

REPORT

FLORIDA FOOD WASTE POLICY GAP ANALYSIS AND INVENTORY



What goes where?

NEVER IN EITHER

- Non-recyclable or compostable plastics, lids and linings
- Styrofoam
- Fats, Oils, Grease
- Flammable liquids
- Toxic materials (antifreeze, motor oil, chemicals)
- Refrigerators, A/C units
- Stumps, Limbs, Appliances

FOOD WASTE DROP-OFF

- Meat, poultry, seafood
- Soft-shell crab
- Soft-shell crabs
- Butter, margarine, shortening
- Yogurt, sour cream, cottage cheese
- Whole milk, cream
- Condensed milk
- Ice cream
- Ice cream cones
- Ice cream cakes
- Ice cream sandwiches
- Ice cream bars
- Ice cream cones
- Ice cream sandwiches
- Ice cream bars
- Ice cream cones
- Ice cream sandwiches
- Ice cream bars

BACKYARD COMPOSTING

- Vegetable scraps
- Stems, leaves, grass
- Small branches
- Small twigs
- Small shrubs
- Small trees
- Small plants
- Small flowers
- Small fruits
- Small vegetables
- Small herbs
- Small flowers
- Small fruits
- Small vegetables
- Small herbs



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About NRDC

NRDC is an international nonprofit environmental organization with more than 3 million members and online activists. Since 1970, our lawyers, scientists, and other environmental specialists have worked to protect the world's natural resources, public health, and the environment. NRDC has offices in New York City, Washington, D.C., Los Angeles, San Francisco, Chicago, Montana, and Beijing. Visit us at nrdc.org.

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Table of Contents

Glossary of Terms	4
Introduction	5
Policy Gap Analysis Approach and Applications.....	5
Florida Food Waste Policy Gap Analysis.....	12
Florida Food Waste Policy Inventory.....	14
Food Waste Reduction Policy Gap Analysis Rubric	25

Glossary of Terms

Food rescue. This term refers to donation or recovery of surplus food for feeding hungry people.

Food waste reduction. This term encompasses all tiers of the food recovery hierarchy: prevention, donation, animal feed, composting, and anaerobic digestion.

Source-separated organics (SSO). This term references organic material separated for processing and may encompass food scraps as well as yard waste.

GAP ANALYSIS COLOR CODING

No Policy
Weak Policy
Moderate Policy
Strong Policy

Introduction

This report comprises a gap analysis and detailed inventory of food waste–related policies in Florida. Whereas the inventory provides an overview of existing state policies, the gap analysis identifies policy opportunities for furthering food waste reduction. Categories were chosen to represent areas across the food recovery hierarchy and include: organics disposal bans and recycling laws; date labeling; food donation liability protections; tax incentives for food rescue; organics processing infrastructure permitting; food safety policies for share tables; food systems plans, goals, and targets; plans targeting solid waste; climate action goals; and grants and incentive programs related to food waste reduction. The goal of this report is to equip NRDC Food Matters city partners with a comprehensive overview of their state’s respective policy landscape and how it helps and/or hinders efforts to reduce food waste.

The gap analysis can be read as a summary digest of the more detailed policy inventory. This section serves to highlight particularly strong policies that can be leveraged to further a city’s food waste reduction goals, as well as advocacy opportunities where policies are weak or nonexistent. The inventory provides a more comprehensive overview of any policies, executive orders, goals, targets, or programs that exist across the ten covered categories. Users may choose to read the gap analysis to gain a basic understanding of their state’s policy landscape and then reference the inventory for detailed information.

Policy Gap Analysis Approach and Applications

To provide a consistent and objective analysis, policy categories were assessed using a rubric that defines “No Policy,” “Weak Policy,” “Moderate Policy,” and “Strong Policy” for each category. Below is the rationale and definition for each tier of the rubric for the ten policy categories, as well as examples of policies in practice for select categories. For full rubric, see Food Waste Reduction Policy Gap Analysis Rubric.

ORGANICS DISPOSAL BANS AND RECYCLING LAWS

Organics disposal bans and mandatory recycling laws are an effective means of achieving food waste reduction, including via prevention and other strategies across the hierarchy. By limiting the amount of organic waste that entities can dispose of in landfills or incinerators, organics disposal bans and waste recycling laws compel food waste generators to explore more sustainable practices like waste prevention, donation, composting, and anaerobic digestion (AD). A Strong Policy applies to all commercial generators (and possibly individuals at the household level) and is actively enforced. A Moderate Policy is similarly enforced but imposed only on select commercial generators, and Weak Policies are ones that provide several exemptions from the law’s applicability, such as exemptions based on distance from a processing facility or the cost of processing. It is quite common for states to start with a Weak Policy and gradually strengthen it as the marketplace evolves and impacted stakeholders are educated and gain the resources to comply.

Policy in Action

While there are no states in the Southeast that have organics disposal bans or mandatory recycling laws, elsewhere they have received a lot of attention in recent years as an increasing number of states and localities have adopted this policy approach. In many cases, other actions were taken in the years leading up to the legislation or regulation that enabled it to get political and practical traction. For example, in Massachusetts, one of the first states to ban food waste, the state made incremental changes during the years ahead of the ban’s effective date, including:

- Modernizing the permitting structure for composting and AD facilities;
- Investing in infrastructure through grants and low-interest loan programs;
- Providing regulatory relief from other waste ban materials if supermarkets diverted food waste through an innovative partnership with the Massachusetts Food Association called the Supermarket Recycling Program Certification; and
- Developing RecyclingWorks in Massachusetts, a no-cost technical assistance program to help businesses comply.

New York State has taken similar steps by providing grants for infrastructure, supporting food donation networks, and establishing business assistance in advance of its legislation. New York is also an example of a state where a major city (New York City) enacted a waste ban ahead of the statewide law.

Bans and Beyond: Designing and Implementing Organic Waste Bans and Mandatory Organics Recycling Laws, a resource produced by the Harvard Law School Food Law and Policy Clinic and the Center for EcoTechnology, provides further detail on these policies, including their development and structure, for cities and states that are considering this policy option.¹

DATE LABELING

Date labels affixed to food products are a major driver of food waste and an obstacle to food donation. There is currently no federal system regulating the use of date labels such as “sell by,” “best by,” and “use by” on foods. Instead, each state individually decides whether and how to regulate date labels. Manufacturers often have broad discretion over how the dates on foods are selected. These dates typically reflect quality and taste rather than safety, yet businesses, individuals, and even state regulators frequently misunderstand the dates and interpret them to be indicators of when food is no longer safe to eat.

Standardization of date labeling is a cost-effective solution to food waste. By educating consumers about the meaning of date labels on products sold within the state and eliminating bans on the donation or sale of past-date foods, states can make date labels comprehensible to consumers and avoid the systematized waste of safe and wholesome foods. A Strong Policy requires that manufacturers or retailers who choose to affix date labels to foods use one of two prescribed standard date labels, a quality label or a safety label. In addition, a Strong Policy expressly permits the donation of food after the quality date. A Moderate Policy requires date labels for certain foods but does not prohibit or limit the sale or donation of food after its label date. A Weak Policy—and potentially a detrimental one—requires date labels for certain foods and prohibits or limits the sale or donation of food after its label date. Federal guidance recommends the use of the phrase “BEST If Used By” to indicate a food’s quality. Federal legislative proposals as well as industry efforts have recommended the same, and further recommend the phrase “USE By” to indicate safety concerns. States should align their standards with these efforts.

Policy in Action

Southeast states generally have not established a dual date labeling system for quality and safety. Many states in the region have conflicting or unnecessarily restrictive date labeling requirements. With a lack of clear guidelines, food manufacturers and processors have largely created their own labeling schemes. In some cases, decisions on how these dates are determined can be driven by business interests, and the labels often have a wide range of wording that increases confusion. Further, even where state date labeling regulations exist, they often are not based on science-backed food safety concerns. As a result, consumers or businesses often dispose of food when it reaches the label date, even though it may be safe to eat. Thus, date labels are an important part of any policy strategy to prevent food waste, and one that cities can encourage states to pursue. Until federal legislation or regulations standardizing date labels are adopted, states can remove problematic components of their own date labeling policies using guidelines recommended in this analysis, and even help pave the way for federal standardization.

FOOD DONATION LIABILITY PROTECTIONS

Restaurants, retailers, and other food businesses are often hesitant to donate food because they fear being held liable for harm caused by the donated food. While the federal Bill Emerson Good Samaritan Food Donation Act provides robust liability protection for both food donors and food rescue organizations, state liability protections can strengthen this and encourage food donation by further reducing liability risks for those participating in food rescue. A Strong Policy provides liability protection for donations directly to individuals, allowing restaurants and food service organizations to donate small amounts of food that may be cost-prohibitive to transport or store; it also offers protection for donations supplied to the final consumer for a small fee, thereby extending protection to innovative food rescue models like social supermarkets. A Moderate Policy is broader than federal-level protections and may provide protections for donations directly to individuals or donations made for a small fee. A Weak Policy provides protections that are no broader than federal-level ones, or only protects one party, such as the donor or food rescue organization.

Tools to Support Policy

Legal fact sheets or guidance documents can serve as a beneficial tool in communicating legal protections and considerations for potential donors. These documents can relay legal language using easily understood terms that help clarify requirements for protection to apply and alleviate concerns related to donation. The Harvard Law School Food Law and Policy Clinic has created many of these state-specific food donation fact sheets (including on the topic of liability protection for food donation) and a number of other useful documents; these can be found in the organization's online resource library.

