

**Conference for Food Protection
2020 Issue Form**

Issue: 2020 I-001

Council Recommendation: Accepted as Submitted _____ Accepted as Amended _____ No Action _____

Delegate Action: Accepted _____ Rejected _____

All information above the line is for conference use only.

Issue History:

This is a brand new Issue.

Title:

Food Recovery Committee (FRC) Report

Issue you would like the Conference to consider:

At the 2018 biennial meeting a Food Recovery Committee was formed to address the unresolved questions related to the practice of food donations posed during the Council I debate on issue 2018-1-24. The Conference charges included reviewing current practices and guidance and determining if a modification of the FDA Food Code was needed for food donation as an allowed practice.

Specifically, the charges were:

1. Evaluate existing materials including the AFDO guidance, Comprehensive Resource for Food Recovery Programs, 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.

Public Health Significance:

Food donation is a safe practice that can reduce food waste and provide food assistance to those in need. The confusion that surrounds what foods can be safely donated and which sections of the Food Code apply to food donation can be addressed by providing easy-to-use guidance for food donations and modifying the FDA Food Code by adding a definition and sections acknowledging the practice.

The need for food assistance is documented by the US Department of Agriculture (USDA). On September 4, 2019, the USDA released its annual study measuring food security

entitled Household Food Security in the United States in 2018. This report is based on data from the December 2018 food security supplement to the U.S. Census Bureau Current Population Survey (CPS), that provides the most recent statistics on the food security of U.S. households, including how much households spent on food, and the extent to which food-insecure households participated in federal programs.

Key findings in the 2018 study report:

- 37.2 million (11.5%) individuals lived in food-insecure households.
- 14.3 million (11.1%) households were food insecure.
- 5.6 million (4.3%) households had very low food security.
- 11.2 million (15.2%) children lived in food-insecure households.
- 2.9 million (7.5%) households with seniors were food insecure.
- 1.3 million (8.9%) households with seniors living alone were food insecure.

The exact number of organizations and food establishments that donate food to food banks and food pantries for distribution to those need is unknown. Feeding America is made up of 200 food banks that work alongside an estimated 60,000 partner agencies. An estimated 20,000 grocery stores donate food to Feeding America-affiliated food banks or their partner agencies. There are numerous other retailers outside of the Feeding America network that donate directly to local food banks and food pantries. The Feeding America network also includes nearly 5,000 food service establishments that donate food to local food recovery operations; there are assumed to be many other food service donations happening outside of the Feeding America network.

<https://www.feedingamerica.org/sites/default/files/research/hunger-in-america/hia-2014-executive-summary.pdf>

Food Donation Connection reports on their website, "In 2017, an estimated 1,400 business entities through 19,300+ foodservice locations (restaurants, airports, travel plazas, retailers, hotels, universities, hospitals, distribution centers) donated 50 million pounds of prepared surplus food to 11,000 hunger relief organizations."

Food donation supports the reduction of food waste. In the United States, an estimated 30-40 percent of the food supply is wasted. The USDA's Economic Research Service estimates that 31 percent of food loss occurs at the retail and consumer levels; a percentage that corresponds to approximately 133 billion pounds of wasted food each year, worth nearly \$161 billion in 2010. https://foodwastealliance.org/wp-content/uploads/2014/11/FWRA_BSR_Tier3_FINAL.pdf This amount of food and economic waste has far-reaching impacts on society. Wholesome food that could have helped feed families in need is sent to landfills. Land, water, labor, energy and other inputs are used in producing, processing, transporting, preparing, storing, and disposing of discarded food.

For food donation to be accomplished in a manner that provides safe food to those in need, this practice must be conducted under the same conditions as food offered for sale. It must come from commercial suppliers under regulatory control. Home kitchens, with their varieties of food and open entry to humans and pet animals, are frequently implicated in the microbial contamination of food and are not acceptable sources of donated food. Controlled processing and post processing handling are required for the safe distribution of donated food.

Recommended Solution: The Conference recommends...:

The Conference recommends acknowledgment of the 2018-1-24 Food Recovery (FR) Committee Report, with thanks to the members of the Committee for their work and dissolution of the FR committee.

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Content Documents:

- "FR Committee Final Report"
- "CFP - FRC- Committee Roster"
- "1 A Handout Draft - How Food Establishments Can Donate Food"
- "1 B Handout Draft - How to Transport Donated Food"
- "1 C Handout Draft - How to Serve Donated Food"
- "1 D Handout Draft - Serving Highly Susceptible Populations"

Supporting Attachments:

- "Supporting Attachments Available Online_CFP"
- "Supporting Attachments Unavailable Online_CFP"
- "Claire Cummings - Bon Appetit"
- "Example Checklist"
- "Food Recovery Network Accept Foods"
- "Donating Unsold Foods"
- "Sara Gassman - Food Recovery Network II"
- "Syd Mandelbaum - Rock and Wrap it Up"
- "TX Survey Responses"
- "Wayne Melichar - Feeding America"

It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.

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.

Committee Roster

Committee Name: Food Recovery									
First Name	Last Name	Email	Constituency	Organization	City	State	CFP Region	Phone	Position (Chair/ Member)
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Committee Roster

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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?

1



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.

2

3

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.



4

Label food with:

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



5

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.



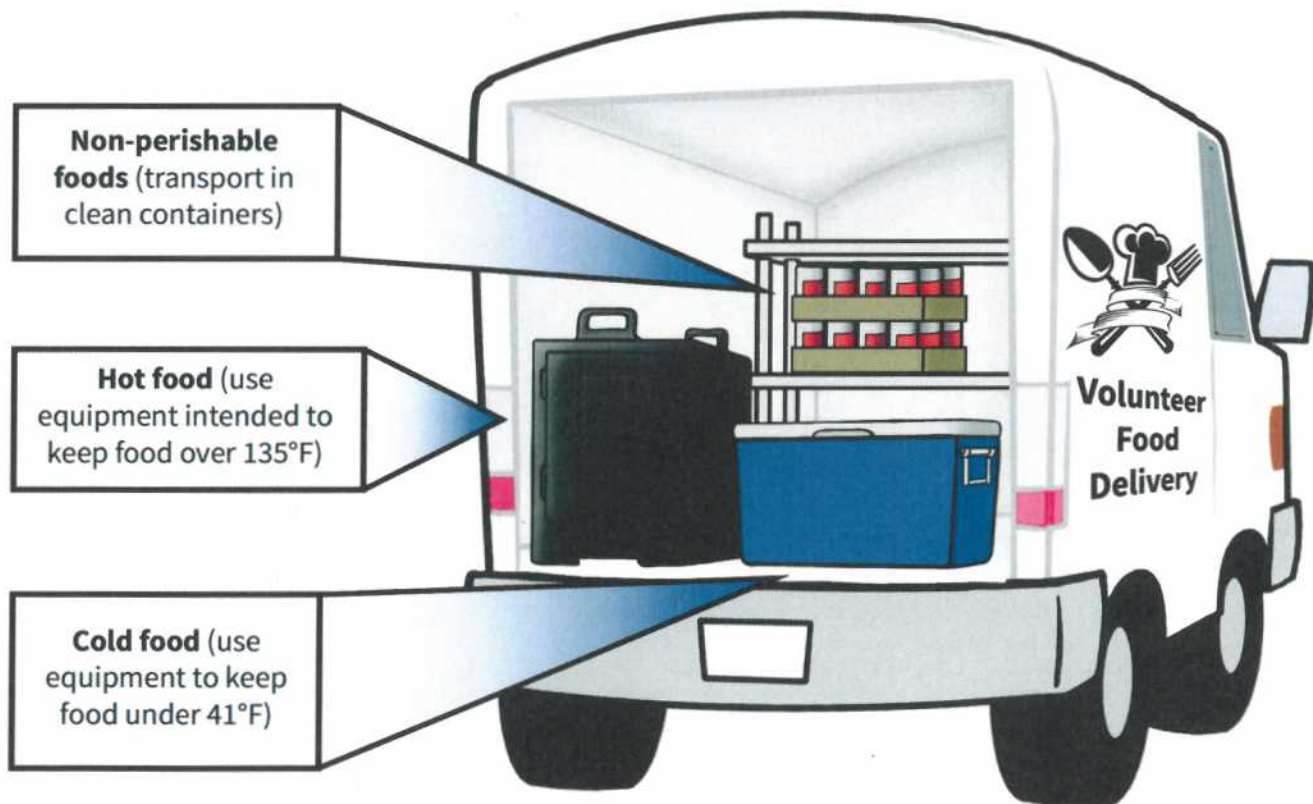


How to Transport Donated Food

When transporting donated food in any vehicle, make sure to follow these principles.

- Use an insulated cooler, insulated blanket, frozen ice packs, hot box, or refrigerated compartment to control food temperatures. Each container should be cleaned and sanitized after every use.
- Store foods with lower cooking temperatures above foods with higher cooking temperatures (i.e. store salad above raw chicken).
- Keep hot foods hotter than 135°F and cold foods colder than 41°F.

You may handle three types of food: Non-perishable foods, hot foods and cold foods.

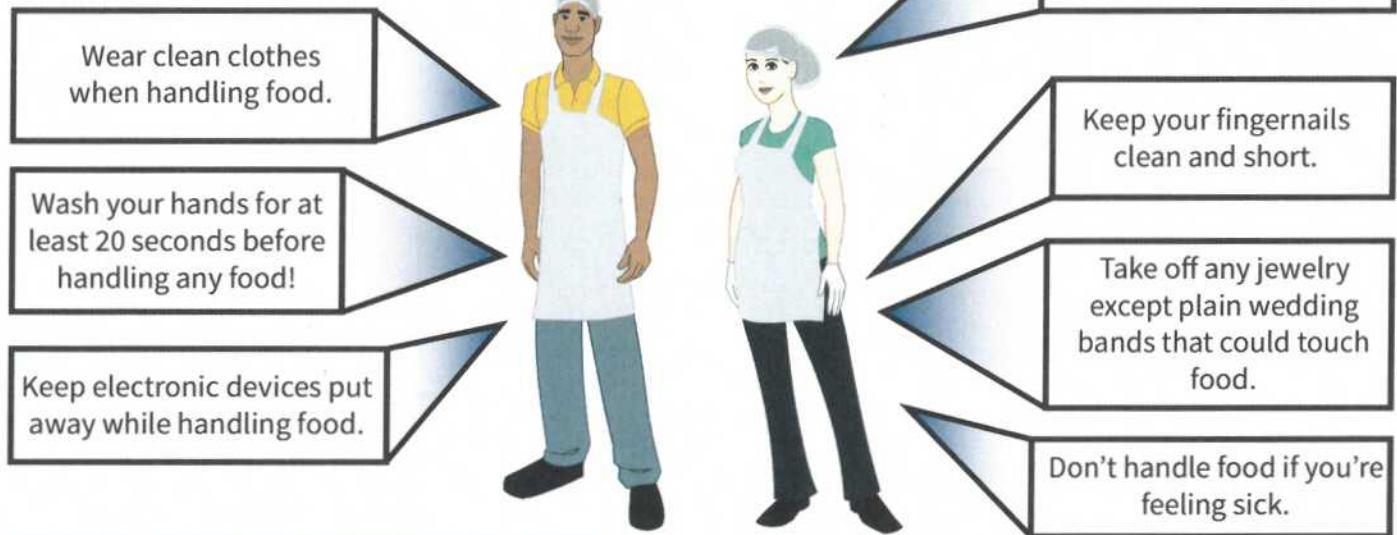


Consult your local regulatory authority if you have questions about safely transporting hot or cold food.



