

The Next Frontier of Organics Recycling in California: Edible Food Salvage

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Implementing California's organics recycling law, SB 1383, has been a tectonic effort for municipalities large and small across the state. This is especially true when it comes to a goal of reducing the state's total edible food waste by 20% by 2030.

Waste professionals believe that this facet of the law could become a powerful lever for mitigating climate change. For example, ReFED estimates that donating a tonne of retail food waste has an effect on greenhouse gas emissions nearly seven times lower than if the same material were composted. It could also Meaningfully

address food insecurity across California by increasing the volume of donations food recovery organizations receive, providing an opportunity to address two of the most pressing challenges facing the Golden State.

But for local jurisdictions across the state, implementing edible food regulations means stepping outside of their traditional networks and jurisdictions to build new relationships with food producers, food recovery organizations and other stakeholders. Building the scaffolding and legal frameworks for implementing edible food salvage regulations, they partnered with government agencies, passed local ordinances, developed memorandums of understanding, and initiated new contracts. This presented unexpected challenges as well as fortuitous and mutually beneficial alliances.

Deadline	Stakeholders	Requirements	Obstacles
January 1, 2022	Tier 1 Food Generators: Large Retailers, Foodservice Distributors, and Wholesalers	Written agreements with food recovery organizations. Food donation tracking and verification systems in accordance with food handling and food safety laws.	Work with disparate food recovery organizations serving communities with different needs and cultures. Educate and solidify relationships with food producers.
January 1, 2024	Tier 2 Food Generators: Large Restaurants and Hotels	Written agreements with food recovery organizations. Food donation tracking and verification systems in accordance with food handling and food safety laws.	Presentation of prepared meals with temperature management requirements. A significant increase in perishable food donations.

Building infrastructure

To meet SB 1383 implementation milestones, some local governments and waste authorities are establishing nonprofit partnerships while others are contracting with new service providers. Whether establishing regional or intra-agency partnerships, all efforts require coordination, effective communication, creativity and the establishment of systems.

Because it is an unfunded mandate, SB 1383 also requires jurisdictions to use their operating budgets, grant programs, or other avenues – such as fees collected from food producers who do not grant requirements – to fund implementation and inspections.

Despite a historic zero-waste policy, with a longstanding focus on food waste, meeting the law's edible food salvage requirements has even been a big step forward in San Francisco. Kelly Gaherty, the Local's Assistant Zero Waste Business Coordinator Environment Department leads the implementation in this area.

“I would say several months ago it was more than halfway through my role,” she said. “It takes a long time because you build infrastructure, you build reports, you build educational resources.”

To upgrade Tier 1 food generators in San Francisco, Gaherty and his team launched an education campaign in October 2021, which continues with calls, site visits, emails and mailings. Providing technical assistance and training to key contacts has been a real challenge, she said, given the high turnover rate among food service

employees. Additionally, not all touchpoints are native English speakers and may require translators or translated materials.

Gaherty said honing her communication skills and learning the best ways to come together and negotiate with disparate stakeholders has helped her reach important milestones. By the end of 2022, the city has completed more than 100 Tier 1 food generator inspections, through partnerships with the city's health department (or with contractors, for food generators from level 1 which are inspected by the state health department).

San Bernardino County passed an ordinance that makes edible food salvage, per SB 1383, a requirement of food handlers permits. John Davis, administrator of the Mojave Desert and Mountains Recycling Authority, said the requirement makes sense because the local health department already has a relationship with food producers and recovery organizations. "They are at the generator. They're in the kitchen," he said, noting that other jurisdictions in the state are also taking this approach.

One of them is Alameda County in the San Francisco Bay Area, where the local health department conducts inspections of Tier 1 and Tier 2 food generators that hold food licenses, said Cassie Bartholomew, program manager at StopWaste. The Joint Jurisdiction Authority has developed and manages relationships between its member agencies, the Department of Health and local governments.

New partnerships

When it comes to working with food recovery organizations, each jurisdiction has unique challenges and opportunities.

"We are working to develop stronger relationships with food recovery organizations, without stepping on their toes," Gaherty said. "It was an unregulated area before and now we're like, 'Hey, you have to go do all this for us and you have to collect from all these [generators].'"

That said, the burden placed on food recovery organizations – in terms of requirements such as tracking food weight and entering into formal written agreements with edible food producers – is significant. Local governments seek to ease this burden in two ways by administering grant programs to support pilot programs and equipment purchases, as well as supporting tools such as mobile-friendly tracking apps.

StopWaste hosts a group called the Alameda County Food Recovery Network that ensures recovery organizations aren't inundated with donations that are on the verge of spoiling or aren't culturally relevant to the communities they serve. The network focuses on directing donations to recovery organizations in ways that significantly address food insecurity and without overburdening them.

"In the food recovery landscape, there are so many different types of organizations that I think generally there's a fit for every donor, but it's not a one-size-fits-all approach," Bartholomew said.

All of the communities served by the Mojave authority have an income below 80% of the state's average median income, and Davis says local recovery organizations are well-organized and focused on food insecurity.

The Mojave Authority used its operating budget to contract a food bank called High Desert Second Chance, which acts as a clearinghouse for more than 100 other food recovery organizations, to do the reporting required by SB 1383. The food bank was already tracking much of the data required by the new law, making it a smooth implementation. Additionally, High Desert Second Chance has expanded its collaboration model to other parts of the Mojave region, so the JPA now has agreements in four of the five regions it covers.

THE San Gabriel Valley Council of Governments contracted SCS Engineers to support edible food recovery compliance for SB 1383. SCS Engineers Vice President Michelle Leonard said their approach has been to work with food recovery organizations to establish reporting systems.

“These are the professionals. We are therefore working to help them increase their ability to distribute food. I think they will benefit in the long run because they will feed more people and that is their goal,” she said.

Long term impact

Looking ahead to the next major step, which will involve collecting edible food from Tier 2 generators such as large restaurants and hotels, implementers are focusing on sustainability and safety.

Mike Learakos, CEO of Abundance of food care — a non-profit organization that works with public, private and non-profit partners to eliminate food waste and food insecurity – said municipalities need to focus on safety.

“That’s the most critical piece of this whole food recovery business,” he said. “My biggest fear is that all of these efforts, everything we’ve tried to do over the past decade, will be wiped out by a single foodborne outbreak.”

Beyond the need for building safe and efficient delivery systems, forging relationships, and designing sustainable funding models to ensure compliance, Gaherty wants to see SB 1383 have a real impact on both greenhouse gas reduction and the food insecurity.

What CalRecycle requires is that the data be tracked and documented. But, she says, “the number one question we ask is: Are you scavenging as much edible food as possible? This is an incredibly subjective question. How can you get to the bottom of this?

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