

# SB 1383 Edible Food Recovery Working Group Meeting Agenda

**Date:** Tuesday, May 21<sup>st</sup>, 1 p.m. - 3 p.m.

**Location:** Virtual Meeting [Click here to join the meeting](#)

Meeting ID: 227 960 900 330

Passcode: 8wcGWs

Contact: Stephanie.Ewalt1@sdcounty.ca.gov

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## Agenda

### Welcome and introductions (please type name and affiliation in chat)

- Alexis Heredia – City of San Diego
- Alma Martinez – City of Escondido
- Amanda Boudreault -- City of San Marcos
- Annika Anderson – HF&H Consultants
- Brooke Flinn – County of San Diego
- Brian Guo – Student with Canyon Crest Sustainable Initiatives
- Caitlin Barboza – HF&H Consultants
- Craig Jones – North County Food Policy Council
- Christian Olivas – City of Lemon Grove
- Elizabeth Prado – Life Acts
- Ellyn Law – county of San Diego
- Emily Schuetz – CalRecycle
- Gabriel Martinez – Life Acts
- Jacy Triboulet – Feeding San Diego
- Jill Larner – CalRecycle
- Karen Clay – I Love to Glean
- Kayla Thomson – San Diego Food Bank
- Kenneth Prue III – City of Oceanside
- Kaitlyn Elliott-Norgrove – City of Del Mar
- Kirk Kinder – County of San Diego
- David DiDonato – City of Chula Vista
- Lydia Donahue – Food Donation Connection
- Malika Sen – Solana Center
- Megan Kendall – City of San Diego
- Molly Reeves – City of Carlsbad
- Monica Martinez – City of El Cajon
- Neha Bharti – City of San Diego
- Nicole Gucky – City of Solana Beach
- Nita Kurmins Gilson – ProduceGood
- Patty O'Connor – Feeding San Diego
- Paul Maechler – City of Encinitas
- Polina Osipova – City of San Diego
- Ricardo Rodriguez – City of National City
- Rocio Ramos – City of Oceanside
- Serena Lee – City of La Mesa
- Sergio Saucedo – City of Vista
- Stephanie Ewalt – EcoTech Consulting
- Stephanie Ferris – City of San Diego
- Quincy Smith – City of San Diego
- Sarah Walsh – Republic
- Vanessa Mello – San Diego County DEHQ
- Victoria Nava McClellan
- Zach Shaben – Too Good To Go

### 1. Public Comments & Communications

- a. Open Comments
- b. Presentation and conversation with **Too Good to Go** (Zach Shaben) – see slides attached
  - i. Cost: \$90 / year to be a host
  - ii. Purpose: Items sold at a deep discount to the public
  - iii. Logistics: Transportation is responsibility of organization/individual purchasing

iv. Questions

1. North County Food Policy Alliance: How many customers/businesses are using this platform SD?
  - a. Customers: Pending response from Too Good to Go
  - b. Businesses: approximately 700 onboarded (300 in City of SD)
2. North County Food Policy Alliance: Is the utilization of this app being captured for SB1383 purposes?
  - a. No - just as sales data and waste diversion states in Too Good to Go's impact report
3. HFH: Does Too Good To Good set price tiers or do the businesses?
  - a. Both – business set a part of the pricing in collaboration with Too to Good To Go. Too Good to Go will share more info after the meeting.
4. HFH: For staff doing site visits sometimes there are businesses that aren't donating surplus edible food because they use Too to Good to Go how can jurisdictions verify business utilization?
  - a. Too Good to Go business side of the app can show what people are picking up. App utilization can be seen on both the user and business side.
5. EcoTech Consulting: Are pickup bags provided to businesses?
  - a. No, they are not provided, users are encouraged to bring a bag for pickup. Stores provide containers at their own expense.
6. Life Acts: How can we connect with Too Good To Go associate for our local restaurants to get involved?
  - a. Email [zshaben@toogoodtogo.com](mailto:zshaben@toogoodtogo.com)
  - b. SF Office – contact pending feedback from Too Good To Go
7. Solana Center: Are there additional fees required to list items on the platform more than \$90/year?
  - a. Add. \$1.50 per surprise bag that is sold. Rest goes to biz.
8. Solana Center: What is biz has no surplus?
  - a. Just not posting and then paying \$90 fee. Can real time adjust bags to be sold throughout the day. Bag reservation fee can be recouped based off of food availability.
9. Solana Center: Is there an onboarding process?
  - a. Sales Team work w stores to make sure they can use it. User friendly and add. resources available.
10. Solana Center: Which sector does this work best?
  - a. Anyone that sells food. Just needs a location to pick it up. Just needs to be repeatable. A lot of bakeries have been adopting most recently.
11. EcoTech Consulting: Tax incentives or documentation?
  - a. TBD – need to get back to people
12. County: User experience from the pickup the same for orgs and individuals?
  - a. Same
13. HFH: is there a way to connect a biz w food recovery org if they don't

