

Donation Guide

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THE CURRENT LANDSCAPE

Within grocery retail, there can be numerous reasons why food doesn't leave the store with the customer. In an effort to prevent waste and maximize customer consumption, some tactics can be implemented, such as dynamic ordering, reduced handling, and creative use of discounts. If after exhausting these strategies, you still find excess in your store, consider implementing a donation program. Based on the EPA Food Recovery Hierarchy, after source reduction or prevention, it is best to feed hungry people. Developing a relationship with a donation partner in your locality offers a consistent opportunity to reduce food waste, feed hungry people, supporting both the community and environment.

In 2010, retail and consumer food waste was equivalent to 133 billion pounds going to landfill, an economic value of \$162 billion.¹



8 million tons of landfilled food comes from the retail food sector.²

In retail, ~\$18B per year is lost in value on food waste. On average, this is equal to roughly double food sale profits.²



In 2018, just 10% of available edible food was recovered along the supply chain.⁴

In 2018, 14.3 million American households were food insecure with limited or uncertain access to enough food.³



Food donations are often restricted by federal, state, and local government regulation. This may inhibit retailers from donating due to the perceived complications. However, the [ReFED Policy Finder](#) provides an overview of current federal and state food waste policies on Recovery Liability protection. Additionally, the [Harvard Food Law and Policy Clinic](#) offers a 50 state survey on donation guidance and regulations.

Sustainable Development Goals | United Nations

The Sustainable Development Goals are the blueprint to achieve a better and more sustainable future for all. They work together to support every person and the struggles they might be encountering. Sustainable Development Goals 2 and 12 overlap on the opportunity to feed hungry people with food that has already been created. Surplus food can have a second life when it is shared with the community before it becomes waste.

Zero Hunger



Responsible Consumption and Production

¹ USDA, ² ReFED Action Guide, ³ Feeding America, ⁴ NRDC

STEPS TO INTEGRATE DONATION INTO YOUR OPERATION

...and who's in charge. If you have a donation plan already in place, see the Appendix to see how you can expand your program.

STEP 1 DESIGNATE DONATION LEADS

- Owner / CSR
- Store / District managers

STEP 2 IDENTIFY FOOD RECOVERY PARTNERS

- Store / District managers
- Donation Lead

STEP 3 INFORM AND TRAIN ALL STAFF

- Store / District managers
- Donation Lead
- Human Resources

STEP 4 SAFELY HANDLE FOOD DONATIONS

- Owner / CSR
- Store / District managers
- Associates

STEP 5 GATHER DATA ON DONATIONS

- Owner / CSR
- Store / District managers

Steps 3-5 occur on a rolling basis. New employees will need to be trained, and veteran staff will need refreshers. In the next section, find out who does what to kick things up to the next gear.

FIND YOUR ROLE

On the following pages you will find a section for each listed role along with the general responsibilities at the top of the page. Beneath, you will find the actions recommended for each role nested within the appropriate step. The order of the steps may be disjointed, but when integrated across the team, the donation program will come together smoothly.

The actions listed are recommendations and can be adjusted or reassigned based on the size and capacity of the team.

See the following pages for more information on what each role brings to the table.

OWNER / CSR MANAGER

Implementation • Delegation • Maintenance • Reporting

DESIGNATE DONATION LEADS

Communicate the value of cost savings and social responsibility to your district / store managers to start the conversation. Explaining to your team the value of this program will help to stimulate interest and engagement in the program.

From this point, discuss intended goals for the program and delegate responsibilities, keeping in mind the strengths of your team.

Additionally, identify and communicate transportation logistics, a general timeline, and objectives to the appropriate members.

SAFELY HANDLE FOOD DONATIONS

As the leader, you oversee the logistics and flow of communication, and the integrity of the program. Help to identify any gaps within your donation program by checking in on:

- The communication lines within your team
 - o To and from management
 - o Among associates
 - o Within your legal team to ensure that the Bill Emerson Good Samaritan Food Act has been reviewed and your legal team has the necessary liability measures in place
- The effectiveness of the relationship between your store(s) and the food recovery partner
 - o Does the donation pickup integrate seamlessly with store operations?
 - o Are your donation leads and manager communicating with the partner effectively?

Some other items to consider are necessary safety requirements, liability forms needed, and temperature checks and tracking.

GATHER DATA ON DONATIONS

Collect donation data based on the frequency of your operation's donation. Monitoring waste and donation amounts will help to optimize your procurement strategy.

