

# SB 1383 Food Recovery Requirements Overview

## Does your business generate food waste?

Gone are the days of tossing food into a trash can! A new law, SB 1383, is revolutionizing how businesses handle food waste by mandating food scrap recycling and food recovery programs.

**REDUCE**  
Prevent Food Waste

**REUSE**  
Feed People

**RECYCLE**  
Capture Resources

## The #1 Priority: Reduce Food Waste

SB 1383 puts programs in place that are designed to help *Recycle* food waste and *Reuse* it through food donation. The #1 priority, though, should always be to *Reduce* food waste at the source.

Check out this guide for tips!

Developed by the Center for EcoTechnology, San Diego Food System Alliance, and Solana Center



## Why was this law created?

Food makes up the single largest component in our landfills.

**20%**  
**of Methane Emissions**

Organic waste in landfills emits 20% of the State of California's methane, a potent greenhouse gas

**500,000 tons**  
**of Food is Landfilled**

500,000 tons of food is wasted in San Diego County each year

**1 in 3**  
**San Diegans is Food Insecure**

Ironically, while tons of food is disposed, one in three San Diegans is food insecure.

A **food recovery/donation program** ensures that surplus food that can't be used in the kitchen goes to good use: feeding people, not landfills. "Food recovery" is the act of saving, redistributing, and/or donating edible excess food to local organizations, such as food pantries, soup kitchens, and food banks.

**SB 1383 Targets & Enforcement:** SB 1383 establishes targets to reduce organic waste disposal by 50% by 2020 and 75% by 2025, and to increase edible food recovery by 20% by 2025. Cities and counties are required to implement a variety of programs to advance these goals. The California Department of Resources Recycling and Recovery (CalRecycle) will enforce and penalize for non-compliance.

## How will my business be affected?

SB 1383 sets new requirements:



### Mandated Food Recovery



### Agreements with Recovery Organizations



### Record-keeping

These requirements apply to select industries only, which are categorized into a tier system:

- **Tier 1 Generators\*** = supermarkets, grocery stores, food service providers, food service distributors, wholesale vendors
- **Tier 2 Generators\*** = restaurants, hotels, health facilities, large venues, state agencies, local education agencies

*\*Size restrictions apply. Contact your city for more information.*

#### Mandated Food Recovery Requirement

Tier 1 & Tier 2 generators must donate the maximum amount of edible food that would otherwise be disposed to a food recovery organization or service (e.g. food banks, food pantries, soup kitchens, etc.)

*(SB 1383, Section 18991.3)*

#### Agreements with Recovery Organizations

Tier 1 & Tier 2 generators must comply with the food donation requirement by establishing contracts or written agreements with food recovery organizations or services.

Check with your city for a list of organizations that can receive your surplus edible food.

*(SB 1383, Section 18991.4)*

#### Record-keeping Requirements

Tier 1 & Tier 2 generators must keep the following records:

- A list of each food recovery entity that contracts with your business
- A copy of each contract/written agreement with food recovery entities
- For each food recovery entity your business contracts with:
  - The name, address and contact info of the service or organization
  - The types of food that are collected or self-hauled
  - The established frequency that food is collected or taken to the recovery agency
  - The quantity of food collected or self-hauled, measured in pounds recovered per month

*(SB 1383, Section 18991.4)*

## Key Dates

### January 1, 2022

Starting Jan. 1, 2022, Tier 1 generators must comply with the donation, contract/agreement, and record-keeping requirements. **Cities will conduct inspections of Tier 1 starting Jan. 1, 2022.**

### January 1, 2024

Starting Jan. 1, 2024, Tier 2 generators must comply with the donation, contract/agreement, and record-keeping requirements. **Cities will conduct inspections of Tier 2 starting Jan. 1, 2024.**