TAX INCENTIVES FOR FOOD RESCUE

Donating food can be expensive, because it requires money to harvest, package, store, and transport food that would otherwise be discarded. Tax credits or deductions can help offset those expenses and offer an economic incentive for food donations. A federal tax incentive exists, but certain businesses struggle to utilize it. State-level tax incentives for food donation can help support the agricultural economy and food producers, strengthen ties between local businesses and consumers, reduce the amount of wasted food, and improve the healthy options available to state residents who use emergency food outlets. A Strong Policy is one in which tax deductions or credits fully offset the costs associated with food donation, including transportation. A Moderate Policy provides a tax incentive for food donation, but the incentive does not fully offset the associated costs.

Policy in Action

States and cities may issue tax incentives that help promote food rescue. None of the states in the Southeast have tax incentives for food rescue, and none of the states or jurisdictions reviewed in the Mid-Atlantic or Great Lakes regions have a Strong Policy designation in this category. However, Philadelphia provides an example of a policy enacted at the local level that helps to incentivize food donation. The city implemented a sustainable business tax incentive that allows businesses who meet certain sustainability criteria—including participating in food donation—to receive a tax credit of up to \$4,000 on the Business Income & Receipts Tax (BIRT). As another example, Maryland, a state with a Moderate Policy in this category, offers a tax credit only for food donation by qualifying farms and farm businesses. These businesses can claim up to 50 percent of the value of the donation for conventional products, and up to 75 percent of the value of certified organic produce donations to charitable organizations.

ORGANICS PROCESSING INFRASTRUCTURE PERMITTING

Strong processing infrastructure policies actively facilitate the development and permitting of organic waste processing facilities—including both composting and anaerobic digestion facilities and small-scale composting operations—and are in sync with current best practices for organics processing. A Strong Policy includes a regulatory tier for source-separated organics (SSO) and provides opportunities for market development. Further, a Strong Policy minimizes barriers to entry, is aligned with best management practices for composting SSO, and offers a separate permitting process for anaerobic digestion of SSO. A Moderate Policy similarly offers a dedicated regulatory tier for SSO and considerations for market development, but it may have the same composting requirements for SSO as for mixed solid waste, may negatively impact economic viability by limiting the quantity or site acreage, or may include vague language for handling SSO through anaerobic digestion. A Weak Policy still includes a regulatory tier for SSO, but two of the drawbacks noted above (e.g., limitations on site acreage) are present. No Policy refers to locales with no processing tier for SSO, no acknowledgement of anaerobic digestion of SSO, and no exemption tier for small quantities of SSO.

A commitment to recycled organics market development is another mechanism to bolster organics processing infrastructure. Examples of market development mechanisms include procurement or bidding mandates that require developers to use compost products or recycled organic materials in their development projects.

States with strong policies for diversion to animal feed do not regulate feeding food scraps to animals or have minimal restrictions on such activity; they may also offer education and guidance on relevant laws and regulations and/or encourage collaboration with local farms.

An Evolution of Infrastructure Permitting

Permitting for organics processing infrastructure has evolved over the decades in response to the unique characteristics of different feedstocks, including biosolids, leaf and yard waste, and now, increasingly, food waste. In the 1980s, the U.S. Environmental Protection Agency (EPA) promulgated regulations codified at 40 CFR 503 that established pathogen and vector attraction reduction requirements and pollutant limits for biosolids recycling, including composting. Those requirements are included in most state solid waste regulations for composting, such as PFRP, the process to further reduce pathogens (e.g., maintaining temperature of 55 °C for three days in aerated static piles or 15 consecutive days in windrows). Later in the 1980s and into the 1990s, about two dozen states passed bans on landfill disposal of leaves, grass, and/or brush. This was in response to a perceived shortfall in landfill capacity and led to the creation of composting facilities specifically for yard trimmings in many states. To facilitate the development of yard trimmings processing capacity, states created a “permit by rule” approach (essentially a notification) to facility permitting or established an exemption. Permit-by-rule was an early example of a tiered permitting approach to composting regulations.

Interest in composting of source-separated food scraps grew throughout the 1990s. On-site composting of food scraps, for example, was enabled by in-vessel systems on the market. State solid waste agencies, recognizing that on-site food scrap composting poses minimal threats to public health and the environment, began adopting on-site composting exemptions. Some states also created exemptions for composting food scraps on farms during this time. In some instances, farms were not allowed to sell the compost but instead were required to use it all for their own agricultural operations.

Permit-by-rule, on-site exemptions, and on-farm composting exemptions are the foundation of a tiered approach to regulating composting facilities that process source-separated organic waste streams, including food scraps. Site and operational requirements for processing SSO tend to be less restrictive at smaller volumes and then become more restrictive, e.g., more stringent storm water management and pad requirements, as the quantities of feedstock increase. Tiered approaches reduce barriers to entry for SSO composting, which is why this regulatory approach was prioritized in this report’s policy rubric. As reflected in the rubric structure, it is generally acknowledged that a tiered approach to permitting facilitates development of food scrap processing facilities. This is especially the case for existing yard trimmings composting operations that can move from a permit-by-rule status to a registration or permitted status (depending on quantity of food scraps received) without significant financial hardship (in terms of permitting fees, site improvement costs, etc.). What typically changes are the operating procedures, such as requiring that food scraps be incorporated into the composting process soon after their arrival. PFRP temperature requirements must also be met, especially when meat, dairy, and shellfish are included in the food scraps stream.

To date, regulation of anaerobic digestion facilities receiving food scraps (codigestion) varies by state. In Pennsylvania, for example, the state solid waste agency has a permit for codigestion on dairy farms; however, oversight of codigestion at wastewater treatment plants is done by the water/wastewater division (and by the EPA in some cases, in terms of discharge permits). In Ohio, the state solid waste agency defers permitting of digesters taking food scraps to the air and water quality divisions. The organics processing permitting infrastructure inventories illustrate these variations among states.

Policies in the Southeast Region

Georgia, North Carolina, and Tennessee have either exemptions or a permit-by-rule allowance for small-scale composting of food scraps. The Tennessee Department of Environmental Conservation (TDEC) adopted an exemption for sites composting no more than 100 cubic yards (cy) per year of food scraps or similar material using an in-vessel composting method, or no more than 50 cy per year using other methods (windrows, aerated static piles, etc.) when it promulgated its new rules in 2016. Georgia amended its composting rule in 2018 to establish a permit-by-rule tier for food scrap composting; it applies to community-scale operations that receive food scraps from off-site sources (e.g., nearby households and small businesses). In 2019 North Carolina clarified its criteria for determining small versus large composting facilities and expanded the types of operations that are exempt from permitting, primarily small-scale food waste composting. The new category allows up to 100 cy of material on site at any one time (not including finished compost). In correspondence, Robert Wadley, environmental specialist with TDEC’s Division of Solid Waste Management, Materials Management Program, noted: “I am happy with the size limitations we set. It has covered all community gardens and community composting facilities of which I am aware. It has also allowed small-scale composters to ‘get their feet wet’ before they scale up.”

FOOD SAFETY POLICIES FOR SHARE TABLES

Share tables in schools can promote food rescue efforts and also teach children about food waste and rescue. While the U.S. Department of Agriculture (USDA) provides guidance on establishing share tables in schools, a Strong Policy at the state level goes above and beyond this guidance by encouraging share tables and developing state-specific guidelines or instructions about food safety as it relates to donation. A Moderate Policy allows share tables but provides only limited guidance. A Weak Policy also allows share tables but provides no guidance or offers more restrictive rules and guidance than the federal government does.

From a broader food policy perspective, food donors and food rescue organizations must also comply with food safety regulations. These regulations often do not directly address food donation specifically and can be difficult to navigate for food donors and health inspectors alike. To facilitate increased food rescue, state and local actors can create better and more consistent food safety regulations, produce guidance on food safety regulations for food donation, and prepare health inspectors to serve as food donation advocates. While many of the states analyzed for this project have produced guidance on implementing share tables in schools, very few have promulgated clear, science-based food safety regulations for food donations or offered food safety guidance for food donation more broadly. Given this gap, an opportunity remains for policymakers and advocates at the state and local levels to push for the following changes: regulations that explicitly state what foods can be donated; state-wide uniformity among regulations that apply to donated foods; clarifying guidance on food safety for food donation to support potential food donors; and trainings for local health inspectors on safe food donation.

Policy in Action

State-level stakeholders in the Southeast have done little to promulgate awareness of federal policy around share tables or endorse their use in schools. Developing relevant guidance could reduce food waste and feed hungry people. Connecticut offers a cautionary tale of the importance of clear communication and coordinated efforts among stakeholders. In 2017, the Connecticut State Department of Education released a memorandum noting that the state's share table regulations limit their use to foods that are packaged or unpeeled and that do not require temperature control. This caused confusion among schools who thought the regulations could also apply to external donation—and thus felt compelled to dispose of foods like untouched apples and unopened cartons of milk. State agencies subsequently endorsed a guidance document that clarifies the distinction between share tables and donation to food rescue organizations, and the different regulations for each, and it has been made widely available to schools.

