



Donating Unsold Food - A Primer on Liability, Food Safety & the Good Samaritan Act

November, 2014

Feeding America Food Bank Network

- Founded in 1979
- Mission: To feed America's hungry through a nationwide network of member food banks and engage our country in the fight to end hunger
- 47 million Americans served annually, including 14 million children and 7 million seniors
- Securing and distributing 3.3 billion meals annually
- Network of 200 food banks
- Approximately 58,000 local charitable agencies



Food Safety Focus

- A foundational component of our business
- Food banks are the end of the supply chain
- Serving the most vulnerable populations





Handling Donations from Retail and Hospitality Establishments- Perishable Foods

Donations must meet the following requirements:

- 1 • Be provided by a licensed food establishment
- 2 • Be in compliance with state & local food handling laws
- 3 • Be stored and held at appropriate temps: 41 °F or below (cold foods), 0°F or below (frozen), and 135°F or higher (hot foods)
- 4 • Be protected from air and environmental contaminants during display and/or service
- 5 • Not include foods previously served to the public (e.g. self-service buffets or on bulk display exposed to the public)
- 6 • Be first generation surplus foods (e.g. not previously reheated for the second time)
- 7 • Be packaged in first-use food grade packaging



Handling Donations from Retail and Hospitality Establishments- Perishable Foods

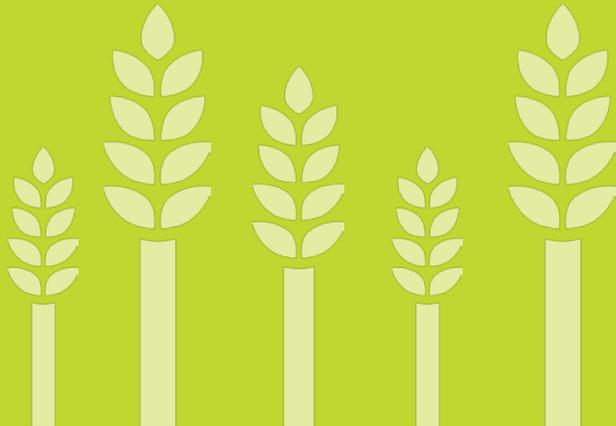
Retail and Hospitality Program Guidelines

- 
 - Be transported, received, stored and held at appropriate temps: 41°F or below (cold foods), 0°F or below (frozen), 135°F or above (hot foods)
- 
 - Use a passive device(e.g. thermal blanket, cooler w/ ice packs) or visibly active temperature retention system to maintain proper temps (e.g. refrigeration unit/truck)
- 
 - Sample temps must be taken and documented by the Member or Agency at the time of pickup or delivery
- 
 - Ensure that food is properly labeled prior to distribution per Feeding America labeling guidelines



Food Safety Training

Members must comply with the following food safety training requirements:



Member Staff and Volunteers

Minimum of one staff member who is certified ServSafe Manager

All key food handling staff and volunteers must receive training such as ServSafe Food Handler for Food Banking

If regularly handling retail or hospitality foods, all key staff and drivers are required to maintain a current safe food handler qualification

Agencies

The Member must provide food safety training to at least one representative from each Agency, such as ServSafe Food Handler for Food Banking

If Agencies utilize food provided by Member to make meals, their key food service program staff are required to meet local commercial food safety training requirements



Items To Consider

- **Never** assume that a product cannot be donated
- Contact your local food bank by using our food bank locator @ www.feedingamerica.org
- Food banks can turn short coded perishable products very quickly
- Food banks adhere to the same food safety standards as the food industry

Contact us if you have further questions

For more information contact:

Wayne Melichar
Manager of Food Safety
wmelichar@feedingamerica.org
312-629-7263

Food Bank Locator
www.feedingamerica.org/find-your-local-foodbank/

