

Regulatory Definitions Related to Food Waste and Food Preparation/Processing

Title 14, CCR, §17852 (a) (20) (Current CalRecycle definition)

FOOD MATERIAL means any material that was acquired for animal or human consumption, is separated from the municipal solid waste stream, and that does not meet the definition of "agricultural material." Food material may include material from food facilities as defined in Health and Safety Code section 113785, grocery stores, institutional cafeterias (such as, prisons, schools and hospitals) or residential food scrap collection.

State Water Resources Control Board Draft Statewide Order for Composting Facilities

FOOD WASTE means wastes derived from pre- and post-processed plants and animals (excluding those wastes generated at rendering (sic) facilities) for the explicit creation of foods for human and/or animal consumption. This includes, but may not be limited to, those foods and scraps processed or produced at restaurants, hospitals, food distributors, schools and residences.

South Coast Air Quality Management District Rule 1133

FOODWASTE is any food scraps collected from the food service industry, grocery stores or residential food scrap collection. Foodwaste also includes foodwaste that is chipped and ground. Foodwaste mixed with greenwaste is considered foodwaste (1133.0)

FOODWASTE means any pre-or post-consumer food scraps collected from the food service industry, grocery stores or residential food scrap collection. Foodwaste also includes food scraps that are chipped and ground. (1133.3)

San Joaquin Valley Unified Air Pollution Control District Rule 4565 and 4566

FOOD MATERIAL food scraps collected from the food processing industry, food service industry, grocery stores or residential food scrap collection. Food material also includes food material that is chipped or ground.

Health and Safety Code

§ 111955. "Food processing establishment," as used in this chapter, shall mean any room, building or place or portion thereof, maintained, used or operated for the purpose of commercially storing, packaging, making, cooking, mixing, processing, bottling, canning, packing, slaughtering or otherwise preparing or handling food except restaurants.

§ 113789. (a) "Food facility" means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level, including, but not limited to, the following:

- (1) An operation where food is consumed on or off the premises, regardless of whether there is a charge for the food.
- (2) Any place used in conjunction with the operations described in this subdivision, including, but not limited to, storage facilities for food-related utensils, equipment, and materials.

(b) "Food facility" includes permanent and nonpermanent food facilities, including, but not limited to, the following:

- (1) Public and private school cafeterias.
- (2) Restricted food service facilities.
- (3) Licensed health care facilities.
- (4) Commissaries.
- (5) Mobile food facilities.
- (6) Mobile support units.
- (7) Temporary food facilities.
- (8) Vending machines.
- (9) Certified farmers' markets, for purposes of permitting and enforcement pursuant to Section 114370.
- (10) Farm stands, for purposes of permitting and enforcement pursuant to Section 114375.

(c) "Food facility" does not include any of the following:

- (1) A cooperative arrangement wherein no permanent facilities are used for storing or handling food.
- (2) A private home.
- (3) A church, private club, or other nonprofit association that gives or sells food to its members and guests, and not to the general public, at an event that occurs not more than three days in any 90-day period.
- (4) A for-profit entity that gives or sells food at an event that occurs not more than three days in a 90-day period for the benefit of a nonprofit association, if the for-profit entity receives no monetary benefit, other than that resulting from recognition from participating in an event.
- (5) Premises set aside for wine tasting, as that term is used in Section 23356.1 of the Business and Professions Code and in the regulations adopted pursuant to that section, that comply with Section 118375, regardless of whether there is a charge for the wine tasting, if no other beverage, except for bottles of wine and prepackaged nonpotentially hazardous beverages, is offered for sale for onsite consumption and no food, except for crackers, is served.
- (6) Premises operated by a producer, selling or offering for sale only whole produce grown by the producer, or shell eggs, or both, provided the sales are conducted on premises controlled by the producer.
- (7) A commercial food processing plant as defined in Section 111955.
- (8) A child day care facility, as defined in Section 1596.750.
- (9) A community care facility, as defined in Section 1502.
- (10) A residential care facility for the elderly, as defined in Section 1569.2.
- (11) A residential care facility for the chronically ill, which has the same meaning as a residential care facility, as defined in

Section 1568.01.

(12) Premises set aside by a beer manufacturer, as defined in Section 25000.2 of the Business and Professions Code, that comply with Section 118375, for the purposes of beer tasting, regardless of whether there is a charge for the beer tasting, if no other beverage, except for beer and prepackaged nonpotentially hazardous beverages, is offered for sale for onsite consumption, and no food, except for crackers or pretzels, is served.

Regional Water Quality Control Board (unsure of specific regional board)

“Food Processing waste” consist of, or contains, only pre-processed and postprocessed waste derived from plants, or food processed or produced at restaurants, hospitals, and food distributors, and does not include any of the following substances: (a) municipal solid waste, (b) sludges, (c) septage, (d) liquid wastes, (e) animal; wastes, (f) oil and grease, and (g) hazardous wastes.