

SB 1383

Edible Food Recovery

Amanda Griffis

Supervising Environmental Resource Specialist, Napa County Public Works
Staff, Upper Valley Waste Management Agency

What is SB 1383?

- ▶ Most significant waste reduction mandate to be adopted in California in the last 35 years
- ▶ Landfilling organic waste leads to the anaerobic breakdown of that material, which creates methane, a climate super pollutant
- ▶ Methane gas is a super pollutant that heavily contributes to climate change
- ▶ SB 1383 statewide targets:
 - ▶ 75% less organic waste sent to landfills
 - ▶ 20% of unsold, still-edible food sent to food recovery organizations

What is SB 1383?

- ▶ Jurisdiction responsibilities:
 - ▶ Provide Organics Collection Services for All Generators (residential, commercial, industrial, schools, etc.)
 - ▶ Establish Edible Food Recovery Program
 - ▶ Conduct Education and Outreach
 - ▶ Procure Recycled-Content Paper Products and Recovered Organic-derived Products
 - ▶ Secure Access to Recycling and Edible Food Recovery Capacity
 - ▶ Monitor Compliance
 - ▶ Conduct Enforcement

Food Recovery

- ▶ Food recovery means collecting edible food that would otherwise go to waste and redistributing it to feed people in need.
- ▶ SB 1383 sets a statewide target that 20% of currently disposed edible food is recovered for human consumption
- ▶ Californians send 2.5 billion meals worth of still-fresh, unsold food to landfills each year as 1 in 5 Californians does not have enough to eat.
- ▶ For every 2 ½ tons of food rescued, that's the equivalent of taking 1 car off the road for a year.
- ▶ Recovering one ton of edible food could provide more than 1600 meals to hungry people.

Jurisdiction Requirements

- ▶ Identify Existing Food Recovery Capacity
- ▶ Expand Existing Food Recovery Capacity (if needed)
- ▶ Ensure Commercial Edible Food Generators Have Access to Food Recovery Services
- ▶ Monitor Commercial Edible Food Generators for Compliance

Food Recovery Capacity Assessments

- ▶ Counties are required to collect capacity information from jurisdictions and submit to CalRecycle
 - ▶ Estimate how much unsold edible food is going to landfills/compost
 - ▶ Current capacity at food recovery organizations and services
 - ▶ If additional capacity is needed
 - ▶ If additional capacity is needed, create and implement plans to expand capacity
- ▶ Must identify any jurisdiction that does not have enough verified existing, planned or new capacity

Food Recovery Capacity Assessments

- ▶ First planning period January 1, 2022 - December 31, 2024
- ▶ Napa County lead RFQ process and hired consultant Abound Food Care. All cities in Napa County contributed to costs.
- ▶ Determination:
 - ▶ Estimated edible food going to landfill: 1,192.02 tons
 - ▶ Edible food recovery capacity verifiably available: 154.35 tons
 - ▶ Needed edible food recovery capacity: 1,037.67 tons
- ▶ Implementation schedules submitted to CalRecycle

Food Recovery Capacity Assessments

- ▶ Currently in second planning period
- ▶ Second planning period January 1, 2025 - December 31, 2034
- ▶ No consultant, completed by jurisdiction staff
- ▶ Determination:
 - ▶ Estimated edible food going to landfill: 2,578.67 tons
 - ▶ Edible food recovery capacity verifiably available: 725.79 tons
 - ▶ Needed edible food recovery capacity: 1,852.88 tons
- ▶ Implementation schedules submitted to CalRecycle

Food Recovery Capacity Assessments

- ▶ Food recovery capacity available:
 - ▶ 2024: 154.35 tons
 - ▶ 2034: 725.79 tons
- ▶ Additional food recovery capacity needed:
 - ▶ 2024: 1,037.67 tons
 - ▶ 2034: 1,852.88 tons
- ▶ Implementation schedules must include:
 - ▶ Obtaining funding for edible food recovery infrastructure expansion
 - ▶ Identifying facilities with the ability to expand capacity
- ▶ Reasons for lack of capacity

Food Donors

- ▶ SB 1383 defines two groups of businesses that are required to donate the maximum amount of edible food they would otherwise dispose
- ▶ Tier One - often have produce, groceries and shelf stable foods.
Compliance began January 1, 2022
 - ▶ Supermarkets with revenue \geq \$2million.
 - ▶ Grocery Stores with Facilities \geq 10,000 sq. ft.
 - ▶ Food Service Providers
 - ▶ Food Distributors
 - ▶ Wholesale Food Vendors

