



Safe Food Donation

Environmental Management Department
Environmental Health Division
August 2023

All Food Donations Shall be in Compliance with California Retail Food Code

Section 114433, 114433: CA Good Samaritan Act

- Food facilities can donate to non profit or directly to end consumer
- A person can donate to a non profit
- Food can be donated after the expiration date

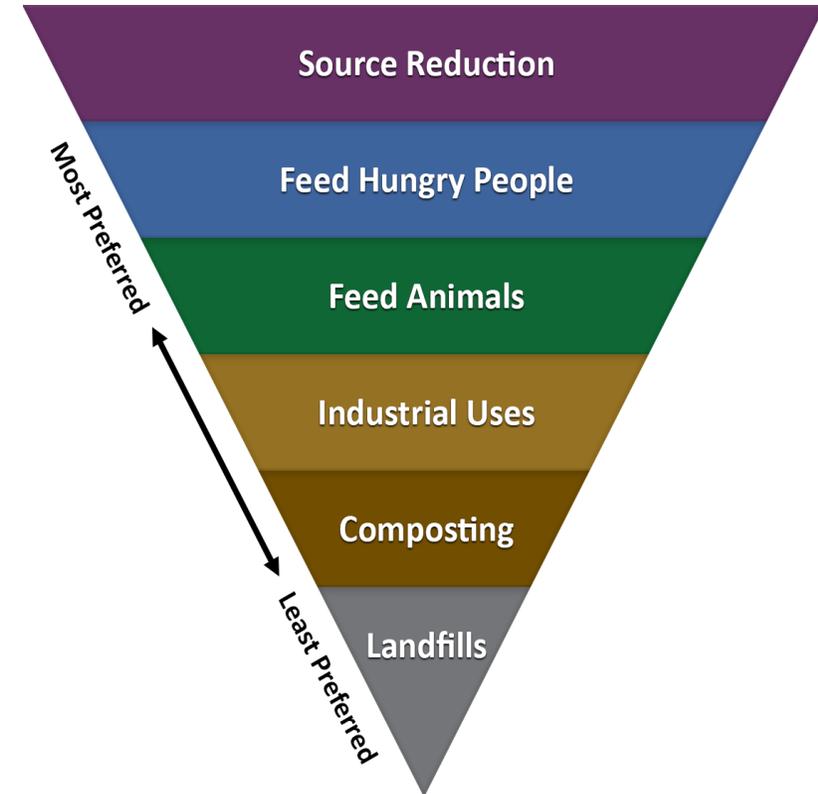


Section 114435: Food Recovery Promotion

- EH inspectors should support and promote food donation

Food Waste History

- Estimated that 40% of food produced goes uneaten in United States.
 - Approximately 62.5 million tons wasted food annually
 - 42.2 million people (including 13.1 million children) did not have enough food to lead healthy, active lifestyle in 2015
- In 2015, EPA announced the first ever domestic goal to reduce food waste by 50% by 2030.



California Introduction to Food Waste

Legislature and Gov. Brown set ambitious goal of 75% recycling, composting, or source reduction of solid waste by 2020.

- **AB 1826: MANDATORY BUSINESS ORGANICS RECYCLING LAW**
- **SB1383: SHORT LIVED CLIMATE POLLUTANTS**
 - **50% reduction in in statewide disposal of organic waste by 2020**
 - **75% reduction in statewide disposal of organic waste in 2025**
 - **Goal that no less than 20% of edible food must be recovered for human consumption by 2025**

Food waste is unnecessary and preventable.



SB 1383

Short-lived climate pollutants:
methane emissions: dairy and livestock: organic waste: landfills.

Waste
Hunger
Not Food

➤ Signed into law in 2016
➤ Established two organic waste disposal reduction targets and one edible food recovery goal
➤ Regulations will take effect January 1, 2022

CalRecycle

The infographic features a blue background with white text. On the right side, there is a photograph of a market stall with a sign that reads 'Waste Hunger Not Food'. The sign shows a green apple and a red apple. Below the photograph, there is a list of bullet points. The CalRecycle logo is in the bottom right corner.

