Senate Bill 1383
EDIBLE FOOD RECOVERY: REDUCING FOOD WASTE IN BELLFLOWER

REQUIREMENTS FOR COMMERCIAL FOOD GENERATORS

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This guide is designed to help you reduce food waste, rescue edible food and make you aware of the existing and upcoming laws around food waste. Through these simple waste reduction practices, your business can save money and contribute to the health and resilience of our community and planet.

DISCLAIMER: The information provided in this guide does not reflect the entirety of solutions that are available. No single entity or product is endorsed.
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THE FOOD WASTE CRISIS

In the United States alone, a shockingly **40% of food** is uneaten, wasted and thrown out. Over **one million tons** of food goes into L.A.’s landfills every year. In the landfill, this waste releases potent greenhouse gases contributing to climate change. Food waste results in unfortunate misuse of resources needed to grow, process and transport food while wasting money and accelerating climate changes.

**Millions are food insecure in California**

- 1 in 8 Californians
- 1 in 5 Children
Senate Bill 1383 was signed by then Governor Jerry Brown on September 19, 2016. The bill sets aggressive targets for reducing the amount of organic waste that can be sent to landfills by requiring all California jurisdictions to implement mandatory organic recycling programs. Additionally, the law grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that not less than 20 percent of current disposed edible food is recovered for human consumption (edible food recovery program) by 2025.

SB 1383 will further support California’s efforts to achieve the statewide 75 percent recycling goal by 2020 established in AB 341 (Chesbro, Chapter 476, Statutes of 2011) and strengthen the implementation of mandatory commercial organics recycling established in AB 1826 (Chesbro, Chapter 727, Statutes of 2014).
SENATE BILL 1383: EDIBLE FOOD RECOVERY REQUIREMENTS FOR COMMERCIAL FOOD GENERATORS

Tier 1 and Tier 2 Commercial Edible Food Generators must comply with the following requirements:

1. Tier 1 (by January 2022) and Tier 2 (by January 2024) generators must arrange to recover the maximum amount of Edible Food that would otherwise be disposed.

2. Contract with, or enter into a written agreement with Food Recovery Organizations or Food Recovery Services for: (i) the collection of Edible Food or Food Recovery; or, (ii) acceptance of the Edible Food that the Commercial Edible Food Generator self-hauls to the Food Recovery Organization for Food Recovery.

3. Will not intentionally spoil Edible Food that is capable of being recovered by a Food Recovery Organization or a Food Recovery Service.

4. Allow City’s designated enforcement entity or designated third party enforcement entity to access the premises and review records pursuant to 14 CCR Section 18991.4.

5. Keep records that include the following information:
   a. A list of each Food Recovery Service or organization that collects or receives its Edible Food pursuant to a contract or written agreement established under 14 CCR Section 18991.3(b).
   b. A copy of all contracts or written agreements established under 14 CCR Section 18991.3(b).
   c. A record of the following information for each of those Food Recovery Services or Food Recovery Organizations:
      i. The name, address and contact information of the Food Recovery Service or Food Recovery Organization.
      ii. The types of food that will be collected or self-hauled to the Food Recovery Service or Food Recovery Organization.
      iii. The established frequency that food will be collected or self-hauled.
      iv. The quantity of food, measured in pounds recovered per month, collected or self-hauled.

6. No later than March 31st of each year commencing no later than February 1, 2023 for Tier One Commercial Edible Food Generators and February 1, 2025 for Tier Two Commercial Edible Food Generators, provide an annual Food Recovery report to the City that includes the following information:
a. A copy of all contracts or written agreements established under 14 CCR § 18991.3(b).

b. The quantity of food, measured in annual pounds recovered, collected or self-hauled to a Food Recovery Service or Food Recovery Organization for Food Recovery.

c. The name, address and contact information of the Food Recovery Service or Food Recovery Organization.
SENATE BILL 1383: TIER 1 COMMERCIAL FOOD GENERATORS

Tier one commercial edible food generator means a commercial edible food generator that is one of the following:

(A) **Supermarket**
“Supermarket” means a full-line, self-service retail store with gross annual sales of two million dollars ($2,000,000), or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items.