Food Donors

- ▶ Tier Two - often have more prepared foods to donate. Compliance began January 1, 2024
 - ▶ Restaurants with Facilities \geq 5,000sq. ft. or 250+ seats
 - ▶ Hotels with an On-Site Food Facility and 200+ Rooms
 - ▶ Health Facilities with an On-Site Food Facility and 100+ Beds
 - ▶ Large Venues and Events (\geq 2,000 people per day of operation)
 - ▶ State Agency Cafeterias with Facilities \geq 5,000 sq. ft. or 250+ seats
 - ▶ Local Education Agency with an On-Site Food Facility
 - ▶ Non-Local Entities

	Business Type	City of Napa	Napa County Unincorp.	City of St Helena	City of American Canyon	Town of Yountville	City of Calistoga	Total
T1	Supermarkets and Grocery Stores	13	1	2	2		1	19
	Food Service Providers							
	Food Distributors & Wholesale Food Vendors	12	12	2	1			29
T2	Restaurants	9	9	2		1		21
	Hotels	3	1					4
	Health Facilities	3	2			1		6
	Large Venues and Events	3	2					5
	State Agency Cafeterias							
	Local Education Agency	1	3	1			1	6
	Total	44	30	7	3	2	2	90

T1 and T2 Donor Requirements

- ▶ Donate max amount that would otherwise be disposed
- ▶ Sign and maintain written agreement with food recovery service or organization
- ▶ Keep records:
 - ▶ Copies of agreements with food recovery services or organizations
 - ▶ Types of food being donated
 - ▶ Pounds donated per month and frequency of donations
- ▶ Do not intentionally spoil food that is suitable for donation
- ▶ For large venues or large event operators that do not provide food services, but allow for food to be provided, require food facilities operating on site to comply with these requirements
- ▶ Accommodate site inspections

Food Recovery Organization and Service Requirements

- ▶ Food Recovery Organization (FRO): an entity that engages in the collection or receipt of edible food from T1 or T2 donors and distributes that edible food to the public either directly or through other entities
- ▶ Food Recovery Service (FRS): a person or entity that collects and transports edible food from T1 or T2 donors to a food recovery organization or other entities
- ▶ If a FRO or FRS chooses to establish written agreements with T1 or T2 donors, they must keep records of the total pounds collected from donors and report to jurisdictions annually
- ▶ Nothing in SB 1383's regulations requires a FRO or FRS to establish a contract or written agreement with a T1 or T1 donor

Inspections

- ▶ Jurisdictions are required to monitor T1 and T2 donor compliance
- ▶ Inspections must verify
 - ▶ Contracts or written agreements
 - ▶ Recordkeeping
 - ▶ Donating maximum amount
- ▶ Must conduct sufficient number of inspections annually to adequately determine overall compliance

SB1383 EDIBLE FOOD RECOVERY INSPECTION REPORT			
Date		Inspector Initials	
Business Name			
Address			
City, Zip			
Phone Number			
Onsite staff person & Title			
Donor Category			
Facility Size*			
Number of Seats*		Number of Beds or Rooms*	
<small>*Add Total Facility Size for Grocery Stores, Restaurants. Add Number of Seats for Restaurants. Add Number of Beds for Health Facilities. Add Number of Rooms for Hotels</small>			
Verifications	In Compliance	Not Accessible or Could Not Assess	Out of Compliance
Generator is maximizing edible food recovery			
Using at least one food recovery organization or service and has written agreements with all services being used			
No intentional edible food spoilage			
Keeping required food donation records			
No evidence of edible food in trash, compost or recycling			
Observations:			

Outreach Materials

- ▶ Jurisdictions are required to educate T1 and T2 donors about these requirements

A current list of food recovery services and organizations serving Napa County's SB 1383 mandated donors is below.