Personal Health and Hygiene

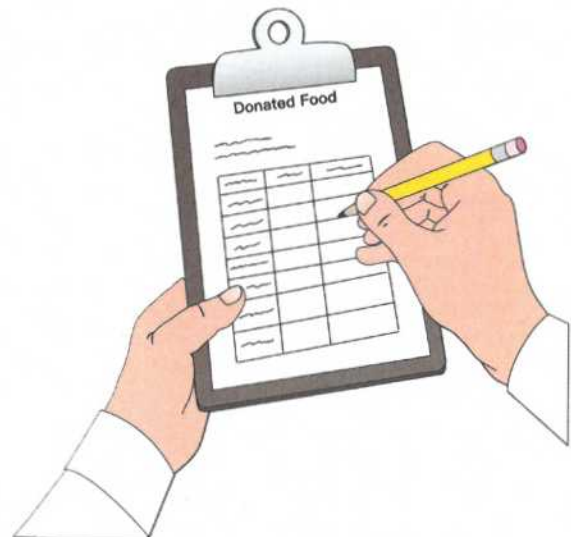
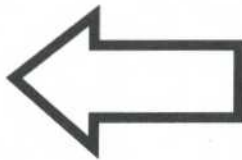
When volunteering to transport donated food, remember to use good hygiene practices.



Keep Records for Donated Food

If you are volunteering with an established charitable feeding organization, make sure to follow their procedures. If the organization does not have any record-keeping procedures, follow the template below.

- > 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
- > Name and location of delivery destination
- > Name of person accepting the delivery
- > Food temperature at delivery



Keep records for at least the past two years. Some charitable feeding organizations may need you to provide records when you deliver donated food.



How to Serve Donated Food

As a volunteer for a charitable feeding organization, you should follow these basic food safety principles.

When receiving new food donations, make sure:

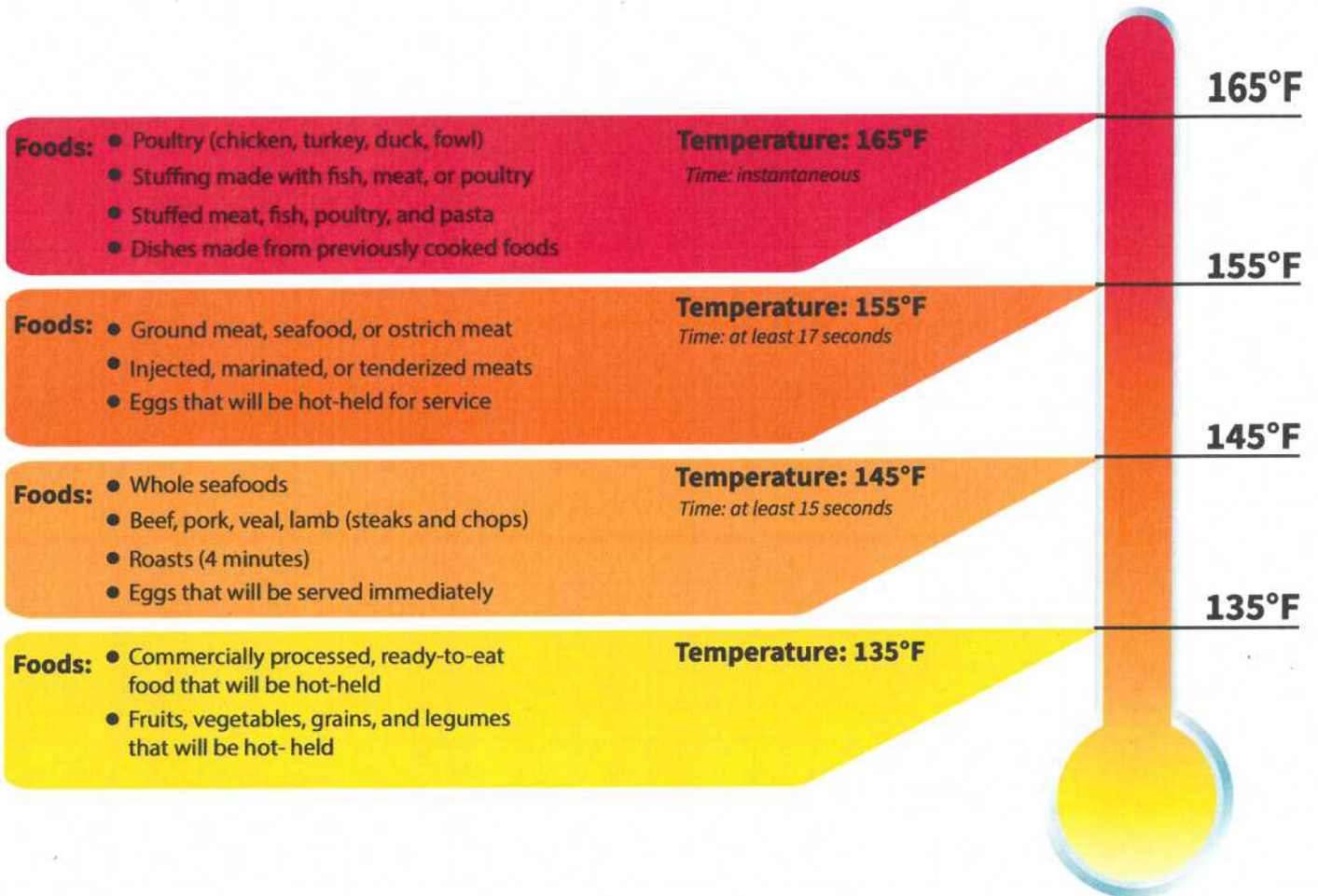
- > All food is from approved suppliers.
- > Manufactured food is in original, sealed, and undamaged packages.
- > Food prepared at retail establishments is labeled with food name, date prepared, major allergens, and the establishment's contact information.

Food Type	Receiving Requirements	Foods to Avoid
Prepared Foods	Cold - 41° or below Hot - 135° F or above Frozen solid	<ul style="list-style-type: none"> ● Foods that are in the danger zone (41°F - 135°F) ● Previously reheated foods ● Previously served foods
Chilled Prepackaged Perishables	41° F or below	<ul style="list-style-type: none"> ● Foods that are above 41° F ● Damaged or bulging packaging ● Raw or unpasteurized dairy products and juices
Raw Meat Poultry, Fish	41° F or below (Unfrozen) Frozen solid	<ul style="list-style-type: none"> ● Raw meat products that are above 41° F ● Frozen foods that are thawed (defrosted)
Whole Produce	Good Condition	<ul style="list-style-type: none"> ● Food that is dirty or has significant decay ● Foods grown without good agricultural practices (Exposed to contamination)
Cut Produce	41° F or below	<ul style="list-style-type: none"> ● Cut produce that is above 41° F ● Color change or decay
Baked Goods	Good Condition	<ul style="list-style-type: none"> ● Moldy or stale products ● Evidence of damaged packaging (mice, rats)
Canned/Boxed Foods	Good Condition	<ul style="list-style-type: none"> ● Leaking, damaged, or bulging packaging ● Open packages ● Home-canned products ● Packaged products that show evidence of insect or rodent damage or infestation



Preparing and Serving Food

- > Don't handle food if you're feeling sick.
- > Wash hands frequently & always use gloves.
- > Keep your facility clean.
- > Only use potable (drinkable) water.



Reheating and Holding Food

- > Keep cold food at 41°F or colder.
- > Keep hot food at 135°F or hotter.
- > Only reheat food one time using a microwave, oven, or stove.
- > Discard food that's been held without temperature control after four hours.

OLDER ADULTS

Disaster Victims

Infants and toddlers

People from food-insecure households

People who are homeless or transient

People with behavioral health or substance abuse issues

People with chronic illness and weakened immune systems

Pregnant women

SERVING HIGHLY SUSCEPTIBLE POPULATIONS

Take extra care when preparing and serving donated food. Many guests at charitable organizations may be from highly susceptible populations (HSPs). HSPs have an increased risk of foodborne illness and resulting complications. HSPs may include:



FEELING SICK?

If you have any of the symptoms on the right, notify your manager, go home, and rest! Come back when you've been symptom-free for at least 24 hours.



VOMITING

INFECTED SORES

DIARRHEA

YELLOWING OF EYES

SORE THROAT FEVER

If you have a sore throat and fever or jaundice, or have been diagnosed with norovirus, hepatitis A, E. coli, Shigella, or Salmonella infection, talk to a doctor before volunteering again.

Supporting Attachments Available Online

Selected Legislation			
Document	Source	Summary	Link:
Texas Food Establishment Rules	Texas Department of State Health Services	Comprehensive food safety regulations for donated food (pg. 84-85)	https://www.dshs.texas.gov/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=8590002102
California Retail Food Code, Article 7: Food Facility Food Donations	California Department of Public Health	Comprehensive food safety regulations for donated food (pg. 138-139)	https://www.cdph.ca.gov/Programs/CEH/DFDCS/CDPH%20Document%20Library/FDB/FoodSafetyProgram/MEHKO/CALIFORNIA%20RETAIL%20FOOD%20CODE%202019.pdf
California Assembly Bill 2178: Limited Service Charitable Feeding Operation	California Legislative Information	A bill, signed into law in 2018, detailing exemptions from being a food facility by limited service charitable feeding operations in California	https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB2178

Guidance Documents and Directives			
Document	Source	Summary	Link:
Food Rescue – Donation Guide for Businesses; School Food Donation Guidelines	Washington State Department of Health	Guidance for business and school food donation programs	https://www.doh.wa.gov/CommunityandEnvironment/Food/FoodWorkerandIndustry/SchoolFoodDonations
Model Consumer Commodity Salvage Code	Association of Food and Drug Officials (AFDO)	Guidance for food safety with donated food	http://www.afdo.org/resources/Documents/Committee%20Reports%202016-2017/Model%20Sorting%20and%20Salvage%203.28.18.pdf
Guidance for Indiana Schools	Indiana State Department of Health	Guidance for school food donation programs	https://www.in.gov/isdh/files/School_Sharing_Tables_and_Food_Recovery_12-23-2015_(2).pdf
Food Safety Inspection Service (FSIS) Directive 7020.1	United States Department of Agriculture (USDA) FSIS	Directive for Donation of Misbranded and Economically Adulterated Meat and Poultry Products to Non-Profit Organizations	https://www.fsis.usda.gov/wps/wcm/connect/25e1becc-4201-4cc0-a707-c9ed38a2f01c/7020.1.pdf?MOD=AJPERES

