

Feed People, Not Landfills

What is SB 1383?

Food makes up the single largest component in our landfills. California Senate Bill 1383 is a law revolutionizing how we handle food waste by mandating food scrap recycling and food recovery programs.

Food recovery (also known as "food donation") is the act of saving, redistributing, and/or donating edible excess food to local nonprofit organizations, such as food pantries, soup kitchens, and food banks.



Why was this law created?



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



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



While tons of food is disposed, **one in three** San Diegans is food insecure.

Ready to start a food recovery program?

1. Identify food for recovery.

- ✓ Surplus food fit for human consumption, e.g. excess food in holding, extra inventory, or dated food.
- ✗ Food that was in the "danger zone" (41°F-135°F) for over two hours.
- ✗ Any food that was not handled in accordance with the CA Retail Food Code.
- ✗ Moldy, discolored, or rotting food.

2. Establish internal logistics.

Identify where food donations be stored. Designate staff leads to manage the program.

3. Connect with a food recovery organization and establish an agreement.

Feeding San Diego

- ☎ (858) 452-3663
- ✉ fooddonation@feedingsandiego.org
- 📍 <https://feedingsandiego.org>

San Diego Food Bank

- ☎ (858) 527-1419
- ✉ acarson@sandiegofoodbank.org
- 📍 <https://sandiegofoodbank.org/>

4. Create Standard Operating Procedures and train staff.

Document the food recovery process. Incorporate training into staff onboarding.

5. Keep records.

Refer to the Record-keeping Requirements inside this brochure.



SB 1383 Food Recovery Overview



DEL MAR™

This material was developed for RSWA and associated cities in partnership with Solana Center for Environmental Innovation and San Diego Food System Alliance.



For more resources on food recovery, scan the QR code.

SB 1383 Food Recovery Overview

SB 1383 Requirements for Businesses

To maintain compliance with SB 1383, Tier 1 and Tier 2 Generators* must meet the following 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)



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.

(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 the business
- A copy of each contract/written agreement with food recovery entities
- For each food recovery entity the 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)

*Not sure if your business is a Tier 1 or Tier 2 generator? Check out the Quick Guide.

Quick Guide: Tier 1 & Tier 2 Generators

Tier 1 Generators = supermarkets, grocery stores, food service providers, food service distributors, wholesale vendors

[Must meet requirements by Jan. 1, 2022](#)

Tier 2 Generators = restaurants, hotels, health facilities, large venues, state agencies, local education agencies

[Must meet requirements by Jan. 1, 2024](#)

The size of your business will determine if you must comply. Contact your city representative to confirm Tier status.

Clement Brown

Tel 858.375.9524 | 858.755.2794

Email cbrown@delmar.ca.us



Did you know?



Food donation can **save businesses money** on waste hauling costs. Businesses can also receive an enhanced tax deduction for donating food.



Food facilities can **legally donate food** to any nonprofit or directly to individuals, as long as the food was handled safely before donation. Federal and State food donation laws **protect businesses from liability**.