



How Food Establishments Can Donate Food

Businesses that donate food are protected from liability by the Bill Emerson Good Samaritan Food Donation Act and may be eligible for federal tax deductions or state tax incentives.

Follow this process when donating surplus food:



Partner with a charity. Decide together:

- What can be donated?
- How much? How often?
- How will it be transported?

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Prepare food according to local health regulations.

- Only donate foods that have been handled and stored safely.
- If foods have been cross-contacted with a major food allergen, label them "**NOT Allergen-Free**" before donating.

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Package food in clean, food-grade packaging.

- Some charitable feeding organizations may provide you with reusable food-grade containers.
- Unopened food items should be donated in their original commercial packaging.



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Label food with:

- Name of the food;
- Date the food was prepared;
- Any major allergens in the food;
- Your establishment's contact information.



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Store food according to these guidelines:

- Dry food should be stored at least six inches off the floor, separated from foods containing major allergens, and kept away from chemical products.
- Refrigerated food must be stored at 41°F or below. Store food according to cooking temperature, with foods requiring the highest cooking temperature on the bottom.
- Cover food to prevent cross-contamination.
- Store all foods separately from unsafe, spoiled, or recalled foods.



How to Hand Off Food

Before handing off donated food to a delivery driver, take these steps.

1. Ensure that the transporting vehicle has special equipment to keep hot foods hot and cold foods cold. Insulated coolers, insulated blankets, frozen ice packs, hot boxes, or refrigerated compartments can all be used to provide temperature control.

2. Keep the following records:

- > Name and location of food donor
- > Date the food was prepared/harvested
- > Type of food donated
- > Food temperature at pickup
- > Name of the person who transported the food



Additional Donation Information

“Best by” Dates

Food packaging dates (“best by,” “use by,” and “sell by”) are meant to tell consumers how long the product will be at peak quality. They do not indicate when the food is safe to eat. If handled properly, most foods will be safe to eat well after the “best by” date and could potentially be donated. Before donating foods that are past their “best by” date, confirm with the charitable feeding organization that it will accept them.



Food Recalls

Contact the charitable feeding organization if a food recall is issued that you know affects donated food. The recipient organization is also responsible to help track food recalls.

