

SB 1383 & Hunger Relief Nonprofits

Do you work for a food pantry, soup kitchen, shelter, or other hunger-relief organization that receives donated food from businesses?

A new state law, [SB 1383](#), may affect your work.

What is SB 1383?

As part of an effort to reduce methane emissions, SB 1383 is a state law that 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.

Cities and counties are required to implement a variety of programs to advance these goals. The California Department of Resources Recycling and Recovery (CalRecycle) will enforce upon cities and penalize for non-compliance.

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SB 1383 TARGETS

BY 2020

↓ **50%**

organic waste disposal

BY 2025

↓ **75%**

organic waste disposal

BY 2025

↑ **20%**

edible food recovery

Looking for food donation support?

- Contact San Diego Food Bank staff – Amanda Carson, acarson@sandiegofoodbank.org
- Contact Feeding San Diego staff – Kate Garrett, kgarrett@feedingsandiego.org

Have more questions about SB 1383 requirements and regulations?

- Contact San Diego Food System Alliance staff – Geertje Grootenhuis, geertje@sdfsa.org

How will SB 1383 affect hunger-relief organizations?



1) It will increase food donations from businesses.

Certain businesses that generate food (Tier One and Two businesses) will be required to start donating the maximum amount of surplus edible food fit for human consumption.

TIER ONE BUSINESSES

Supermarkets, grocery stores, food service providers (e.g. Bon Appetit, Aramark), food distributors (e.g. Sysco), and wholesale vendors (e.g. Bimbo Bakeries)

On January 1, 2022, Tier One businesses must begin donating their surplus food.

TIER TWO BUSINESSES

Large restaurants, hotels, health facilities, large venues, state agencies, and local education agencies

On January 1, 2024, Tier Two businesses must begin donating their surplus food.

NOTE

Tier One and Two businesses (food donors) are required to establish contracts or written agreements with food recovery organizations, and they must keep a copy of the contract or agreement onsite. Food donors partnered with a food bank may already fulfill this requirement.

2) It can increase support for your organization.

Cities must ensure that there is enough food recovery capacity for the Tier One and Two businesses mentioned above. To do this, cities must survey food pantries, shelters, and other organizations currently accepting food donations from businesses to understand their current ability and physical space to accept additional food and provide support to expand capacity if needed.

3) Food recovery organizations will be subject to new requirements.

Food recovery organizations must maintain records of food they receive from Tier One and Two donors, and report annually to the city they are located in.



RECORD-KEEPING REQUIREMENTS

Your organization must keep records of the following:

- Name, address, and contact information for each Tier One and Tier Two food donor that your organization collects/receives food from.
- The quantity in pounds of edible food collected/received from each food donor per month.

If your organization transports rescued food to other organizations, you must keep record of the quantity in pounds of edible food transported to each organization per month.

REPORTING REQUIREMENTS

Your organization must report the total pounds of edible food recovered in the previous calendar year to the city where your primary address is located (City staff will reach out to request this information from your organization annually).

TIMELINE

Starting January 1, 2022, food recovery organizations must comply with the record-keeping and reporting requirements. Food recovery organizations should begin keeping records on Jan 1, 2022 to be prepared when city staff ask for this each summer. (Cities must report this information to the State in August of each year).

Starting January 1, 2022, cities will conduct inspections to monitor compliance.

NOTE

It is at the discretion of individual food recovery organizations and services to decide if they would like to participate in SB 1383. If a food recovery organization or service is rescuing food from Tier One and Two businesses, then the SB 1383 record-keeping and reporting requirements will apply.