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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/13/2024	.	
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The Appropriations Committee on Agriculture, Environment, and General Government (Burgess) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

595.420 Food recovery; legislative intent; department
functions.—

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

1. "Current wholesale market price" means the wholesale



770948

11 market price for each fresh food product on an invoice dated at
12 the closest shipping point, as reported by the United States
13 Department of Agriculture's USDA Market News.

14 2. "Discounted price" means a price for fresh food products
15 sold by each food producer at a price that is at least 50
16 percent below the current wholesale market price.

17 3. "Food producer" means an agricultural company that
18 produces fresh food products in this state or the company's
19 associated shipper.

20 4. "Food recovery entity" means a nonprofit association
21 engaged in food recovery and distribution which has been in
22 operation in this state for at least 10 years and has received a
23 minimum of 10 million pounds of perishable produce annually
24 within the last 3 years.

25 5. "Fresh food products" includes fresh fruits, vegetables,
26 proteins, poultry, eggs, and dairy that are produced in this
27 state by a food producer.

28 6. "High-quality fresh food products" means fresh food
29 products that meet United States Department of Agriculture
30 commodity standards and grades upon delivery to their final
31 destination.

32 (b) Subject to legislative appropriation, the department
33 shall implement a program to provide incentives to food
34 producers to sell high-quality fresh food products to food
35 recovery entities in this state at a discounted price. The goal
36 of the program is to reduce human hunger in this state.

37 (c) A food recovery entity shall negotiate with a food
38 producer to pay discounted prices for the producer's fresh food
39 products. Any invoice, bill of lading, or other document



770948

40 provided by the food producer to the food recovery entity must
41 include the harvest or processing date, the current wholesale
42 market price of each product purchased, and the shipping
43 destination.

44 (d) A food recovery entity may reject any product that
45 fails to meet the entity's food quality standards.

46 (e) The department shall reimburse a food recovery entity
47 for each negotiated purchase of fresh food products produced,
48 purchased, and distributed in this state. To receive a
49 reimbursement, a food recovery entity must:

50 1. Certify in writing to the department that all of the
51 fresh food products on an invoice meet the food recovery
52 entity's food quality standards and that the fresh food products
53 received will not be sold at wholesale, retail, or secondary
54 markets for monetary gain; and

55 2. Submit the invoice and any other documents provided by
56 the food producer to the department. The invoice must include
57 all of the following information:

58 a. Shipment date.

59 b. Shipment location, by shipper and city.

60 c. Each fresh food product purchased at the discounted
61 price.

62 d. Total number of packages shipped and the price of each
63 product.

64 e. Total price paid for each product.

65 f. Total invoice price paid.

66 g. Total pounds shipped, as determined by measured weight.

67 (f) The department shall also reimburse a food recovery
68 entity for delivery and distribution costs in an amount equal to



770948

69 2 cents per pound of fresh food products shipped, as indicated
70 by invoice.

71 (g) The department shall submit a report on the program to
72 the Governor, the President of the Senate, and the Speaker of
73 the House of Representatives by January 1, 2025, and shall
74 submit an updated report by January 1, 2026. The reports must
75 include an itemized list of all of the following:

76 1. Each fresh food product by package size, the total
77 number of packages, and the average price paid per package.

78 2. The total weight in pounds of each fresh food product
79 type, the price paid per pound for each fresh food product type,
80 and the total spent per fresh food product type.

81 3. The total amount spent and the total amount spent per
82 major fresh food product.

83 (h) The department shall adopt rules to implement this
84 subsection.

85 Section 2. This act shall take effect July 1, 2024.

86

87 ===== T I T L E A M E N D M E N T =====

88 And the title is amended as follows:

89 Delete everything before the enacting clause
90 and insert:

91 A bill to be entitled

92 An act relating to food recovery; amending s. 595.420,
93 F.S.; defining terms; directing the Department of
94 Agriculture and Consumer Services, subject to
95 legislative appropriation, to implement a program to
96 provide incentives to food producers to sell high-
97 quality fresh food products to food recovery entities



770948

98 at a discounted price; providing a goal for the
99 program; requiring food recovery entities to negotiate
100 with food producers; providing shipping requirements;
101 requiring the department to reimburse food recovery
102 entities for certain costs; providing reimbursement
103 invoice requirements; requiring the department to
104 submit a report to the Governor and Legislature by
105 specified dates; providing requirements for the
106 report; requiring the department to adopt rules;
107 providing an effective date.