SB 1383 Commercial Edible Food Generator Tiers

Tier 1

January 1, 2022

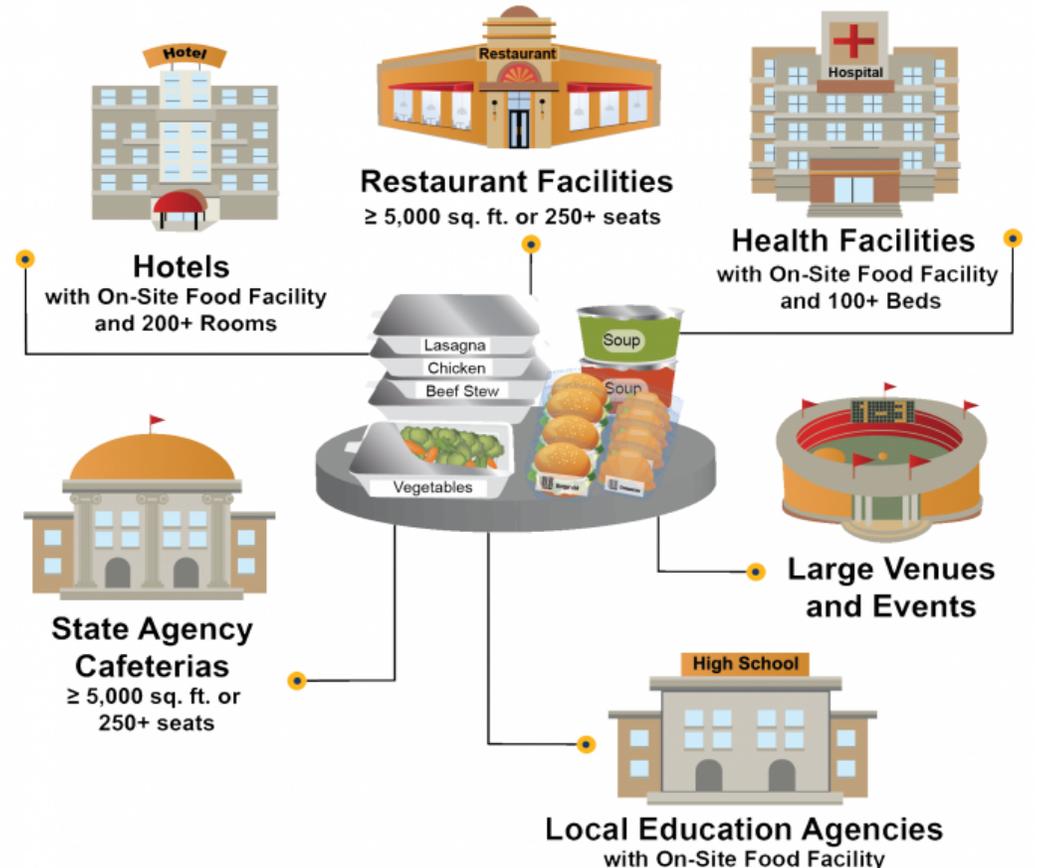
Tier one businesses typically have more produce, fresh grocery, and shelf-stable foods to donate.



Tier 2

January 1, 2024

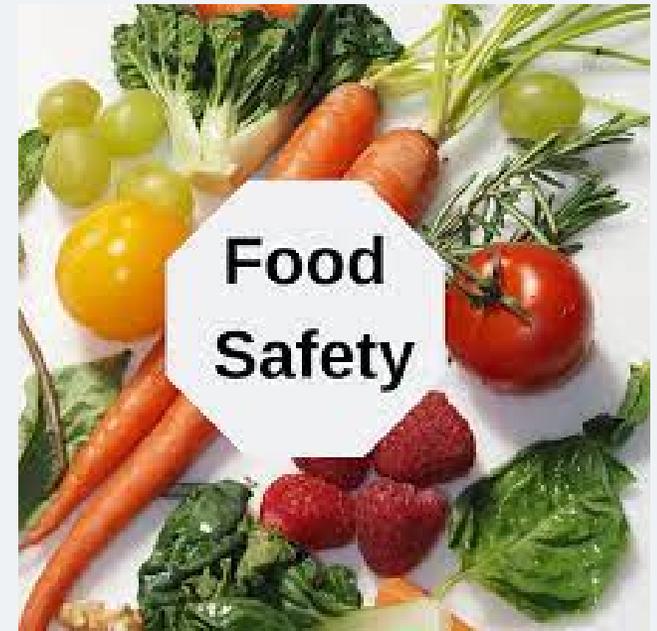
Tier two businesses typically have more prepared foods to donate, which often require more careful handling to meet food safety requirements (e.g. time and temperature controls).