(B) **Grocery store with a total facility size equal to or greater than 10,000 square ft**
“Grocery store” means a store primarily engaged in the retail sale of canned food; dry goods; fresh fruits and vegetables; fresh meats, fish, and poultry; and any area that is not separately owned within the store where the food is prepared and served, including a bakery, deli, and meat and seafood departments.

(C) **Food service provider**
"Food service provider” means an entity primarily engaged in providing food services to institutional, governmental, commercial, or industrial locations of others based on contractual arrangements with these types of organizations.

(D) **Food distributor**
“Food Distributor” means a company that distributes food and non-food products to food service operators including, but not limited to, Supermarkets, Grocery Stores, convenience stores and school or hospital cafeterias.

(E) **Wholesale food vendor**
“Wholesale food vendor” means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination.

**TIER 1 MUST COMPLY BY JANUARY 1, 2022**
Tier two commercial edible food generator” means a commercial edible food generator that is one of the following:

(A) Restaurant
Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet. “Restaurant” means an establishment primarily engaged in the retail sale of food and drinks for on-premises or immediate consumption.

(B) Hotel
Hotel with an on-site food facility and 200 or more rooms. “Hotel” has the same meaning as in "Hotel" has the same meaning as in Section 17210 of the Business and Professions code.

(C) Health facility
A health facility with an on-site food facility and 100 or more beds. “Health facility” has the same meaning as in Section 1250 of the Health and Safety Code.

(D) Large venue.
“Large venue” means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. A venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility.

(E) Large event.
“Large event” means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event.

(F) State agency
A state agency with a cafeteria with 250 or more seats or a total cafeteria facility size equal to or greater than 5,000 square feet.

(G) A local education agency
A local education agency with an on-site food facility. “Local education agency” means a school district, charter school, or county office of education that is not subject to the control of city or county regulations related to solid waste.

TIER 2 MUST COMPLY BY JANUARY 1, 2024
Commercial Edible Food Generators

Tier 1
January 1, 2022
Tier one businesses typically have more produce, fresh grocery, and shelf-stable foods to donate.

Wholesale Food Vendors

Food Distributors

Grocery Stores ≥ 10,000 sq. ft. and Supermarkets

Food Service Providers

Tier 2
January 1, 2024
Tier two businesses typically have more prepared foods to donate, which often require more careful handling to meet food safety requirements (e.g. time and temperature controls).

Restaurants & Facilities

Restaurant Facilities ≥ 5,000 sq. ft. or 250+ seats

Hotels with On-Site Food Facility and 200+ Rooms

Health Facilities with On-Site Food Facility and 100+ Beds

State Agency Cafeterias ≥ 5,000 sq. ft. or 250+ seats

Large Venues and Events

High School

Local Education Agencies with On-Site Food Facility
The Food Recovery Hierarchy prioritizes actions organizations can take to prevent and divert wasted food. Each tier of the Food Recovery Hierarchy focuses on different management strategies for wasted food.
BENEFITS OF REDUCING FOOD WASTE

★ Positive image for your business

★ Supporting your community by providing to those in need

★ Improves the health of the environment
HOW TO REDUCE FOOD WASTE?

1. **Examine** and track your waste

2. Implement food waste *prevention* recommendations

3. Implement a food *recovery* program

4. Subscribe to an organics *recycling* service
STEP 1: EXAMINE

A food waste assessment will identify what is actually being thrown away. By getting to know what you throw away, you can cut down on disposal costs, reduce over purchasing and labor costs, reduce water and energy use associated with food production, and reduce greenhouse gas emissions.