- have things picked up? Or share resources on food donation in their area?
- a. Done have that yet, want to bring to the platform soon. Aware it is an issue. TBD.
14. Food Donation Connection: How is Too Good to Go addressing food safety and quality?
    - a. Retailer is responsible for food safety, Too Good To Go is the host site. Businesses are advised to follow local food retail code info.
    - b. Reminder Food Donation Improvement Act helps protect folks who are doing donation this in good faith
  15. HFH: Are there success stories you can share of businesses that have signed up/engaged with that app and it has helped them address their overproduction and food waste generation?
    - a. Yes – Grocery stores have found this tool particularly helpful. It has helped drive employee engagement through putting surprise bags together and engage in the food loss prevention side of things.
    - b. Too Good To Go has an additional platform geared toward restaurant / grocery sectors to help manage expiration dates and inventory.
- v. Solana Center: SB1383 Compliance Webinar June 19<sup>th</sup> at 2-3pm
1. [1. https://solanacenter.org/inspire\\_events/sb-1383-compliance-commercial-food-waste-prevention-webinar-2/](https://solanacenter.org/inspire_events/sb-1383-compliance-commercial-food-waste-prevention-webinar-2/)
- vi. Canyon Crest Sustainable Initiatives: Tax Donation question – how does food donation tax donation it work?
1. Food Donation Connection – ‘enhanced tax savings’ is figured out for businesses (variable on biz tax brackets)
  2. EcoTech Consulting: Dollar value is assigned to food donated, some orgs help identify that value, FROs are likely documenting what the donation looks like through donation receipts provided to donors.
  3. I Love to Glean: Nonprofits – can give donation receipts out, nonprofits put product, quantity, pounds and send to donor, the donor assigned a reasonable cost to it and use it in their tax preparation
  4. See this link for additional information: <https://www.irs.gov/charities-non-profits/charitable-organizations/charitable-contribution-deductions#:~:text=For%20contributions%20of%20food%20inventory%20in%202020%2C%20business%20taxpayers%20may,percent%20of%20their%20taxable%20income.>

## 2. SB 1383 – Implementation, Discussion, Q&A

- a. Enforcement Plans/Process
  - i. Josh (County): From CalRecycle Enforcement talk - if a facility does not have much food, do they still need an agreement?
    1. If a facility doesn’t have much food, may not need an agreement.
      - a. CalRecycle: All excess food should be donated. Best practice to have an agreement in play. Inspections are critical when determining if what verbal information is shared during site

visits is accurate. Jurisdictions should document how decisions are made in implementation record.

- ii. Shared resources, CalR Enforcement Chat (May)
  1. NOV examples from last month
- iii. NLEs:
  1. Schools – Jill/Emily CalRecycle provide guidance on this. See attached guidance.
  2. EcoTech Consulting: How is CalRecycle checking on NLE compliance status?
    - a. Calrecycle: Two methods to elevate these concerns: 1. CalRecycle complaint portal and 2. Communicate to your Local Assistance and Market Development (LAMD) representative (Jill/Emily for San Diego region). Assistance is offered first before enforcement.
  3. Solana Center: How do we address school variability within a district? At what point does an inspector engage CalRecycle in this process?
    - a. CalRecycle: If you notice something that is out of place, you can notify CalRecycle for NLEs. TBD on where inspection vs enforcement begins w CalRecycle.
  4. North County Food Policy Council: Food Waste Mapping – schools can be significant food waste generators; how are they exempt?
    - a. CalRecycle: School districts may meet Tier II definitions. See CalRecycle guidance document for more information: <https://www2.calrecycle.ca.gov/Docs/Web/118917>
- b. Capacity Planning Reminder – Due to County on May 16<sup>th</sup>, 2024.
  1. [County Tools, Trainings, and Presentation](#) (bottom of page)
  2. SANDAG population projections - added to regional sheet
  3. Next mtg to report back – should be capacity, what was rescued? How and what donating
- b. Tier 1 & 2 – Questions & Discussion
  1. Brian Guo, Canyon Crest Academy requested follow ups from cities
    - a. Additional questions or concerns for Brian?
      - Team has been doing email outreach to businesses
      - Brian’s document: [https://docs.google.com/document/d/1amDIEEfpBzeKwrbFwk7pMHmXArdWPYgCmRhIIF\\_2HqI/edit?usp=drivesdk](https://docs.google.com/document/d/1amDIEEfpBzeKwrbFwk7pMHmXArdWPYgCmRhIIF_2HqI/edit?usp=drivesdk)
      - Cities will continue to work w Canyon Crest Academy team. Team is encouraged to work directly with local jurisdictions contacts to coordinate additional assistance
      - Contact info: [ccasustaininits@gmail.com](mailto:ccasustaininits@gmail.com)
  2. Past questions for CalRecycle: See Regional Guidance Doc for Responses
  3. Solana Center: Fros should flag who is not donating to elevate through the cities – perhaps reporting portal link