FOOD SYSTEMS PLANS, GOALS, AND TARGETS

Statewide food systems plans, where goals and targets are given the support of state infrastructure, will have a much broader impact than regional or local food systems plans. However, any food systems plan that actively considers food waste reduction and sets clear targets to reduce food loss and waste demonstrates a clear commitment to improving food systems. A Strong Policy designation indicates that there is a comprehensive statewide plan with a set of clear goals and targets that also incorporates food loss and waste reduction. A Moderate Policy features regional food systems plans or a state plan in which one of the following is true: There is limited support to achieve goals, there is a failure to coordinate with other regional plans, or there is little to no consideration of food waste reduction. Weak Policies are designated where there is a regional food systems plan that does not have broader state support and does not address food waste reduction.

Policy in Action

In most of the Southeast states, cities have taken a leadership role in developing food systems plans in the absence of state-level documents. Policies across the country, such as in Massachusetts, Rhode Island, and San Diego, have included very direct language about how reducing food waste is central to the success of the statewide food systems plan. Rhode Island's food strategy, *Relish Rhody*, supports a robust food system that also protects natural resources, promotes clean energy goals, and connects these goals to reducing food waste. To illustrate, one of the five integrated focus areas in Rhode Island's policy is "to minimize food waste & divert it from the waste stream."

PLANS TARGETING SOLID WASTE

Solid waste management plans set targets and a framework for achieving overall materials management and waste diversion goals. Plans that include food waste diversion demonstrate that a state actively considers the impact of food waste on materials management infrastructure, and the best ones are continuously updating their guidance to stay current. A Strong Policy features a current solid waste management plan, zero waste plan, or organics management plan that addresses food waste reduction and offers a strategy for reducing waste. A Moderate Policy highlights food waste as a diversion opportunity but has limitations or is out of date. States with a Weak Policy have plans that are more than a decade out of date and do not acknowledge the role of food waste reduction in diversion strategies.

Measuring Goals

States use a number of strategies to set goals and measure progress on food waste diversion, including analysis of recycling rates, waste reduction rates, or waste generation rates. Recycling rates compare the quantifiable amount of material generated in a territory with the amount of municipal solid waste disposed, but it can be challenging to accurately capture this data, and this approach does not account for waste reduction efforts. A waste reduction rate encompasses the information included in the recycling rate but adds consideration of waste reduction efforts. However, since it can be difficult to measure what is not created (as when food is not wasted), the calculation process can be complicated and the data provided can be less reliable than a recycling rate. A third strategy is to track the waste generation rate over time, either overall or per capita. In areas where waste handling facilities have finite capacity, this data point also helps state officials monitor infrastructure needs as they evolve.

Massachusetts is an example of a state that has evolved its goal-setting and data collection strategies over time, using each data point in different iterations of its solid waste master plan. Massachusetts arrived at using an overall waste generation rate to reduce staff labor required in monitoring goals and allow a focus on various materials reduction rates. As another example, in its Beyond Waste plan, New York took a per-capita waste generation rate approach, accounting for variations in population across the state.

CLIMATE ACTION GOALS

A climate action plan sets clear targets for addressing climate change and establishes clear pathways to meet those targets. With respect to policy vehicles, legislation ranks higher in this policy rubric because it demonstrates a statewide commitment to climate action, whereas executive orders can be revoked by later administrations. Even in the absence of explicit goals for food waste reduction, carbon reduction targets can be leveraged to justify and drive food waste reduction activities at the city and state level. Where state-level political support for climate action is lacking, cities can adopt their own plans and policies. These can incorporate the contribution that food waste reduction makes towards decreasing emissions while providing economic benefits.

Since food waste is a significant contributor to greenhouse gas emissions, a Strong Policy will incorporate a plan to reduce food waste and will identify action steps for specific departments to carry out the work outlined in the plan. A Moderate Policy features a plan that outlines climate action goals, along with supporting legislation or specific departments that have been tasked with action steps. A Weak Policy for a climate action goal is set by executive order with no legislative framework or enacted with limited legislative action and no framework to achieve goals.

GRANTS AND INCENTIVE PROGRAMS RELATED TO FOOD WASTE REDUCTION

State or local grant and incentive programs can be important catalysts for expanding food waste reduction activities across the hierarchy, from helping offset the costs of donation, to seeding startup food rescue organizations and supporting targeted infrastructure expansion, to providing technical assistance to marketplace stakeholders. A Strong Policy has a sustainable funding model to create grants and incentive programs that are explicitly aimed at food waste reduction. These programs also offer free technical assistance to support food waste reduction in an effort to lower the barriers to diversion. A Moderate Policy includes grants and funding for food waste reduction, but the funding may not be dedicated to this category or may be unsustainable, or technical assistance may not be offered. In states with a Weak Policy, grants to support food waste reduction are available, but more than one of the following is true: funding is not dedicated to this category, funding opportunities are not advertised or accessible, funding is unsustainable, or technical assistance is not provided.

Policy in Action

In addition to providing financial support, states and local entities are increasingly seeing the value and impact of educational programs and technical assistance for food waste generators. Several states, including Tennessee, provide technical assistance—tailored one-on-one support to an entity to implement food waste reduction strategies—which can lay the groundwork for a future waste ban or recycling mandate. In the absence of such legislation, a robust technical assistance program can still achieve meaningful results at all levels of the hierarchy. Complementary education and promotional campaigns allow broad outreach to constituents and can be an effective tool for raising awareness and spurring individual action. Every state and city has the opportunity to promote, and support constituents in, reducing waste.

Austin, Texas, has implemented an ordinance that requires certain businesses to rescue surplus food and source-separate food scraps for processing separate from municipal solid waste. Each covered business must submit an annual diversion plan that gives an overview of the types of material that will be recovered and the handling strategy for each of these waste streams. To support enforcement efforts, city staff may inspect hauling and recycling contracts. The city also offers a Reduction or Reuse Credit, whereby businesses can offset performance standards for organics recycling through source reduction efforts. A Zero Waste Business Rebate of up to \$1,800 is also available to support businesses that are beginning or expanding zero waste initiatives, such as composting or recycling programs. Further, Austin Resource Recovery offers direct technical assistance to entities initiating organics diversion programs.

Establishing a framework for the state's highway department or other state agencies to use compost in construction projects is another incentive program that can be pursued to support compost markets. For example, Maryland's State Highway Administration has developed a specification for compost and compost-based products and identifies compost use as a best management practice to address soil erosion, sediment control, and stormwater management. Not only does this provide a broader incentive for use of compost in state projects, but it also helps create an end market for finished compost, acknowledging the importance of compost sales on the sustainability of processing facilities.

Florida Food Waste Policy Gap Analysis

Policy Category	Status	Policy Recommendations and Potential Advocacy Opportunities
Organics Disposal Bans and Recycling Laws	No Policy No policy pertaining to food waste reduction. However, Fla. Stat. 403.706 requires counties to develop their own plans for the operation of solid waste disposal facilities, encouraging partnerships with the private sector for composting or mulching plans. ² State agencies also offer resources for composting and additional education for food waste reduction. ³	<ul style="list-style-type: none"> ■ Enact an organic waste ban or mandatory organics recycling law for all commercial generators. ■ Introduce a solid waste disposal tip fee that would help incentivize waste diversion while generating a revenue stream to fund food waste prevention and diversion programs. ■ Cities or counties may be able to enact their own organic waste bans for food waste or establish incentive programs for food donation or waste diversion because they have the power to develop their own solid waste disposal plans. Incentive programs can come in the form of recognition, certification, or regulatory relief. <p>Note: Progress on the recommendations below, particularly in the areas of Liability Protection, Tax Incentives, Organics Processing Permitting, Food Systems Plans, and Solid Waste Management Plans, can help make food waste reduction more common, which can lower barriers to implementing policies like a disposal ban.</p>
Date Labeling	Weak Policy Florida imposes date labeling requirements on milk and shellfish. ⁴ It does not clarify which labels are quality based but seems to restrict sales after the label date. There is no clear permission to donate after the date on the label.	<ul style="list-style-type: none"> ■ Establish guidelines expressly allowing the donation or the freezing of food after the quality-based date, and educate businesses about donation. ■ Remove prohibition on offering milk past the sell-by date. ■ Launch education campaigns and guidance documents that promote consumer awareness and education on the meaning of date labels. ■ Align any updates to date labeling policy with federal guidance.
Food Donation Liability Protections	Weak Policy Florida provides liability protection for donors and distributors of food offered for free and includes a presumption of good faith. ⁵ However, liability protections do not cover donations directly to needy individuals or donations that are eventually supplied for a small fee.	<ul style="list-style-type: none"> ■ Provide liability protection beyond that offered at the federal level by the Bill Emerson Good Samaritan Food Donation Act, including: <ul style="list-style-type: none"> □ Liability protection for donations sold at a low price by distributing nonprofits. □ Liability protection for certain “direct donations” made by food businesses directly to those in need. □ Explicit liability protection when donors provide food products past a quality-based date.
Tax Incentives for Food Rescue	No Policy Florida offers no tax deductions or credits for the donation of food.	<ul style="list-style-type: none"> ■ Offer tax incentives to offset the costs of food donation, including the cost of transporting donated food. ■ Offer a tax credit for donation by farmers.
Organics Processing Infrastructure Permitting	Moderate Policy Florida’s composting regulations refer to “vegetative waste,” meaning source-separated organics that are not yard waste. ⁶ The current rule has very detailed classifications for compost and how it may be used, though it contains exemptions for on-farm composting or off-farm composting and anaerobic digestion for later on-farm use. ⁷ A stand-alone anaerobic digestion facility would require an air quality permit and would not fall under this solid waste rule.	<ul style="list-style-type: none"> ■ Ensure source-separated organics permitting reduces barriers to entry for composting source-separated food waste through simplified permitting for the addition of food scraps at existing yard trimmings composting facilities, and provide an exemption from permitting for small-scale and/or community composting operations. Such a permitting process should be in sync with best management practices for composting source-separated food waste. ■ Develop a separate permitting pathway for anaerobic digestion of source-separated food waste that includes, where applicable, requirements similar to those imposed on composting source-separated food waste. ■ Bolster the market for finished compost by enacting procurement requirements for commercial developers and/or government agencies (e.g., mandatory consideration of a bid for use of compost).

