



SB 1383 Spotlight: France's Edible Food Recovery Law

France

Edible Food Recovery Law

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Country Population: 67.3 million (2018 estimate)

In 2016, France became the first country to legally require certain supermarkets to donate edible food that would otherwise be thrown away. France's landmark law helped inform the edible food recovery provisions in SB 1383's regulations.

SB 1383 Requirements

SB 1383 regulations *"shall include requirements intended to meet the goal that not less than 20 percent of edible food that is currently disposed of is recovered for human consumption by 2025."*

– *California Short-lived climate pollutants: methane emissions: dairy and livestock: organic waste: landfills (SB 1383, Lara, Chapter 395, Section 42652.5, Statutes of 2016).*

To achieve this goal, SB 1383's regulations place direct requirements on jurisdictions to implement edible food recovery programs; on commercial edible food generators to arrange to recover the maximum amount of their edible food that would otherwise be disposed; and, on food recovery organizations and services to maintain records of the food they recover.

France's Edible Food Recovery Law

France's 2016 law requires supermarkets larger than 4,500 square feet to sign an agreement with a food recovery organization. The food recovery organization is expected to take the supermarket's surplus food and donate it to those in need. Such edible food recovery agreements provided a way to improve the quality of the food received from supermarkets. The agreement states that food should be donated at least 48 hours before the expiration date and must not be blemished. Agreements are also a way to track donations for tax purposes. Penalties for noncompliance include fines ranging from €450 to €3,750; maximum penalties include a two-year prison sentence.

Law Adoption Process

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Edible Food Recovery Milestones

2012 The national Minister of Agrifood Systems launched the National Pact Against Food Waste, a multi-stakeholder initiative with the goal of developing policies, laws, and commitments from businesses to combat food waste in France.

2016 France's edible food recovery law was signed into law. In addition to the supermarket provisions, the law established policies requiring food waste prevention curriculums in classrooms and in professional training programs.

2018 Government officials estimated that France's food recovery law has increased edible food donations from supermarkets by about twenty percent (20%); however, this figure is not comprehensive.

Shortfalls of the Law

- France's edible food recovery law does not require a minimum amount of food that must be donated by supermarkets, nor a minimum frequency for which surplus food is to be donated. As such, a supermarket could theoretically comply by donating one bag of apples each year.
- Food recovery organizations that are expected to take the donated edible food have received limited financial support to expand their edible food capacity. If they do not have adequate storage and/or refrigeration space, they must discard the donated edible food.
- Food recovery organizations may receive donations that are blemished, damaged, or are near or past their expiration date. As a result, the organizations may be unable to distribute the donated food, and in turn dispose of the food. The law does not require mandatory inspections of supermarkets to verify compliance and to help prevent this type of "donation dumping."
- In developing the edible food recovery requirements for SB 1383, California policy makers examined France's monumental law and strived to develop policies that would overcome potential shortfalls related to minimum food recovery requirements, financial assistance for food recovery organizations and services, and capacity planning.

Unexpected Outcomes

- Regulated supermarkets have expanded the practice of offering their soon-to-expire food to customers at discounted prices, a system that has generated profits comparable to the tax incentive supermarkets would otherwise receive for donating their surplus food.
- Mobile applications (apps) have been developed to help link discount-food seekers with discount-food providers. The apps include Too Good To Go and Zero Gachis. Other apps, such as Comerso and Phenix, are connecting supermarkets with food recovery organizations.
- During the initial implementation of France's edible food recovery law, the overall quality of donated food improved; however, with the development of new discounted-foods markets, experts say the quality of the donated food has begun to decline.

Next Steps

- As of October 2019, France's edible food recovery law has been extended to include food manufacturing industries and restaurants, and to require large food service operations (e.g., school cafeterias) to measure and analyze the amount of food they waste in an effort to reduce the amount of edible food that needs to be recovered.

- Another policy requires certain restaurants to offer free “doggy bags” to customers by 2021.



Left photo: Discounted food at a French store. Right Photo: Supermarket products to be donated.
Photos: Marie Mourad

By The Numbers

France’s Edible Food Recovery Law

Note: figures below represent France’s “Food Banks” network (similar to Feeding America in the U.S.). Hundreds of other food recovery organizations participate in France’s food recovery program, however data is not available.

2,700

Approximate number of supermarkets donating food to “Food Banks” in France

80

Approximate number of “Food Banks” in France that recover edible food

46,000

Tons of edible food recovered annually by “Food Banks” in France; more tonnage handled directly by smaller food recovery organizations