NEW CALIFORNIA LAW REQUIRES DONATION OF EDIBLE FOOD

CA State Law SB 1383 and RecycleSmart’s Organic Waste Reduction Ordinance (21-1) 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**

- **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:** Provide food services to institutional, governmental, commercial, or industrial locations.
- **Food Distributors:** Distribute food to entities including supermarkets and grocery stores.
- **Wholesale Food Vendors:** Receive, store, and prepare food for wholesale distribution to a retailer, warehouse, etc.

**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.

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

- **WHO HAS TO COMPLY?**

**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

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