

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 674

INTRODUCER: Senator Harrell

SUBJECT: Food Recovery

DATE: March 7, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Burse	Becker	AG	Favorable
2.	_____	_____	AEG	_____
3.	_____	_____	FP	_____

I. Summary:

SB 674 directs the Department of Agriculture and Consumer Services (department), subject to legislative appropriation, to implement a pilot program to provide incentives to agricultural companies to sell fresh food products to food recovery entities. The bill authorizes food recovery entities to negotiate the price for fresh food products and reimburse agricultural companies for certain costs. The bill provides shipping requirements and requires the department to reimburse food recovery entities for certain costs.

The bill directs the department to submit a report on the pilot program, including recommendations for legislation, to the Governor, President of the Senate, and Speaker of the House of Representatives by January 1, 2024. The bill grants the department rulemaking authority for the pilot program.

This bill takes effect July 1, 2023.

II. Present Situation:

S. 595.420, F.S., provides legislative intent and powers of the Department of Agriculture and Consumer Services (department) regarding food recovery. The Legislature finds that millions of pounds of surplus and slightly blemished fruits and vegetables are destroyed each year, while many Floridians go without food.¹ The Legislature further finds that the state, through the Commissioner of Agriculture, should assist food recovery programs, when needed, to aid in their establishment and to support their continued and efficient operation.² In helping to coordinate the establishment of food recovery programs, the department may: identify suppliers, volunteers, and nonprofit organizations in the community to ascertain the level of interest in establishing a food

¹ Section 595.420(1)(a), F.S.

² Section 595.420(1)(c), F.S.

recovery program; provide facilities and other resources for initial organizational meetings; and provide direct and indirect support for the fledgling program, upon demonstration of serious interest at the local level.³

Approximately one-fifth of Floridians are food insecure, including over one million children. The department's Food Recovery Program works to recover food by working with farmers (volunteers visit the farms and collect surplus produce in a process called gleaning) and by working with schools (the department provides Florida Schools with guidance on food waste audits, share tables, food donations, and composting).⁴

Food distribution programs are funded by the legislature through the FDACS Food Recovery Program. Partnerships for the 2021-2022 fiscal year include:

- Feeding Florida's Farmers Feeding Florida Program, which purchases cosmetically blemished produce from local agricultural producers and provides it to households in need through Feeding Florida's member food banks.
- The Farm Share Program, which provides food free of charge to local community partner agencies as well as directly to families, children, senior citizens, and individuals in need to address food insecurity throughout the state.
- Feeding South Florida's Senior Grocery Delivery Program, which provides a grocery delivery service for low-income, homebound seniors in Palm Beach, Miami-Dade, and Broward Counties.
- Second Harvest of the Big Bend's Feeding Rural Florida Program, which purchases and distributes fresh, nutritious food to rural North Florida counties.⁵

III. Effect of Proposed Changes:

SB 674 directs the department to implement a pilot program to provide incentives to agricultural companies to sell fresh products to food recovery entities. It creates definitions for "agricultural company," "food recovery entity," "fresh food products," and "harvest ship window."

Subject to appropriation, the bill directs the department to implement a pilot program to incentivize agricultural companies to sell fresh food products with a goal of 100 million pounds sold annually. The bill authorizes food recovery entities to negotiate the price for fresh food products and reimburse agricultural companies for certain costs. The bill also provides shipping requirements and requires the department to reimburse food recovery entities for certain costs.

This bill requires the department submit a report on the pilot program, including recommendations for legislation, to the Governor, President of the Senate, and Speaker of the House of Representatives, by January 1, 2024.

This act shall take effect July 1, 2023.

³ Section 595.420(3), F.S.

⁴ Florida Department of Agriculture and Consumer Services Food Recovery Program *see* <https://www.fdacs.gov/Food-Nutrition/Nutrition-Programs/Food-Recovery-Program> (last visited February 17, 2023).

⁵ *Id.*

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 595.420 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
