

## Senate Bill (SB) 1383: Organic Waste Reduction Requirements

This legislation is the most significant change to recycling and waste disposal since the 1980s and impacts everyone from all levels of government, schools, colleges, and universities to businesses such as hospitals, and individual residents — essentially anyone who generates organic waste. The following FAQs describe the requirements that businesses — including hospitals — must comply with, the regulations related to the new organic waste reduction requirements, and the roles of state and local agencies and jurisdictions.

### **Q: What is considered organic waste?**

**A:** For the purposes of SB 1383, organic waste is considered the following materials:

- Green waste
- Wood waste
- Food waste
- Fibers such as paper and cardboard

### **Q: What are the requirements for health care facilities and other businesses?**

#### **A:** *Organic waste management*

Health care facilities and other businesses must subscribe to and participate in their jurisdiction's organic waste collection service or transport all organic waste to a jurisdiction's specified facility. Businesses must provide collection containers for organic waste and recyclables in all areas where disposal containers are provided for visitors, except in restrooms. Internal containers must conform to the proper color requirements or labeling requirements. If a business chooses to use containers that are the correct color, internal containers do not need to be replaced until they are no longer functional or until January 1, 2036 — whichever comes first.

Businesses must periodically inspect organic waste containers for contamination and inform employees if containers are contaminated. If a health care facility does not generate any of the materials that would be collected in one type of container, then it does not need to have that container. For example, an office may only need a trash and recycling container. If a business only generates a de minimis amount of organic waste, it should coordinate with the local jurisdiction to determine if a waiver from the collection service can be provided.

Employees, contractors, tenants, and customers must properly sort organic materials into the correct containers at business establishments. Education must be provided to employees, contractors, tenants, and visitors about how to properly sort organic material into the correct containers.

#### *Edible food program*

A "commercial edible food generator" includes Tier One and Tier Two businesses. Tier One commercial edible food generators are businesses such as grocery stores and food service providers that typically have more produce and shelf-stable foods. such as grocery stores and food service providers. Tier Two businesses are those such as health care facilities, hotels, and restaurants that typically have more prepared foods. Health care

facilities with an on-site food facility and 100 or more beds are considered a Tier Two business for purposes of this program.

SB 1383 requires that commercial edible food generators with a contract or written agreement with a food recovery organization or service must recover for human consumption the maximum amount of edible food that would otherwise be thrown away.

In addition, Tier Two businesses shall keep a record that includes the following:

- A list of each food recovery service or organization that collects or receives its edible food pursuant to a contract or written agreement
- A copy of contracts or written agreements between the commercial edible food generator and a food recovery service or organization
  - Name, address, and contact information of the service or organization that the commercial edible food generator has a contract or written agreement with
  - Types of food that will be collected by or self-hauled to the service or organization
  - Established frequency that food will be collected or self-hauled
  - Quantity of food collected or self-hauled to a service or organization for food recovery. The quantity shall be measured in pounds recovered per month.

**Q: What is the role of the state Department of Resources Recycling and Recovery (CalRecycle)?**

**A:** CalRecycle, a department within the [California Environmental Protection Agency](#), administers and provides oversight for all of California’s state-managed non-hazardous waste handling and recycling programs. With regards to SB 1383, CalRecycle, oversees and monitors local jurisdictions’ implementation of the bill’s regulations. This includes verifying that organic waste generators have service, providing education, ensuring adequate capacity, implementing edible food recovery and procurement programs, and enforcing as necessary.

**Q: What is the role of local jurisdictions?**

**A:** Local jurisdictions — cities, counties, special districts that provide solid waste collection services, or regional agencies — are required to implement the following activities.

*Provide organics collection service to all residents and businesses*

Local jurisdictions are required to provide a mandatory organic waste curbside collection service to businesses. If they allow for self-hauling, then the jurisdiction will oversee that it is being performed correctly. Local jurisdictions must also have enforceable requirements on their haulers that collect organic waste in the jurisdiction and for commercial and residential generators and self-haulers.

*Establish and monitor an edible food recovery program*

SB 1383 requires that California strengthens its existing infrastructure for edible food recovery and distribution. Local jurisdictions are responsible for implementing edible food recovery programs in their communities, which includes assessing and securing the capacity of existing food recovery programs, inspecting commercial generators for compliance, and providing education and outreach.

*Outreach and education*

All businesses and residents must be made aware of collection service requirements, contamination standards, self-haul requirements, and other compliance activities required by SB 1383. Commercial edible food generators

must be provided education and outreach on edible food donation requirements and available edible food recovery organizations.

### *Monitor compliance and conduct enforcement*

Local jurisdictions must:

- Establish an enforcement mechanism or ordinance
- Identify businesses in violation of the regulatory requirements
- Provide educational material to those generators
- Take progressive enforcement action against organic waste generators that are not in compliance

### **Additional Information**

For additional information, visit CalRecycle's [website](#), which also includes many other resources for health care facilities and other businesses:

- [Mandatory organic waste collection](#)
- [Food recovery](#)
- [SB 1383 education and outreach](#)

For any questions about your local jurisdiction, please [contact your local authority](#) responsible for waste management.