Guideline for Determining Whether a Livestock Slaughter or Processing Firm is Exempt from the Inspection Requirements of the Federal Meat Inspection Act	USDA FSIS	Directive detailing exemptions from meat inspection requirements	https://www.fsis.usda.gov/wps/wcm/connect/16a88254-adc5-48fb-b24c-3ea0b133c939/Compliance-Guideline-Livestock-Exemptions.pdf?MOD=AJPERES
Vermont Guidance for Food Donation	Vermont Agency of Natural Resources; Vermont Department of Health	Guidance for businesses and institutions on donating food safely	http://www.healthvermont.gov/sites/default/files/documents/2016/11/ENV_FL_DonatingFoodSafely.pdf
Comprehensive Resource for Food Recovery Programs	Conference for Food Protection	Guidance for food recovery programs detailing safe practices	http://www.foodprotect.org/media/guide/comprehensive-resource-for-food-recovery-2016-version.pdf
Safe Surplus Food Donation Toolkit: Guidance for Food Facilities	Public Health Alliance of Southern California	Guidance detailing best practices for safely recovering food	https://phasocal.org/wp-content/uploads/2018/02/Safe-Surplus-Food-Donation-Toolkit-Version-2-Jan-2018.pdf
Food Recovery Checklist	Food Recovery Network	General checklist for food recovery programs	https://static1.squarespace.com/static/555b5cf1e4b0864ccf1a0156/t/5c98ef9d971a187c49629390/1553526685917/Food+Recovery+Checklist.pdf
Food Safety Guidelines	Food Recovery Network	Food safety information specific to food recovery programs	https://static1.squarespace.com/static/555b5cf1e4b0864ccf1a0156/t/5c98efbe4966bff81ea4424/1553526719256/Food+Safety+Guidelines.pdf
Donating Retail Exempt Meat or Poultry Product	USDA FSIS	A Q&A log detailing the response to a question pertaining to the donation of meat and poultry products	https://askfsis.custhelp.com/app/answers/detail/a_id/2025/~/-/donating-retail-exempt-meat-or-poultry-product
Guidance on the Food Donation Program in Child Nutrition Programs	USDA Food and Nutrition Service (FNS)	Guidance detailing the donation of food through Child Nutrition Programs	https://fns-prod.azureedge.net/sites/default/files/cn/SP11_CAC_FP05_SFSP07-2012os.pdf

Research and Reports

Document	Source	Summary	Link:
Food Safety Regulations and Guidance for Food Donations – a 50 State Survey of State Practices	Harvard Center for Health Law and Policy Innovation	A report detailing the regulations and guidance documents that exist through state regulatory agencies	https://www.chlpi.org/wp-content/uploads/2013/12/50-State-Food-Regs_March-2018_V2.pdf
Kansas Legislators' Opinions About Food Safety Regulation of Hunger Relief Organizations	International Food Protection Training Institute	A research project detailing the perceptions and opinions of state legislators as it relates to hunger relief	https://ifpti.org/fellowship-program/published-works/kansas-legislators-opinions-about-food-safety-regulation-of-hunger-relief-organizations/
Does Food Safety Training for Non-Profit Food Service Volunteers Improve Food Safety Knowledge and Behavior?	Food Protection Trends	A research project detailing the change in knowledge of volunteers after participating in a food safety educational program	http://www.foodprotection.org/files/food-protection-trends/May-Jun-14-Smith.pdf
Food Safety Legislation 2018	National Conference of State Legislatures	A report detailing acts of legislation by states in 2018, including those related to	http://www.ncsl.org/research/agriculture-and-rural-development/food-safety-legislation-2018.aspx
A Place at the Table: Prohibitions on Sharing Food with People Experiencing Homelessness	The National Coalition for the Homeless and The National Law Center on Homelessness and Poverty	A report detailing the ways that organizations and people who serve other people experiencing homelessness can be penalized and criminalized for their service	https://nlchp.org/wp-content/uploads/2018/10/A_Place_at_the_Table.pdf
Share No More: The Criminalization of Efforts to Feed People in Need	National Coalition for the Homeless	A report detailing the criminalization of efforts to feed people experiencing hunger and food insecurity	http://nationalhomeless.org/wp-content/uploads/2014/10/Food-Sharing2014.pdf
Food Loss and Waste	Council for Agricultural Science and Technology	A report detailing the need for innovative approaches and technologies for addressing food waste	https://www.cast-science.org/wp-content/uploads/2018/12/CAST_IP62_Food_Loss_and_Waste_5BA7C2603929F.pdf
The Occurrence and Prevention of Foodborne Disease in Vulnerable People	Foodborne Pathogens and Disease	A research publication detailing the prevalence of foodborne diseases in vulnerable populations, including people	https://dx.doi.org/10.1089%2Ffpd.2011.0860

		experiencing food insecurity	
Food Insecurity – Key Statistics and Graphics	USDA Economic Research Service (ERS)	A compilation of data and graphs detailing the prevalence of food insecurity in the United States	https://www.ers.usda.gov/topics/food-nutrition-assistance/food-security-in-the-us/key-statistics-graphics/
Analysis of U.S. Food Waste Among Food Manufacturers, Retailers, and Restaurants	Food Waste Reduction Alliance	A report detailing the assessment and analysis of food waste in the United States. food industry.	https://foodwastealliance.org/wp-content/uploads/2014/11/FWRA_BSR_Tier3_FIN_AL.pdf
Hunger in America in 2014: Executive Summary	Feeding America	A report detailing the prevalence of hunger in the United States, the experiences of people who are food insecure, and the work supported through Feeding America to address it.	https://www.feedingamerica.org/sites/default/files/research/hunger-in-america/hia-2014-executive-summary.pdf

Media/Press

Document	Source	Summary	Link:
Food Banks Across the Country Increasingly Focusing on Food Safety	Food Safety News	An article detailing the ways in which food banks place emphasis on food safety in their work	https://www.foodsafetynews.com/2018/10/food-banks-across-the-country-increasingly-focusing-on-food-safety/
GAO Report Examines How Date Label Confusion Contributes to Food Waste	Food Safety News	An article detailing the findings of a GAO report detailing the connection between date labeling and food waste	https://www.foodsafetynews.com/2019/09/gao-report-examines-how-date-label-confusion-contributes-to-food-waste/

Supporting Attachments Unavailable Online

Guidance Documents and Directives			
Document	Source	Summary	PDF File Name
Food Safety Management System for Food Donation	Starbucks	Guidelines for Starbucks employees who engage in food donation	N/A
Example TOOL: Donation Quick Checklist	Unknown	A checklist and sample labels that can be used when donating foods	ExampleChecklist201510261
Acceptable Foods to Donate	Food Recovery Network	A list of foods that are and are not acceptable for donation	FoodReoveryNetwrk_Accept_Foods_to_Donate

Presentations			
Document	Source	Summary	PDF File Name
Donating Unsold Food: Reducing the Poverty Footprint	United States Department of Agriculture (USDA) Webinar: Donating Unsold Food	A presentation detailing the work of Rock and Wrap It Up	Syd Mandelbaum – Rock and Wrap It Up
Tips on Food Recovery from Food Recovery Network	USDA Webinar: Donating Unsold Food	A presentation detailing the work of the Food Recovery Network	Sara Gassman – Food Recovery Network II
Q&A Transcript	USDA Webinar: Donating Unsold Food	A transcript record of the Q&A session that was incorporated into the USDA webinar	Q&As from Donating Unsold Food webinar
Donating Unsold Food – A Primer on Liability, Food Safety, and the Good Samaritan Act	USDA Webinar: Donating Unsold Food	A presentation detailing the intersections of liability, food safety, and the Good Samaritan Act by Feeding America	Wayne Melichar – Feeding America
Feeding People and Fighting Food Waste: Leadership in Food Recovery	USDA Webinar: Donating Unsold Food	A presentation detailing the work of the Bon Appetit Management Company in addressing food insecurity	Claire Cummings – Bon Appetit Management Co

Data			
Document	Source	Summary	PDF File Name
2019 Survey Data	Harris County Public Health; Pasadena, Texas	Selected responses from a 2019 survey of food businesses to document their food donation practices	TX Survey Responses



FEEDING PEOPLE AND FIGHTING WASTE

LEADERSHIP IN FOOD RECOVERY

BON APPÉTIT
MANAGEMENT COMPANY

food service for a sustainable future®

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We're proud to be the first food service company to commit to:

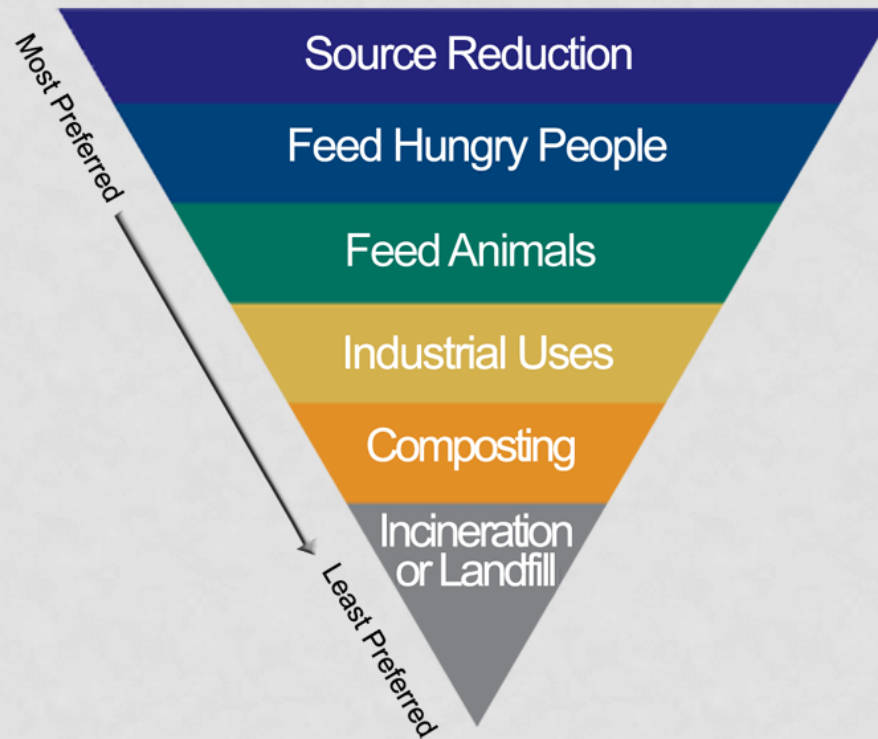
- Supporting local agriculture companywide, since 1999
- Serving only seafood that meets Seafood Watch sustainability guidelines, since 2002
- Reducing antibiotic use in farm animals, since 2003
- Serving only rBGH-free milk, since 2003
- Offering 100% café-free shell eggs, since 2005
- Tackling food's role in climate change, since 2007
- Upholding farmworkers' rights, since 2009
- Serving only humanely raised ground beef, since 2012
- Phasing out all pork raised with gestation crates, by 2015

WASTE SPECIALIST



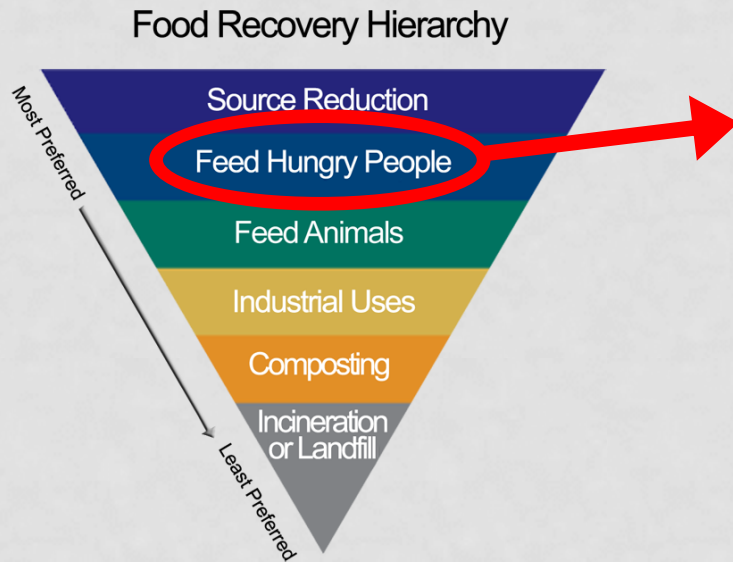
OUR APPROACH

Food Recovery Hierarchy



FEED HUNGRY PEOPLE

There is no reason to compost wholesome, excess food when it could feed someone in need!



