FOOD DONATION GUIDELINES FOR LICENSED FOOD FACILITIES

HELP THE COMMUNITY & THE ENVIRONMENT

In the United States, as much as 40% of food produced for people to eat is wasted along the food chain. Grocery stores, restaurants, and institutions are responsible for about 40% of this waste. Donating surplus food helps local agencies serve those in need, including children and seniors. Donating food also helps the environment. Wasted food is the most prevalent material in landfills by far, representing about 20% of the trash by weight. When food is wasted, the water, energy, fertilizer, and compost that went into producing the food is wasted, too.

LIABILITY PROTECTION

When you donate food, you are protected by the Bill Emerson Good Samaritan Food Act, which was passed into federal law in 1996. Organizations that donate food in good faith to a nonprofit for distribution to people in need are not subject to civil or criminal liability that arises from the condition of the food.

TAX SAVINGS

According to the Federal Tax Code, eligible businesses can deduct the lesser of either (a) twice the cost of acquiring the donated food or (b) the cost of acquiring the donated food, plus ½ of the food’s expected profit margin, if it were sold at fair market value. Contact your tax professional to determine its application to your business.

KEEP FOOD SAFE

In order to ensure donated food is kept safe, donating facilities shall adhere to all applicable sections of the Denver Retail Food Establishment Rules and Regulations. Donated prepared foods and potentially hazardous foods must meet the temperature requirements as outlined below.

PROPER COOLING

<table>
<thead>
<tr>
<th>Food Type</th>
<th>Temperature Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cold Food</td>
<td>41°F or below</td>
</tr>
<tr>
<td>Hot Food</td>
<td>135°F or above</td>
</tr>
<tr>
<td>Hot Food That Is Cool And Donated Cold</td>
<td>70°F or below within 4 hours</td>
</tr>
</tbody>
</table>

If food is unable to be delivered at the proper temperature, it is unpalatable, or compromised at any time, it must be composted or discarded.

IDENTIFY FOOD YOU CAN DONATE

Licensed food establishments can donate food that has not been served including any raw, cooked, processed, or prepared edible food, ice, beverage, or ingredient used or intended for use, in whole or in part for human consumption, with the condition that the items be wholesome." This includes packaged and prepared foods.

FOOD THAT CAN BE DONATED

- Hot Food: That was not served to a guest and kept at temperature and/or cooled properly (chicken, soup, etc.)
- Cold Food: That was not served to a guest and kept at temperature (sandwiches, yogurt parfaits, salads, etc.)
- Produce (strawberries, carrots, onions, tomatoes, herbs, etc.)
- Beverages (juice, bottled water, lemonade, tea, etc.)
- Packaged Items (dry pasta, canned vegetables, pudding, etc.)
- Dairy Products (sour cream, milk, yogurt, cheese, etc.)
- Raw Meat (beef, chicken, pork, etc.)

FOOD THAT CAN NOT BE DONATED

- Previously served food such as from a buffet or that has been served to a guest and returned to the business
- Distressed foods (that have been in a flood, fire, smoke, etc.)
- Food in sharply dented or rusty cans
- Food in opened or torn containers exposing the food to potential contamination

WASTING FOOD ALSO WASTES ALL THE WATER, ENERGY, AND OTHER RESOURCES USED TO PRODUCE, PROCESS, SHIP, AND STORE IT

CONTACT US

PUBLIC HEALTH INVESTIGATIONS | 101 W. COLFAX AVE, SUITE 800, DENVER, CO 80202 | 720-448-9100 | PHICOMMENTS@DENVERGOV.ORG

DENVERGOV.ORG/FOODSAFETY

*Denver Food Vision, denvergov.com/denver-food-vision  † www.waterfoodprint.org  ‡ www.publichealthlawcenter.org

FOOD RECOVERY HEIRARCHY

1. PREVENTION: Reducing the amount of food that goes unused.
2. RECOVERY: Providing surplus food to feed the hungry.
3. RECYCLING: Repurposing food from consumers and businesses through use as animal feed, composting, or animal diet.

1 IN 6 DENVER RESIDENTS EXPERIENCE FOOD INSECURITY OR HUNGER

1 IN 5 CHILDREN AND YOUTH EXPERIENCE FOOD INSECURITY OR HUNGER

FOOD RECOVERY RATING: 1/6

WASTING FOOD ALSO WASTES ALL WATER, ENERGY, AND OTHER RESOURCES USED TO PRODUCE, PROCESS, SHIP, AND STORE IT

WASTED AS MUCH WATER AS EXTEND YOUR SHOWER RUN 6 HOURS

WASTED AS MUCH WATER AS TAKE A SHOWER 1 HOUR

WASTED AS MUCH WATER AS TAKE A SHOWER 6 HOURS

FOOD DONATION

IDENTIFY FOOD YOU CAN DONATE

FIND AN ORGANIZATION TO TAKE YOUR FOOD

Call a hunger relief organization and let them know what you have and the quantity. The following local organizations are a good place to start:

- wedontwaste.org
- projectangelheart.org
- denverfoodrescue.org

ALL FOOD SHOULD BE LABELED:

DONATED FOOD - NOT FOR RESALE

Can’t donate? COMPOST!

Make better use of all food that can not be donated by using a food-to-animal or organics composting program:

- alpinewaste.com/recycling/compost
- scrapsmilehigh.com
- brinkinc.biz

EXAMPLES OF POTENTIALLY HAZARDOUS FOOD

- Cut Tomatoes
- Cut Melon
- Dairy
- Meat
- Seafood
- Cut Leafy Greens

FOOD THAT CAN BE DONATED

FOOD THAT CAN NOT BE DONATED

- Hot Food: That was not served to a guest and kept at temperature and/or cooled properly (entrees, soups, etc.)
- Cold Food: That was not served to a guest and kept at temperature (sandwiches, yogurt parfaits, salads, etc.)
- Produce (strawberries, carrots, onions, tomatoes, herbs, etc.)
- Beverages (juice, bottled water, lemonade, tea, etc.)
- Packaged Items (dry pasta, canned vegetables, pudding, etc.)
- Dairy Products (sour cream, milk, yogurt, cheese, etc.)
- Raw Meat (beef, chicken, pork, etc.)
- Previously served food such as from a buffet or that has been served to a guest and returned to the business
- Distressed foods (that have been in a flood, fire, smoke, etc.)
- Food in sharply dented or rusty cans
- Food in opened or torn containers exposing the food to potential contamination

1 IN 6 DENVER RESIDENTS EXPERIENCE FOOD INSECURITY OR HUNGER

1 IN 5 CHILDREN AND YOUTH EXPERIENCE FOOD INSECURITY OR HUNGER

*Denver Food Vision, denvergov.com/denver-food-vision  † www.waterfoodprint.org  ‡ www.publichealthlawcenter.org

CONTACT US

PUBLIC HEALTH INVESTIGATIONS | 101 W. COLFAX AVE, SUITE 800, DENVER, CO 80202 | 720-448-9100 | PHICOMMENTS@DENVERGOV.ORG

DENVERGOV.ORG/FOODSAFETY