

FOOD RECOVERY AND DONATION REQUIREMENTS

Tier one and tier two commercial edible food generators are required to donate the maximum amount of excess edible food to feed people.

A contract or written agreement must be maintained with food recovery service(s) or organization(s) to pick up or receive edible food.

A record must also be kept indicating the types of food being donated, pounds donated per month, frequency of donations, and the contact information of the contracted food recovery service(s) and/ or organization(s).

Generators shall not intentionally spoil food that can be recovered.

Large venues or large event operators that do not provide food services, but allow for food to be provided, shall require food facilities operating on site to comply with the above organics diversion and food recovery requirements.

TIER ONE COMMERCIAL ENTITIES

REQUIRED TO COMPLY STARTING JANUARY 1, 2022

- Supermarkets
- Grocery stores with facilities >10,000 sq. ft
- Food service providers (contracted)
- Food distributors
- Wholesale food vendors

TIER TWO COMMERCIAL ENTITIES

REQUIRED TO COMPLY STARTING JANUARY 1, 2024

- Restaurants with 250 or more seats, or a total facility size >5,000 sq. ft.
- Hotels with an on-site food facility and >200 rooms
- Health facilities with an on-site food facility and >100 beds
- Large venues that annually seat or serve an average of >2,000 individuals per day of operation
- Large events that serves an average of >2,000 individuals per day of operation
- State agencies with a cafeteria with >250 seats, or a total cafeteria facility size >5,000 sq. ft.
- Local education agencies with an on-site food facility