



City of Modesto
Solid Waste Division
Public Works Department
1010 Tenth Street, Suite 4100
Modesto, CA 95354

Commercial Edible Food Recovery in Modesto

February 1, 2022

To Whom It May Concern:

In September 2016, Governor Edmund Brown Jr. set methane emissions reduction targets for California (SB 1383 Lara, chapter 395, Statutes of 2016) in a statewide effort to reduce emissions of short-lived climate pollutants (SLCP). From 2016-2020, CalRecycle worked to develop regulations to achieve the goals of SB 1383. These new regulations were finalized by CalRecycle in November 2020 and begin to take effect in January 2022.

What does SB 1383 mean for edible food recovery? To reduce unnecessary food waste and help address food insecurity, SB 1383 requires that by 2025, the state of California will recover and redistribute 20 percent of *edible* food that would have otherwise been sent to landfills. Edible food is defined as food that is intended for people to eat, including food not sold because of appearance, age, freshness, grade, surplus, etc. Edible food includes, but is not limited to, prepared foods, packaged foods, and produce. All edible food must meet the food safety requirements of the California Retail Code.

Who must recycle? Tier 1- beginning in 2022: (Wholesale Food Vendors, Food Service Providers, Food Distributors and Grocery and Supermarkets) and Tier 2- beginning in 2024: (Hotels, Restaurants, Health Facilities, State Agency Cafeterias, Large Venues and Events and Local Education Agencies)

- Tier 1 and Tier 2 edible food generators shall not intentionally spoil edible food that is capable of being recovered by a food recovery organization/Service.
- Edible food generators are allowed to give away excess food to employees, take home for personal use, give it away to customers, etc.

SB 1383 requires edible food generators to comply with the following:

- The City of Modesto will establish edible food recovery outreach and inspection programs, partner mandated edible food generators with food recovery organizations/services.
- Mandated edible food generators must arrange to recover the maximum amount of your edible food that would otherwise go to landfills. You will be required to have contracts in place with food recovery organization/services and keep all food recovery records.
- Food recovery organizations/services that work with mandated edible food generator must maintain and submit records of edible food recovery.

Next steps? The City of Modesto will be contacting all Tier 1 generators in Spring of 2022 to help establish food donation tracking forms and contractual agreements with food donation recipients. Additional information about edible food recovery can be found on CalRecycle's website: <https://www.calrecycle.ca.gov/organics/slcp/foodrecovery/donors>. You can also contact the City of Modesto Solid Waste Division at 209.577.5495 for more information.

Thank you for your efforts to help recovery edible food waste in our community!

Vicki Rice

Recycling Program Coordinator
City of Modesto