

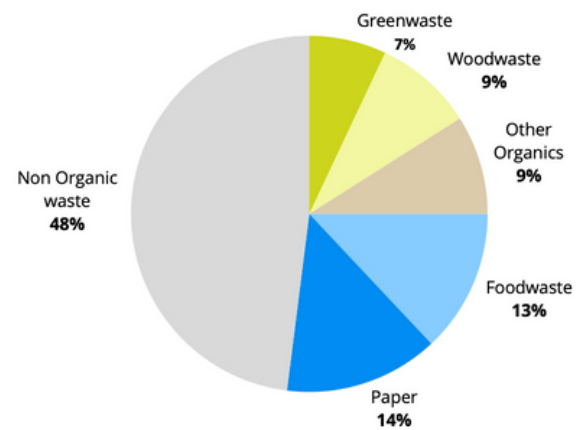
# SB 1383 Compliance Guide for Businesses

## Understanding the Legislation

Organic waste (meaning materials such as food, yard waste, food-soiled paper, and natural fibers) makes up over half of California's waste stream. When landfilled, it generates methane, an extremely potent greenhouse gas that contributes to climate change and public health concerns. In a statewide effort to reduce emissions of short-lived climate pollutants, particularly from organic waste, Senate Bill (SB) 1383 requires organic waste diversion and sets parameters for edible food recovery.

SB 1383 lays out a comprehensive guide for food waste prevention, edible food recovery, and organic waste diversion from landfills in the State. Simply put, SB 1383 requires that businesses implement programs to ensure organic materials are no longer put in the trash, with edible food instead being donated and the rest sorted for organic waste recycling.

## California's Waste Stream



Source: CalRecycle

## Why is SB 1383 Important?



- **Valuing Critical Resources** - Landfilling organic waste forever discards valuable resources. Recycling these materials extends landfill capacity and produces new resources, such as compost and renewable natural gas.



- **Fighting California's Climate Crisis** - The climate crisis is evident in sea level rise, extreme temperatures, longer fire seasons, and droughts. Recycling organic material reduces short-lived climate super pollutants that accelerate the climate crisis.



- **Feeding Hungry People** - Tons of edible food is disposed daily, while millions across California are food insecure. Rescuing edible food for recovery helps feed our communities.

## SB 1383 Statewide Targets

### 2020:

50% Reduction in Landfilled Organics

### 2025:

75% Reduction in Landfilled Organics & 20% Donation of Currently Disposed Edible Food

## How Will SB 1383 Impact My Business?

Everyone living and working in California will be impacted by SB 1383, as it **requires** all residents and businesses to **divert their organic waste**. In order to meet SB 1383's targets, your business must take the following actions to comply with all program requirements:

### 1 Establish an Organics Recycling Program:

- **Enroll in curbside organics recycling service** with EDCO. They will deliver a green bin for organic material. Trash and recycling streams may be right-sized to accommodate your enclosure space.
- **Alternatively, self-haul organic materials** rather than enrolling in a curbside organics recycling program. The regulations allow you to take your organic material to a processing facility or to manage the material on-site, for example by composting. Contact your city for available options.
- **Provide organics and recycling bins** in all areas where disposal containers are provided and where such materials are generated, except in restrooms. Bins must be provided in adequate numbers, sizes, and locations, with correct labels and/or colors to align with the waste type. Customizable signage is available on CalRecycle's website.
- **Annually provide education** to employees, contractors, tenants (within 14 days of occupying premises), and customers about proper waste sorting.
- **Periodically inspect containers** for contaminants (e.g., edible foods or non-organic material in your green bin). Inform employees and tenants if contamination is found and improve sorting signage.
- **Maintain responsibility** of ensuring that employees, contractors, tenants and customers properly sort organic materials into correct containers at business establishments.



To enroll in curbside organics recycling service, contact EDCO at **(760) 744-2700** or visit **www.EDCOdisposal.com**

### 2 Establish a Food Donation Program:

Food donation is mandatory for Tier One and Tier Two generators and encouraged for all food generating businesses. Tier classification depends on the following business categories plus additional size parameters. Contact your jurisdiction for details.

**Tier One generators** are supermarkets, grocery stores, food service providers, food distributors, and wholesale food vendors.

**Tier Two generators** are restaurants, hotels, health facilities, large venues and events, state agencies and local education agencies.

