

Committee Final Reports are considered DRAFT until acknowledged by Council or accepted by the Executive Board

COMMITTEE NAME: Food Recovery

DATE OF FINAL REPORT: 11/1/2019

COMMITTEE ASSIGNMENT: Council I Council II Council III Executive Board

REPORT SUBMITTED BY: Co-Chairs, Sandra Craig and Mitzi Baum

COMMITTEE CHARGE(S):

Issue #2018-I-024

1. Evaluate existing materials including the AFDO guidance, Comprehensive Resource for Food Recovery, and any other relevant guidance and documents pertaining to donated food; update the CFP guidance as needed; and evaluate opportunities to better disseminate existing guidance.
2. Identify best practices for handling, storage, and labeling of food for donation.
3. Examine existing state regulations that address food safety procedures for donation.
4. Recommend any necessary language changes to the FDA Food Code to ensure the safety of donated food.
5. Report back to the 2020 Biennial Meeting.

COMMITTEE WORK PLAN AND TIMELINE:

1. The Food Recovery committee charges were broad and far reaching but fortunately the interest in the committee was robust and the committee has a large diverse roster. The committee co-chairs immediately recognized that it would be beneficial to have the entire committee review the existing materials and state regulations as a first step. This review was accomplished and discussed on the October 25, 2018 conference call. On the November 29, 2018 call the remaining tasks were broken down for subcommittees to complete.
2. Three initial subcommittees were formed, designated as tasks 1a, 1b and 1c, which were related to charge number 2. The work of the first three subcommittees provided support and insights to subcommittees 2 and 3 which developed guidance fact sheets. The full committee has reviewed and approved the deliverables of the first three subcommittees. One and two-page informational fact sheets (infographics) have been developed by the task 1 groups and then further refined by the task 2 and 3 groups. An additional subcommittee was formed to address the 4th charge after the work was completed on the infographics as they have completed their task of proposing language changes to the FDA Food Code to address Food Donation.
3. The committee has extensive diversity; therefore, it was not necessary to reach outside of the committee for consultation. We had a subject matter expert from all segments affected by food donations.
4. There were challenges related to the timelines imposed by the report deadlines, the time on the front end in selecting committee members and establishing the initial work plan. We were extremely fortunate to have committee members who had the ability to devote large amounts of time to committee work to allow us to meet the deadlines.

COMMITTEE ACTIVITIES:

Dates of committee meetings or conference calls: The full committee has met on the last Thursday of each month at 1:00 CST.

1. 9/2/18, 10/25/18, 11/29/18, 1/31/19, 2/28/19, 3/28/19, 4/24/19, 5/30/19, 6/27/19, 8/29/19, 9/26/19 & 10/24/19.
2. **Overview of committee activities:**

We reviewed the charges and began to review literature.

Existing regulations were identified in several states and local jurisdictions. Those that we have reviewed were Texas, Vermont, Washington and California.

The full committee was charged with reviewing documents prior to the formation of the subcommittee work groups. The full committee conference calls were used to discuss what has been gleaned from review of these documents. It was from this review that the committee felt that the existing guidance documents are sound, provide the appropriate food safety guidance but that due to the size and scope of these documents that they needed to be broken down into manageable, teachable segments. It was then determined that developing one- and two-page fact sheets from the materials in the guidance documents would be the best way to achieve the goals set out for the committee.

The members studied many documents that have formed the basis of the work of the committee. By reviewing what already exists, the committee gleaned information from existing regulations and was able to form opinions and create the final documents to be submitted. The first need that was identified is the need to uniformly address terms in a manner that the lay person will understand. Can we simplify the terms and yet address the food safety need?

The committee decided that it would be more efficient to break into subcommittees. The first subcommittee groups (1a, 1b & 1c) completed the work on charge #1, developing ways to better disseminate existing guidance. They met by phone every 2-3 weeks between full committee calls.

Subcommittee 1a - They had multiple conference calls and interacted online. They sent out a survey to this group. This group dealt more with creating documents for permitted food establishments, so the simplification was not as critical. They developed tools to sort out donation questions.

Subcommittee 1b - This group used email communications and multiple conference calls. They sent out a survey to the larger group to assist in developing the guidance and then developed guidance documents for their target audience.

Subcommittee 1c - Multiple meetings (calls) This group managed the issue of charitable organizations and how to define them. They sent out two (2) surveys: 1) to the members of Subcommittee 1c and 2) another survey to the larger committee. This help to ensure that they were aligned and there was no duplication of effort in the overlapping areas.

Subcommittee 4 had several conference calls and shared drafts of the proposed FDA Food Code revision as members made edits. Subcommittee members were each assigned a subsection of the proposed Food Code section to develop/improve. This group reported back to the full committee on the monthly call.

The work of subcommittee 3 was delegated back to the full committee and was discussed on the monthly full committee calls.

When the full committee met, we reviewed charges and timeline to complete the work, provide updates on progress for projects - each subcommittee reported on their progress, we discussed how to avoid duplicative work and next steps. The full committee has reviewed the following documents - which are the documents the subcommittees used to develop the infographics fact sheet guidance tools. These documents are listed in our supporting attachments.

