

# **ORDINANCE AND MOU IMPLEMENTING AN EDIBLE FOOD RECOVERY PROGRAM**

*In Compliance with SB 1383*



**R3** CONSULTING GROUP, INC.  
RESOURCES • RESPECT • RESPONSIBILITY

# AGENDA

## Organics Legislation Update

---

- SB 1383 Legislation Background
- Rural Waiver from Organics Collection

## Edible Food Recovery Program

---

- Jurisdiction Requirements
- Commercial Edible Food Generators

## Ordinance Requirements

---

## MOU – City and County Assignments

---

## Other SB 1383 Requirements

---

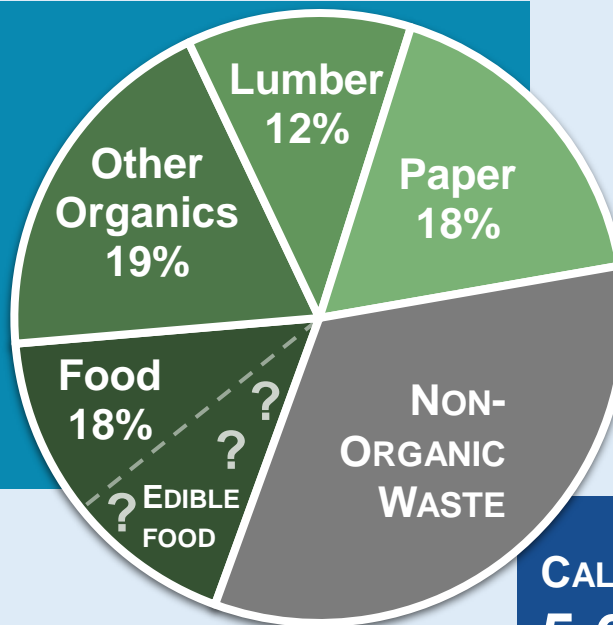


# ORGANICS LEGISLATION UPDATE

## *Organic Waste Is the Largest Waste Stream in California*

CALIFORNIA GENERATES  
**APPROXIMATELY  
20-23 MILLION TONS**  
OF ORGANIC WASTE  
EVERY YEAR

*THAT'S TWO-THIRDS  
OF OUR WASTE  
STREAM!*



IN CALIFORNIA, MILLIONS ARE  
**FOOD INSECURE**



**1 IN 8 CALIFORNIANS  
1 IN 5 CHILDREN**

CALIFORNIA THROWS AWAY  
**5.6 MILLION TONS**  
OF FOOD WASTE EVERY  
YEAR!



R3

## Senate Bill 1383: Short Lived Climate Pollutants Act

- **Unfunded State Mandate**
- **Local government requirements by January 1, 2022:**
  - Provide organic waste collection for all residents and most businesses - **Waiver**
  - **Establish edible food recovery program**
  - Identify, inspect and enforce generators for compliance with SB 1383



## Rural Exemption

- Counties with **Less than 70,000** People.
- Waives Requirement to Have an Organics Collection Program until **December 31, 2026**.
- County as Lead for San Benito County Integrated Waste Management Regional Agency Will Apply on Behalf of Cities.
- Edible Food Recovery Program Still Required  
Large food generators donate leftover edible food to food banks and food pantries via a written agreement.



# EDIBLE FOOD RECOVERY PROGRAM

## Jurisdiction Requirements

1. **Provide education** to affected businesses
2. **Post a list of food donation services** online
3. **Require formal agreements** between donors and recipients
4. **Inspect businesses** for compliance
5. **Identify and increase edible food recovery capacity** if needed
6. **Determine program funding** sources



# Commercial Food Generators

## Tier 1

January 1, 2022

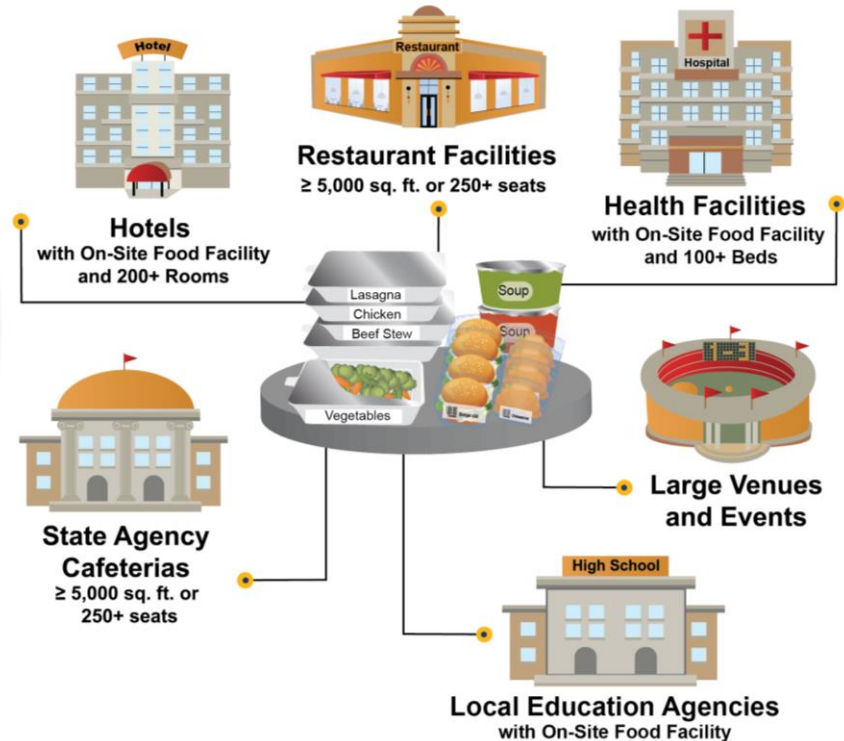
Tier one businesses typically have more produce, fresh grocery, and shelf-stable foods to donate.