Food Waste Tracking Resources:

1. EPA’s Guide to Conducting and Analyzing a Food Waste Assessment

2. EPA’s Tracking Sheet Template

3. Digital Food Waste Tracking Technologies
   https://www.phoodsolutions.com/
   https://www.leanpath.com/solutions/
   https://www.winnowsolutions.com/
### STEP 2: PREVENT

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<thead>
<tr>
<th>Purchasing</th>
<th>Storing</th>
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<tr>
<td>• Adjust purchasing with demand and request</td>
<td>• Implement best storage and handling to</td>
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<tr>
<td>demand and request flexibility from provider</td>
<td>maximize usage of all items</td>
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<td>• Practice consistent inventory management</td>
<td>• Make sure all staff are following “first</td>
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<tr>
<td>procedures</td>
<td>in first out” storage process</td>
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<tr>
<td>• Buy in Bulk, buy seasonal, buy local and</td>
<td>• Put in place a descriptive labeling</td>
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<tr>
<td>opt for imperfect produce</td>
<td>system</td>
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<th>Preparing</th>
<th>Menu and Serving</th>
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<tr>
<td>• Refine knife skills to reduce waste during</td>
<td>• Identify and drop poor performers</td>
</tr>
<tr>
<td>trimming and cutting</td>
<td>• Maximize cross-utilization of ingredients</td>
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<td>• Utilize ‘root to stalk’ and ‘nose to tail’</td>
<td>and re-purpose leftovers into new dishes</td>
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<td>methods to get the most out of your ingredients</td>
<td>• Offer specials to utilize ingredients</td>
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<td>• Implement just-in-time systems to reduce</td>
<td>before spoiling</td>
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<tr>
<td>overproduction</td>
<td>• Reduce portion sizes and serve complimentary</td>
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<td></td>
<td>appetizers and sides only if the customer is</td>
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<td></td>
<td>interested</td>
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STEP 3: RESCUE/RECOVERY

- Identify type and amount of extra food
- Determine packaging and storage requirements
- Understand frequency of donation need
- Select a food rescue partner
- Establish process and transportation plan
STEP 4: RECYCLE

Organics Recycling services will be provided by CR&R Environmental Services to all customers. All customers are required by law (SB 1383) to subscribe to an organics service by January 1, 2022. Failure to comply will result in penalties.

*Contact CR&R to establish organics services by January 2022*
WHAT CAN BE PLACED IN THE ORGANICS CART?

FOOD WASTE RECYCLING

YES
FRUITS
VEGETABLES
DAIRY
BREADS
GRAINS
MEAT
SEAFOOD
FISH
COFFEE GROUNDS

SÍ
FRUTAS
VERDURAS
PRODUCTOS LACTEOS
PANES
GRANOS
CARNE
MARISCOS
PESCADOS
CAFÉ MOLIDO DE GRANO

CR&R INCORPORATED
environmental services
the face of a greener generation

800.826.9677

NO
PLASTIC
GLASS
METAL
LIQUIDS
STYROFOAM

NO
PLASTICO
VIDRIO
METAL
LIQUIDOS
ESPUMA de POLIESTIRENO
Examples of food-soiled paper that are typically mixed in with food waste include uncoated products such as napkins, paper towels, tissues, cardboard, formed paper packaging such as egg cartons, and some, paper plates and cups. These items, when comingled with food waste, are subject to the organic recycling requirements.

Coated paper products such as, to-go containers, coffee cups, soda cups, food-service wrappers, pizza boxes, cardboard boxes, and similar materials can contain liners made of polyethylene or synthetic grease/water resistant components. These items should not be placed in the organic’s cart/bin.

*It is always advisable to check with your solid waste hauler and/or your compost/AD facility operator to determine which products the accept.*
1. Contract with a food recovery organization/service and provide a copy to the city.

2. Collect edible food per your food recovery partnership agreement.

3. Arrange a pick up with your food recovery partner.

4. Provide annual report to the city and repeat the process for subsequent donations.
DID YOU KNOW?

By donating edible food, businesses may:

• Receive tax incentives
• Comply with state and local waste mandates
• Decrease waste collection frequency
• Reduce food insecurity
• Divert food waste from landfills
DID YOU KNOW?

Food facilities that donate any food to a nonprofit charitable organization for human consumption are not liable for any damage or injury resulting from that consumption of the donated food, unless the injury resulted from negligence or a willful act. For more information visit:

- Los Angeles County Food DROP Program
  