

Food: *Too Good to Waste!*

Everyone Wins with Food Donation at Schools

Did you know that 1 in 5 children in San Diego County are food insecure?

They do not always have enough food for an active, healthy life and often are worried about where their next meal will come from.

Schools Can Help!

Food Donation entails saving perfectly good, edible, yet unsold or unconsumed, foods and making them available either to other students or a charitable organization.

Good Samaritan Laws protect donors who donate foods in good faith. The federal *National School Lunch Act* authorizes schools participating in the school lunch program to donate surplus foods.

New Legislation in California is requiring food donation as part of its statewide recycling strategy. The State is removing barriers to make it easier than ever for schools to implement a food rescue and donation program.

Foods Suitable for Donation include packaged (or easily packed) items such as sandwiches, hamburgers, snacks, pre-sliced and packaged fruits and vegetables, whole fruits and vegetables, non-perishables expired or close to expiration, and baked goods. Unopened juice and milk can be donated as well. Refer to page two of this document for additional resources on safe-food handling.



Quick Tips to Get Started



Perform an Audit to determine the quantity and nature of edible foods that might be eligible for recovery and donation.

Establish a Share Table for students to donate their unopened foods for other students to freely take. Any foods leftover on the share table can be donated to a charity as well.

Identify a Charity who will collect your food at an agreed upon schedule and sign a contract. Establish a means for tracking the types and amounts of foods donated.

Identify and Allocate Storage Space Including shelf space, a refrigerator and freezers to store food until it can be picked up.

Additional Resources

Food Donation Start-Up Guide

[Oakland Unified School District's School Food Donation Program](#) provides a detailed program guide to starting a food donation program at school including "lessons learned."

New Legislation

[SB 557](#) and [AB 1219](#) clarifies food donation and share tables at schools and strengthens provisions in the Good Samaritan Act.

SB 557 exempts schools from California Retail Food Code provisions that generally prohibits unused or returned food from being offered again. SB 557 authorizes schools to establish share tables and if still unconsumed, allows schools to donate that food.

AB 1219 authorizes food facilities to donate food directly to end recipients for consumption.

Share Tables

Refer to the CDE's Nutrition Services Division Management Bulletin ["The Use of Share Tables"](#) for guidance on implementation of SB 557.

The University of Arkansas also prepared a fun, quick info-guide on [Share Tables in the National School Lunch Program](#) and is meant to eliminate confusion from the federal perspective.

Local Food Banks

Contact [Feeding San Diego](#) or the [San Diego Food Bank](#), San Diego County's largest hunger relief organizations. They can connect your school with a partner agency near you.

Safe Food Handling

[County of San Diego's Food Donation Guide](#) available from the Department of Environmental Health on safe food handling requirements and guidelines.

Too Good to Waste!

A Food Donation Guide for Businesses in the County of San Diego

Donating Food Safely

Food Handling Safety

- Donating food in a responsible manner begins with overall safe food handling.
- Always keep food at safe temperatures and out of the danger zone... Cold food should be kept below 41°F, frozen food at 32°F or less, and hot food 135°F or higher.
- Ensure every refrigerator has an accurate thermometer placed near the door on the top shelf.
- After heating, cooking or hot holding, potentially hazardous foods must be rapidly cooled from 135°F to 70°F within two hours, and from 70°F to 41°F within four hours.
- Rapidly reheat food using cooking equipment or the microwave to an internal temperature of 165°F within two hours.
- Always use safe food handling practices like hand washing and avoiding cross contamination.

Package and Cool Perishables

Use food safe containers for perishable food to be donated and store in a refrigerator or freezer.

Be Safe!

The County of San Diego has developed a food handling for donation checklist. Ask your inspector for a copy.

Bill Emerson Good Samaritan Food Donation Act

"A person or gleater shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of apparently wholesome food or an apparently fit grocery product that the person or gleater donates in good faith to a nonprofit organization for ultimate distribution to needy individuals."

Protection from Liability

California Health and Safety Code Section 114433

"No food facility that donates food shall be subject to civil or criminal liability or penalty for violation of any laws, regulations, or ordinances... for a violation occurring after the time of donation."

California Civil Code Section 1714.25

"[n]o Except for injury resulting from negligence or a willful act in the preparation or handling of donated food, no food facility that donates any food that is fit for human consumption at the time it was donated to a nonprofit charitable organization or a food bank shall be liable for any damage or injury resulting from the consumption of the donated food."

Potential Tax Deduction Too!

The Internal Revenue Code (IRC) section 170 "Allowable Deduction for Charitable Donations to Ordinary Income Property" encourage donations by allowing C corporations to earn an enhanced tax deduction for donating selected surplus property, including food.



For additional information, visit us at R1Earth.org. To learn more about available assistance and to schedule a FREE consultation, email County Recycling Staff at Recycle@sdcounty.ca.gov. We're here to help!