

# NEW CALIFORNIA LAW REQUIRES DONATION OF EDIBLE FOOD

CA State Law SB 1383 and RecycleSmart's Organic Waste Reduction Ordinance (2I-1) require certain Commercial Edible Food Generators to donate edible food to feed people and reduce organic waste to landfill.



## WHO HAS TO COMPLY?

### TIER 1 GENERATORS: INSPECTIONS BEGIN JANUARY 1, 2022

#### ENFORCEMENT BEGINS JANUARY 1, 2024



**Supermarkets:** gross annual sales of two million dollars or more.

**Grocery Stores:** a total facility size equal to or greater than 10,000 square feet.



**Food Service Providers:**

Provides food services to institutional, governmental, commercial, or industrial locations.



**Food Distributors:** Distributes food to entities including supermarkets and grocery stores.



**Wholesale Food Vendors:**

Receives, stores and prepares food for wholesale distribution to a retailer, warehouse, etc.

### TIER 2 GENERATORS: INSPECTIONS BEGIN JANUARY 1, 2024

#### ENFORCEMENT BEGINS JANUARY 1, 2024



**Restaurants:** 250 or more seats, or a facility size equal to or greater than 5,000 square feet.



**Large Venues:** Serve 2,000 or more individuals per day.

**Large Events:** Charges an admission price, or is operated by a local agency and serves 2,000 or more individuals per day.



**Health Facilities:** with an on-site food facility and 100 or more beds.



**Hotels:** with an on-site food facility and 200 or more rooms.



**State Agency Cafeterias:** 250+ seats or a total cafeteria size equal to or greater than 5,000 square feet.



**Local Education Agencies:** with an on-site food facility.

## SB 1383 Requirements

### Generators:

- ✓ Must maintain a written agreement with all Food Recovery Organizations and/or services that pick up or receive edible food.
- ✓ Must maintain monthly records of type, frequency, and pounds of food recovered.
- ✓ Shall not intentionally dispose of or compost edible food that can be donated.

**Starting January 1, 2024, penalties may be issued for non-compliance.**

Inspections are conducted in partnership with Contra Costa Health Services.

### RESOURCES — Scan the QR code below for:

- Contact information for local food recovery organizations and services
- Donation Agreement template
- Support: RecycleSmart staff is available to help answer questions and provide support in your development of a successful food recovery program.



[RecycleSmart.org/FoodGenerators](https://RecycleSmart.org/FoodGenerators)