- We have over 100 food recovery programs in which excess food from our cafés is donated to people in need in our community
- We helped the Food Recovery Network develop their national guide to food recovery for chefs and managers
- We were the first business in the country to get Food Recovery Certified and now have over 30 cafes certified
- We are supporting the development of resources on gleaning which is the process of harvesting produce that would otherwise go to waste, to donate to people in need

TRAINING

BON APPÉTIT
MANAGEMENT COMPANY

food services for a sustainable future®

A Guide to Food Recovery for Chefs and General Managers

May 14, 2013

Authored by Claire Cummings, West Coast Fellow

Tables of Contents

- I. Purpose
- II. Process
- III. Foods to Donate
- IV. How to Find an Organization
- V. Tips for Success
- VI. Frequently Asked Questions and Concerns
- VII. Contact Information
- VIII. Appendix
 - i. Feeding America
 - ii. Chefs to End Hunger
 - iii. The Food Recovery Network
 - iv. The Bill Emerson Good Samaritan Food Donation Act
 - v. Works Cited

May 2013 | Bon Appétit Management Company | www.BAMCO.com



webcast
EDUCATION SERIES

To hear the audio please call:

XXX-XXX-XXXX

Participant code: XXXX

BON APPÉTIT
MANAGEMENT COMPANY

food service for a sustainable future®

PARTNERSHIPS

We have worked with hundreds of organizations around the country to launch food recovery programs to rescue food from going to waste.



CHEFS
TO END
HUNGER



FOOD RUNNERS 
RELAYING EXCESS FOOD

FEEDING
AMERICA



FOOD
RECOVERY
NETWORK



urban gleaners



reducing waste and want



zero percent



BON APPÉTIT
MANAGEMENT COMPANY

food service for a sustainable future®

RECOGNIZE AND REWARD



Food Recovery Certified!



Food Lifeline's Donor of the Year!

TIPS FOR SUCCESS



- Approach the right people
- Bring everyone to the table
- Be knowledgeable and prepared to address concerns
- Be flexible
- Ensure longevity of program
- Make it as easy as possible

LEARN MORE

Claire.Cummings@BAMCO.com
www.BAMCO.com
www.cafebonappetit.com
@WasteAce

Example TOOL: Donation Quick Checklist

If donating temperature sensitive food, be sure to verify temperature prior to donation

Acceptable Prepared Food:

- Foods $\leq 41^{\circ}\text{F}$ and $\geq 135^{\circ}\text{F}$
- Food in range of $41\text{--}135^{\circ}\text{F}$ only if time food entered into that range is marked on the container and temperature of food reaches 70°F or below within 2 hours and reaches 41°F or below within additional 4 hours. (Must consult with your local Health Department if you check this box.)
- Food that is consumed within 4 hrs from time food fell into range of $41\text{--}135^{\circ}\text{F}$. (Must consult local Health Department if you check this box)
- Unserved food from monitored, protected, and temp. controlled buffet lines.
- Food marked with description, source, allergen disclaimer, time/date of preparation.

Unacceptable Prepared Food:

- Foods in opened or torn containers
- Food that won't properly cool from the time food entered the range of $41\text{--}135^{\circ}\text{F}$. Proper Cooling: food must be cooled to reach 70°F in 2 hours and 41°F in an additional 4 hours.
- Shell eggs more than 7 days past exp. date or not transported at 45°F or below
- Food stored in fridge longer than 5 days. (recipient must use within 2 more days)
- Food that is not donated in food grade packaging/containers.
- Previously served or reheated food.
- Food not marked with name, source, allergen disclaimer, time/date of preparation.

Acceptable Manufactured Dry Goods:

- Can meat: recommend up to 2 yrs past code date
- Can fruit/veg: up to 18 months past code date
- Self-serve items from grocery dispensers

Unacceptable Manufactured Dry Goods:

- Does not have original label
- Severely dented or rusted cans
- Seal broken or torn/open package

Acceptable Manufactured Cold Goods:

- Refrigerated food: kept 41°F or below and not more than 1 day past code date unless frozen.
- Frozen food: kept at 0°F or below.

Unacceptable Manufactured Cold Goods:

- Not in original packaging
- Not coded with code date
- Seal broken or torn/open package

Acceptable Raw Meat:

- Frozen solid or $\leq 41^{\circ}\text{F}$
- Meat marked with type, source, donation date

Unacceptable Raw Meat:

- Meat > 41
- Damaged packaging or not marked with type, source, donation date

Acceptable Produce: Not moldy/decayed

Unacceptable Produce: Moldy/decayed

NOTE: Shelf stable foods with manufacturer's label are acceptable passed the expiration date except for infant formula. Assume food has allergens unless marked otherwise. **For more info:** _____

DONOR NAME AND LOCATION	
TIME AND TEMPERATURE IF TEMPERATURE SENSITIVE (tcs) FOOD	
COMMON NAME OF FOOD:	
DATE OF DONATION:	
<p>WARNING! DO NOT SERVE THIS FOOD TO PEOPLE WITH FOOD ALLERGIES. This container holds rescued food! This food may contain one of the big 8 major allergens such as milk, eggs, peanuts, tree nuts, fish, shellfish, wheat, soy.</p>	

DONOR NAME AND LOCATION	
TIME AND TEMPERATURE IF TEMPERATURE SENSITIVE (tcs) FOOD	
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ACCEPTABLE FOODS TO DONATE

PRODUCTS ACCEPTABLE FOR DONATION:

- Unserved prepared entrees, side dishes, and desserts
- Self-serve items from a buffet if approved by your food donor
- Unopened containers of food, beverages, condiments, sauces, and spices
- Fresh produce
- Dairy products
- Fresh chilled or frozen meat



PRODUCTS NOT ACCEPTABLE FOR DONATION:

- Food that will not make it to the recipient organization's refrigeration within less than two hours in the Temperature Danger Zone (41-135 F)
- Home canned, vacuum-packed or pickled foods
- Perishable foods past a "use by" date, unless frozen
- Foods in sharply dented or rusty cans
- Foods in opened or torn containers exposing the food to potential contamination
- Unpasteurized milk
- Foods with an "off" odor or color
- Foods prepared, cooked, cooled, or reheated at home (except for baked goods that do not need refrigeration)
- Donations from a donor that has experienced a power outage
- Foods that have been in fridge for over 5 days

The best rule of thumb is to ask yourself if you would eat the food...if the answer is no then you shouldn't donate it!



Presenters:

- Syd Mandelbaum, [Rock and Wrap It Up!](#) – 1-877-691-FOOD
- Nicole Civita, [University of Arkansas School of Law](#) - nmcivita@uark.edu
- Claire Cummings, [Bon Appétit Management Company Foundation](#) Claire.Cummings@BAMCO.com
- Wayne Melichar, [Feeding America](#) - wmelichar@feedingamerica.org
- Sara Gassman, [Food Recover Network](#) - sara.gassman@foodrecoverynetwork.org

Moderators:

- Elise Golan, USDA – egolan@oce.usda.gov
- Jimmy Nguyen, USDA – jimmy.nguyen@fns.usda.gov

Questions & Answers from Webinar

- **Q: Can food be donated from school cafeterias to a local food pantry? If so, is it limited to certain foods? If a student takes a milk and doesn't drink it, can it go back into the cooler?**

Jimmy Nguyen: Yes. Many schools donate wholesome uneaten food to local food pantries and soup kitchens. Kathleen Weil, founder of the Food Bus, helps schools setup food recovery programs in their cafeterias. You can contact her at kathleen.weil@gmail.com. For more information check out this blog: <http://blogs.usda.gov/2014/08/26/creative-solutions-to-ending-school-food-waste/>

The types of foods schools can donate are very diverse but depend on what the local health department advises. Typically, schools can donate milk, yogurt, fruit cups, granola bars, juice packs, fresh produce, string cheese, etc. Also, sometimes you can donate products that the local health department bans if you get a waiver signed by the food pantry or soup kitchen you work with.

- **Q: More specific question about school K-12 cafeterias. Can whole fruit that was placed on tray and not eaten be donated?**

Jimmy Nguyen: Yes, but you have to check with your local health department to see what rules they have around that. Sometimes if there are rules against donating some fresh produce, you can work around it by getting the organization you are donating to sign a waiver. I would like to add that milk is always in high demand at food pantries and food banks. Donated milk from schools would help too. You just have to make sure recovered food is refrigerated quickly and properly. But food recovery programs in schools are always great especially if they involve students. It is a great teaching

opportunity showing students how food waste impacts environment and hunger. Kathleen Weil, founder of the Food Bus, helps schools setup food recovery programs in their cafeterias. You can contact her at kathleen.weil@gmail.com. For more information check out this blog: <http://blogs.usda.gov/2014/08/26/creative-solutions-to-ending-school-food-waste/>

Wayne Melichar: Feeding America has successful school donation program. Feel free to reach out to pthukral@feedingamerica.org to learn more.

- **Q: Does the Good Samaritan Act cover food education, for example taste testing and cooking education, done with or in connection with donated food?**

Jimmy Nguyen: The Good Samaritan Act (aka Bill Emerson Act) covers recipient organizations of donated food as well as donors. But make sure good safety practices are in place when you receive the donated food.

- **Q: I own a prepared foods startup and am working to source ingredients from farmer, supermarket and food distributor surplus. Do you know if these groups are generally willing to work with businesses or are they only willing to donate to non-profits?**

Nicole Civita: From the legal perspective, note that the Bill Emerson Act (BEA) will not provide liability protection in the situation described — the BEA requires donation not sale of the surplus food item - but certain state liability protections might. (This seems unlikely, but possible).

- **Q: Does "first-use food grade packaging" include reusable containers or disposable only? Using disposable containers seems counter to sustainability efforts.**

Claire Cummings: Bon Appétit Management Company does everything we can to prevent waste from happening in the first place and one way we do this is by launching reusable to-go container programs on our campuses. Eco clamshells (as they are often referred to) are a type of reusable container that replaces the need for a single-use disposable. Food is served in a reusable to-go container, the guests take their food with them, and when they return to campus they trade in their dirty container for a new one. There are many variations to this model, including the OZZI system which incorporates a vending machine into the reusable to-go container collection system. To learn more visit: <http://www.cafebonappetit.com/wellness/sustainability/disposables>.

Wayne Melichar: Reusable containers are allowed as long as they are dishwasher safe and are properly washed, rinsed and sanitized between uses.