- Determine what information you will be receiving from the donation partner and communicate with your staff what system to use for data storage and compilation over time.
 - o Likely, the team member responsible for donation partner coordination could collect the data from the donation partner
 - o Assign responsibility of data input to the appropriate team member

STORE MANAGER / DISTRICT MANAGER

Coordination • Maintenance • Collaboration • Communication Up- & Downstream

DESIGNATE DONATION LEADS

Designate 1-2 associates to lead food donation efforts, with responsibilities including:

- Identifying donatable items within inventory and requirements for donation (packaging, handling precautions, cold chain needed for storage or transport)
- Establishing and maintaining a communication with food recovery partners
- Obtaining necessary materials – bins or boxes for donation, signage, etc.
- Communicating with internal brand management hierarchy or franchise management company, if applicable
- Actively monitoring food donation handling and pick-up
- Benchmarking and communicating the program's success to staff
- Ensure proper handling of any receipts from donation partner for future use of donation data and for tax purposes

IDENTIFY FOOD RECOVERY PARTNERS

Support the logistics that your operation needs for donation pick-ups. Work with the Donation Lead for development of this step.

Identifying a sustainable donation partner is crucial to the longevity of your donation program. A sustainable partner is one who meets your needs. Use the following list and consider other important partner characteristics:

- Provides on-property contacts for urgent matters
- Supplies appropriate documentation to obtain a **tax incentive for your donation**, if applicable
- See list under Donation Lead for more...

INFORM AND TRAIN ALL STAFF

As the highest level of management involved in this step, you will oversee the large-scale system of donation program training rather than getting involved in the nitty gritty.

- Depending on the size and capabilities of the team, delegate training to the lead associates
- Training should include:
 - o Reviewing the social good and business cases as reasons for implementation
 - o Introducing the team to the recovery partner
 - o Establishing a protocol for communication – questions, comments, issues

SAFELY HANDLE FOOD DONATIONS

Regularly check-in during donation preparation, handling, and pick-up to ensure proper execution of program.

- Use the **ReFED Policy Finder** to determine state-specific policies
 - Donate safe and intact food. Follow food safety guidelines including safe handling practice and mindfulness of temperature danger zone.
 - Communicate with food recovery partner if there are any items of concern or past expiration

GATHER DATA ON DONATIONS

Create a schedule with your food recovery partner to share the donation data at regular intervals.

- Ensure the data storage system is in place
- Train the necessary team member(s) on proper data input

DONATION LEAD

Leadership • Communication • Coordination

DESIGNATE DONATION LEADS

Organization management has designated you as a Donation Lead. The following is a list of your assigned tasks and responsibilities that come with the role:

- Designate a donation collection area in your store
- Identifying donatable items within inventory and requirements for donation (packaging, handling precautions, cold chain needed for storage or transport)
- Establishing and maintaining a communication with food recovery partners
- Obtaining necessary materials—bins or boxes for donation, signage, etc.
- Communicating with internal brand management hierarchy or franchise management company, if applicable
- Actively monitoring food donation handling and pick-up
- Benchmarking and communicating the program’s success to staff
- Ensure proper handling of any receipts from donation partner for future use of donation data and for tax purposes

IDENTIFY FOOD RECOVERY PARTNERS

Find local food recovery organizations through [US EPA Excess Food Opportunities Map](#). A sustainable partner is one who meets your needs; use the following list or brainstorm other important partner characteristics:

- Picks up donations from property—either regularly scheduled (weekly or monthly) or on-call when surplus arises
- Accepts your commonly overproduced food items
- Provides detailed food safety handling practices

INFORM AND TRAIN ALL STAFF

Staff will need to be trained on partner operating procedures and reminded of food safety requirements. This can be accomplished through multiple hands-on practice runs with relevant staff. While this can add a bit of time and labor, most associates are excited to make a positive impact on their community. Topics of Discussion:

- Donation schedule (regular or based on surplus availability)
 - o Might adjust over time or require sales / inventory data collection
- Location and procedure for adding items to designated donation area
- Discussion amongst associates to determine consensus on donatable items
 - o Visual resources or list of indicators
 - o Use Produce Quality Guide for reference (include link)

SAFELY HANDLE FOOD DONATIONS

Confirm the safety of your store’s donations by being on-site throughout various points in the process:

- Temperatures

Frozen Foods	At or below 0°F
Cold (refrigerated) Foods	At or below 40°F
Hot (prepared) Foods	At or above 140°F • Or in the process of transitioning to cold storage temp (must lower to below 40°F within 2 hours)

- Acceptable items in the designated collection area
 - o Undamaged packaging
 - o No fermented scent coming from produce
 - o Healthy and nutritious items selected
- More information on Date Labeling:
 - o [USDA Date Label Fact Sheet](#)
 - o [WRAP Food Labelling Guidance Tool](#)

ASSOCIATE

Participation • Collection • Collaboration • Standardization



SAFELY HANDLE FOOD DONATIONS

The purpose of this program is to donate safe and intact food. The associates play the most important role in this process as they are the individuals that constantly monitor the food in storage and on the floor.