EMD's Supportative Role in SB 1383

Local efforts-

- Provide food safety education and outreach
- EMD inspectors will promote the recovery of food fit for human consumption during routine inspections
- Send out mailers/emails to food facilities on safe food donation
- Available as a resource
- Provide inspections of generators



EMD's Inspection of Generators

- **Provide EMD a copy of their current contract(s) or written agreement(s) between generator and recovery service/organization. A copy of the contracts will be taken at this time. Contract should include what types of food and the frequency of donations**
- **Review of documentation the types and quantity of food donated (measured in pounds) recovered per month and the frequency of donation**
- **Operator has written records of training program in place that discusses safe food handling procedures for recoverable foods**
- **Ensure that general food safety protocols throughout the food prep and storage processes are being followed and can be observed while onsite**



ENVIRONMENTAL MANAGEMENT DEPARTMENT
ENVIRONMENTAL HEALTH

11080 White Rock Rd, Ste 200
Rancho Cordova, CA 95670
emd.saccounty.gov
916 875-8440

SB 1383 Edible Food Recovery Inspection Checklist

Facility Name:		Facility ID:	
Facility Address:			
City:	Zip:	Date:	
Contact:	Title:		
Phone:	Email:		

Senate Bill (SB) 1383 requires all businesses to keep compostable and recyclable materials out of the landfills. The law also requires certain Tier 1 and Tier 2 commercial food generating businesses to donate surplus edible food to feed people instead of being composted.

Tier I:

- Supermarket
- Grocery Store (>10,000 Square Feet)
- Food Service Provider
- Food Distributor

Tier II:

- Hotels (+200 rooms)
- Restaurant Facility or State Agency Cafeteria (≥5,000 Square Feet or 250+ seats)
- Health Facility with an onsite food facility (100+ beds)
- Local Education Agency with an onsite food facility
- Large Venue and/or Event

Inspection Comments:

Received by Name and Title: _____

Registered Environmental Health Specialist: _____



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- Operator has provided Environmental Management Department (EMD) a copy of **current** contract(s) or written agreement(s) between the commercial edible food generator and a food recovery service or organization. (Attach copy of agreement(s) to the inspection checklist)

YES NO

- Operator has shown EMD a record of the following for each food recovery organization or service that the commercial edible food generator has a contract or written agreement with pursuant to SB 1383 Section 18991.3(b).

(A) The name, address and contact information of the service or organization.

(B) The types of food that will be collected by, or self-hauled, to the service or organization.

(C) The established frequency that food will be collected or self-hauled.

(D) The quantity of food collected, or self-hauled, to a service or organization food recovery.

The quantity shall be measured in pounds recovered per month.

YES NO

- Operator can demonstrate, by way of written records, that a training program is in place which discusses safe food handling procedures for recoverable foods.

YES NO

- General food safety protocols are being followed including segregated storage and proper temperature control for recoverable foods.

YES NO

1. Code description: SB 1383 Section 18991.4

(c) Commercial Edible Food Generators shall comply with the following requirements:

(1) Arrange to safely recover for human consumption the maximum amount of edible food that would otherwise be disposed.

(2) Enter into a contract or other written agreement with Food Recovery Organizations or Food Recovery Services for: (i) the collection for Food Recovery of Edible Food that would otherwise be disposed; or, (ii) acceptance of Edible Food that would otherwise be disposed that the Commercial Edible Food Generator self-hauls to the Food Recovery Organization for Food Recovery.

