

# DEFINITIONS OF TIER 1 AND 2 EDIBLE FOOD GENERATORS

*Per CalRecycle's Short-lived Climate Pollutants (SLCP): Organic Waste Reductions  
Final Regulation Text (Section 18982. Definitions)*

## TIER ONE

“Tier one commercial edible food generator” means a commercial edible food generator that is one of the following:

- (A) Supermarket
- (B) Grocery store with a total facility size equal to or greater than 10,000 square feet
- (C) Food service provider
- (D) Food distributor
- (E) Wholesale food vendor

**Supermarkets:** A full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000), or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items.

**Grocery Stores:** A store primarily engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, fresh meats, fish and poultry, and any area that is not separately owned within the store where the food is prepared and served, including a bakery, deli, and meat and seafood departments.

**Food Service Providers:** An entity primarily engaged in providing food services to institutional, governmental, commercial, or industrial locations of others based on contractual arrangements with these types of organizations.

**Food Distributors:** A company that distributes food to entities including, but not limited to, supermarkets and grocery stores.

**Wholesale Food Vendors:** A business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, and prepared for distribution to a retailer, warehouse, distributor, or other destination.

## TIER TWO

“Tier two commercial edible food generator” means a commercial edible food generator that is one of the following:

- (A) Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.
- (B) Hotel with an on-site food facility and 200 or more rooms.
- (C) Health facility with an on-site food facility and 100 or more beds.
- (D) Large venue.
- (E) Large event.
- (F) A state agency with a cafeteria with 250 or more seats or a total cafeteria facility size equal to or greater than 5,000 square feet.
- (G) A local education agency with an on-site food facility.

**Restaurants:** An establishment primarily engaged in the retail sale of food and drinks for on-premises or immediate consumption.

## TIER TWO, CONTINUED

**Hotels:** Any hotel, motel, bed and breakfast inn, or other similar transient lodging establishment, *excluding* any residential hotel as defined by Section 50519 of the Health and Safety Code.

**Health Facilities:** A facility, place, or building that is organized, maintained, and operated for the diagnosis, care, prevention and treatment of human illness, physical or mental, including convalescence and rehabilitation and including care during and after pregnancy, or for any one or more of these purposes, for one or more persons, to which the persons are admitted for a 24-hour stay or longer, and as more particularly described in Section 1250 of the California Health and Safety Code.

**Large Venues:** A permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For the purposes of this chapter, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. A site under common ownership or that includes more than one large venue that is contiguous with other large venues in the site, is a single large venue.

**Large Events:** An event, including, but not limited to, a sporting event, a flea market or a festival, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event.

**State Agencies:** A state agency with a cafeteria with 250 or more seats or a total cafeteria facility size equal to or greater than 5,000 square feet.

**Local Education Agencies:** Local education agency means a school district, charter school, or county office of education that is not subject to the control of city or county regulations related to solid waste.

**For more information on Tier 1 and Tier 2 generators, please visit [CalRecycle](#).**