- **Q: I work with Rock and Wrap it Up! and we donate healthy food safely to less fortunate families. If you freeze food is there a time limit to when it can be served?**

Jimmy Nguyen: Food stored at 0 degrees Fahrenheit will always be safe. Only the quality suffers with lengthy freezer storage. Check out USDA's Food Safety and Inspection Service website for more info: http://www.fsis.usda.gov/wps/portal/fsis/topics/food-safety-education/get-answers/food-safety-fact-sheets/safe-food-handling/freezing-and-food-safety/ct_index

- **Q: I work in CA. Has anyone heard of an impending regulation limiting the amount of time food can be stored in sealed plastic bags? This could have impacts to food donation.**

Nicole Civita: This has not crossed my radar. I believe that California recently became the first state to enact a ban on single use plastic bags for grocery & convenience store checkout. "Under SB270, plastic bags will be phased out of checkout counters at large grocery stores and supermarkets such as Wal-Mart and Target starting next summer, and convenience stores and pharmacies in 2016. The law does not apply to bags used for fruits, vegetables or meats, or to shopping bags used at other retailers. It allows grocers to charge a fee of at least 10 cents for using paper bags."

http://www.huffingtonpost.com/2014/09/30/california-plastic-bag-ban_n_5904766.html

See http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB270 for the complete text of the law. After a quick scan of the California Retail Food Code and agency press releases, I did not find anything else on point.

- **Q: What about fruits/vegetables grown in a school community garden. Can they be donated?**

Jimmy Nguyen Most food as long as it's properly handled and stored can be donated! Work with your local food pantry (<http://www.ampleharvest.org/find-pantry.php>) and local health department to see what they say.

- **Q: How are the foods weighed to get an accurate weight for data tracking (waste diversion and GHG reductions)? With a scale by the organization donating or by the recipient organization?**

Claire Cummings: It is not a perfect science and varies greatly from organization to organization. Some don't even weigh donations and instead measure by number of cases or number of hotel pans.

Wayne Melichar: When partnering with Feeding America, our receiving food banks and agencies weigh the product and report all donations through our reporting platform. Depending on the sophistication of the receiving party, a wide spectrum of weighing scales are used, from the highly sophisticated, commercial scales to common bathroom scales.

- **Q: What about cities who have adopted laws that it is illegal to feed the homeless?**

Nicole Civita: Criminalizing feeding of the homeless is in my opinion a terribly misguided, short-sighted trend that ought to spread no further. It is designed to obscure homelessness, push it out of sight, and "address" the problem by pretending it does not exist.

(See <http://www.motherjones.com/politics/2014/11/90-year-old-florida-veteran-arrested-feeding-homeless-bans> for excellent coverage & infographics on this topic.) That said, of the [71 \(and counting\) cities](#) with these bans in place, it seems that most merely prohibit "food sharing" on public property — these laws are mostly aimed at prohibiting or controlling feeding homeless people in impromptu and outdoor feeding events and efforts. Other cities "have imposed food safety

precautions, like requiring charities to get a food handler's permit, or mandating that they only serve hot food prepared in approved locations or in the form of pre-packaged meals." If you are in such a city, to remain within the bounds of the law & the protections of the Bill Emerson Act, it is advisable to make sure that you fully understand the law & comply with it even if you do not agree with it or are part of a group trying to challenge it.

- **Q: So if K12 schools have a "share table" of food served to students do food banks accept this food?**

Jimmy Nguyen: For people that don't know, share tables are tables setup in school cafeterias during meal service to allow students to leave food that they don't want and take foods that they do. It's a table that encourages exchange and helps to reduce food waste. To answer the question, yes, food from share tables can be donated as long as it is quickly and safely cooled according to food safety recommendations.

- **Q: So many great food recovery programs. There are several where I live in Cambridge, MA. What seems to be lacking is a good database/clearinghouse of programs, food banks, local initiatives, etc. Does anything like this exist on a national level? So important that good organizations do not unintentionally encroach on established relationships with donors, vendors, etc.**

Jimmy Nguyen: Indeed there are some places where you can find a lot of these groups in one place. AmpleHarvest.org is an innovative nationwide non-profit that links food donors (especially home and community growers with excess fresh food) to more than 7,000 food pantries across all 50 states. Instead of collecting and redistributing food, they use technology to enable the food donor to work directly with a nearby food pantry or soup kitchen on a sustainable basis.

Also, you can check on our U.S. Food Waste Challenge website for a list of food recovery organizations that can help you setup a food recovery program: <http://www.usda.gov/oce/foodwaste/resources/donations.htm>

- **Q: Is there a place we can find rules of engagement by state?**

Claire Cummings: Nope, unfortunately it is not a clean and simple easy system. Start by contacting your local Department of Health. I have also found information from the local Department of Agriculture, our health inspectors, and our nonprofit partners, who are sometimes more knowledgeable about local rules and regulations.

- **Q: Do programs generally accept food that has been served out to children but not consumed from schools?**

Jimmy Nguyen: Yes, many schools donate wholesome uneaten food to local food pantries and soup kitchens. Kathleen Weil, founder of the Food Bus, helps schools setup food recovery programs in their cafeterias. You can contact her at kathleen.weil@gmail.com. For more information check out this blog: <http://blogs.usda.gov/2014/08/26/creative-solutions-to-ending-school-food-waste/>.

You can also find local food pantries using [Ample Harvest's food pantry finder](#). One issue that schools may have to deal with is possible rules that prevent food that leaves the kitchen from reentering the

kitchen, which includes refrigerators and freezers back there. Schools will have to find a way to have a dedicated refrigerator for food donation in the cafeteria area or area outside of the official kitchen area.

- **Q: Do you have protocols for companies to track food donations?**

Wayne Melichar: Feeding America uses a very sophisticated tracking system to allow for all donations to any of Feeding America's 200 food banks and 60,000 agencies to be tracked nationwide, which then get compiled into 1 national tax receipt for our donors. We also provide each donor with a monthly report that track all donations made to us through all their locations nationwide. Along with the assurance of maintaining the highest food safety standards, getting that 1 national receipt is another advantage to partnering with Feeding America. We also offer guidance to our donors on what metrics they can use internally to measure the impact of their food rescue programs they set up with us.

Syd Mandelbaum: Yes we use Rock and Wrap It Up! spreadsheets, which are formula-embedded to record pounds of food which is converted in to USDA meal equivalents and GHG emission reduction stats.

- **Q: Where do we find more information on the Bill Emerson Act (aka Good Samaritan Act)?**

Here is a good summary of the Bill Emerson Act:

<http://media.law.uark.edu/arklawnotes/2013/08/08/the-legal-guide-to-the-bill-emerson-good-samaritan-food-donation-act/>

Also, Nicole Civita's presentation provides a good overview:

<https://prezi.com/uh-ddvay0ag/food-recovery-the-law/>

- **Q: Do any states offer tax benefits beyond the federal tax benefits for donations?**

Nicole Civita: Yes, many do. Some historically did, but have repealed these beneficial incentives in recent years. Off the top of my head, I know that Missouri (<http://dor.mo.gov/taxcredit/fpt.php>), California (<http://www.gleanslo.org/documents/AB%20152%20Food%20Bank%20Fact%20Sheet.pdf>), Colorado

(<http://yourhub.denverpost.com/blog/2014/06/new-state-tax-credit-to-boost-fresh-food-donations-increase-access-for-struggling-coloradans/45552/>) and Oregon

(<http://www.statesmanjournal.com/story/news/politics/2014/04/24/governor-signs-crop-donation-tax-credit/8124925/>) all have some form of state-level tax incentive related to food donation. These vary widely in what types of donations qualify. This is another area ripe for a 50 state survey to reveal the lay of the land and provide detailed information on how to claim the deduction. The Food Recovery Project welcomes project partners and support to complete this work, as well.

- **Q: How would you recommend getting local sustainability plans to include food recovery?**

Claire Cummings: Not sure what “local sustainability plans” is in reference to but if they are referring to a college or corporate campus then the first thing should be having food recovery written into the food service provider’s contract with the college or corporation.

Wayne Melichar: Feeding America often works with national donors in this capacity. Please feel free to reach out to Parul Thukral, Director of Product Sourcing Innovation at Feeding America (pthukral@feedingamerica.org) to learn more. We also have food rescue operations in college campuses as well as in schools. Feel free to contact Parul if you’d like to learn more.

- **Q: I understand that the Bill Emerson Good Samaritan Act (BEA) unified states’ laws so that organizations operating in more than one state could establish org/company-wide policy and procedure regarding food donation/recovery. Is this true?**

Claire Cummings: Sort of...it unifies the protections but doesn’t unify the “how” piece of food recovery. As Nicole Civita mentioned in her presentation, each state has different rules and policies around what they think it means to “safely” donate food so despite the BEA protections, donors will still need to abide by local rules and regulations for safe food donation, which unfortunately vary from place to place.

Wayne Melichar: Many of Feeding America’s donors have set up company-wide policies to donating food. We also work with their internal teams and provide supporting material to develop such programs and the internal communication they might need to help guide them through the process as well. . Please feel free to reach out to Parul Thukral, director of Product Sourcing Innovation at Feeding America (pthukral@feedingamerica.org) to learn more.

TIPS ON FOOD RECOVERY

from Food Recovery Network



Sara Gassman
Director of Member Support and Communications
Food Recovery Network
November 2014

FOOD
RECOVERY
NETWORK

www.foodrecoverynetwork.org
FIGHTING WASTE. FEEDING PEOPLE.

Food Recovery Network unites students at colleges and universities to fight **food waste** and **hunger** by recovering perishable food that would otherwise go to waste from their campuses and the surrounding communities and donating it to local hunger-fighting agencies.



FOOD
RECOVERY
NETWORK

FIGHTING WASTE. FEEDING PEOPLE.



WHAT DOES IT TAKE TO GET FRN UP AND RUNNING?

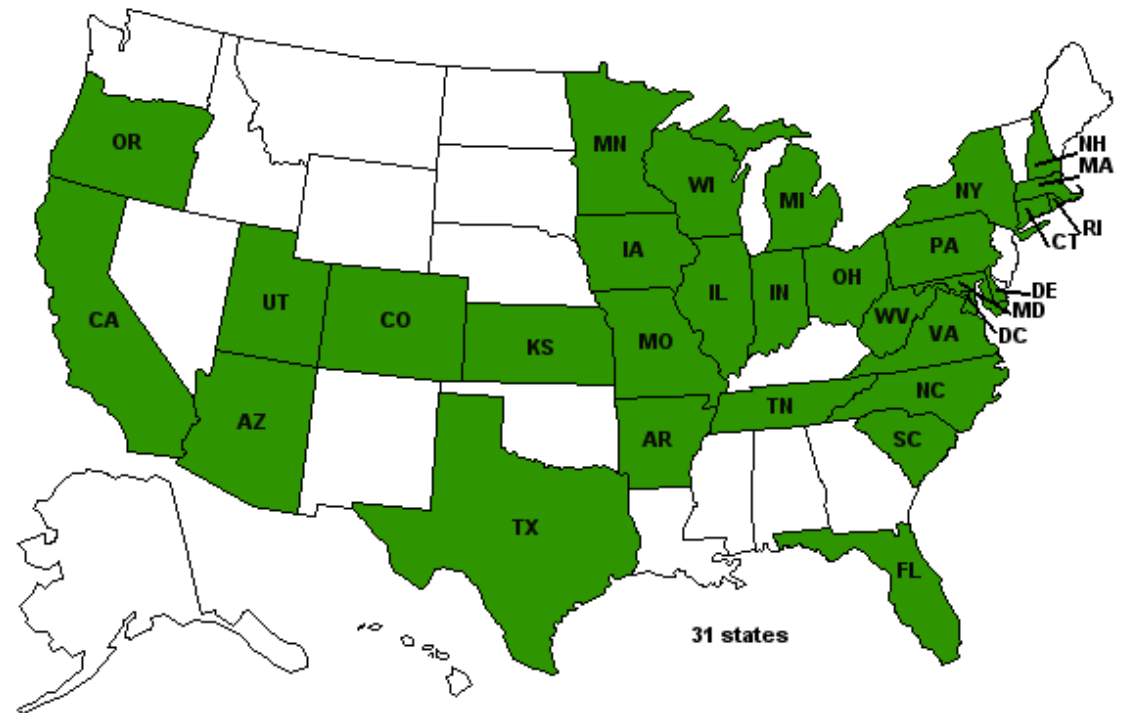


FOOD
RECOVERY
NETWORK

FIGHTING WASTE. FEEDING PEOPLE.