2. Code description: SB 1383 Section 18991.4

(7) Keep records that include the following information, or as otherwise specified in 14 CCR Section 18991.4:

(A) A list of each Food Recovery Service or Food Recovery Organization that collects or receives its Edible Food pursuant to a contract or written agreement established under 14 CCR Section 18991.3(b).

(B) A copy of all contracts and written agreements established under 14 CCR Section 18991.3(b) and/or this Ordinance.

(C) A record of the following information for each of those Food Recovery Services or Food Recovery Organizations:

(i) The name, address and contact information of the Food Recovery Service or Food Recovery Organization.

(ii) The types of food that will be collected by or self-hauled to the Food Recovery Service or Food Recovery Organization.

(iii) The established frequency that food will be collected or self-hauled.

(iv) The quantity of food, measured in pounds recovered per month, collected or self-hauled to a Food Recovery Service or Food Recovery Organization for Food Recovery.

3. Code description: SB 1383 Section 18991.4

(3) Use best efforts to abide by all contractual or written agreement requirements specified by the Food Recovery Organization or Food Recovery Service on how Edible Food should be prepared, packaged, labeled, handled, stored, distributed, or transported to the Food Recovery Organization or Service.

(4) Not intentionally donate food that has not been prepared, packaged, handled, stored and/or transported in accordance with the safety requirements of the California Retail Food Code.

(5) Not intentionally spoil Edible Food that is capable of being recovered by a Food Recovery Organization or a Food Recovery Service.

4. Code description: SB 1383 Section 18991.4

(3) Use best efforts to abide by all contractual or written agreement requirements specified by the Food Recovery Organization or Food Recovery Service on how Edible Food should be prepared, packaged, labeled, handled, stored, distributed, or transported to the Food Recovery Organization or Service.

(4) Not intentionally donate food that has not been prepared, packaged, handled, stored and/or transported in accordance with the safety requirements of the California Retail Food Code.

(5) Not intentionally spoil Edible Food that is capable of being recovered by a Food Recovery Organization or a Food Recovery Service.

CRFC: Foods Prohibited From Donation



Foods using a process called Time as a Public Health Control

- **Commonly used in sushi rice, pizza by the slice, and spring rolls. Meant for food intended to be immediately consumed with a 4 hour maximum allowance.**

Korean or Vietnamese rice cakes held out of temperature for 24 hours.

Hot foods held on a mobile food truck or cart.

Hot foods or foods held above 41F at a temporary food event or street fair.

Foods Not Acceptable for Donation

Not Acceptable for Food Recovery

Ripped, Broken, or Bloated Packages



Spoiled or Moldy



Excessively Bruised or Squishy

Loss of Vacuum or Broken Seals



Unreadable Date



Broken Pieces



How Can Food Facilities Safely Donate Food?



The same way that they make and sell food for their business!



There is no difference in the food handling requirements for food that will be sold or be donated- it is all food for human consumption and must be handled appropriately



All the same food safety principles apply



Food Safety Risk Factors

Centers for Disease Control and Prevention (CDC)



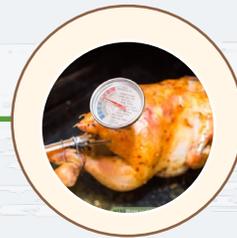
Improper Holding Temperatures

135 °F or above
for hot holding
41 °F or below
for cold holding



Poor Personal Hygiene

Handwashing
No smoking
Clean garments
Glove use



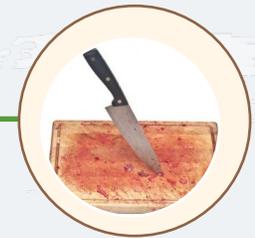
Improper Cooking Temperatures

Pork 145°F
Eggs 145°F
Hamburger 158°F
Chicken 165°F
Reheat 165°F



Food from Unsafe Sources

No food from
private home
Meat & poultry
USDA inspected
Shellfish from
certified dealers