Policy Category	Status	Policy Recommendations and Potential Advocacy Opportunities
Food Safety Policies for Share Tables	<p>Weak Policy</p> <p>Florida allows share tables but provides no state resources or guidance on food safety for donation. All food safety guidelines are promulgated by local health departments, which may reference the USDA share table memo.⁸</p>	<ul style="list-style-type: none"> ■ Develop comprehensive and state-specific food safety guidance for share tables and food rescue. ■ Promote opportunities for schools to increase rescue through share tables and other methods.
Food Systems Plans, Goals, and Targets	<p>No Policy</p> <p>Although some cities have created food systems plans, no regional or statewide food systems plan exists.</p>	<ul style="list-style-type: none"> ■ Develop a comprehensive, statewide food systems plan, with clear goals and targets to build a local, sustainable food system and support local farmers. This plan should include considerations for food waste reduction. ■ Establish a statewide framework and support system to achieve those targets. ■ Support regional plans, which provide the opportunity to set goals and targets for advancing food systems and promoting food waste reduction strategies.
Plans Targeting Solid Waste	<p>Weak Policy</p> <p>Florida develops a strategic plan every two years that outlines goals and programming initiatives for the state. The state collects extensive data on recycling rates.⁹ While final reports will not be available until mid-year 2021, the most recent interim recycling rates indicate that the state is currently not on track to meet the diversion goals meant to be achieved by 2020.</p>	<ul style="list-style-type: none"> ■ Update the Florida Solid Waste Management Act to complement waste diversion goals and recommendations for management of food waste.¹⁰ ■ Supplement the solid waste management plan with an organics management plan or a zero-waste plan that highlights food waste as a diversion opportunity, including via prevention, rescue, donation, and/or processing through composting or anaerobic digestion. ■ Municipalities can modify county and local solid waste management plans to incorporate a stronger focus on food waste reduction, including by establishing a timeline for achieving diversion goals.
Climate Action Goals	<p>Weak Policy</p> <p>A previous governor established climate action goals in the form of executive orders, although these documents did not reference the relationship of food waste to greenhouse gas emissions.¹¹ There is no current framework or support to achieve these goals.</p>	<ul style="list-style-type: none"> ■ Pass legislation and/or issue executive orders to establish updated climate action goals. ■ Task specific departments with actionable steps for advancing emission reductions in the context of reducing food waste. ■ Create specific recommendations for reducing food waste through climate action planning, and task specific departments with actionable next steps for moving policy forward. ■ Pass local climate action goals and plans to draw the connection between emission reduction and food waste reduction and to advance local efforts.
Grants and Incentive Programs Related to Food Waste Reduction	<p>Weak Policy</p> <p>In the past, Florida has provided grants and funding for food loss and waste prevention and education or for promotion of food rescue, but several of these funds have been discontinued.¹²</p>	<ul style="list-style-type: none"> ■ Fund the programs previously established to support food waste reduction activity. ■ Consider establishing a funding stream to support infrastructure development for food rescue and food waste processing. ■ Establish a free technical assistance program to help businesses divert organics from the waste stream. Local technical assistance programs can support these efforts.

Florida Food Waste Policy Inventory

ORGANICS DISPOSAL BANS AND RECYCLING LAWS

There are no known organics disposal bans or recycling laws in the state of Florida. However, a statute that went into effect in 2013 sets various recycling goals for local governments. This statute encourages counties to consider plans for organics composting but does not impose any obligations with respect to the practice.

Citation	Summary & Key Elements	Source
Fla. Stat. § 403.706 (2013)	<p>Title: Title 29: Public Health, Chapter 403: Environmental control, Section 706: Local government solid waste responsibilities</p> <p>Summary: Each county is responsible for developing plans for the operations of solid waste disposal facilities.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ Each county is encouraged to incorporate composting or mulching organics that otherwise would be disposed of in landfills. ■ Partnerships with the private sector are encouraged for composting or mulching plans. 	https://www.flsenate.gov/Laws/Statutes/2013/403.706

DATE LABELING

Florida currently requires date labels for two food items: shellfish and milk products. Neither of these products is permitted for sale after the date marked on the container. As noted below, there are no restrictions on the donation of past-date food items.

Citation	Summary & Key Elements	Source
Fla. Admin. Code Ann. r. 5L-1.007 (2019)	<p>Title: Container Identification; Prohibitions</p> <p>Summary: Outlines parameters for date labeling and packaging for shellfish.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ Containers with less than 64 ounces of fresh, fresh-frozen, or previously frozen shellfish need to have clearly legible and conspicuous “sell by” date labels. ■ This date when the product will reach the end of its shelf life is determined by the processor. ■ Containers with 64 ounces or more of fresh, fresh-frozen, or previously frozen shellfish need to have the “date shucked” clearly labeled. ■ Bulk storage containers must indicate the state of origin, harvest date, and shuck date. ■ Previously frozen shucked shellfish must be labeled “previously frozen” and display the freeze date and thaw date. 	https://www.flrules.org/gateway/RuleNo.asp?title=THE%20COMPREHENSIVE%20SHELLFISH%20CONTROL%20CODE&ID=5L-1.007
Fla. Admin. Code Ann. r. 5L-1.004 (2019)	<p>Title: Production and Market Standards</p> <p>Summary: No shucked shellfish can be sold, offered for sale, or processed, packed, or repacked after the “sell by” date.</p>	https://www.flrules.org/gateway/RuleNo.asp?title=THE%20COMPREHENSIVE%20SHELLFISH%20CONTROL%20CODE&ID=5L-1.004

Citation	Summary & Key Elements	Source
Fla. Admin. Code Ann. r. 5K-10.003 (2008)	<p>Title: Dating; Standards for Milk, Milk Products, Manufactured Milk Products and Frozen Desserts</p> <p>Summary: All milk and milk products need a legible label with the shelf-life date. This label needs to be in a conspicuous location on the container.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ The methods to determine the shelf life of these products will be microbiological and organoleptic. ■ The maximum shelf life of fluid uncultured milk pasteurized at less than 270 °F shall not exceed 10 days from date of packaging unless the government grants an exception. ■ No milk or milk products can be offered for sale as a grade A product after the expiration date on the container. ■ However, the abovementioned does not apply to containers of milk or milk products that are not sold in Florida. 	https://www.flrules.org/gateway/ruleno.asp?id=5K-10.003

FOOD DONATION LIABILITY PROTECTIONS AND TAX INCENTIVES FOR FOOD RESCUE

Florida provides liability protection, both civil and criminal, for food donations. There are currently no tax incentives for food donation in Florida.

Citation	Summary & Key Elements	Source
Fla. Stat. § 768.136 (2016)	<p>Title: Liability for Canned or Perishable Food Distributed Free of Charge</p> <p>Summary: Outlines liability protection for donating food.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ Anyone donating food in good faith to a bona fide charitable or nonprofit organization for free is not subject to criminal penalty or civil damages that may arise from the condition of the food unless an injury is caused by gross negligence, recklessness, or intentional misconduct. ■ Charitable or nonprofit organizations that are uncompensated are also protected from criminal penalty or civil damages arising from the condition of the food unless an injury is caused by gross negligence, recklessness, or intentional misconduct. ■ This protection extends to donors and charitable distributors regardless of whether such food is readily marketable due to appearance, freshness, grade, surplus, or other such considerations. 	<p>Law:</p> <p>https://www.flsenate.gov/Laws/Statutes/2016/768.136</p> <p>Legal fact sheet:</p> <p>https://www.fdacs.gov/content/download/84633/file/FRP-FOOD-DONATION-Farmers-Guide-2020.pdf</p>

ORGANICS PROCESSING INFRASTRUCTURE PERMITTING

In 2020 the Florida Department of Environmental Protection (FDEP) started the process of updating its rules that cover organics recycling, with the intent of making a few revisions.¹³ But through the review process it recognized a need to make more substantive changes, according to Division of Solid Waste officials. The rulemaking revisions are expected to be proposed in 2021, in conjunction with a public comment period. Officials did not provide any specific details on the changes but noted they include adding definitions of pre-consumer and postconsumer food waste, which will help facilitate diversion of those materials in the solid waste stream. It also will define community composting, which will apply to the exemption noted in the table below. Currently the rule uses the term “vegetative waste” to mean source-separated organics that are not yard trash. (FDEP has always referenced yard trimmings as “yard trash.”) The revisions do not include creating a regulatory tier or tiers for source-separated food waste composting. The current rule has very detailed classifications for compost and how it may be used (it is the most explicit of all states reviewed for this project). FDEP also notes that a stand-alone food waste anaerobic digestion facility requires an air quality permit and thus does not fall under its solid waste rule (62-709); any solid waste management requirements would be incorporated in the air permit. Generally speaking, utilization of waste-to-energy facilities for solid waste management in a number of Florida cities and counties (especially in the Southeast and on the Gulf Coast) has made it very difficult to implement source-separated food scrap composting and anaerobic digestion. This is partly due to flow-control regulations. Food waste composting facilities in Florida operate under a registration classification, as opposed to a solid waste composting permit.

