

State Law Now Requires Edible Food Donation

Regulations established by Senate Bill (SB) 1383 and Lakewood's Municipal Code (Ord. 2021-5) require certain commercial edible food generators to participate in a food donation program for the recovery of edible food.

Donating edible leftover or unsold food is a sensible way businesses can support local non-profits, food pantries, and soup kitchens, while feeding members of our community. It also helps to reduce greenhouse gas emissions and prevents organic waste from going to local landfills.

Who Has to Comply?

Commercial Edible 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).



- Tier 1 generator inspections begin January 1, 2022.
- Tier 2 generator inspections begin January 1, 2024.
- Enforcement begins January 1, 2024. Penalties may be issued with non-compliance with the requirements shown at right.



Edible food is intended for people to eat, including food not sold because of surplus, appearance, age, or freshness, and includes prepared food, packaged food, and produce

20% by 2025
Statewide edible food recovery goal

SB1383 Requirements

Generators must:

- ✓ Maintain a written agreement with all Food Recovery Organizations and/or Services that pick up or receive edible food.
- ✓ Safely recover edible food in accordance with the California Retail Food Code.
- ✓ Maintain monthly records of type, frequency, and pounds of food recovered.
- ✓ Shall not intentionally dispose of or compost edible food that can be donated.

Resources

Scan the QR code for:

- Information about the City's Edible Food Recovery program
- Information about Edible Food Recovery requirements
- Information about Food Recovery Organizations and Services available locally and where a list can be found
- Information about ways Edible Food Generators can help prevent the creation of food waste



tinyurl.com/LakewoodEFR



Edible Food Recovery Helps Everyone

Why Recover Edible Food?

Save Food: Californians send over 11 billion pounds of food to landfills each year, some of which was still fresh enough to feed people in need. While billions of meals go to waste, millions of Californians don't have enough to eat.*

11.2 Billion

Pounds of food sent to California landfills annually

Feed People: During the COVID-19 economic crisis, over 9 million Californians (23% of California's population) didn't know where their next meal would come from.*

9.2 Million

Number of Californians without enough to eat

Flight Climate Change: Landfills emit 20% of the state's methane, a climate super pollutant 84 times more potent than carbon dioxide. This comes from the break down of organics like food scraps, yard trimmings, paper, and cardboard. Reducing organic waste in landfills will have the fastest impact on the climate crisis. ^

Food that can't be donated must be composted through EDCO's mixed organics program, or through other arrangements that are documented. Compliance is mandatory and failure to comply with state regulations may result in fines or other enforcement actions.

What Food Can be Donated?

Food that is fit for consumption can and should be donated. This includes food that is edible but was not sold or set out because of surplus supply, appearance, age, freshness, grade, etc. Do not attempt to donate any food that is spoiled or otherwise unfit for human consumption or has been opened from its original packaging (unless individually wrapped) and is not "edible."



As long as you donate in good faith, your business is protected by the State and Federal Good Samaritan Food Donation Acts.

Recordkeeping Requirements Checklist

- A copy of contracts or written agreements with each Food Recovery Organization/Service
- A list of each Food Recovery Organization/Service that collects/receives edible food
- The name, address, and contact information for each Food Recovery Organization/Service used
- The types of food donated to each Food Recovery Organization/Service
- The established frequency of food donations to each Food Recovery Organization/Service
- The quantity of food donated to each Food Recovery Organization/Service, in pounds, by month (with backup)

*<https://calrecycle.ca.gov/organics/slcp/foodrecovery/> ^ <https://calrecycle.ca.gov/Organics/SLCP/>

For more information, visit tinyurl.com/LakewoodEFR