FORM YOUR VOLUNTEER BASE

- Find your local FRN chapter
 - Bit.ly/FRNbyU
- Work with existing organizations



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FIGHTING WASTE. FEEDING PEOPLE.

COMMUNITY PARTNERSHIPS

- Consider:
 - Open hours
 - Food storage/distribution capacity
 - Who in your community does the agency serve?



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RECOVERY
NETWORK

FIGHTING WASTE. FEEDING PEOPLE.

GET DINING ON BOARD

- Be prepared!
- Be knowledgeable
 - What need will the food recovered fill in your community?
 - Draft a protocol for recovering the food
 - How will this help dining services?



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RECOVERY
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FIGHTING WASTE. FEEDING PEOPLE.



@FoodRecovery



FoodRecoveryNetwork



Sara Gassman

sara.gassman@foodrecoverynetwork.org

www.foodrecoverynetwork.org

www.foodrecoverycertified.org

**FOOD
RECOVERY
NETWORK**

FIGHTING WASTE. FEEDING PEOPLE.

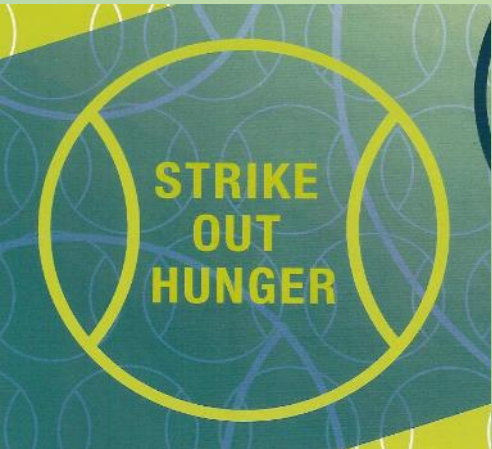


Donating Unsold Food

Reducing the Poverty Footprint

USDA Webinar

11/12/14



Who is Rock and Wrap It Up!



- Award winning anti-poverty think tank
- Founded in 1991: 25 years and still learning
- 5,000 unpaid volunteers, 501 C (3) charity
- Recovering food and assets in 500+ N.A. cities
- Recognized by two White House administrations
 - 1998 Point of Light recipient
 - 2014 Climate Data Initiative recognition



We have helped feed over one billion who hunger in the United States of America & Canada!

RWU and Music: Our first love



- DONATION AGREEMENT
- This Donation Agreement (“Agreement”) is made by and between [insert Tim McGraw’s entity], a company affiliated with musician Tim McGraw (“McGraw”), and Rock and Wrap It Up!, a charitable, not-for-profit company (“Recipient”), dated as of April __, 2011 (“Effective Date”).
- WHEREAS, in connection with its concert touring activities, McGraw has leftover foodstuffs and other consumables (the “Goods”), more particularly described as follows:
 - _____
 - Surplus catered meals at Tim McGraw concerts
 - _____
- McGraw wishes to donate such Goods to Recipient, pursuant to the terms of this Agreement.
- DONATION; FREE DISTRIBUTION. McGraw hereby donates the Goods from each concert on the “Tim McGraw Emotional Traffic Tour” to Recipient. Recipient represents and warrants that the Goods will be distributed for free to Recipient's clients.

Sharon Osbourne

9292 CIVIC CENTER DRIVE, BEVERLY HILLS, CA 90211
PHONE: (310)859-7761 FAX: (310)859-2897

April 4, 2003

RE: OZZFEST 2003 -W- ROCK AND WRAP IT UP

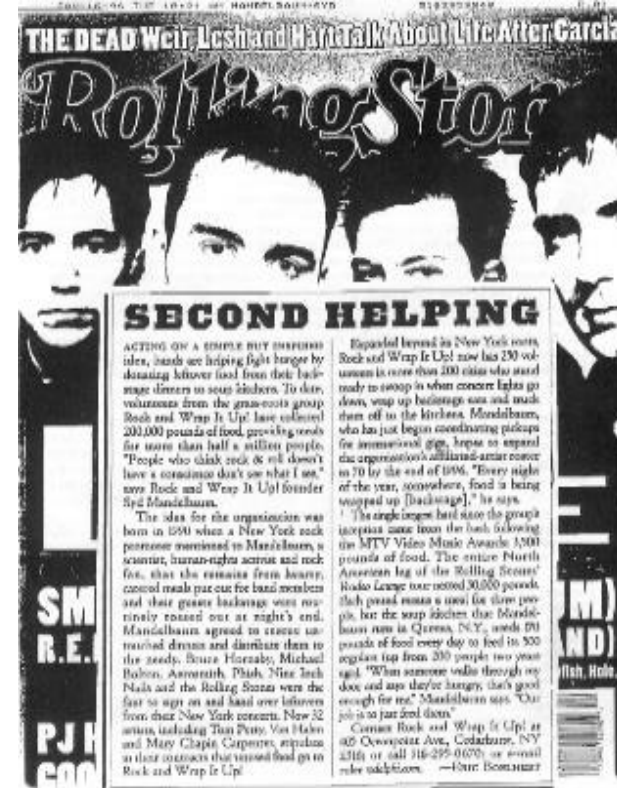
To Whom It May Concern:

Please be advised that the all of the bands and crew on “OZZfest 2003” U.S. tour would like to donate any leftover food to local soup kitchens and shelters. A representative from ROCK AND WRAP IT UP will be in contact with you to arrange for pickup and distribution of these items.

Sincerely,

Sharon Osbourne

SHARON OSBOURNE



Increasing Agency Operating Budgets is Key



- Enables agencies to invest money elsewhere
- Potential to provide more resources & services
 - Tutors for students
 - Social Workers
 - Job placement counselors
 - Mental health counselors
 - Green collar job training
- Helps attack the root cause of poverty



Using this strategy, we have helped serve hundreds of millions who are indigent in North America



Government Protection from liability from Liability

- 1996 - **The Bill Emerson Good Samaritan Act**
 - Passed to protect all donors of edible leftover food from liability as long as safe food handling is used
- 2008 - **Federal Food Donation Act** –
Researched, written and sponsored by RWU!



122 STAT. 2314 PUBLIC LAW 110-247—JUNE 20, 2008

Public Law 110-247
110th Congress
An Act

To encourage the donation of excess food to nonprofit organizations that provide assistance to food-insecure people in the United States in contracts entered into by executive agencies for the provision, service, or sale of food.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.
This Act may be cited as the “Federal Food Donation Act of 2008”.

SEC. 2. PURPOSE.
The purpose of this Act is to encourage executive agencies and contractors of executive agencies, to the maximum extent practicable and safe, to donate excess, apparently wholesome food to feed food-insecure people in the United States.

SEC. 3. DEFINITIONS.
In this Act:
(1) APPARENTLY WHOLESOME FOOD.—The term “apparently wholesome food” has the meaning given the term in section 2(b) of the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791(b)).
(2) EXCESS.—The term “excess”, when applied to food, means food that—
(A) is not required to meet the needs of executive agencies; and
(B) would otherwise be discarded.
(3) FOOD-INSECURE.—The term “food-insecure” means inconsistent access to sufficient, safe, and nutritious food.
(4) NONPROFIT ORGANIZATION.—The term “nonprofit organization” means any organization that is—
(A) described in section 501(c) of the Internal Revenue Code of 1986; and
(B) exempt from tax under section 501(a) of that Code.

SEC. 4. PROMOTING FEDERAL FOOD DONATION.
(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Federal Acquisition Regulation issued in accordance with section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421) shall be revised to provide that all contracts above \$25,000 for the provision, service, or sale of food in the United States, or for the lease or rental of Federal property to a private entity for events at which food is provided in the United States, shall include a clause that—

Using Federal Food Donation Act to Feed Hungry Americans



- Obtain more partnerships to expand food recovery; 43.5 million still food insecure
- If the Federal Government is recommending food recovery, every state, city and town agency is a candidate for food recovery
- Donors protected by the Bill Emerson Good Samaritan law
- All food-generating corporations in America need to be approached



Everyone Wins on Election Night!



DEMOCRATIC NATIONAL COMMITTEE

TO: State Chairs
Executive Directors

FROM: DNC Chairman Terry McAuliffe

DATE: October 4, 2002

RE: Election Night Festivities

I am writing to ask you to participate in a worthwhile effort. By now you undoubtedly have someone working on plans for your election night party. I am asking you to add something to your plans: feeding the hungry with leftovers from your party.

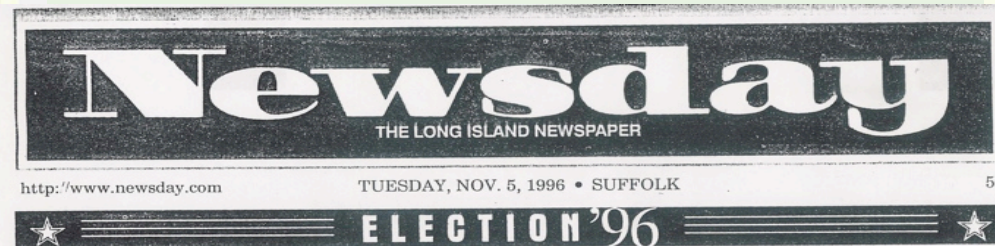
A hunger relief organization called "Rock and Wrap It Up!" (RWU) has volunteers in most cities that collect leftover food following music concerts and other events, and then distribute the unused recovered items to local soup kitchens. Over 130 artists and entertainers specify in their contracts that their leftovers go to this particular organization.

We have the opportunity to do the same with our election night leftovers. Since 1996, the DNC has participated in RWU's, Everyone Wins on Election Night, a coordinated election night effort to donate food. Over 75,000 Americans have been fed as a result. This is a wonderful way to help a great number of people across the nation. When you sign your catering contract, just include a provision that "Rock and Wrap It Up" will recovery the edible leftover food and bring it to a place of need.

Before Election Day, someone from Rock and Wrap It Up! will be in contact with you. If you would like to talk with them before then, you can call the founder, Syd Mandelbaum, at 516.295.0670. You should also feel free to contact Julie Eddy at the DNC with any questions, at 202.863.8121.

Thank you for helping with this effort.

Democratic Party Headquarters ■ 430 South Capitol Street, SE ■ Washington, DC, 20003 ■ (202) 863-8000 ■ Fax (202) 863-8174
Paid for by the Democratic National Committee. Contributions to the Democratic National Committee are not tax deductible.
Visit our website at www.democrats.org



By Stuart Vincent
STAFF WRITER

Supporters of Bill Clinton and Bob Dole have finally found common ground — and it's already occupied by the likes of Nine Inch Nails, Def Leppard and Hootie & the Blowfish.