Food waste is defined as “garbage” and is allowed to be diverted to animals for feed, but a license is required to do so.

Citation	Summary & Key Elements	Source
<p>Fla. Admin. Code r. 62-709</p>	<p>Title: Criteria for Organics Processing and Recycling Facilities</p> <p>Summary: Covers any solid waste management facility whose purpose is or includes the production of compost.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ The four classifications of composting are: Exempt, Registration, Pilot, and Permitted. ■ Exemptions include: <ul style="list-style-type: none"> □ Composting of solid waste generated on site or off site, when there is no more than 100 cubic yards (cy) of solid waste on site at any one time to be composted, undergoing the composting process, or finished and being stored for use. □ On-farm composting. □ Composting or anaerobic digestion of yard trash, manure, or vegetative wastes generated off a farm, for use on the farm as part of agronomic, horticultural, or silvicultural operations. ■ Registration is allowed for facilities processing “vegetative waste”—defined as source-separated organic solid waste that is vegetative in origin; is generated by commercial, institutional, agricultural, or industrial operations; and is not considered yard trash. This term includes waste generated by grocery stores, prisons, restaurants, packing houses, and canning operations, as well as products that have been removed from their packaging, such as out-of-date juice, vegetables, condiments, and bread. This term also includes packaging that is vegetative in origin such as paper or cornstarch-based products. These wastes are putrescible waste as defined in this chapter. ■ Registration is required for owners or operators of yard trash processing facilities; facilities composting vegetative waste, animal by-products or manure with or without yard trash; and manure blending operations that meet the criteria of this rule. No maximum quantity of feedstocks allowed at any one time or per year is specified. ■ Any putrescible waste received at registered facilities, such as vegetative wastes, animal by-products, or manure, shall be processed and incorporated into the composting material, or removed from the facility, within 48 hours of receipt. ■ Currently there are minimal operating standards or requirements for registered facilities, e.g., type of pad and stormwater management. Two operating standards of note are these: The carbon:nitrogen ratio of the blended feedstocks shall be greater than 20:1, and material cannot be stored or processed in piles more than 12 feet in height. (FDEP officials note that the revised rule will require an operational plan for registered facilities.) ■ Any compost produced from solid waste, excluding compost made with only yard trash or pre-consumer vegetative waste, must be “disinfected”—i.e., meet the Process to Further Reduce Pathogens (PFRP) requirements. ■ Composting facilities that process domestic wastewater residuals with other solid wastes are regulated under this chapter. 	<p>https://www.flrules.org/gateway/ChapterHome.asp?Chapter=62-709</p>
<p>Fla. Admin. Code r. 62-709.460</p>	<p>Title: Special Permitting Criteria for Solid Waste Organics Recycling Pilot Projects</p> <p>Summary: Entities wanting to conduct an organics recycling pilot shall operate only under a permit issued in accordance with this rule.</p> <p>Key Elements:</p> <p>Provision does not specify allowed feedstocks.</p> <p>Pilot will initially operate for no more than 18 months, with the option to extend the project for an additional 18 months.</p> <p>Pilot will accept no more than 10,000 cubic yards of project feedstock.</p> <p>Application must describe materials to be processed, what the project is designed to do, and how it will operate.</p> <p>Project must meet requirements for PFRP (disinfection of end products).</p>	<p>https://www.flrules.org/gateway/ChapterHome.asp?Chapter=62-709</p>

Citation	Summary & Key Elements	Source
<p>Fla. Admin. Code r. 62-709.500</p>	<p>Title: Design Criteria for Permitted Facilities</p> <p>Summary: Applies to composting facilities accepting any solid waste other than yard trash, vegetative waste, animal by-products, or manure. Design and operational criteria are more stringent than for Registration status. Types of feedstocks that can be accepted under this permit are not specified. There are no quantity limits.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ Facility site shall have sufficient structural support for the operation including total waste received, material processed, compost stored, equipment, and structures to be built on site (<i>sufficient</i> is not defined). ■ Inspection and weighing procedures for incoming waste are required. ■ Stormwater controls shall be designed, constructed, and maintained to meet the requirements of Chapters 62-25 and 62-330, F.A.C.¹⁴ (A search for compost in those chapters resulted in no matches.) Where FDEP has delegated stormwater permitting to a water management district, these controls must meet the requirements of the water management district. A leachate collection and removal system must be designed, constructed, maintained, and operated to collect and remove leachate from the waste receiving and storage areas and the processing and curing areas. Leachate must be reused in the composting process or treated. 	<p>https://www.flrules.org/gateway/ChapterHome.asp?Chapter=62-709</p>
<p>Fla. Admin. Code r. 62-709.530</p>	<p>Title: Testing, Recording and Reporting Requirements</p> <p>Summary: This section details types and frequency of compost testing.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ A composite sample of the compost produced at each composting facility must be analyzed at intervals of every 20,000 tons of compost produced or every three months, whichever comes first, for percent moisture, percent reduction in organic matter, percent organic matter, and pH. ■ Facilities must demonstrate compost has been disinfected by analyzing for fecal coliform or <i>Salmonella</i> sp bacteria, at intervals of every 20,000 tons of material produced or every three months, whichever comes first. Also must test for enteric viruses and helminth ova. ■ Compost made from solid waste other than only yard trash, vegetative wastes, animal by-products, or manure must be analyzed at intervals of every 20,000 tons of compost produced or every three months, whichever comes first, for: <ul style="list-style-type: none"> 1. Percent foreign matter; and 2. Total cadmium, copper, lead, nickel, and zinc, all in mg/kg dry weight. 	<p>https://www.flrules.org/gateway/ChapterHome.asp?Chapter=62-709</p>

Citation	Summary & Key Elements	Source
<p>Fla. Admin. Code r. 62-709.550</p>	<p>Title: Classification of Compost</p> <p>Summary: Compost must be classified according to the type of waste processed, product maturity, the amount of foreign matter in the product, the particle size and organic matter content of the product, and the concentration of heavy metals.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ Characteristics to determine classification include type of waste processed, product maturity (mature, semi-mature, fresh), foreign matter content, particle size, and heavy metal concentrations (categorized into four pollutant concentration codes (classifications) for cadmium, copper, lead, nickel and zinc). All of these parameters help determine allowed usage of composts. ■ There are seven classifications of compost, starting with Type Y (yard trash only) and YM (vegetative waste, animal by-products, or manure, with or without yard trash). For example, YM is classified as mature or semi-mature and is fine, medium, or coarse, with foreign matter content of <2 percent and metal concentration. ■ Types A–E are composts made at permitted facilities, i.e., made from solid waste other than only yard trash, vegetative waste, animal by-products or manure. ■ Defines mature, semi-mature, and fresh composts, e.g., “Semi-mature compost is compost material that is at the mesophilic stage that will reheat upon standing to greater than 20 °C above ambient temperature. It has beneficial use, although direct contact with roots should be avoided. The material should be a light to dark brown in color. This level of maturity is indicated by a reduction of organic matter of greater than 40 percent but less than or equal to 60 percent.” 	<p>https://www.flrules.org/gateway/ChapterHome.asp?Chapter=62-709</p>
<p>Fla. Admin. Code r. 62-709.600</p>	<p>Title: Criteria for the Use of Compost</p> <p>Summary: Defines allowances for compost distribution based on classification.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ Compost classified as Types Y, YM or A have no restrictions on distribution. ■ Types B and C “shall be restricted to use by commercial, agricultural, institutional or governmental operations. However, if it is used where contact with the general public is likely, such as in a park, only Type B may be used.” ■ Types A, B and C composts are all made from solid waste, other than only yard trash, vegetative waste, animal byproducts or manure. The letter distinguishes the level of maturity, particle size (fine, medium or coarse), foreign matter content (e.g., glass), and the pollutant concentration (i.e., Codes). ■ Type D compost may be used only at landfills or land reclamation projects as long as contact with public is unlikely. ■ Regulation includes criteria for situations in which repeated use of compost can be expected, e.g., agricultural soils. 	<p>https://www.flrules.org/gateway/RuleNo.asp?title=CRITERIA%20FOR%20ORGANICS%20PROCESSING%20AND%20RECYCLING%20FACILITIES&ID=62-709.600</p>
<p>Fla. Stat. § 585.01 (2012)</p>	<p>Title: Definitions</p> <p>Summary: Defines “garbage” as it pertains to the animal industry.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ Garbage can be defined as all refuse matter, including animal or vegetable, by-products of a restaurant, kitchen or slaughterhouse. ■ Garbage shall not include fruit or vegetable matter that does not contain or has not been in contact or mixed with meat or meat parts. 	<p>https://www.flsenate.gov/Laws/Statutes/2012/585.01</p>