- Collect donatable items and add them to the designated area
- Move surplus items from storage to the designated area
- Communicate with the Donation Lead or Store / District manager if there are any items of concern or past expiration
 - o Confirm with Store Manager and Donation Lead about your state regulations surrounding donation of expired goods
 - Refed [Spotlight & Policy Finder](#)

Follow food safety guidelines including safe handling practice and regulating temperature of food to avoid the danger zone.

- Temperatures

Frozen Foods	At or below 0°F
Cold (refrigerated) Foods	At or below 40°F
Hot (prepared) Foods	At or above 140°F <ul style="list-style-type: none"> • Or in the process of transitioning to cold storage temp (must lower to below 40°F within 2 hours)

- Acceptable items in the designated collection area
 - o Undamaged packaging
 - o No fermented scent coming from produce
 - o Healthy and nutritious items selected

HUMAN RESOURCES (IF APPLICABLE)

Education and Training • Liability Support



INFORM AND TRAIN ALL STAFF

Staff will need to be trained on partner operating procedures and reminded of food safety requirements. This can be accomplished through multiple hands-on practice runs with relevant staff. While this can add a bit of time and labor, most associates are excited to make a positive impact on their community. Topics of Discussion:

- Food Safety and Handling
 - o Ensure everyone is up to date on their [ServSafe Certification](#)
- Liability Training
 - o State Specific Policies - Use the [ReFED Policy Finder](#) to determine state-specific policies
 - [Spotlight on Date Labeling](#) to learn more
 - o Bill Emerson Good Samaritan Act:
 - WHAT** A piece of legislation that protects individuals and businesses from civil and criminal liability when they donate food or grocery products if it is done in good faith
 - o If there is reason to believe there was intent or omission of information, known as gross negligence, that lead to an injury or death of an ultimate user or recipient of the food, then the donor could face consequences. See the [University of Arkansas legal guide](#) for more information.
 - WHO** “Large manufacturers, supermarket chains, wholesalers, farmers, food brokers, and organized community food drives that typically give food to food banks [pantries]” ([EPA](#))
 - WHERE** Across all 50 states; additional liability laws exist in some states. The entirety of this information does not supersede State or local health regulations.
 - WHY** To encourage the donation of food and grocery products to nonprofit organizations for distribution to needy individuals
- Tax Information:
 - o Inform management about the process to submit for tax deductions. Contact the donation partner for more information as they will be a supportive resource in this process.
 - o [The Tax Adviser](#) – A quick read on charitable donation basics

ALL YOUR QUESTIONS ANSWERED

PRACTICAL FAQs

WHAT IS ELIGIBLE FOR DONATION?

In general, the USDA recommends donating nonperishable and unspoiled perishable food. Donating perishable foods usually requires special handling such as refrigerated trucks and prompt distribution. See the What to Donate section for more information or contact your donation partner for preferences and specific needs.

WHAT IF MY DONATION QUANTITY IS SMALL, INFREQUENT, OR UNPREDICTABLE?

The answer depends on the donation partners available near your operation. This is a good question to raise when beginning the search for a partner that meets your needs. Another option is connecting with other retailers or food producers in your area who might have the same issue. If you intentionally pair with the same recovery partner, you can share pick-up schedules to ensure a meaningful donation every time.

WHAT IF MY FOOD (I.E. FRESH BREAD) NEEDS TO BE PICKED UP EVERY DAY?

This depends on the donation partner. Discuss the potential frequency of pick-ups when beginning the search for a donation partner. Some alternatives to consider:

- Consider adjusting the production or sourcing of those goods that are causing surplus
- Provide a discounted service in-store
- Create a product that makes use of the surplus materials available on a consistent basis

WHAT ABOUT THE LEGALITY OF DONATING BRANDED ITEMS?

Contact your suppliers for more specific information about donating branded items, as it depends on the commodity and the supplier's preferences.

DO I HAVE TO DROP OFF MY DONATION OR WILL IT BE PICKED UP?

Feeding America partners receive free product pick-up from any location in the United States. If accessible, mobile food banks offer a special opportunity to support rural communities by bringing donated goods to the people with greatest need and providing transportation all in one! Or, consider bringing on an external partner to support distribution logistics for recovery, such as Copia.

WHAT IF I HAVE A LOT OF SOME FOOD TYPE THAT MY LOCAL FOOD RECOVERY ORGANIZATION CANNOT OR WILL NOT ACCEPT?