Like those musical acts, Clinton and Dole campaign headquarters in New York and other states have agreed to donate leftover catered food to soup kitchens as part of a nationwide program coordinated by a Cedarhurst man who has made feeding the hungry his cause.

Over the past three years, Syd Mandelbaum, 46, blood research scientist, Lawrence Board of Education member and rock fan, has persuaded dozens of rock and pop acts in the United States, Canada and Great Britain to donate leftover food to his Rock and Wrap It Up! organization. The food is included in the performers' contracts with concert arenas.

On this Election Day, Rock and Wrap It Up! enters the political arena with plans to collect leftovers from the political parties' parties.

"Election night is nothing more than a big rock concert anyway," Mandelbaum said. "There's the same type of hoopla, the same type of anticipation and people are on stage."

And, as at rock concerts, a huge amount of food is ordered for the main acts and their crews. Much of the food is thrown away at the end of the night.

Mandelbaum contacted the national committees of the two major parties, which asked state political leaders to designate their leftovers to Rock and Wrap It Up!

"How could you disagree on feeding needy people?" said Stanley Nussbaum, Democratic committeeman for the 20th Assembly District in Nassau County. Nussbaum said he arranged for food from Democratic headquarters and victory parties to be donated.

Andy Parisi, mayor of Cedarhurst and Republican committee leader for Lawrence, Cedarhurst, Atlantic Beach and Meadowmere Park, said he thought it was a great idea and gave Mandelbaum state and national GOP contacts. He and a spokesman at Nassau GOP headquarters said they didn't know if arrangements had been made to collect food on Long Island.

Even if the group doesn't get a lot of food from the political parties this year, Mandelbaum said, it has made important contacts for future food donations.

It's that kind of planning that has taken Mandelbaum from roles as a volunteer at the Claddagh INN soup kitchen in Arverne, Queens, and board member



Syd Mandelbaum
File Photo

of the Long Island Cares regional food bank to the head of an international hunger relief program. In 1990, he learned from concert promoter Ron Delsener that huge amounts of food ordered for performers and their crews were discarded after each concert at the Jones Beach Theater. Mandelbaum began "rescuing" the food, taking it to the Claddagh INN and other soup kitchens run by the Interfaith Nutrition Network.

"By the end of 1993, I just realized if there was good food left over like this after every concert, there had to be food like this left over at every arena in the world," Mandelbaum said.

The group went national in 1994, international in 1995. The Hard Rock Cafe chain pays for the group's monthly mailings, Mandelbaum said, and musician Bruce Hornsby is the national spokesman.

Rock and Wrap It Up! has been profiled by Rolling Stone magazine and MTV, and has its own page on the Internet at <http://members.aol.com/rockwrap>.

"It's worked so well I now have fifty-eight bands, and we've fed in [the past] two years over 1.5 million plates of food rescued that I know of," said Mandelbaum.



Republican
National
Committee

Director's Office

MEMORANDUM

TO: EXECUTIVE DIRECTORS

FROM: TOM JOSEFIAK, CHIEF COUNSEL

DATE: SEPTEMBER 20, 2002

SUBJECT: ELECTION NIGHT FESTIVITIES

On behalf of Governor Marc Racicot, I would like to ask you to participate in a very worthwhile effort. I am sure, by now, you have someone working on plans for your election night victory celebration. As part of those plans, the RNC is asking you to assist in feeding the hungry with leftovers from your event.

A group called "Rock and Wrap It Up, Inc." has once again requested our assistance in using all the leftover food generated from our Election Night events to feed the hungry, nationwide. In 1996, 1998, and 2000, the Republican and the Democratic National Committees contributed 35,000 pounds of food from election night galas across the country to feed nearly 25,000 hungry Americans. Rock and Wrap It Up, Inc. also has volunteers in most cities who collect leftover food from backstage after rock concerts, and then take the food to soup kitchens. One hundred and thirty bands, including Fleetwood Mac, U2, James Taylor and the Rolling Stones have participated in Rock and Wrap It Up, Inc.

They have asked that we do the same, and the RNC has agreed to assist them by not only arranging for our own "Election Night Watch 2002" leftovers to be picked up but also by asking all of you to participate. This is a terrific and simple way for all of us to help a great number of people on a nationwide basis. When you sign your contract for catering for your event, just include a provision that "Rock and Wrap It Up, Inc." is to pick up whatever food is left. Rock and Wrap It Up, Inc. will arrange for everything else.

Before election day, someone from Rock and Wrap It Up, Inc. will be in touch with you. If you would like to talk with them before then, you can call Syd Mandelbaum at (516) 295-0670.

Thank you for helping with this worthwhile effort.

Dwight D. Eisenhower Republican Center • 210 First Street Southeast • Washington, D.C. 20003 • (202) 863-8636
FAX: (202) 863-8654 • <http://www.rrc.org> • TDD: (202) 863-8726

Vetting Partners is the Key...Must Haves!



- Health certificate or ServSafe certificate
- On-going program
- Transportation
- Refrigeration
- Communication
- Storage
- Internet savvy for recording pickup via Google Docs*



* Used for our GHG reduction analysis program and USDA and EPA Food Waste Challenge

Why We Do What We Do:



	2012	2013	2014
Attendance	43,724	40,488	42,520
Lbs food recovered	20,625	30,655	21,655
Avg./Game	255 lbs	378 lbs	267 lbs
Attendance	28,035	26,295	26,860
Lbs food recovered	13,410	14,330	9,480
Avg./Game	166 lbs	177 lbs	117 lbs



Yankees fed 56,103 who hunger and saved 72,935 lbs from entering landfill
 Mets fed 28,631 who hunger and saved 37,220 lbs from entering landfill.

Aramark prepares approx. 20,000* pounds of food for each game at Citi Field. Over three years they averaged 153 pounds of food leftover per game. $153/20,000 = .0083$ efficiency.



Legends prepares about 31,200* pounds of food at each game Yankee Stadium. They average 300 food leftover per game. $300/31,200 = .0096$ efficiency.

We have found that a RWU ZFW acceptable coefficient for stadiums and arenas is under .001

The Whole Earth Calculators



Paper & Plastic Calculator

WEIGHT OF PAPER (IN POUNDS)
 lbs.

+

WEIGHT OF PLASTIC (IN POUNDS)
 lbs.

CONVERTS TO

LBS OF CO2e

Share the Result

Add Thanks
Donating Organization Twitter Handle

@ username

Add an Event Name
What hashtag is your event using?

hashtag

Message Preview
Preview your message before you share. (You will have the option to change the wording after clicking "Share".)

Thanks for donating 0 lbs of paper and 0 lbs of plastics saving 0 lbs CO2e from landfills @WholeEarthCalc



Food Recovery Calculator

INPUT WEIGHT OF FOOD (IN POUNDS)
 lbs.

CONVERTS TO

MEALS

LBS OF CO2e

Share the Result

Add Thanks
Donating Organization Twitter Handle

@username

Add an Event Name
What hashtag is your event using?

Message Preview
Preview your message before you share. (You will have the option to change the wording after clicking "Share".)

Thanks to @username for donating 0lbs of food, creating 0 meals saving 0lbs CO2e from landfills @WholeEarthCalc

28

- Mobile app for statistical analysis
- Two conversions
 - Pounds of food (USDA) into meals
 - Landfill reduced (EPA guidelines)
- Direct sharing on Twitter through app
- Version 2 – Paper & Plastics calculator!

Calculator Designed for Super Bowl 48



- 50,736 pounds of food recovered
- 39,027 meals
- 38,509 pounds of CO₂e reduced



Why School and Snack Wrap Now



- Collects healthy unopened snacks
- Encourages youth charity
 - Generation Y (Born 1980-2000) out number Boomers (1946-64)
 - 70% of America is under 30
 - Cultivate team loyalty at a younger age



People, Planet and Profit= 21st Century Business Ethics

RWU and the NHL



Since the NHL partnered with Rock and Wrap it Up! in October of 2010, the League's Food Recovery Initiative has diverted

- More than **211 tons** of waste from landfill has been diverted
- Providing ~ 324,000 meals,
- The NHL reduced the equivalent of approximately **160 Metric Tons** of Carbon Dioxide from the environment.

“The NHL doesn't only want to be environmentally responsible and set an example for others, it also wants to be socially responsible.”

NHL Commissioner Gary Bettman,
Beyond Sports Summit, September 2011





Ensuring
food safety:
Freezer
chests



USDA and EPA Programs

- Works with Rock and Wrap It Up! to calculate green house gas emissions reduction numbers for programs such as Food Recovery Challenge and WasteWise



EPA's Food Recovery Challenge

The graphic shows a plate with three circles: a green circle for "Cost Savings", an orange circle for "Reducing Environmental Harm", and a red circle for "Feeding Hungry People". To the left is a fork labeled "Technical Assistance/Tools", and to the right is a knife and spoon labeled "Recognition & Awards" and "Waste Tracking System" respectively.

<http://www.epa.gov/foodrecoverychallenge>

Rethink

EPA United States Environmental Protection Agency

www.epa.gov/smm

Future Platforms



- Piloting food and asset recovery from Military bases
- Re-introduction of Federal Food Donation Act through US Department of Agriculture
- Program expansion in hospitals
- Whole Earth Calculator for hotels with additional waste streams statistics
- Whole Earth Calculator Lesson Plan Expansion
- Green job training (Building Analyst) at CCNY



Our Vision



“Grassroots efforts such as these can provide an immeasurable boost to our eventual goal of ending hunger in the United States. There are over 95 billion pounds of food wasted by Americans each year in this country. Rock and Wrap it Up! has the answer.”

The Honorable Dan Glickman, President
Motion Picture Association of America
Former Secretary of Agriculture
RWU Tribute Dinner at World Trade Center, NY
(Windows on the World)
June 18, 2001



Learn More About Us



- www.RockandWrapItUp.org
- (877) 691-FOOD
- Twitter @rockywrap
@WholeEarthCalc
- [Facebook.com/RockandWrap](https://www.facebook.com/RockandWrap)
- [YouTube.com/sydmandelbaum](https://www.youtube.com/sydmandelbaum)



Reducing our Planet's Poverty Footprint by Reducing Society's Carbon Footprint

#28

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, February 18, 2019 1:47:37 PM
Last Modified: Monday, February 18, 2019 2:01:11 PM
Time Spent: 00:13:34
IP Address: 96.76.185.241

Page 1: Tell us about your food donation practices

Q1 What type of food establishment are you? **Grocery Store**

Q2 In the last 12 months, did your establishment donate any excess, prepared food to a charitable food assistance program (e.g. food pantry)? **Yes**

Page 2: My food establishment does donate or has donated food to charitable feeding sites.

Q3 In the last 12 months, how frequently did your establishment donate food? **1 - 5 times**

Q4 Did your establishment face any of these challenges when donating food? (Check all that apply) **Finding organizations that accept food donations**, **Keeping documentation for food donations**

Q5 What, if any, are your concerns about donating excess, prepared food to charitable organizations?

Not being sued. A concern that was expressed by receiving organisations in case of reaction to spices used in food

Q6 Food donations can provide certain business benefits. Please rank the importance of these benefits to your food establishment? (1 being most important)

Claiming the federal tax deduction for food donations to charitable organizations	4
Reducing waste collection costs	2
Receiving recognition for donating to a charitable organization	3
Increasing staff morale for donating excess foods to a good cause	1

Page 3: My food establishment has not donated food to charitable feeding sites.

