

Food Recovery Partnership Agreement

SB 1383 regulation requires Tier 1 and Tier 2 Generators to hold a written agreement with food recovery organizations and/or services (FRO/FRS) that will be recovering their excess edible food. This document is a food recovery agreement template to help businesses fulfill this requirement.

Partnership Agreement Terms

- **Food safety:** All food recovery activities should be executed in compliance with all federal, state, and local regulations for safe food handling. FRO/FRS reserves the right to refuse food at any time if it meets the conditions for refusal. In the event of a food recall, food donor must notify FRO/FRS of the specifics of the recall.
- **Donation dumping:** The food donor identified in this agreement certifies that they will not knowingly provide unusable or inedible food, or intentionally deliver food outside of the agreed upon food recovery windows (“donation dumping”). This is unacceptable and grounds for intervention by the City.
- **Packaging and labeling:** Food donor & FRO/FRS are to agree on acceptable packaging and labeling that will be used for donations.
- **Missed or delayed pick-ups:** Food donor should inform FRO/FRS as soon as possible if there is no food for pick up on an agreed day. FRO/FRS should inform the food donor if they will be late to agreed pick up.

Important Information

- **Documentation and recordkeeping:** A physical, hard copy or electronic copy of this completed form must be kept on-site by the food generator to be in compliance with the recordkeeping requirements outlined in Section 18991.4 of SB 1383 regulation.
- **Federal tax incentives:** Charitable food donation is eligible for federal tax incentives and enhanced tax deductions, provided donations meet eligibility criteria. Please seek counsel for tax filing and consult with your partnering food recovery organizations to obtain the necessary donation receipts required to claim any tax incentives and/or deductions.

Food Recovery Agreement

The following tables are to be completed by both the Food Donor and Food Recovery Organization/Service in their respective sections.

	Food Donor	Food Recovery Organization/Service
Contact Information	Organization Name & Address	
	Primary Contact (Name, Phone & Email)	
	Donation Hours of Operation	<i>Business can donate food on the following days and times...</i>

Food Donation Logistics

Indicate the estimated quantity (in pounds) per week your organization could donate/recover. If you cannot donate/recover a certain food type, please enter '0'.

	Food Donor	Food Recovery Organization
Types and Quantities of Food (per week) Non-perishable (Shelf stable, canned, boxed, packaged food)		
Perishable (E.g. fresh produce, dairy, meat, etc.)		
Prepared (Hot, cold, or frozen prepared foods)		
Other _____ _____		

Food Recovery Logistics

These questions are to be completed collaboratively.

How often will food be recovered?

- As Needed/On Call
- Daily
- Weekly
- Other: _____

Food will be recovered via:

- On-site pick-ups: the food recovery organization/service will travel to the food donor site, pick-up the food, and transport it back for distribution.
- Self-haul: the food donor will transport and deliver the food to our organization

Food will be recovered on the following days and times:

FRO/FRS will report to food donor the types and quantity of food collected in pounds.

Frequency of Reporting

- Daily
- Weekly
- Monthly

Method of Reporting

- Email
- Other: _____

Acknowledgments and Signatures

I hereby certify that the information provided in this Food Recovery Partnership Form is true and correct to the best of my knowledge.

Food Donor Signatory

Date

El signatario de la Organización de Recuperación de Alimentos

Date