- c. Site Visits/Inspections – DEHQ Myths and Challenges
  - 1. DEHQ – Q&A
  - 2. DEHQ offer to host a webpage on County website for regional SB1383 resources
    - a. Progress on content
    - b. **Ongoing request:** All jurisdictions to add and/or update their resources on [Regional Guidance Document](#) under the tab Jurisdiction&DEH Contacts
- d. Food Recovery Organization Site Visits
  - 1. Share feedback and response from recent site visits (group)

- e. Recordkeeping & Reporting (FRO's and Generators)
- f. Other roadblocks, concerns for discussion

### 3. **SB 1383 – Public Education Resources**

- a. [San Diego Regional Food Systems GIS Map](#)
- b. Resources for Tier 2 Public Education:
  - i. Jurisdictions need to start understanding which FRO's and other orgs are best suited to accept prepared (Tier 2) foods.
  - ii. Options besides donation (Too Good to Go, donating to employees, donating to local homeless)
    - 1. Tracking by generators will be key.
- c. Food Bank updates on education efforts to partners
  - i. No updates
- d. Food donation videos (County led for regional use)
  - i. Josh (County) to showcase new videos! – videos shared with group
    - 1. North County Food Alliance: Can you share more about the 30 minute travel time threshold?
      - a. DEHQ:
        - Non-refrigerated vehicle:
          - Cold food cannot exceed 45 degrees Fahrenheit over 30 min
          - Hot 135 degrees Fahrenheit or above
        - A refrigerated truck can transport for longer distances
        - Several trips might need to be made by organizations pending transportation resource availability
      - 2. North County Food Alliance: Are charitable feeding organizations inspected by DEHQ?
        - a. DEHQ: Yes, in some circumstances, flexibility exists based on risk of operations and/or if a complaint is received and requires follow-up. Lower risk charitable feeding organizations do not receive routine DEH inspections but are still regulated. Best practices exist for this category of operation. Full food prep operations with a DEHQ permit do get routine inspections. Food Banks are excellent additional education/support resource.
- e. North County Food Policy Council Mapping
  - i. Maps
    - 1. General map open public
    - 2. Tier I/II/FRO mapping for jurisdictions
  - ii. Palomar College partnership - Chula Vista mapping is beginning

4. **Grants & funding**

- a. Local Assistance Funding not received yet

5. **Legislation**

6. **News & Events**

- a. CalRecycle info sessions:  
<https://www2.calrecycle.ca.gov/Listservs/Subscribe/152>
- b. Live Well San Diego South Region Food Insecurity Group, contact Karen Clay @ info@ilovetoglean.org
- c. Food Rescue Hero Conference in October 2024 (dates TBD)
- d. SDFSA Annual Gathering, Oct 17, 2024
- e. Edible Food Recovery Technical Council (CRRRA), no membership needed, second Tuesday's of each month, 12 pm – 1 p.m.
- f. CRRRA Conference 2024 in Anaheim, CA - August 18-21 (Shifting the Conversation)
- g. ReFed Food Solutions Summit – June – Baltimore
- h. SDFSA Small and medium sized FRO May 28<sup>th</sup> gather at Porchlight - space is limited
- i. **Next CalRecycle Talk TBD late June on implementation record**

7. **Round Table**

- a. Restaurant focused day – how to comply
- b. Discussing ways we collaborate more across jurisdictions
- c. **Streamlining/simplifying reporting/capacity planning**
- d. **Lessons learned**

8. **Adjournment**

- a. *Next meeting Tues, June 18th, 2024 – 1 p.m. - 3 p.m.*



## SB 1383 Food Donation & Recovery Resources

Resource	Provided By
<p><a href="#">Regional Guidance Document</a></p> <ul style="list-style-type: none"> <li>• Tier 1 and Tier 2 clarifications</li> <li>• List of Edible Food Recovery Organizations</li> <li>• Local Ordinances</li> <li>• California Retail Food Code (DEHQ)</li> <li>• Contacts (jurisdictions, DEHQ, corporations)</li> </ul>	Crowdsourced
<p><a href="#">Food Recovery Capacity Survey Results</a> (Updated 9/15/2022)</p> <ul style="list-style-type: none"> <li>• Additional County outreach is reflected in this document</li> <li>• To determine if FRO's would like to be contacted directly for food donations: Please see "data dump" tab and scroll all the way right, to column BN.</li> <li>• <a href="#">Access to Survey Questions for continuation of outreach</a></li> </ul>	Crowdsourced
<p><a href="#">Model tools</a> (franchise agreement, edible food recovery agreement)</p>	CalRecycle
<p><a href="#">Capacity Planning for Jurisdictions</a></p>	CalRecycle
<p>CalRecycle's <a href="#">web page for food donors</a></p>	CalRecycle
<p>CalRecycle's <a href="#">web page for food recovery organizations</a></p>	CalRecycle
<p><a href="#">SB 1383 Local Assistance Grant Program</a></p>	CalRecycle
<p>Waste Free SD – <a href="#">Bin Cleaning Services</a></p>	County
<p><a href="#">Tableau Food Recovery Capacity Survey Results Dashboard</a></p>	County/SDFSA

