts or written agreements.
 - Types of food being recovered.
 - Frequency of collection or self-hauling.
 - Quantity of edible food recovered measured in pounds per month.

Tier One Commercial Edible Food Generators include:

- Supermarkets
- Grocery Stores with a facility size equal or greater than 10,000 square feet
- Food Service Providers
- Food Distributors
- Wholesale Food Vendors

Tier Two Commercial Edible Food Generators include:

- Restaurants with 250 or more seats or a total facility size of 5,000 square feet or more.
- Hotels with an on-site food facility and 200 or more rooms.
- Health facilities with an on-site food facility and 100 or more beds.
- Large venues that serve an annual average of 2,000 or more individuals per day.
- Large events that serve an average of 2,000 individuals per day.
- State agencies with a cafeteria of 250 or more seats or a total cafeteria facility size of 5,000 square feet or more.
- Local education agencies with an on-site food facility.

2. How can I find a food donation organization that is able to accept my excess edible food?

Please see the following list of food recovery organizations: sandiego.gov/foodrecoverylist.

City staff can provide technical assistance to help your business start a food recovery program. Please contact us at: sdrecyclingworks@sandiego.gov.

3. Why is food recovery being mandated?

- According to CalRecycle:
 - Approximately 11 billion tons of food is sent to the landfill each year in California.

- In 2020, approximately nine million Californians were food insecure which equates to approximately 1 in 8 residents.
 - Organic waste in landfills emits 20% of California's methane that is a climate super pollutant that is 84 times more potent than carbon dioxide.
- Donating edible food rather than throwing it away will extend the life of the Miramar landfill that is reaching capacity.
- A 2012 Waste Characterization showed that food accounted for approximately 15% of material sent to Miramar landfill.