Regulated generators must implement the following:

- **Establish a contract** or written agreement with a food recovery entity.
- **Donate the maximum** amount of edible food.
- **Maintain records** of food donation activities.

Check the included insert for further guidance on food waste prevention and food recovery.



## Business Requirements Timeline

**Beginning 2022:** Participation in organics recycling program required

**January 1, 2022:** Tier One generators must have a food donation program

**January 1, 2024:** Tier Two generators must have a food donation program

## Organic Waste Diversion

After enrolling in organics recycling service, all organic material needs to be sorted into a third stream, separate from trash and recyclables. In order to ensure compliance:

- Educate all employees and tenants on how to properly sort materials
- Co-locate organics recycling containers with trash and recycling bins
- Post sorting signage at eye-level in all disposal areas

### Accepted Items:

- Meat & bones
- Dairy & eggs
- Bread & grains
- Fruits & vegetables (including peels, pits & rinds)
- Food-soiled paper (napkins, coffee filters, tea bags, unlined paper plates)
- Green waste (plants, grass clippings, leaves, branches)



**"If it grows, it goes!"**

### Contaminants:

- Plastic bags (including those labeled as "compostable")
- Glass
- Metal
- Styrofoam
- Plastic containers (including those labeled as "compostable")
- Bottles
- Fats, oils & greases (FOG)
- Wax paper
- Rocks & dirt



For more information on what goes where, contact EDCO at **(760) 744-2700** or visit **[www.EDCOdisposal.com](http://www.EDCOdisposal.com)**.

## How Are Materials Processed?

Organic material discarded in your green organics bin will be sent to an organic waste diversion facility such as a composting or anaerobic digestion facility. In these natural processes, microorganisms break down organic materials such as food waste. Organic material is recycled into renewable natural gas and soil amendments.



EDCO's Anaerobic Digestion Facility

## Self-Hauling and Exemptions

SB 1383 allows for businesses to self-haul their organic waste to a high-diversion facility. To assist cities with their reporting requirements, self-haulers are required to maintain records of the amount of organic material diverted through delivery receipts and weight tickets.

**Exemptions** from enrolling in organics recycling service may be granted by your city if your business:

1. generates more than 2 cubic yards (CY) of solid waste per week and organic waste is less than 20 gallons per week or
2. generates less than 2 CY of solid waste per week and organic waste is less than 10 gallons per week or
3. lacks adequate space for organic waste containers.

For more information on self-hauling options and potential exemptions, contact your city.

## Monitoring & Inspections

SB 1383 requires cities to monitor and inspect businesses to ensure they follow legislative guidelines and to identify areas where support may be needed. All businesses must allow access to their property by the city and the waste hauler.



**Organics Recycling Monitoring** entails review of organics recycling program compliance, including bin setup, contamination levels, and signage. Monitoring will be conducted by EDCO once pick-up service is in place.



**Edible Food Recovery Inspections** will be conducted by your city at Tier One businesses beginning January 1, 2022 and at Tier Two businesses beginning January 1, 2024. Check the insert for compliance guidelines.

Your city will begin investigating noncompliance complaints starting January 1, 2022. Until the end of 2023, your city is responsible for providing educational material to support you with compliance.

### Enforcement Timeline

**January 1, 2022**

- Compliance reviews of all solid waste collection accounts begin
- Inspections of Tier One generators begin

**January 1, 2024**

- Enforcement of all violations begin
- Inspections of Tier Two generators begin

## Questions?

For more information on SB 1383 and how this will impact your business, please contact:



### City of Encinitas

recycling@encinitasca.gov  
(760) 633-2859

### EDCO

csrsm@edcodisposal.com  
1-760-744-2700

### Solana Center for Environmental Innovation

zero.waste@solanacenter.org  
(760) 436-7986 ex. 704

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# Food Waste Prevention for Commercial Kitchens

Before utilizing edible food recovery and organic recycling as a means to divert organic materials from the landfill, commercial kitchens should prioritize the first line of defense against food waste: prevention. Food waste prevention can take shape in many forms. Use the tips below to start preventing food waste before it happens!

## Purchasing:



- Work with suppliers to enable flexibility for adjustments to purchase based on demand.
- Manage inventory with consistent procedures to streamline flow of items.
- Purchase seasonal and local foods and buy in bulk when possible.
- Buy produce with imperfections at a reduced cost - tastes just as good!