Citation	Summary & Key Elements	Source
Fla. Stat. § 585.50 (2016)	<p>Title: Section 50: Garbage Feeding Prohibited Unless Sterilized</p> <p>Summary: It is unlawful to feed garbage to animals unless the garbage has been heated, cooked, treated, or processed under such temperature, pressure, process, or method for a certain amount of time to be free of any diseases that might affect the animals.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ The Department of Agriculture may promulgate rules covering the method of treating garbage such that it renders the garbage free of any contagious, infectious, or communicable disease. ■ This does not apply to anyone feeding garbage from their household to their own animals. 	https://www.flsenate.gov/Laws/Statutes/2016/585.50
Fla. Stat. § 585.51 (2019)	<p>Title: Section 51: Permitting of Feeders of Garbage</p> <p>Summary: A license must be obtained to feed garbage to animals.</p>	https://flsenate.gov/Laws/Statutes/2019/0585.51
Fla. Admin. Code Ann. r. 5C-11.017 (1995)	<p>Title: Feeding Garbage; Procedures, Equipment, Records, Quarantine and Pretreating Requirements</p> <p>Summary: Outlines requirements for garbage treatment before it is fed to animals.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ All garbage must be cooked for at least 30 minutes at 212 °F before being fed to animals. ■ Anyone feeding garbage to animals must keep records of the collection, transportation, and distribution of garbage and procedure of treating garbage. 	https://www.flrules.org/gateway/ruleno.asp?id=5C-11.017

FOOD SAFETY POLICIES FOR SHARE TABLES

The Florida Department of Agriculture and Consumer Services web page for its Food Recovery Program offers a number of resources on food donation, including specific guidelines and resources related to COVID-19, as well as guidelines and resources for food rescue at schools, on farms, and in homes.¹⁵ Because food safety guidelines are promulgated by local health departments, there is no comprehensive food safety guidance for food donation or for share tables in schools, except by reference to the USDA share table memo.¹⁶

FOOD SYSTEMS PLANS, GOALS, AND TARGETS

No statewide food systems plan has been developed for the state of Florida. The Sarasota Food Policy Council created a food system plan examining the needs of the foodshed of Sarasota County.

Citation	Summary & Key Elements	Source
Food Policy Input to Draft Comprehensive Plan of Sarasota County (2016)	<p>Summary: Developed by the Sarasota Food Policy Council, composed of stakeholders representing the community foodshed of Sarasota County, this document was input into the Comprehensive Plan of Sarasota County.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ Notes issues and concerns for Sarasota County, including low levels of available locally produced food, regulatory barriers, and growing community support for local food system development. ■ Encourages development of school and community gardens and edible landscaping of public buildings. ■ Proposes searchable database of local food system assets. ■ Establishes the Sarasota Food Policy Council as an official advisory panel to Sarasota County government, with 50 percent of seats reserved for county stakeholders. 	http://sfyl.ifas.ufl.edu/sarasota-docs/ag/Food_Policy_Recommendations_2015_Update_Process_Comprehensive_Plan_Sarasota_County.pdf

Citation	Summary & Key Elements	Source
Health in All Policies: Food Access and Community Gardens, Terrace Park/ University Square (2018)	<p>Summary: Developed by the City of Tampa through a 2017 grant from the Florida Department of Economic Development, the plan identifies health-related goals in the current comprehensive plan, solicits community feedback on possible comprehensive plan policy changes, and discusses the need for a community garden and potential sites.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ Tracks key demographics and economic data for Hillsborough County and the Terrace Park/University Square Area. ■ Recommends transportation and sidewalk improvements for food access. ■ Collects community input on preferences for purchasing fresh produce. 	http://www.planhillsborough.org/wp-content/uploads/2018/01/HiAP-Food-Access-and-Community-Gardens-Terrace-Park-University-Square-Jan.-2018-low-res.pdf

PLANS TARGETING SOLID WASTE

Florida’s Solid Waste Management Act of 1988 established a state solid waste management program and acknowledged the powers of local governments to create their own solid waste management plans in accordance with the state plan.¹⁷ Florida established a 75 percent recycling goal to be achieved by 2020, through a variety of means including composting and organics diversion efforts.

It is notable that the Energy, Climate Change and Economic Security Act of 2008 set forth recycling targets for the state, and goals for 2012 and 2014 were met. In 2016 the state did not meet its interim goal, and the recycling rate declined.¹⁸ In 2018 the rate was 49 percent. This decline has been attributed to decreases in the reporting of recycling of construction and demolition debris.

Citation	Summary & Key Elements	Source
Fla. Stat. §§ 403.702 et seq. (2018)	<p>Title: Resource Recovery and Management</p> <p>Summary: General framework for resource recovery and management in the state of Florida, including recycling and solid waste management.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ Sets up state solid waste management program, providing guidelines and coordinating with local governments and state agencies. ■ Sets up solid waste management trust fund and use of waste tire fees for solid waste management grant program. ■ Outlines local government solid waste responsibilities and powers. ■ Requires Florida Department of Environmental Protection to establish and maintain rules addressing standards for the production of compost. 	https://www.flsenate.gov/Laws/Statutes/2018/Chapter403/Part_IV
Fla. Stat. § 403.7032 (2018)	<p>Title: Energy, Climate Change, and Economic Security Act of 2008 (amending § 403.7032, Recycling)</p> <p>Summary: Establishes a statewide recycling goal with infrastructure to support achieving this aim.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ Sets a goal to reach a 75 percent recycling rate by 2020, but notes that any solid waste used for the production of renewable energy will count toward the long-term recycling goal. ■ Requires the Department of Environmental Protection to establish a program to meet this goal. ■ Establishes Recycling Business Assistance Center (below). 	http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0400-0499/0403/Sections/0403.7032.html

Citation	Summary & Key Elements	Source
<p>75 Percent Recycling Goal Report to the Legislature (2010)</p>	<p>Summary: Report developed by Florida Department of Environmental Protection in response to requirement in the Energy, Climate Change and Economic Security Act of 2008 (amending Fla. Stat. § 403.7032 (2018)).</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ Identifies a then current statewide recycling rate of 28 percent and recognizes organics as a key component of reaching the 75 percent goal as this material makes up 40 percent of the state’s municipal solid waste. ■ Identifies home composting as an important strategy in organics management. ■ Recognizes a need for market development for finished product from organics processing. ■ Recommends: <ul style="list-style-type: none"> □ Ensuring that state agencies are meeting the 75 percent goal and developing recycling resources for agencies. □ Collaborating with municipalities to increase recycling efforts. □ Requiring schools to implement recycling programs. □ Establishment of a recycling grants or revolving loan program to support municipalities in meeting the recycling goal. □ Collaborating with the Florida Department of Agriculture and Consumer Services to review potential markets for organic materials. □ Providing funding for initiatives to develop and implement organics diversion strategies. □ Modifying language in Section 403.7043, F.S. related to composting to allow FDEP to establish rules and criteria for organics processing as opposed to focusing solely on composting. □ Amending Section 403.706(2) (d), F.S. to include a diverse range of organic recycling technologies that can count toward the compost goal. Further, in Section 403.714(2), (30), and (4), F.S. replacing the term <i>compost</i> or <i>composted</i> with “recycled organic(s)” to expand the scope of market development. 	<p>https://depdms.dep.state.fl.us/Oculus/servlet/operation?action=guidHitList&SelectedGuids=8.257172.1&profile=DWM+Historical+Repository</p>
<p>2010 Fla. Laws Chapter 2010-143</p>	<p>Title: An Act Relating to Environmental Control</p> <p>Summary: This act offers a variety of strategies for environmental control, including establishing departmental support for materials recovery, amending past reporting requirements, and modifying the recycling grants program.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ Sets forth a process for establishing a Recycling Business Assistance Center by December 1, 2010. ■ Amends Section 403.7032 F.S. to include the statewide goal of a 75 percent recycling rate by 2020. ■ Requires that public entities report recycling data. ■ Mandates that the DEP provide the Legislature with a biennial report on the status of meeting solid waste reduction goals. If goals are not met, a report is required to outline changes required to meet the interim and 2020 goals. ■ Enables the DEP to require counties to plan for expanded recycling programs when certain conditions are met. ■ Eliminates requirements for: <ul style="list-style-type: none"> □ Counties to establish composting goals; □ Major emitters to register and report on greenhouse gas emissions; □ The DEP to create methods and reporting frameworks related to greenhouse gas emissions. ■ Revises the solid waste management grant program. ■ Requires the Florida Building Commission to provide recommendations for recycling and composting. 	<p>http://laws.flrules.org/2010/143</p>

Citation	Summary & Key Elements	Source
Recycling Business Assistance Center (Fla. Stat. § 403.7032 (2020), cited above)	<p>Summary: Established in law cited above “to achieve a 75 percent recycling rate by 2020.”</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ Goals set forth by the center include: <ul style="list-style-type: none"> □ Partnering with trade associations and state agencies; □ Providing online support services; □ Distributing a quarterly newsletter; □ Maintaining a social media presence; □ Evaluating development of a nonprofit foundation to support fund-raising goals; □ Pursuing recognition or awards programs. ■ Offers training for business development in Florida. 	https://floridadep.gov/waste/waste-reduction/content/recycling-business-assistance-center

CLIMATE ACTION GOALS

In 2007, the governor of Florida issued three executive orders to initiate actions to reduce greenhouse gas emissions in the state. One element of this initiative was creating an Energy and Climate Change Action Plan. Two plans, Florida’s Energy and Climate Change Action Plan and a Florida Energy and Climate Action Plan developed by the Department of Agriculture and Consumer Services, do reference the benefits of anaerobic digestion in reducing emissions.