Local Food Recovery Services and Organizations in Napa County		
Vendor	Contact	Notes
Abode Services	Pete Duenas, Kitchen Coordinator; pduenas@abode.org OR Wendi Moore, Community Engagement Coordinator; wmoore@abode.org	South Napa Shelter can accept donations of prepared foods if they have been prepared in a commercial kitchen, stored and transported at food-safe temperatures. Larger quantities are preferred (full restaurant pans). We accept non-expired canned foods, preferring fruits, vegetables and proteins. We accept fresh and frozen meat and other proteins that have been stored at food-safe temperatures, uncooked grains and pasta, and fresh uncut fruit. Boxed cereal, but no breads or pastries please.
Calistoga Cares Food Bank	Reggie Wilford, 214-425-7294, calistogacaresfoodbankinc@mail.com	We accept food items that are NOT expired!!! Common items needed include Rice, Beans, Peanut Butter, Canned Veggies and Fruit
Community Action of Napa Valley	Donate Now! Phone: 707-253-6128 canv@can-v.org	Acceptable donations: bread/bakery, deli, dairy, meat produce, dry good (canned, packed shelf stable)

California Law Requires Donation of Edible Food

CA State Law SB 1383 went into effect January 1, 2022 and requires certain Commercial Edible Food Generators to donate edible food to people in need and reduce organic waste they send to landfills.



Why Recover Food?

Food recovery means collecting edible food that would otherwise go to waste and redistributing it to feed people in need. This is the highest and best use for food that would otherwise go to waste. Californians send 11.2 billion pounds of food to landfills each year, some of which was still fresh enough to have been recovered. While billions of meals go to waste, millions of Californians don't have enough to eat. When you participate in food recovery, you are helping serve a vulnerable part of our community while playing a part in protecting our environment.

What Tier Are You In?

SB 1383 places Commercial Edible Food Generators into two tiers, with different deadlines to comply

Tier 1

January 1, 2022

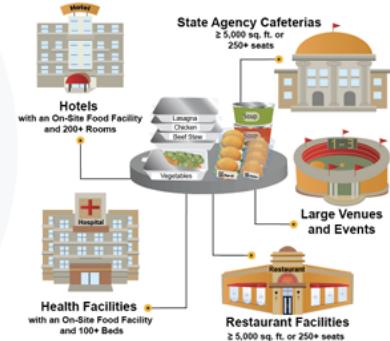
Tier one businesses typically have more produce, fresh grocery, and shelf-stable foods to donate.



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).



ESCANEAR EN ESPAÑOL

Food Recovery Capacity Expansion

- ▶ Napa County Food Recovery Capacity Building Notice of Funding Availability released in response to first capacity assessment from August 2022
- ▶ \$90,000 allotted for projects that expand the capacity for edible food recovery in Napa County
 - ▶ Funding provided by Napa County, Upper Valley Waste Management Agency and City of Napa
- ▶ Notice released April 2024 and proposals due May 2024
- ▶ Received two applications and awarded both:
 - ▶ \$40,000 Community Action Napa Valley (Napa Food Bank)
 - ▶ \$50,000 Feeding it Forward
- ▶ Original goal was for projects to be completed in October 2025, but both have been extended through June 2026 and project scopes amended

Feeding it Forward

- ▶ \$50,000 awarded for:
 - ▶ Installation of solar refrigeration unit in van (van was already purchased and not included)
 - ▶ Data tracking program subscription for one year
 - ▶ Update of outreach materials and website
 - ▶ Tables, compostable bags, gloves, pop up tents, carts, etc.

Photos provided by Feeding it Forward



Community Action Napa Valley Napa Food Bank

- ▶ \$40,000 awarded for:
 - ▶ Purchase of sprinter van and portion of van warranty

Photo provided by CANV



Food Recovery Countywide Collaboration

- ▶ Napa County, City of Napa, City of American Canyon and Upper Valley Waste Management Agency meet and communicate to best implement Countywide compliance
- ▶ Last Countywide meeting was December 2, 2025. Collaborative projects discussed:
 - ▶ Potential collaboration or combination with Napa County Master Tobacco Settlement grants
 - ▶ Contract for baseline study to assess how much capacity has expanded, the current status of capacity and how to best help FROs and FRSs accept and expand capacity to accept T1 and T2 donor food.

Challenges and Next Steps

- ▶ Challenges experienced by jurisdiction staff
- ▶ Estimate on current compliance
- ▶ Next Steps
 - ▶ Final reports from food recovery capacity expansion grants from 2024
 - ▶ Updated baseline study for food recovery capacity
 - ▶ Continue outreach, education and onboarding of T1 and T2 donors

Amanda Griffis

Amanda.Griffis@countyofnapa.org

707-259-8330

www.napacounty.gov/foodrecovery



A Tradition of Stewardship
A Commitment to Service



Upper Valley Agency
WASTE MANAGEMENT