## 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).





# ORDINANCE REQUIREMENTS

## Commercial Food Generators

*Must comply by 1/1/22 (Tier 1) & 1/1/24 (Tier 2)*

- **Must recover maximum amount** of edible food that would otherwise be disposed.
- **Need a contract / written agreement** with a food recovery organization.
- **Maintain records of:**
  - Donations to which food recovery organization
  - Copy of agreements or contracts
  - Types of food collected/transported, frequency, quantity (lbs)



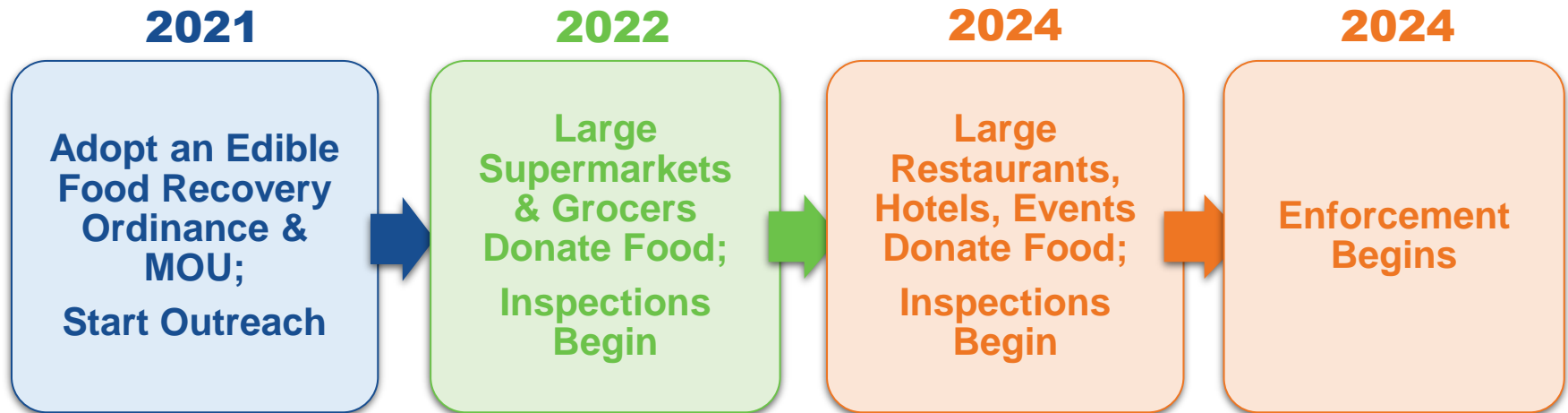


## Food Recovery Organizations & Services



- **Maintain records** of related to edible food recovery
  - Name, address, and contact information of involved parties (commercial edible food generators, food recovery services, and/or food recovery organizations)
  - Quantity of food collected, transported, and/or received per month (in pounds)
- **Report quantities** of food recovered to jurisdictions annually
- Cooperate with **capacity planning** efforts

## Summary of SB 1383 Edible Food Recovery Requirements



## Key Dates

### 2022



Jurisdictions establish edible food recovery program



Tier 1 commercial edible food generators must be compliant



Jurisdictions begin food recovery capacity planning



Jurisdictions begin food recovery education (annually)



Jurisdictions begin inspections of Tier 1 generators and food recovery orgs / services

### 2024



Tier 2 commercial edible food generators must be compliant



Jurisdictions begin inspections of Tier 2 commercial edible food generators



Jurisdictions take enforcement action for non-compliant entities

## County Capacity Planning



**Estimate amount** of edible food disposed



**Identify existing** food recovery capacity and proposed or potential new or expanded capacity



**Consult** with food recovery organizations and services



**Create a plan** to expand capacity, if needed, in coordination with Cities.

# MOU RESPONSIBILITIES

## County

- **Develop** a uniform, county-wide edible food recovery program
- **Notify** businesses of the requirements
- **Conduct** inspections, as needed
- **Enforce** requirements
- **Track and report** to CalRecycle

## City

- **Adopt** Ordinance and MOU
- **Coordinate** efforts with County
- **Provide** additional outreach
- **Be responsible** for other SB 1383 requirements
- **Work with the County** to resolve any issues of non-compliance.



# OTHER SB 1383 REQUIREMENTS

- **Buy** recycled content – writing and other paper
- **Track** paper purchases
- **Require** vendors to certify recycled content and recyclability
- **Comply** with CalGreen and MWELO.



# Feedback, Questions, Comments!



**R3** CONSULTING GROUP, INC.  
RESOURCES • RESPECT • RESPONSIBILITY