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 legislative appropriation, to implement a pilot 6 program to provide incentives to food recovery 7 entities to negotiate the price for fresh food 8 products; providing shipping requirements; authorizing 9 food recovery entities to reject certain fresh food products; requiring the department to reimburse food 10 11 recovery entities for certain costs; providing 12 reimbursement requirements; requiring the department 13 to submit reports to the Governor and Legislature by specified dates and to adopt rules; providing for 14 15 expiration of the pilot program; providing an 16 effective date. 17 18 Be It Enacted by the Legislature of the State of Florida: 19 20 Section 1. Subsection (8) is added to section 595.420, 21 Florida Statutes, to read: 22 595.420 Food recovery; legislative intent; department 23 functions.-24 (8) (a) As used in this subsection, the term: 25 1. "Current wholesale market price" means the wholesale

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CODING: Words stricken are deletions; words underlined are additions.

market price for each food product on the invoice date at the closest shipping point as reported by the United States

Department of Agriculture's Market News.

- 2. "Food producer" means an agricultural company, or their associated shipper, that produces fresh food products in the state.
- 3. "Food recovery entity" means a nonprofit association engaged in food recovery and distribution that has at least 10 years of operation in the state and has received a minimum of 10 million pounds of perishable fresh food products annually for the last 3 years.
- 4. "Fresh food products" means high-quality fresh fruits, vegetables, proteins, and dairy produced by a food producer that are delivered to their final destination for charitable distribution and meet United States Department of Agriculture commodity standards and grades upon such delivery.
- (b) Subject to legislative appropriation, the department shall implement a pilot program for food recovery entities to negotiate a discounted price for fresh food products so that the fresh food products can be exclusively distributed for charitable purposes to relieve human hunger in the state.
- (c) Food recovery entities must negotiate and pay no more than 50 percent of the current wholesale market price to a food producer for the purchase of food products. The harvest or processing date and the current wholesale market price of each

fresh food product purchased and the shipment destination must be included by invoice, bill of lading, or other documents from the food producer to the food recovery entity.

- (d) Food recovery entities may reject any fresh food product that does not meet the quality standards of the food recovery entity.
- (e) The department shall reimburse a food recovery entity for each negotiated purchase of fresh food products and an additional 2 cents per pound of fresh food products purchased for costs to deliver and distribute the fresh food products for charitable purposes. To receive reimbursement, a food recovery entity must:
  - 1. Certify in writing that:

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- a. The fresh food products meet the quality standards of the food recovery entity.
- b. The purchased fresh food products will not be sold to wholesale, retail, or secondary markets for monetary gain.
- c. Each fresh food product was purchased at a discounted price.
- 2. Submit an invoice as prescribed by the department, which includes the following information:
  - a. Shipment date.
  - b. Shipment location by shipper and city.
- c. Number of packages shipped and the price for each fresh food product.

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76	d. Total price paid for each fresh food product.
77	e. Total invoice price paid.
78	f. Total pounds shipped by measured weight or by estimate
79	of the fresh food product.
80	(f) The department shall submit a report on the pilot
81	program to the Governor, the President of the Senate, and the
82	Speaker of the House of Representatives by January 1, 2025, and
83	by each January 1 thereafter. The report must include all of the
84	following:
85	1. Each fresh food product by package size, total number
86	of packages, and average price per package.
87	2. Each fresh food product by total pounds and total
88	average price per pound.
89	3. Total dollars spent on each fresh food product and
90	total dollars spent on all fresh food products.
91	(g) The department shall adopt rules to implement this
92	subsection.
93	(h) This subsection expires on January 1, 2028.
94	Section 2. This act shall take effect July 1, 2024.