

By Senator Brodeur

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1 A bill to be entitled
2 An act relating to food recovery; amending s. 595.420,
3 F.S.; defining terms; directing the Department of
4 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:

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.

9-01413A-22

20221832__

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 high-
43 quality fresh fruits and vegetables, a food recovery entity may
44 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 Unites 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

9-01413A-22

20221832__

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
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.