

Reducing Food Waste in Carlsbad

SB 1383 Food Recovery Requirements

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



Food recovery is NOT donation dumping or a means to reduce solid waste service costs. Donation dumping, the act of donating food that is no longer edible, may result in noncompliance.

Did you know?

Federal and state laws protect businesses from liability when donating food as long as the food was handled safely before donation.



These laws provide food donors with liability protection

United State Code, Bill Emerson Good Samaritan Food Donation Act
California Health and Safety Code, Section 114432
California Health and Safety Code, Section 114433
California Food and Agricultural Code, Section 58505
California Civil Code, Section 1714.25(a)

New! SB 1383 Food Recovery Requirements

In an effort to reduce methane emissions, a new state law, 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. SB 1383 sets new food recovery requirements for select industries only, which are categorized into a tier system:

Tier One Generators* supermarkets, grocery stores, food service providers, food service distributors, wholesale vendors

Tier Two Generators* restaurants, hotels, health facilities, large venues, state agencies, local education agencies

*Size restrictions apply. See CalRecycle's website (www.calrecycle.ca.gov/organics/slcp)

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.**

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If your business is a Tier 1 or Tier 2 generator, SB 1383 sets new food recovery requirements:



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)



Contract/ Written Agreement Requirement

Tier 1 & Tier 2 generators must comply with the food donation requirement by establishing contracts or written agreements* with food recovery organizations or services.
*Food donors partnered with a food bank may already fulfill this requirement.
(SB 1383, Section 18991.3)



Record-keeping Requirements




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

- A list of each food recovery organization or service that collects or receives edible food pursuant to established contracts/written agreements.
- A copy of contracts/written agreements on-site.
- For each food recovery organization/service that the Tier 1 or Tier 2 generator has a contract or written agreement with:
 - The name, address and contact info of the service or organization.
 - The types of food that will be collected or self-hauled
 - The established frequency that food will be collected or self-hauled
 - The quantity of food collected or self-hauled, measured in pounds recovered per month.


(SB 1383, Section 18991.3)

Ready to get started? Contact a local food bank to get connected with a food recovery organization.



 (858) 452-3663
 fooddonation@feedingsandiego.org
 <https://feedingsandiego.org/get-involved/donate-food/>



 (858) 527-1419
 acarson@sandiegofoodbank.org
 <https://sandiegofoodbank.org/food-drives/food-industry-donations/>

Please visit the city's Sustainable Materials Management website for additional resources at www.carlsbadca.gov/recycling or email us at recycle.trash@carlsbadca.gov for questions.

