

1                                   A bill to be entitled  
 2           An act relating to food recovery; amending s. 595.420,  
 3           F.S.; providing definitions; directing the Department  
 4           of Agriculture and Consumer Services, subject to  
 5           appropriation, to implement a pilot program to provide  
 6           incentives to Florida growers to contribute high-  
 7           quality fresh fruits and vegetables to food recovery  
 8           entities in the state; authorizing food recovery  
 9           entities to negotiate the purchase price of produce  
 10          and reimburse agricultural companies for certain  
 11          costs; providing produce shipping requirements;  
 12          requiring the department to reimburse food recovery  
 13          entities for certain costs; providing reimbursement  
 14          invoice requirements; requiring the department to  
 15          submit a report to the Governor and Legislature by a  
 16          specified date and to adopt rules; providing an  
 17          appropriation; providing an effective date.

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 19   Be It Enacted by the Legislature of the State of Florida:

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 21           Section 1. Subsection (8) is added to section 595.420,  
 22           Florida Statutes, to read:

23           595.420 Food recovery; legislative intent; department  
 24           functions.—

25           (8) (a) As used in this subsection, the term:

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26        1. "Agricultural company" means a fruit or vegetable  
27 producer in the state that has an affiliated shipper and is  
28 licensed under the United States Perishable Agricultural  
29 Commodities Act.

30        2. "Food recovery entity" means a nonprofit association  
31 engaged in food recovery and distribution with at least 20 years  
32 of operation in the state that has received a minimum of 10  
33 million pounds of perishable produce annually for the last 3  
34 years.

35        (b) Subject to appropriation, the department shall  
36 implement a pilot program to provide incentives to Florida  
37 agricultural companies to contribute high-quality fresh fruits  
38 and vegetables to food recovery entities in the state. The goal  
39 of the pilot program is to reach annual contributions of 50  
40 million pounds of high-quality fresh fruits and vegetables from  
41 Florida growers to food recovery entities by July 1, 2025.

42        (c) To encourage agricultural companies to contribute  
43 high-quality fresh fruits and vegetables, a food recovery entity  
44 may negotiate the price per pound for produce and reimburse  
45 agricultural companies on a dollar-for-dollar basis for costs  
46 relating to picking, packing, precooling, and transporting high-  
47 quality fresh fruits and vegetables from the farm to the food  
48 recovery entity. Such produce must meet the United States  
49 Department of Agriculture grade 1 or 2 standards and must be  
50 shipped within 7 days after the harvest date. The shipping date

51 may be modified based on the expected shelf life of a particular  
52 fruit or vegetable, as long as the modified shipping date will  
53 not affect the grade 1 or 2 standards. The harvest date must be  
54 included on the invoice provided by the agricultural company to  
55 the food recovery entity.

56 (d) The department shall reimburse food recovery entities  
57 on a dollar-for-dollar basis for the purchase of high-quality  
58 fresh fruits and vegetables from agricultural companies plus a  
59 10 cents per pound distribution reimbursement. To receive  
60 reimbursement, a food recovery entity must submit an invoice as  
61 prescribed by the department, which includes, at a minimum, the  
62 following information:

- 63 1. Ship date.
- 64 2. Ship location by city.
- 65 3. Harvest date.
- 66 4. Packaging type and size.
- 67 5. Delivery location by city.
- 68 6. Delivery date.
- 69 7. Received weight in total pounds for each crop.
- 70 8. Total price per pound for each crop.
- 71 9. Total invoice price paid.
- 72 10. Total pounds delivered.

73 (e) The department shall submit a report on the pilot  
74 program, including recommendations for legislation, to the  
75 Governor, the President of the Senate, and the Speaker of the

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76 House of Representatives by January 1, 2025.

77 (f) The department shall adopt rules to implement this  
78 subsection.

79 Section 2. For the 2022-2023 fiscal year, the sum of \$5  
80 million in nonrecurring funds is appropriated to the Department  
81 of Agriculture and Consumer Services to implement a pilot  
82 program pursuant to s. 595.420(8), Florida Statutes.

83 Section 3. This act shall take effect July 1, 2022.