Citation	Summary & Key Elements	Source
Executive Order 07-126 (July 13, 2007)	<p>Title: Establishing Climate Change Leadership by Example: Immediate Actions to Reduce Greenhouse Gas Emissions From Florida State Government</p> <p>Summary: Creates greenhouse gas emission reduction targets for state agencies and departments:</p> <ul style="list-style-type: none"> ■ 10 percent reduction from current levels by 2012; ■ 25 percent reduction from current levels by 2017; ■ 40 percent reduction from current levels by 2025. <p>Key Elements:</p> <ul style="list-style-type: none"> ■ Requires the state to develop a Florida Governmental Carbon Scorecard that monitors financial savings and greenhouse gas reductions as a result of this executive order. ■ Establishes a goal of meeting LEED Platinum-level certification for any new building construction, and LEED-EB standards in existing buildings. ■ As of January 1, 2008, requires meetings and conferences coordinated by the state to be hosted at businesses with DEP “Green Lodging” certification. 	https://www.fsec.ucf.edu/en/media/enews/2007/pdf/07-126-actions.pdf
Executive Order 07-127 (July 13, 2007)	<p>Title: Establishing Immediate Actions to Reduce Greenhouse Gas Emissions Within Florida</p> <p>Summary: Creates greenhouse gas emission reduction targets for the state.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ Establishes emissions reductions targets that include reaching: <ul style="list-style-type: none"> □ 2000 levels by 2017; □ 1990 levels by 2025; □ 80 percent of 1990 levels by 2050. ■ Charges several members of the governor’s administration with developing rules related to reducing emissions from motor vehicles and energy utilities. ■ Asks the Florida Public Service Commission to initiate rulemaking to require that utilities produce at least 20 percent of their electricity from renewable sources (Renewable Portfolio Standard). As of the date of publication of this document, Florida still lacked a Renewable Portfolio Standard. 	https://www.fsec.ucf.edu/en/media/enews/2007/pdf/07-127-emissions.pdf

Citation	Summary & Key Elements	Source
<p>Executive Order 07-128 (July 13, 2007)</p>	<p>Title: Establishing the Florida Governor's Action Team on Energy and Climate Change</p> <p>Summary: Creates an Action Team on Energy and Climate Change with a charge to:</p> <ul style="list-style-type: none"> ■ Create an Energy and Climate Change Action Plan to meet goals established in Executive Order 07-127. ■ Provide recommendations for legislative initiatives related to reducing greenhouse gas emissions by November 1, 2007, and October 1, 2008, based on various sector focuses. 	<p>https://www.fsec.ucf.edu/en/media/news/2007/pdf/07-128-actionteam.pdf</p>
<p>Florida's Energy and Climate Change Action Plan (October 15, 2008)</p>	<p>Summary: Developed as a result of the governor's Executive Order 07-128, this plan provides 50 policy recommendations to reduce greenhouse gas emissions and meet the governor's reduction goals.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ Recommendations include: <ul style="list-style-type: none"> □ Testing new technologies to process organic waste, including agricultural wastes and food. This may include, but is not limited to, anaerobic digestion. □ Pursuing opportunities to incorporate organics as feedstocks for energy or fertilizer, including through technologies such as biomass gasification combined cycle, pyrolysis, and plasma arc. □ Expanding use of biomass feedstocks to produce electricity, heat, and steam. □ Commercializing biomass-to-energy conversion and bio-products technologies. □ Implementing a cap-and-trade system, which could include incentives to improve management of organic wastes. 	<p>https://toolkit.climate.gov/reports/florida%E2%80%99s%C2%A0energy-climate-change-action-plan</p> <p>OR</p> <p>http://www.climatestrategies.us/library/library/view/65</p> <p>http://drought.unl.edu/archive/plans/Climate/state/FL_2008.pdf</p>
<p>Florida Energy & Climate Plan</p>	<p>Summary: Report developed by the Florida Department of Agriculture and Consumer Services to provide policies for reducing the state's climate impact.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ Acknowledges the potential for anaerobic digestion as a strategy to reduce methane emissions for organic waste and as a source of renewable energy. 	<p>https://www.fdacs.gov/ezs3download/download/89011/2560887/Media/Files/Energy-Files/Florida%20Energy%20and%20Climate%20Plan.pdf#:~:text=In%20the%20Florida%20Energy%20and,effective%2C%20measurable%2C%20meaningful%20change.&text=Florida%20is%20expected%20to%20face,climate%20change%20costs%20by%202040</p>

GRANTS AND INCENTIVE PROGRAMS RELATED TO FOOD WASTE REDUCTION

Several funding mechanisms exist in the state to support organic waste reduction efforts. As noted in the table below, several grant programs to support innovative diversion and composting efforts have been offered and since discontinued. The state also supports a Florida Organics Recycling Center for Excellence, FORCE, which provides resources to promote and advance organics diversion, processing, and use of end products.

Citation	Summary & Key Elements	Source
Recycling Loan Program	<p>Summary: Through FDEP, the program offers access to capital for equipment and machinery to expand recycling capacity in the state.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ Offers long-term fixed-rate loans at interest rates below prime. ■ Offers funding of up to \$200,000 to small businesses in Florida, start-up companies, or out-of-state firms expanding into the state. Companies are required to have a net worth of less than \$6 million and fewer than 100 employees. ■ Program was initiated in 1995, and to date it has provided \$2.9 million across 27 loans. 	https://floridadep.gov/waste/waste-reduction/content/recycling-loan-program
Small County Consolidated Grants	<p>Summary: Funding supports initiatives such as solid waste management, litter prevention, and recycling and education.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ This funding has been available to counties with populations under 100,000 since 2002. ■ Funds are distributed equally among these counties. 	https://floridadep.gov/waste/waste-reduction/documents/small-county-consolidated-solid-waste-grant-application-attachment
Special Projects	<p>Summary: Through this initiative, funding was provided to support projects undertaken by local governments, including composting programs.</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ Allocated funding included \$281,000 to support compost demonstration sites, training events, and outreach. ■ Funding was available for FY 2008–2009. 	https://floridadep.gov/waste/waste-reduction/content/special-projects
FORCE	<p>Summary: Florida’s Organic Recycling Center for Excellence (FORCE) is the result of a collaboration between the FDEP and stakeholders in the state. Its mission is “to both provide a framework to promote organics recycling, and to serve as a catalog of information on statewide efforts to streamline compost processing, research, demonstration, marketing, and education in Florida.”</p> <p>Key Elements:</p> <ul style="list-style-type: none"> ■ This project is funded through the Legislature and supports four sectors: <ul style="list-style-type: none"> □ Feedstock generators; □ Collectors and haulers; □ Processing facilities; and □ End-user markets. ■ FORCE conducted a grant program for the private and public sectors to support demonstration, research, and educational programs for managing organics. Eleven grants were awarded through this project; funding no longer appears available. ■ Through a partnership, the FDEP, Florida Department of Transportation, Recycle Florida Today, and industry have collaborated to increase the use of finished compost in transportation projects. FORCE is helping share information about this initiative. ■ Program was launched in April 2001. ■ Program provides resources for donating food and share tables, as well as advertising a Food Waste Week for April 2021. 	http://www.floridaforce.org/

Food Waste Reduction Policy Gap Analysis Rubric

Organics Disposal Bans and Recycling Laws	Date Labeling	Food Donation Liability Protections	Tax Incentives for Food Rescue	Organics Processing Infrastructure Permitting	Food Safety Policies for Share Tables	Food Systems Plans, Goals, and Targets	Plans Targeting Solid Waste	Climate Action Goals	Grants and Incentive Programs Related to Food Waste Reduction
NO POLICY									
No organics disposal bans or mandatory organics recycling laws for food waste have been enacted, and there is no financial incentive structure to encourage food donation or food waste diversion.	There are no laws pertaining to date labels on food products.	There is no state-based liability protection for donated food.	There are no tax incentives for food donation.	<p>Solid waste regulations have no separate streamlined tier for processing source-separated organics. That is, food waste composting is considered solid waste composting, and this presents a barrier to entry for small composters.</p> <p>There is no acknowledgment of anaerobic digestion of source-separated organics from the municipal solid waste stream.</p> <p>No exemption tier exists for small quantities of source-separated food waste.</p>	N/A	No regional or statewide food systems plans exist. Some local plans may exist.	No solid waste management plan or organics management plan exists at the state level.	No climate action goals exist.	No state plans, programs, or policies allocate funding or incentives to support food waste reduction.

