



EDIBLE FOOD GENERATOR GUIDE



WHAT IS SB 1383?

In September 2016, former Governor Jerry Brown signed into law Senate Bill 1383 (SB 1383) establishing a statewide effort to reduce emissions of short-lived climate pollutants (SLCP). The law specifically sets the following targets:

- › Reduce statewide disposal of organic waste by 50% by January 1, 2020 and by 75% by January 1, 2025 (based on 2014 disposal levels).
- › Recover and redistribute at least 20% of currently disposed edible food for human consumption by 2025.

CalRecycle, the state agency responsible for creating the regulatory standards for SB 1383, has established the following key dates:

- › **Effective January 1st, 2022:** CalRecycle's regulations to meet statewide organics reduction and food recovery requirements take effect.
- › **Effective January 1st, 2024:** Regulations may require local jurisdictions to impose penalties for non-compliance on regulated businesses.

WHY ORGANIC WASTE?

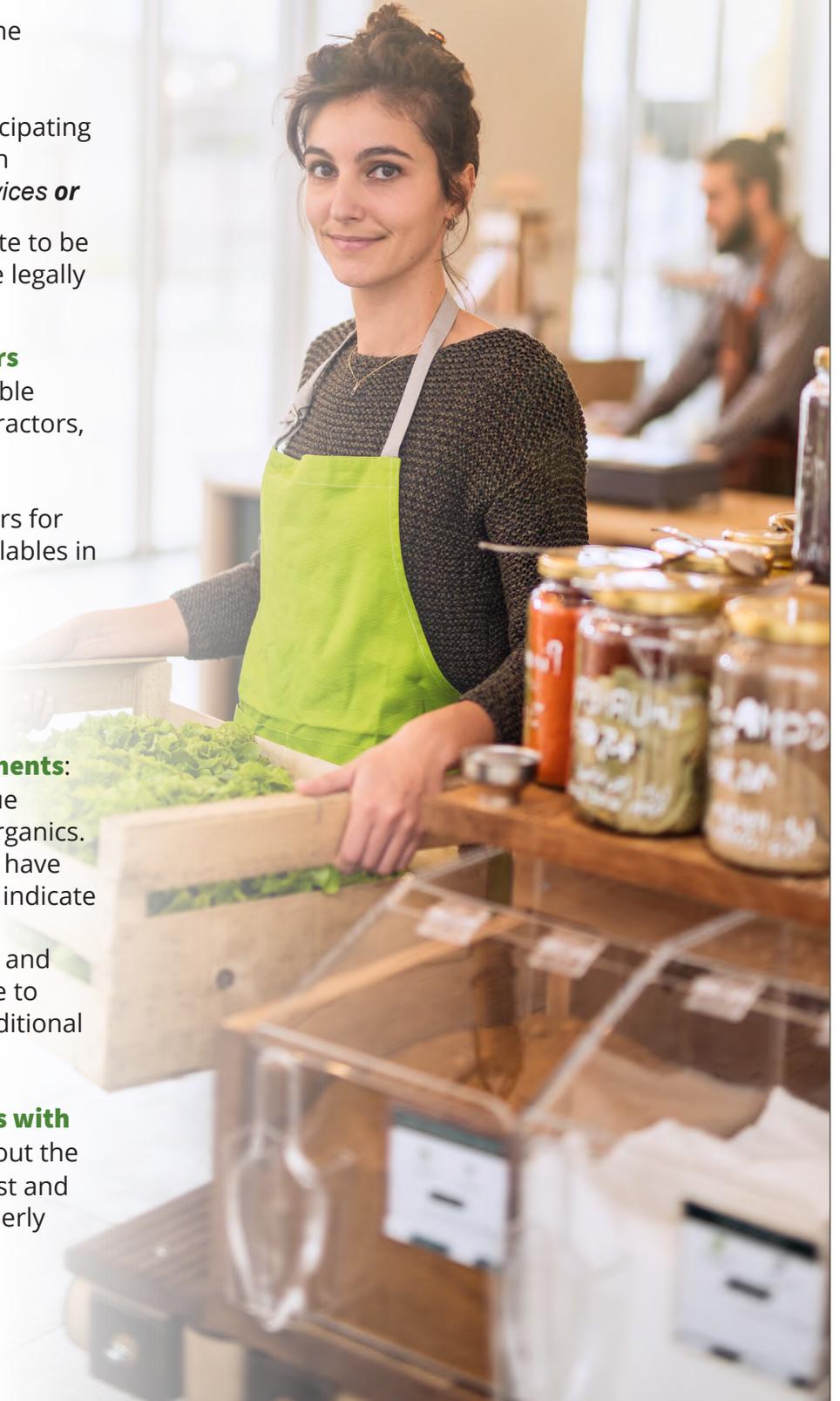
When organic waste, such as food, green waste, and paper products decompose in a landfill, they produce methane gas – a potent greenhouse gas pollutant. The intent of the organic waste diversion goal is to reduce the emissions of methane gas to combat global climate change.