Food Donation Practices

Q7 Which reason(s) best describes why your establishment has not donated food? (Check all that apply)

Respondent skipped this question

Q8 Is your establishment interested in donating excess prepared food?

Respondent skipped this question

Q9 If provided with food safety training specific to donations, how likely would it be for your establishment to start donating?

Respondent skipped this question

Q10 What, if any, are your concerns about donating excess, prepared foods to charitable organizations?

Respondent skipped this question

Q11 Food donations can provide certain business benefits. Please rank the importance of these benefits to your food establishment? (1 being most important)

Respondent skipped this question

#43

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, February 19, 2019 8:14:50 PM
Last Modified: Tuesday, February 19, 2019 8:17:02 PM
Time Spent: 00:02:12
IP Address: 108.237.58.197

Page 1: Tell us about your food donation practices

Q1 What type of food establishment are you? **Grocery Store**

Q2 In the last 12 months, did your establishment donate any excess, prepared food to a charitable food assistance program (e.g. food pantry)? **No**

Page 2: My food establishment does donate or has donated food to charitable feeding sites.

Q3 In the last 12 months, how frequently did your establishment donate food? **Respondent skipped this question**

Q4 Did your establishment face any of these challenges when donating food? (Check all that apply) **Respondent skipped this question**

Q5 What, if any, are your concerns about donating excess, prepared food to charitable organizations? **Respondent skipped this question**

Q6 Food donations can provide certain business benefits. Please rank the importance of these benefits to your food establishment? (1 being most important) **Respondent skipped this question**

Page 3: My food establishment has not donated food to charitable feeding sites.

Q7 Which reason(s) best describes why your establishment has not donated food? (Check all that apply) **Concern about the liability**

Q8 Is your establishment interested in donating excess prepared food? **Yes**

Q9 If provided with food safety training specific to donations, how likely would it be for your establishment to start donating? **Somewhat likely**

Food Donation Practices

Q10 What, if any, are your concerns about donating excess, prepared foods to charitable organizations?

Someone gets sick and tries to say it's because we gave them "bad" food just because it's leftovers

Q11 Food donations can provide certain business benefits. Please rank the importance of these benefits to your food establishment? (1 being most important)

Claiming the federal tax deduction for food donations to charitable organizations	2
Reducing waste collection costs	3
Receiving recognition for donating to a charitable organization	1
Increasing staff morale for donating excess foods to a good cause	4

#57

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, March 12, 2019 3:30:03 PM
Last Modified: Tuesday, March 12, 2019 3:34:07 PM
Time Spent: 00:04:03
IP Address: 73.255.24.205

Page 1: Tell us about your food donation practices

Q1 What type of food establishment are you? **Restaurant - Sit Down**

Q2 In the last 12 months, did your establishment donate any excess, prepared food to a charitable food assistance program (e.g. food pantry)? **No**

Page 2: My food establishment does donate or has donated food to charitable feeding sites.

Q3 In the last 12 months, how frequently did your establishment donate food? **Respondent skipped this question**

Q4 Did your establishment face any of these challenges when donating food? (Check all that apply) **Respondent skipped this question**

Q5 What, if any, are your concerns about donating excess, prepared food to charitable organizations? **Respondent skipped this question**

Q6 Food donations can provide certain business benefits. Please rank the importance of these benefits to your food establishment? (1 being most important) **Respondent skipped this question**

Page 3: My food establishment has not donated food to charitable feeding sites.

Q7 Which reason(s) best describes why your establishment has not donated food? (Check all that apply)

Concern about the liability,
Donating food is time-consuming,
 Other (please specify):
 Too much red tape with Health Dept rules and regulations

Food Donation Practices

Q8 Is your establishment interested in donating excess prepared food? **Yes**

Q9 If provided with food safety training specific to donations, how likely would it be for your establishment to start donating? **Somewhat likely**

Q10 What, if any, are your concerns about donating excess, prepared foods to charitable organizations?

We have vegetables that can be used to make soups and sometimes the specs are off we have to discard chicken items.

Q11 Food donations can provide certain business benefits. Please rank the importance of these benefits to your food establishment? (1 being most important)

Claiming the federal tax deduction for food donations to charitable organizations	4
Reducing waste collection costs	1
Receiving recognition for donating to a charitable organization	3
Increasing staff morale for donating excess foods to a good cause	2

#60

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, March 12, 2019 4:12:11 PM
Last Modified: Tuesday, March 12, 2019 4:14:13 PM
Time Spent: 00:02:01
IP Address: 73.206.94.237

Page 1: Tell us about your food donation practices

Q1 What type of food establishment are you? **Restaurant - Fast Food**

Q2 In the last 12 months, did your establishment donate any excess, prepared food to a charitable food assistance program (e.g. food pantry)? **No**

Page 2: My food establishment does donate or has donated food to charitable feeding sites.

Q3 In the last 12 months, how frequently did your establishment donate food? **Respondent skipped this question**

Q4 Did your establishment face any of these challenges when donating food? (Check all that apply) **Respondent skipped this question**

Q5 What, if any, are your concerns about donating excess, prepared food to charitable organizations? **Respondent skipped this question**

Q6 Food donations can provide certain business benefits. Please rank the importance of these benefits to your food establishment? (1 being most important) **Respondent skipped this question**

Page 3: My food establishment has not donated food to charitable feeding sites.

Q7 Which reason(s) best describes why your establishment has not donated food? (Check all that apply) **Other (please specify):
Didnt know we could do that**

Q8 Is your establishment interested in donating excess prepared food? **Yes**

Food Donation Practices

Q9 If provided with food safety training specific to donations, how likely would it be for your establishment to start donating? **Very likely**

Q10 What, if any, are your concerns about donating excess, prepared foods to charitable organizations?

Someone picking it up

Q11 Food donations can provide certain business benefits. Please rank the importance of these benefits to your food establishment? (1 being most important)

Claiming the federal tax deduction for food donations to charitable organizations	2
Reducing waste collection costs	1
Receiving recognition for donating to a charitable organization	4
Increasing staff morale for donating excess foods to a good cause	3

#64

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, March 12, 2019 9:32:21 PM
Last Modified: Tuesday, March 12, 2019 9:37:24 PM
Time Spent: 00:05:03
IP Address: 73.77.142.161

Page 1: Tell us about your food donation practices

Q1 What type of food establishment are you? **Restaurant - Fast Food**

Q2 In the last 12 months, did your establishment donate any excess, prepared food to a charitable food assistance program (e.g. food pantry)? **Yes**

Page 2: My food establishment does donate or has donated food to charitable feeding sites.

Q3 In the last 12 months, how frequently did your establishment donate food? **Weekly**

Q4 Did your establishment face any of these challenges when donating food? (Check all that apply) **How to package/store food donations**

Q5 What, if any, are your concerns about donating excess, prepared food to charitable organizations?

Company rules

Q6 Food donations can provide certain business benefits. Please rank the importance of these benefits to your food establishment? (1 being most important)

Claiming the federal tax deduction for food donations to charitable organizations	4
Reducing waste collection costs	3
Receiving recognition for donating to a charitable organization	2
Increasing staff morale for donating excess foods to a good cause	1

Page 3: My food establishment has not donated food to charitable feeding sites.

Food Donation Practices

Q7 Which reason(s) best describes why your establishment has not donated food? (Check all that apply)

Respondent skipped this question

Q8 Is your establishment interested in donating excess prepared food?

Respondent skipped this question

Q9 If provided with food safety training specific to donations, how likely would it be for your establishment to start donating?

Respondent skipped this question

Q10 What, if any, are your concerns about donating excess, prepared foods to charitable organizations?

Respondent skipped this question

Q11 Food donations can provide certain business benefits. Please rank the importance of these benefits to your food establishment? (1 being most important)

Respondent skipped this question

#67

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, March 13, 2019 2:40:15 PM
Last Modified: Wednesday, March 13, 2019 2:44:02 PM
Time Spent: 00:03:46
IP Address: 73.77.36.117

Page 1: Tell us about your food donation practices

Q1 What type of food establishment are you? **Restaurant - Sit Down**

Q2 In the last 12 months, did your establishment donate any excess, prepared food to a charitable food assistance program (e.g. food pantry)? **No**

Page 2: My food establishment does donate or has donated food to charitable feeding sites.

Q3 In the last 12 months, how frequently did your establishment donate food? **Respondent skipped this question**

Q4 Did your establishment face any of these challenges when donating food? (Check all that apply) **Respondent skipped this question**

Q5 What, if any, are your concerns about donating excess, prepared food to charitable organizations? **Respondent skipped this question**

Q6 Food donations can provide certain business benefits. Please rank the importance of these benefits to your food establishment? (1 being most important) **Respondent skipped this question**

Page 3: My food establishment has not donated food to charitable feeding sites.

Food Donation Practices

Q7 Which reason(s) best describes why your establishment has not donated food? (Check all that apply)

Concern about the liability ,

Don't know who accepts food donations ,

Don't have the staff/resources to donate food ,

Other (please specify):

generally not enough leftovers

Q8 Is your establishment interested in donating excess prepared food?

No

Q9 If provided with food safety training specific to donations, how likely would it be for your establishment to start donating?

Not enough excess, prepared food to donate

Q10 What, if any, are your concerns about donating excess, prepared foods to charitable organizations?

liability

Q11 Food donations can provide certain business benefits. Please rank the importance of these benefits to your food establishment? (1 being most important)

Receiving recognition for donating to a charitable organization **4**

Increasing staff morale for donating excess foods to a good cause **3**

#70

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Sunday, March 17, 2019 5:51:23 PM
Last Modified: Sunday, March 17, 2019 6:04:31 PM
Time Spent: 00:13:07
IP Address: 73.155.133.165

Page 1: Tell us about your food donation practices

Q1 What type of food establishment are you? **Restaurant - Fast Food**

Q2 In the last 12 months, did your establishment donate any excess, prepared food to a charitable food assistance program (e.g. food pantry)? **No**

Page 2: My food establishment does donate or has donated food to charitable feeding sites.

Q3 In the last 12 months, how frequently did your establishment donate food? **Respondent skipped this question**

Q4 Did your establishment face any of these challenges when donating food? (Check all that apply) **Respondent skipped this question**

Q5 What, if any, are your concerns about donating excess, prepared food to charitable organizations? **Respondent skipped this question**

Q6 Food donations can provide certain business benefits. Please rank the importance of these benefits to your food establishment? (1 being most important) **Respondent skipped this question**

Page 3: My food establishment has not donated food to charitable feeding sites.

Q7 Which reason(s) best describes why your establishment has not donated food? (Check all that apply) **Don't know who accepts food donations**, **Don't have the staff/resources to donate food**

Q8 Is your establishment interested in donating excess prepared food? **Yes**

Food Donation Practices

Q9 If provided with food safety training specific to donations, how likely would it be for your establishment to start donating? **Somewhat likely**

Q10 What, if any, are your concerns about donating excess, prepared foods to charitable organizations?

Don't know

Q11 Food donations can provide certain business benefits. Please rank the importance of these benefits to your food establishment? (1 being most important)

Claiming the federal tax deduction for food donations to charitable organizations	3
Reducing waste collection costs	1
Receiving recognition for donating to a charitable organization	4
Increasing staff morale for donating excess foods to a good cause	2



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

1

- 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)

2

- 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)

3

- Sample temps must be taken and documented by the Member or Agency at the time of pickup or delivery

4

- 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/