Organics Disposal Bans and Recycling Laws	Date Labeling	Food Donation Liability Protections	Tax Incentives for Food Rescue	Organics Processing Infrastructure Permitting	Food Safety Policies for Share Tables	Food Systems Plans, Goals, and Targets	Plans Targeting Solid Waste	Climate Action Goals	Grants and Incentive Programs Related to Food Waste Reduction
WEAK POLICY									
<p>Organics disposal bans or mandatory organics recycling laws have been enacted but are ineffective due to exemptions, limited scope, and/or lack of guidance.</p>	<p>The state requires date labels for certain foods and prohibits or limits the sale or donation of food after its label date.</p>	<p>State-based liability protections for food donation exist but are no broader than the federal-level protections or cover either food donors or food rescue organizations, but not both.</p>	<p>N/A</p>	<p>There is a regulatory tier that includes source-separated organics, but at least two of the following are true:</p> <ul style="list-style-type: none"> ■ Requirements for composting source-separated organics are the same as those for composting mixed solid waste, creating significant barriers to opening a facility. ■ Quantity or acreage limitations for source-separated organics tier(s) negatively impact economic viability of operation. ■ Regulations include language about anaerobic digestion of source-separated organics but are vague or have no language addressing what is allowed. 	<p>Share tables are allowed, but the state provides no resources or guidance on food donation safety, OR the state's share table rules are more restrictive than federal guidance.</p>	<p>Some regional food systems plans exist, but they do not have the support of the state and do not adequately consider food waste reduction in food systems planning.</p>	<p>Solid waste management plans exist but are out of date (more than 10 years old) and do not highlight food waste as a diversion opportunity (via prevention, rescue, donation, and/or processing through composting or anaerobic digestion).</p>	<p>Climate action goals exist, but one of the following is true:</p> <ul style="list-style-type: none"> ■ Goals are in the form of executive orders, with no legislative framework. ■ There has been limited legislative action but no real framework or actionable next steps to achieve targets. 	<p>Grants, incentives, or funds for food waste reduction are available, but more than one of the following is true:</p> <ul style="list-style-type: none"> ■ Funding is not explicitly allocated for food waste reduction work as opposed to other diversion strategies. ■ Funding opportunities are not made known to or accessible to relevant applicants. ■ Available funding is unsustainable or insufficient to support desired activities (includes the issuance of one-time grants but does not include funding on pause due to COVID-19). ■ No technical assistance is available to food service waste generators to support food waste reduction efforts.

Organics Disposal Bans and Recycling Laws	Date Labeling	Food Donation Liability Protections	Tax Incentives for Food Rescue	Organics Processing Infrastructure Permitting	Food Safety Policies for Share Tables	Food Systems Plans, Goals, and Targets	Plans Targeting Solid Waste	Climate Action Goals	Grants and Incentive Programs Related to Food Waste Reduction
MODERATE POLICY									
Organics disposal bans or mandatory recycling laws are imposed on select commercial generators, with few exemptions.	The state requires date labels for certain foods but does not prohibit or limit the sale or donation of food after its label date.	State-based liability protections cover donations directly to individuals or donations that are supplied for a small fee, or are otherwise slightly more expansive than the federal-level protections.	The state offers a tax incentive for donating food, but the incentive does not fully offset the costs associated with donation, including transportation.	There is a regulatory tier that includes source-separated organics, and the state may have committed to market development for recycled organic materials, but one of the following is true: <ul style="list-style-type: none"> ■ Requirements for composting source-separated organics are the same as those for composting mixed solid waste, creating significant barriers to opening a facility. ■ Quantity or acreage limitations for source-separated organics tier(s) negatively impact economic viability of operation. ■ Regulations include language about anaerobic digestion of source-separated organics but are vague or have no language addressing what is allowed. 	Share tables are allowed, and the state provides share table guidance, though that guidance is limited.	Robust regional food systems plans or state food systems plans exist, but one of the following is true: <ul style="list-style-type: none"> ■ Framework or support to achieve targets is limited. ■ There is no coordination with other regional food systems plans (if no state plan exists). ■ Plans' consideration of food waste reduction is inadequate. 	Solid waste management plans and/or organics management plans exist and highlight food waste as a diversion opportunity (via prevention, rescue, donation, and/or processing through composting or anaerobic digestion) but are out of date (more than 10 years old) or have limitations.	Climate action goals exist, and one of the following is true: <ul style="list-style-type: none"> ■ Legislated climate action planning sets forth recommendations for reducing food waste. ■ Specific departments have been tasked with actionable next steps for moving policy forward. 	Grants, incentives, or funds for food waste reduction are available, and one of the following is true: <ul style="list-style-type: none"> ■ Funding is not explicitly allocated for food waste reduction work as opposed to other diversion strategies. ■ Available funding is unsustainable or insufficient to support desired activities. ■ No technical assistance is available to food service waste generators to support food waste reduction efforts.

Organics Disposal Bans and Recycling Laws	Date Labeling	Food Donation Liability Protections	Tax Incentives for Food Rescue	Organics Processing Infrastructure Permitting	Food Safety Policies for Share Tables	Food Systems Plans, Goals, and Targets	Plans Targeting Solid Waste	Climate Action Goals	Grants and Incentive Programs Related to Food Waste Reduction
STRONG POLICY									
<p>Organics disposal bans or mandatory recycling laws for food waste have been enacted and are enforced for all commercial generators (and potentially for individuals at the household level).</p>	<p>The state maintains a standardized, mandatory date labeling policy that clearly differentiates between quality-based and safety-based labels; the state does not prohibit or limit the sale or donation of food after its label date; and the state has issued clear permission to donate after the quality-based date.</p>	<p>State-based liability protections are more expansive than the Bill Emerson Good Samaritan Food Donation Act and apply to donations directly to individuals as well as donations that are supplied to the final consumer for a small fee.</p>	<p>The state offers tax deductions or tax credits for donating food that offset the costs associated with donation, including transportation.</p>	<p>The state has a regulatory tier that includes source-separated organics and has committed to market development for recycled organic materials, and all of the following are true:</p> <ul style="list-style-type: none"> ■ Policy reduces barriers to entry for composting source-separated organics, such as through simplified permitting for the addition of food scraps at existing yard trimmings composting facilities or via exemption from permitting for small-scale and/or community composting operations. ■ Restrictions imposed on facility design and operation are in sync with best management practices for composting of source-separated organics. ■ There is a separate permitting pathway in solid waste regulations for anaerobic digestion of source-separated food waste that includes, where applicable, requirements similar to those imposed on composting source separated food waste—for example, contaminant limits on digestate that are similar to limits imposed on compost. 	<p>Share tables are allowed and encouraged, and the state provides state-specific guidelines or instructions about food safety as it relates to donation.</p>	<p>The state has developed comprehensive, statewide food systems plans, and both of the following are true:</p> <ul style="list-style-type: none"> ■ There is a robust framework or support to achieve clear goals and targets. ■ Reduction of food loss and waste is a major component of food systems plans. 	<p>Solid waste management plan, zero waste plan, or organics management plan is kept current, and it outlines waste diversion goals and recommendations for diversion, including reduction of food waste (via prevention, rescue, donation, and/or processing through composting or anaerobic digestion).</p>	<p>Climate action goals exist, and both of the following are true:</p> <ul style="list-style-type: none"> ■ Legislated climate action planning sets forth recommendations for reducing food waste. ■ Specific departments have been tasked with actionable next steps for moving policy forward. 	<p>Grants, incentives, or funds for food waste reduction are available, and all of the following are true:</p> <ul style="list-style-type: none"> ■ Funding is explicitly allocated for food waste reduction work as opposed to other diversion strategies. ■ Available funding is sustainable and sufficient to support desired activities. ■ Free technical assistance is available to food service waste generators to support food waste reduction efforts.

ENDNOTES

- 1 Katie Sandson and Emily Broad Leib, *Bans and Beyond: Designing and Implementing Organic Waste Bans and Mandatory Organics Recycling Laws*, Harvard Food Law and Policy Clinic and the Center for EcoTechnology, July 2019, <https://wastedfood.cetonline.org/wp-content/uploads/2019/07/Harvard-Law-School-FLPC-Center-for-EcoTechnology-CET-Organic-Waste-Bans-Toolkit.pdf>.
- 2 FLA. STAT. § 403.706 (2013).
- 3 FORCE: Florida Organics Recycling Center for Excellence, “FDOT Organics Recycling,” <http://www.floridaforce.org/> (accessed March 11, 2021). Florida Department of Environmental Protection, “Recycling,” <https://floridadep.gov/waste/waste-reduction/content/recycling> (accessed March 11, 2021).
- 4 FLA. ADMIN. CODE r. 5L-1.004, 1.007 (2019); FLA. ADMIN. CODE ANN. r. 5L-10.003 (2008).
- 5 FLA. STAT. § 768.136.
- 6 FLA. ADMIN. CODE r. 62-709.
- 7 *Id.*
- 8 U.S. Department of Agriculture (hereinafter USDA), “The Use of Share Tables in Child Nutrition Programs,” June 2016, https://fns-prod.azureedge.net/sites/default/files/cn/SP41_CACFP13_SFSP15_2016os.pdf.
- 9 Florida Department of Environmental Protection, “Recycling,” <https://floridadep.gov/waste/waste-reduction/content/recycling> (accessed March 11, 2021).
- 10 *See* FLA. STAT. §§ 403.702 *et set.* (2018).
- 11 State of Florida, Office of the Governor, “Establishing Immediate Actions to Reduce Greenhouse Gas Emissions Within Florida,” Executive Order 07-127, July 2007, <https://www.fsec.ucf.edu/en/media/enews/2007/pdf/07-127-emissions.pdf>.
- 12 *See e.g.* H.B. 7243, 2010 Leg. Reg. Sess. (Fl. 2010).
- 13 FDEP, “Notice of Development of Rulemaking,” https://services.statescape.com/ssu/Regs/ss_8586316637291918193.pdf (accessed March 11, 2021).
- 14 FLA. ADMIN. CODE r. 62-709.500.
- 15 Florida Department of Agriculture and Consumer Services, “Food Recovery Program,” <https://www.fdacs.gov/Food-Nutrition/Nutrition-Programs/Food-Recovery-Program> (accessed March 11, 2021).
- 16 USDA, “The Use of Share Tables.”
- 17 *See* FLA. STAT. §§ 403.702 *et seq.* (2018).
- 18 FDEP, “Recycling.”