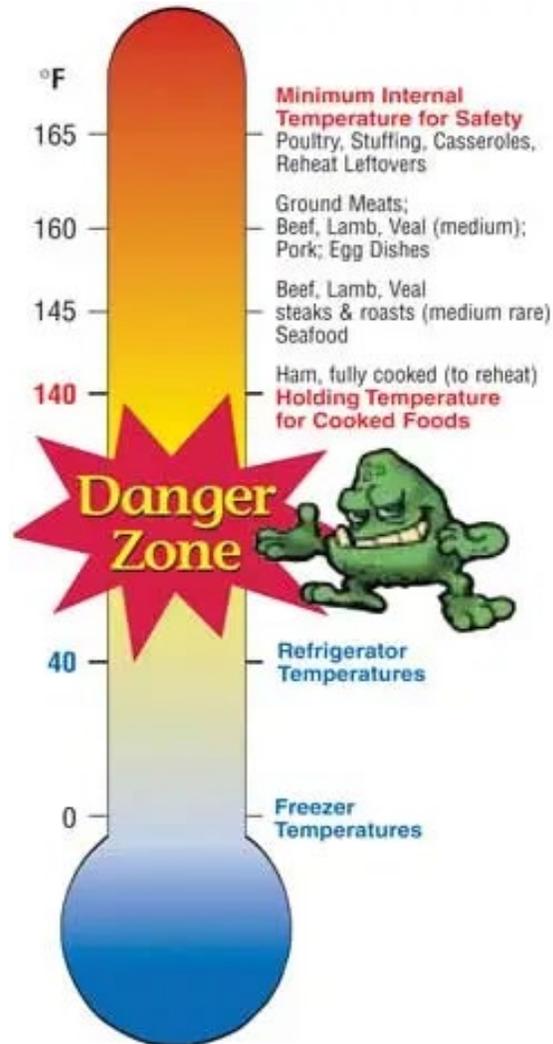


Contaminated Equipment

No cross-
contamination
Sanitizing
No chemical
contamination

Why do we want to prevent these?

Food Safety Tips



- **Maintain cold foods at 41F or below and hot foods at 135F or above**
- **After heating, cooking, or hot holding of foods be sure to rapidly cool from 135F to 70F within the first 2 hours and to 41F or below within the next 4 hours using methods such as ice baths, smaller portions, metal containers, ice wands, blast chillers, etc**
- **Always wash hands thoroughly with soap and warm water for 20 seconds prior to handling food, before putting on gloves, or after any possible contamination**

Food Safety During Transport



During transport, potentially hazardous foods (PHF) or perishable items must be maintained at safe temperatures.

Cold PHF's not exceed 45F and hot foods must not go below 135F.

The transport time must not exceed 30 minutes.

Food Safety Training Required for Food Facilities

Food facilities with open potentially hazardous food (perishable) are required to have at least one person who has a Food Safety Manager's Certificate. This is an 8 hour course and exam, valid for 5 years.

Duties of a food safety certified manager:

- Identify food safety hazards in facility
- Implement procedures to prevent foodborne illness
- Perform food safety training and insure a person in charge is present when food is prepared
- Monitor food preparation and take action to correct procedures to protect the public from foodborne illness
- Conduct inspections to ensure proper food handling occurs during operation.

What Foods are Considered Safe for Donation?

- Food facility operators shall decide what foods are edible.
- Operators need to determine their limitations: i.e. food bank limitation on the food items, internal procedures limitations, or CA Retail Food Code limitations.



More Resources

For additional information related to food safety and safe food donation check out Sacramento County Environmental Management Department and Sacramento City Food Bank's websites.

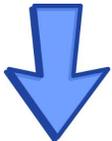


SB 1383 Recap

Does your facility meet SB 1383 Definition?  **No:** SB 1383 compliance is not required



Yes: Facility shall comply by maintaining copy of contracts or written agreements with each food recovery service or organization (FRSO) that collects or receives edible food from facility.



Minimum information required:

- Name, address and contact information of the FRSO
- The types of food that will be collected or self-hauled to the FRSO
- The established frequency that food will be collected or self-hauled
- The quantity of food collected or self-hauled for FRSO. Measured in pounds per month.



Facility shall not intentionally spoil food that is capable of being recovered by a FRSO

Questions?



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