

AMENDED IN ASSEMBLY APRIL 10, 2025

AMENDED IN ASSEMBLY MARCH 27, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

## ASSEMBLY BILL

**No. 1046**

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**Introduced by Assembly Member Bains**

February 20, 2025

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An act to add Section 42652.7 to the Public Resources Code, relating to organic waste.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1046, as amended, Bains. Short-lived climate pollutants: recovered organic waste product: ~~food processing establishments; agricultural crop preparation service.~~

Existing law requires the State Air Resources Board to implement a comprehensive short-lived climate pollutant strategy to achieve a reduction in statewide emissions of methane by 40% below 2013 levels by 2030. Existing law requires the methane emissions reduction goals to include a 75% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025. Existing law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve these organic waste reduction goals that include, among other things, requirements intended to meet the goal that not less than 20% of edible food that is currently disposed of be recovered for human consumption by 2025 and that may include penalties to be imposed by the department for noncompliance, as provided.

The regulations, among other things, require a commercial edible food generator, as defined, to have a contract or written agreement with

a food recovery organization, as defined, to recover the maximum amount of edible food that would otherwise be disposed, as provided. The regulations also require a commercial edible food generator to keep certain records regarding the recovery of edible food.

This bill would exempt ~~a food processing establishment, as defined, that historically~~ *from these requirements an agricultural crop preparation service, as defined, that demonstrates to the department that it has not disposed of organic waste to in a landfill from these requirements: on or after January 1, 2016.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 42652.7 is added to the Public Resources  
2 Code, to read:  
3 42652.7. Article 10 (commencing with Section 18991.1) of  
4 Chapter 12 of Division 7 of Title 14 of the California Code of  
5 Regulations does not apply to ~~a food processing establishment, as~~  
6 ~~defined by Section 111955 of the Health and Safety Code, that~~  
7 ~~historically has not an agricultural crop preparation service, as~~  
8 ~~defined in Section 3001 of Title 13 of the California Code of~~  
9 ~~Regulations, that demonstrates to the department, in a form and~~  
10 ~~manner developed by the department, that it has not disposed of~~  
11 ~~organic waste, including, but not limited to, culls, fruit skins, hulls,~~  
12 ~~leaves, seed pits, shells, and sticks, to a landfill. in a landfill on or~~  
13 ~~after January 1, 2016.~~

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