

**Issue 1. Food Waste Definition**

5/1/2012

California Code of Regulations  
Title 14. Natural Resources  
Division 7. California Integrated Waste Management Board

***DRAFT LANGUAGE FOR DISCUSSION – Revise definition of Food Material and Create a Subcategory called “vegetative food material”.***

The current food material definition is general and does not distinguish between various food waste types. Food material composting requires Compostable Materials Handling Permit. Staff proposes to expand the definition of a food material and create a subcategory called “vegetative food material”. CalRecycle is considering allowing green material composting operations to accept vegetative food material. A green material operation (up to 12,500 cubic yards of feedstock, compost, or chipped and ground material on-site at any one time) would be required to obtain a Registration Permit to accept vegetative food material and would be permitted as “Green/Vegetative Food Material Composting Facility”. A facility handling food material will still be required to obtain a Compostable Materials Handling Facility Permit.

Proposed language:

**CHAPTER 3.1. COMPOSTABLE MATERIALS HANDLING OPERATIONS AND FACILITIES REGULATORY REQUIREMENTS**

**ARTICLE 1. GENERAL**

**§ 17852. Definitions.**

(a) For the purposes of this Chapter:

(20) “Food Material” means ~~any a material that was acquired for~~ resulting from the production or processing of food for animal or human consumption, but is no longer intended for such consumption, that is separated from the municipal solid waste stream, and that does not meet the definition of “agricultural material.” Food material ~~may~~ includes, without limitation, material-food waste from food facilities (as defined in Health and Safety Code section ~~113785-113789~~, food processing establishments (as defined in Health and Safety Code section 111955), grocery stores, institutional cafeterias (such as prisons, schools and hospitals), restaurants, or and residential food scrap collection. Notwithstanding anything to the contrary herein, food material does not include... *[concept: as defined in Title 3 CCR 1180(b)(9)] or materials that are required to be disposed only by*

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*renderers, pet food processors or other approved methods pursuant to the California Food and Agriculture Code.]\**

(A) "Vegetative Food Material" means food material resulting from the production or processing of food for animal or human consumption, but is no longer intended for such consumption, that is derived solely from plants and is separated from the municipal solid waste stream. Vegetative food material may be processed or cooked but must otherwise remain in its essentially natural state and no salts, preservatives, fats or oils, or other adulterants shall have been added.

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\* Note: The last sentence of the food material definition is incomplete. CalRecycle intends the sentence to clearly indicate that certain materials regulated by the California Department of Food and Agriculture (CDFA) are not included in this definition of food material. CDFA is currently considering changes to their regulations that address to these types of materials. CalRecycle will complete the sentence once CDFA's regulations are further developed. In the mean time, this discussion draft includes concept language as a placeholder.