WHAT DO BUSINESSES NEED TO DO?

SB 1383 applies to all businesses in California. If you own a business, beginning January 1, 2022 you are required to:

- ❑ **Divert organic waste** from the landfill by
 - Subscribing to and participating in the organics collection service via *Republic Services* **or**
 - Arrange for organic waste to be composted or otherwise legally managed on-site.
- ❑ **Provide collection containers** for organic waste and recyclable materials to employees, contractors, tenants, and customers
 - Provide indoor containers for organic waste and recyclables in all areas where disposal containers are provided for customers, except in restrooms.
- ❑ **Containers must meet standardized color requirements:** Gray or black for garbage, blue for recycling, and green for organics. Additionally, containers must have labels with graphic images to indicate acceptable and unacceptable materials. The City of Benicia and Republic Services may be able to provide these labels at no additional cost.
- ❑ **Annually provide employees with educational information** about the legal requirements to compost and recycle including how to properly sort between the three waste streams.



WHAT ARE THE REQUIREMENTS FOR EDIBLE FOOD RECOVERY?

SB 1383 requires edible food generators to do the following:

- ❑ **Recover excess edible food** – It is not required that businesses donate all excess edible food, however SB 1383 does include the following guidelines:
 - Edible food generators must recover the maximum amount of edible food that would otherwise be disposed of;
 - Edible food generators cannot intentionally spoil edible food;
 - Edible food generators are allowed to give away excess food to employees, take it home for personal use, or give it away to customers.
- ❑ **Establish contracts or written agreements** – Edible food generators must establish contracts or written agreements with food recovery organizations and services. Amounts and types of food accepted may vary, therefore edible food generators may need to establish contracts or written agreements with multiple food recovery organizations and services.
- ❑ **Maintain Records** – Edible food generators must maintain records of their food recovery activities. This includes:
 - A list of each food recovery service or organization that collects or receives its edible food under a contract or written agreement
 - A copy of contracts or written agreements between the edible food generator and a food recovery organization with the following:
 - The name, address and contact information of the service or organization
 - The types of food that will be collected by or self-hauled to the service or organization
 - The established frequency that food will be collected or self-hauled
 - The quantity of food, measured in pounds per month, collected or self-hauled to the service or organization for food recovery.

To assist edible food generators in locating and partnering with food recovery organizations, the City of Benicia maintains a list of local organizations and services.

The City of Benicia is required to monitor compliance by performing annual inspections to review the following records:

- ✓ Contracts or written agreements with food recovery organizations and services
- ✓ Schedules for food recovery deliveries or collections
- ✓ Quantity of food recovered in pounds per month
- ✓ Types of food each food recovery organization will receive or collect.

RESOURCES

To learn more about SB 1383's requirements for edible food generators, visit www.calrecycle.ca.gov/organics/slcp/foodrecovery or contact

› Republic Services
Marie Knutson, Recycling Coordinator
(925)671-5814 or MKnutson@republicservices.com

› City of Benicia
Sharon Denney, Solid Waste and Recycling Coordinator
(707) 746-4215 | sdenney@ci.benicia.ca.us