## Storing:



- Learn best storage and handling techniques for all inventory and implement techniques to maximize the life of foods (e.g., freezing, dehydrating).
- Train staff on “first expired, first out” storage practices.
- Implement a labeling system that is thorough, descriptive, and visible.

## Preparing:



- Reduce trim waste by refining knife skills.
- Use all parts of an ingredient with the ‘root to stalk’ and ‘nose to tail’ methods.
- Practice a just-in-time system to reduce overproduction and serve fresh.

## Serving:



- Identify less popular items and drop poor performers.
- Cross-utilize ingredients, revamp leftovers, and offer seasonal options across menu items to minimize waste and spoilage.
- Adjust and reduce portion sizes and garnishes. On average, plate waste accounts for 70% of food waste in a restaurant.
- Offer before serving. Inquire if customers want complimentary sides before automatically serving them.

## Food Donation for Businesses

While 1 in 3 San Diegans are food insecure, 500,000 tons of food is wasted in San Diego every year. In order to address inequity, SB 1383 requires edible food recovery from businesses identified as **Tier One** and **Tier Two generators**. All food generating businesses are also encouraged to participate in food donation programs. Establishing a food recovery program, which donates edible food to food recovery organizations and services, is an important way to keep food out of the landfill and feed people in need.

To support you, resource guides on the following topics are available:

- SB 1383 Food Recovery Requirements Overview
- Food Donation Liability Protections and Food Safety
- A Guide to Food Donation Tax Deductions
- Food Recovery Agreement Template
- Steps for Setting Up and Maintaining a Food Recovery Program

Visit your city's website to access the guides and for more information.



## Requirements & Record-Keeping

To comply with edible food recovery requirements, Tier One and Tier Two generators must implement a food recovery program through the following actions:

- **Establish a contract** or written agreement with a food recovery entity.
- **Donate the maximum** amount of edible food that would otherwise be disposed.
- **Maintain records** of food donation activities:
  - Copies of contracts or written agreements with all food recovery organizations and services
  - For each contract or written agreement with a food recovery organization or service, maintain records of:
    - Name, address, and contact information of the organization or service
    - Schedules for food donation deliveries or collections
    - Quantity of food donated in pounds per month
    - Types of food each food recovery organization receives or collects

Your city will conduct inspections of businesses beginning January 2022, focusing on the largest food-generators first. These inspections aim to ensure food generating businesses are complying with program requirements and maintaining sufficient records of their donations. Food recovery program records will be reviewed during city inspections.

The food recovery services and organizations that you contract with have similar record-keeping requirements under SB 1383. These services/organizations must maintain records of food they receive through food donation programs and must annually report the total pounds of edible food recovered to the city in which their primary address is located. Work together to ensure all food donations are consistently tracked and recorded.

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# Food Waste Prevention for Grocery Stores

Before utilizing edible food recovery and organics recycling as a means to divert organic materials from the landfill, grocery stores should prioritize the first line of defense against food waste: prevention. Food waste prevention can take shape in many forms. Use the tips below to start preventing food waste before it happens!

## Analyze:



- **Identify types of food discarded** – when and under what conditions. Obtaining this knowledge is a critical first step in food waste prevention.
- **Conduct a mini-waste audit** by visually or manually inspecting the contents of the waste bins. Involve staff to increase their awareness.

## Inventory:



- **Automate ordering systems** across departments in order to prevent over-ordering and inventory spoilage. This is especially important for perishable foods.
- **Stock imperfect produce** from suppliers. Arrange to receive the produce with cosmetic imperfections at a reduced cost.
- **Use expiration date tracking** technology to reduce effort and inaccuracy from manual tracking and to make it easier to rotate items and re-order appropriately.
- **Adopt standardized date labels** with your suppliers to minimize employee and customer confusion about expiration dates.

## Display:



- **Train employees on food-handling best** practices including unloading, storing, transferring, and displaying. Proper care helps ensure food is not damaged and wasted.
- **Educate staff on their role in food waste prevention**, including the importance of shifting items on shelves to display the oldest items first and practice first in, first out.
- **Discount food** that is reaching expiration dates and create a **special section** that draws customers to these items.

## Educate:



- **Provide customers with guidance** for reducing food waste, such as recipes for leftovers and meal planning tips.
- **Utilize different areas in-store to educate** on best food storage practices.
- **Share actions** the store is taking with customers and other stores to prevent food waste to increase awareness and promote sustainable food consumption.

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