

NOTICE: New Law Requires Donation of Surplus Edible Food

New State law, SB 1383, and the Alameda County Organics Reduction and Recycling Ordinance go into effect January 1, 2022 and require all businesses to keep compostable and recyclable materials out of landfills. The laws also require certain food generating businesses to donate surplus edible food to feed people instead of composting it.

What does this mean for businesses with surplus edible food?

There are three main requirements to comply with the law. See pg. 2 for details and free support.

- 1 Save and donate the maximum amount of surplus edible food that would otherwise be disposed, e.g. in landfill or compost.
- 2 Have written agreements with food recovery services or organizations picking up or receiving your surplus edible food.
- 3 Maintain monthly records of type, frequency, and pounds of food recovered.

When do the requirements go into effect?

The surplus edible food donation requirements are being implemented in two phases, depending on the type and size of businesses:

January 1, 2022: Tier 1 sites – Large supermarkets (\$2M+ gross annual sales), grocery stores (>10,000 sq. ft.), food service providers, food distributors, and wholesale food vendors.

January 1, 2024: Tier 2 sites – Large health facilities (100+ beds), hotels (200+ rooms), large venues and special events (2,000+ individuals per day), restaurants (>5,000 sq. ft. or 250+ seats), state agency facilities, and public schools.

For details, visit www.StopWaste.org/Rules-Food-Recovery.



Why does the law require donation of surplus edible food?

Donating rescued surplus edible food helps feed the one in four Alameda County residents facing challenges with securing healthy, nutritious food.

Rescuing surplus edible food also makes the most of the significant resources that go into growing, processing, and transporting our food.

中文 (Chinese), 한국인 (Korean), Español (Spanish), and Tiếng Việt (Vietnamese):

For translated information about the new law, visit www.StopWaste.org/Rules-Languages.

How to Comply with the Edible Food Recovery Requirements



Step 1

Assess Surplus Edible Food

Determine the amount, type, and frequency of surplus edible food your business generates. This may include prepared foods, packaged foods, produce, and other foods fit for human consumption.



Step 2

Contract with a Food Recovery Partner

Select one or more food recovery organization(s) or service(s) to pick up or receive your surplus edible food. Then, enter into (a) written agreement(s) and maintain copies.



Step 3

Donate Surplus Food Safely

In collaboration with your food recovery partner(s), set up protocols to ensure that California Retail Food Code food safety laws are followed throughout the food preparation and storage processes.



Step 4

Keep Records

Maintain documentation of the types and quantity of food (measured in pounds) recovered per month and the frequency of collections/deliveries to your contracted food recovery partners.

FREE



Resources

Contact information for local food recovery organizations and services:

Resource.StopWaste.org/Food-Recovery-Organizations

Donation agreement template, food donation guide including safe food handling instructions, and more:

www.StopWaste.org/Rules-Food-Recovery

Support

Request in-person, phone, or virtual assistance to help set up a food donation program and look for opportunities to reduce food waste at your site:

www.StopWaste.org/Request-Help