

What is SB 1383?

SB 1383 is a California state mandate to reduce organic waste destined for landfills by 75%, and to recover 20% of edible food that would otherwise be sent to landfills by 2025.

Tier 2 Edible Food Generator/ Restaurant Definition

In accordance with SB 1383, your establishment qualifies as a Tier 2 Edible Food Generator under the restaurant facility definition:

An establishment primarily engaged in the retail sale of food and drinks on premises or for immediate consumption.

You are a Tier 2 Restaurant if:

- Facility contains 250+ seating capacity
- OR
- Total facility size is equal to or greater than 5,000 sq ft

Requirements

As a restaurant that is classified as a Tier 2 Edible Food Generator, you must fulfill all requirements below by January 1, 2024:

- 1** Secure written agreements or contracts with food recovery organizations or services that receives your food donation. Contract must be maintained at business location for annual compliance inspections.
- 2** Implement and participate in an edible food donation program.
- 3** Maintain a monthly record of edible food donations (in pounds) at business location to be shared and available during annual compliance inspections.



Timeline / Key Dates

January 1, 2024

Tier 2 generators must be compliant with SB 1383 requirements or subject your business to additional action resulting in fines and penalties.



Bill Emerson Good Samaritan Food Donation Act & California Good Samaritan Food Donation Act

Your establishment is protected by the **Bill Emerson Good Samaritan Food Donation Act** and the **California Good Samaritan Food Donation Act**, which provides liability protections for entities that make good faith donations of surplus excess edible food.



Tips for Donation



Over Ordering

Donate your excess edible food as a result of over ordering. Through donation tracking, you will identify where you are over ordering, resulting in cost savings.



Received the Wrong Product?

Donate it! Don't go through the hassle of creating a new menu item to fit the needs of this one mistake.



Underselling Menu Items

Ensure the food you purchased is eaten by donating the un-used excess ingredients that were unique to that menu item.

Benefits of Food Donation



Public Recognition

Acknowledged as a valued community partner.



SB 1383 Compliance

Compliance with state mandates.



Bottom Line Benefits

Improved bottom line through tax deductions, operational adjustments, and reduced waste hauling expenses.

Visit our website: capfoodaccess.org
to learn more about how you can begin donating your excess edible food.



info@capfoodaccess.org