

GET STARTED

In order to start a successful food donation program in your food facility, we suggest following these four steps.

1. Weigh and track your surplus food

first. Set a surplus food reduction goal and plan accordingly. Visit the U.S.

Environmental

Protection Agency's Food Recovery Challenge page and sign up for a free tracking tool and additional resources.

<https://www.epa.gov/sustainable-management-food/learn-about-food-recovery-challenge>

2. Donate additional surplus food.

Develop a partnership with a nearby nonprofit organization or for-profit company that can accept your food and serve it to people who need it most.

- a. Call and meet with the organization or company in advance.
- b. Determine the logistics (e.g. frequency of donation and pick-up/drop-off).
- c. To find places that might accept your food visit:
 - <https://sustainableamerica.org/foodrescue>
 - <https://www.feedingamerica.org/find-your-local-foodbank>
 - <https://ampleharvest.org/find-pantry/>
- d. Perform an internet search in your area for "turnkey" food recovery companies. An example of such a private company is: <https://www.gocopia.com/>

Note: We do not specifically recommend any nonprofit or particular company.

3. Understand and establish protocols to ensure food safety.

- a. Determine safe packaging, storage and labeling requirements.
- b. Establish consistent pick-up/drop-off and transportation schedule.

Note: Many of these protocols will already be known and in place if you are a permitted food facility.

4. If you cannot donate it, consider animal feed or composting. You may also contact your waste hauler and ask if they offer organics recycling services.

Ready to get started? Take a look at the Safe Surplus Food Donation Toolkit at https://wp.sbcounty.gov/dph/wp-content/uploads/sites/7/2018/04/Safe-Surplus-Food-Donation-Toolkit_Version-2_Feb-20181.pdf. for more guidance and tools.

For additional information and questions please contact:

Environmental Health Services
385 N Arrowhead Ave., 2nd Floor
San Bernardino, CA. 92415
1-800-442-2283
<https://wp.sbcounty.gov/dph/programs/ehs/charitable-food-service/>



Public Health
Environmental Health Services



DONATING SURPLUS FOOD

GUIDANCE FOR
CALIFORNIA



Public Health
Environmental Health Services

THE PROBLEM: WASTED FOOD

In the United States (U.S.), 40% of food produced goes uneaten. That is 62.5 million tons of wasted food every year. Meanwhile, there were 42.2 million people, including 13.1 million children, who did not have enough food to lead a healthy, active lifestyle in 2015. While reducing hunger in the U.S. will require addressing the root causes of poverty, donations of wholesome, fresh food can be an important strategy to addressing the immediate needs of millions of Americans. By donating surplus wholesome food instead of throwing it in the trash, you can feed hungry people, save space in local landfills and prevent the emission of harmful greenhouse gases that contribute to climate change.

**5.6 MILLION
TONS OF FOOD ARE
SENT TO THE
LANDFILL EVERY
YEAR IN CALIFORNIA**

**4.8 MILLION
CALIFORNIANS ARE
FOOD INSECURE**

YOU CAN DONATE SURPLUS FOOD!

State law and your local Environmental Health department allows the donation of surplus foods that are still fit for human consumption. For further information, please contact **Environmental Health Services at 1-800-442-2283**.

Permitted food facilities (e.g. restaurants, hotels, grocers, food processing facilities and food distributors) may donate prepared foods to nonprofits and directly to individuals (e.g. hot trays that are safely monitored/maintained). Foods previously **served** to a consumer generally cannot be donated.

Individuals can donate uncooked, pre-packaged food products (e.g. canned food items) that can be prepared onsite by approved food handlers.

YOU ARE PROTECTED

California recently passed the California Good Samaritan Food Donation Act (AB 1219), https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB1219, which provides liability protections for entities that make good faith donations of surplus food. The law clarifies and expands liability protections for donated surplus food by:

- Creating a more comprehensive list of entities covered by the law.
- Explicitly stating that donation of past-date food is subject to liability protection.
- Expanding liability protection to donations made by food facilities, which are subject to food safety regulations and regular inspections, directly to individuals for consumption (direct donation).

Donors are also protected under the Federal Bill Emerson Good Samaritan Food Donation Act, <https://www.usda.gov/sites/default/files/documents/usda-good-samaritan-faqs.pdf>.

WHY DONATE?

You can help *relieve hunger* in your community.

Nearly 5 million people in California struggle with food insecurity. YOU can help fill this gap by donating your surplus wholesome food to local nonprofits and directly to individuals.

You may be able to *earn an Enhanced Tax Deduction*: The Internal Revenue Code Section 170 allows C corporations to earn an enhanced tax deduction for donating surplus food.

This allows you to deduct the smaller of the following two:

- a. Twice the basis value of the donated food, or
- b. The basis value of the donated food plus one-half of the food's expected profit- margin.

Please contact a tax professional for additional guidance.

You can help meet California's solid waste diversion goals. Through the recent passage of SB 1383 and AB 1826, California established solid waste diversion goals, including a 20% food waste diversion goal, in order to decrease waste sent to landfills and greenhouse gas emissions. Donating wholesome surplus food to local organizations and directly to individuals can help meet state solid waste diversion goals and combat local food insecurity.