CFP Comprehensive Guidance for Food Recovery

Starbucks Food Safety Management System for Food Donation

California Retail Food Code for Food Donations

Texas Food Establishment Rules

Washington State Department of Health Food Rescue - donation guide for businesses; school food donation guidelines

Washington Retail Food code

Vermont Guidance for Food Donation - businesses

AFDO Model Consumer Commodity Salvage Code

Guidance for Indiana schools

FSIS Directive 7020.1

Guidance and Documents pertaining to donated foods

IFPTI - Kansas legislators' opinions about food safety regulation of hunger relief organizations

Food Safety Regulations and Guidance for Food Donations - a 50 State Survey of State Practices (Harvard)

Plus many links to food safety and donation resources

The committee is submitting an issue for conference approval to add the infographic fact sheets to the current CFP Comprehensive Guidance for Food Recovery.

The subcommittee charged with developing any necessary changes to the FDA Food Code has reviewed the issue previously submitted to CFP (issue 2018-I-24) and the discussions which occurred in council during the conference in 2018. It was the opinion of the subcommittee that the code needs to acknowledge food donation as a practice and provide some general guidance regarding which parts of the code should apply to the practice. The committee is submitting an issue proposing these changes to the food code.

In addition to these committee activities, Mitzi Baum of Stop Foodborne Illness (co-chair) and several other CFP members, including Shana Davis of The Kroger Company, and Dr. Ernie Julian of the Rhode Island Department of Health, participated in the session "Reducing Food Waste: Industry and Regulatory Perspectives on Food Recovery Systems." at the Association of Food and Drug Officials (AFDO) annual educational conference in Atlanta, GA, June 22 - 26, 2019. Mitzi has also presented at the MCAFDO (Mid Continental Association of Food and Drug Officials) conference in February on food waste and recovery. Mitzi and Wayne Melichar (voting committee member) are participating on a newly created Food Recovery standing committee of AFDO. All of these events are outstanding examples of the MOU established between CFP and AFDO in an effort to work on issues in a mutually collaborative effort and our committee is pleased to play a part in this effort.

3. Charges COMPLETED and the rationale for each specific recommendation:

- A.a.** Evaluate existing materials including the AFDO guidance, Comprehensive Resource for Food Recovery, and any other relevant guidance materials and documents pertaining to donated food; update the CFP guidance as needed; and evaluate opportunities to better disseminate existing guidance. The review has been completed, we did not find a need to update the CFP guidance document as the recommendations in it are sound, science based and relevant. We evaluated the opportunities to better disseminate guidance and came to the conclusion that creating simple, easy to follow one- and two-page fact sheets on specific food safety topics related to the handling and preparation of donated food would be our focus.
- A.b.** Examine existing state regulations that address food safety procedures for donation. This review has been completed.
- A.c.** Identify best practices for handling, storage, and labeling of food for donation. This review has been completed and has been used to create the fact sheets.
- A.d.** Recommend any necessary language changes to the FDA Food Code to ensure the safety of donated food. This charge has been completed, a subcommittee took the proposed FDA Food Code recommendations that were submitted in the 2018 issue and refined it based on the discussion of the group and the research completed by the committee on existing state or local laws that have been reviewed.
- A.e.** Report back to the 2020 Biennial Meeting. The committee is prepared to report to the 2020 conference.

4. Charges INCOMPLETE and to be continued to next biennium:

None

COMMITTEE REQUESTED ACTION FOR EXECUTIVE BOARD:

X No requested Executive Board action at this time; all committee requests and recommendations are included as an Issue submittal.

LISTING OF CFP ISSUES TO BE SUBMITTED BY COMMITTEE:

1. Issue #1: Food Recovery Committee (FRC) Report

a. List of content documents submitted with this Issue:

- (a.1) Committee Final Report (see attached PDF)**
- (a.2) Committee Member Roster (see attached PDF)**
- (a.3) 1 A Handout (see attached PDF)**
- (a.4) 1 B Handout (see attached PDF)**
- (a.5) 1 C Handout (see attached PDF)**
- (a.6) 1 D Handout (see attached PDF)**

b. List of supporting attachments:

- 1. Supporting Attachments Available by Links
- 2. Supporting Attachments Unavailable by Links
- 3. Claire Cummings - Bon Appetit (2019)
- 4. Example Checklist (2015)
- 5. Food Recovery Network Accept Foods (2019)
- 6. Donating Unsold Foods (2019)
- 7. Sara Gassman - Food Recovery Network II (2014)
- 8. Syd Mandelbaum - Rock and Wrap It Up (2014)
- 9. TX Survey Responses (2019)
- 10. Wayne Melichar - Feeding America (2014)

2. Committee Issue #2: FRC Food Code Amendment

- a. List of content documents submitted with this Issue:** None
- b. List of supporting attachments:** See supporting attachments to Issue #1, Food Recovery Committee (FRC) Report.

3. Committee Issue #3: FRC Infographic Handouts Acceptance for Approval and Posting

- a. List of content documents submitted with this Issue:** Infographics handouts submitted with Issue #1, Food Recovery Committee (FRC) Report
- b. List of supporting attachments:** See supporting attachments to Issue #1, Food Recovery Committee (FRC) Report.