Ask your donation partner for recommendations of other locations that might be willing and able to accept your foods. Otherwise, determine the disposal option available to you with the lowest impact (i.e. compost, anaerobic digestion, or animal feed if possible). Also, if that item is consistently in excess, consider producing or sourcing less of it.

FOR TEMPERATURE-SPECIFIC FOODS, WHAT ARE THE LOGISTICS FOR HOLDING FOODS AT THE APPROPRIATE TEMPERATURE?

Inventory the storage available on-site and determine what you can hold for your next donation. Ask your donation partner if they have the available space to accept your items.

The following information is broken into sections of common concern. View the following list to pick and choose what you would like to learn more about:

The Good Samaritan Act

Tax Deductions

Food Safety—Handling, Temperature, and Labeling

What to Donate

Community Engagement

Packaging Requirements

THE GOOD SAMARITAN ACT

Enacted in 1996, the Bill Emerson Good Samaritan Act reduces potential donor liability. Food service and distribution facilities often cite that the reason they do not donate surplus goods is the concern that beneficiaries might seek restitution if they were to become ill from consuming donated product. However, this Act covers donations by businesses to food recovery organizations across all 50 States.

Although there have been no cases in court that maintain the precedent of this Act, the solution is to pair with a long-standing food recovery organization who can act as a guide for safety. They are the experts and will be able to raise flags if items or products seem unsafe and could be problematic.

TAX DEDUCTIONS

Check out the [ReFED Policy Finder](#) to learn more about regulation and liability protection in your state.

The following resources provide more information on tax deductions and benefits:

- o [House Amendment of Tax Deduction Protocol: Section 113](#): Extension and modification of charitable deduction for contributions of food inventory
- o [Internal Revenue Code](#): Definition and information regarding Fair Market Value
- o [U.S. Federal Food Donation Act of 2008](#): Provides specific phrasing of procurement contract language surrounding the encouragement of federal agencies and contractors to donate food

FOOD SAFETY

1. HANDLING

Although most donatable goods will be packaged from the commercial facility, thus reducing concern for handling contamination, it is still important to be mindful of safe practices for any exception. The following are general food handling practices and should complement other handling recommendations:

- Limit handling when possible
- Wash hands frequently, especially when transitioning tasks and handling different types of items
- Always use gloves

2. TEMPERATURE – FOR PREPARED FOODS

The Temperature Danger Zone is between 41- and 135-degrees Fahrenheit. Keep frozen foods below 0, cold foods at or below 41 and hot foods above 135. Bacteria grows the fastest between 70- 125-degrees Fahrenheit. If maintaining hot foods, keep lid on and use equipment to maintain heat. Maintain cold foods in closed coolers or set in ice baths.

When transitioning hot foods for storage, bring down internal temperature to 41-degrees Fahrenheit within 2 hours. Use these tactics to quickly cool:

- Use a commercial chiller
- Store food in shallow container to distribute temperature change across greater surface area
- Use cooling paddle for hot liquids
- Place food container in an ice bath

3. LABELING – FOR PREPARED FOODS

According to [Community Food Rescue](#), all donated prepared food should be labeled with the following:

1. Name of the food
2. Indication of any potential allergens—milk, egg, fish, crustacean shellfish, tree nuts, wheat, peanuts, soybean
3. Date prepared
4. “Use by” dates
5. Storage temperature
6. Instructions to “Reheat quickly to internal temperature of 165° F or above”
7. Donor name and contact information

WHAT TO DONATE

Although every donation center differs due to the needs of the community and the current supply and infrastructure within the facility, the best donatable foods are high fiber, low sugar, low sodium, shelf stable, original packaging with no dents or damage. **Check with your local food pantry or food rescue operation (soup kitchens, pantries, and shelters) to find out what items they will accept.**

The following is a list of specific items that are most wanted from the [Capital Area Food Bank](#):

- Canned or dry beans
- Peanut or other nut butters
- Canned vegetables – low sodium, no salt added
- Grains – brown and white rice, pasta, macaroni and cheese
- Hot and Cold cereals – oatmeal, cereals, cornflakes, raisin bran
- Canned Tuna, Salmon, or Chicken
- Healthy Snacks – raisins, granola bars
- Canned Fruits – in light syrup or its own juices
- 100% Juice – all sizes, including juice boxes

COMMUNITY ENGAGEMENT

Create an opportunity for your team to give back to community and see the impact of the donations by volunteering at your local food pantry.

- Schedule two volunteering sessions a month at different times / days to offer the whole team an opportunity to participate
- Provides an opportunity for team building, personal connection, and gives a deeper value to the donation program
- Pair with other local branches

PACKAGING REQUIREMENTS

Various food items, especially prepared foods, require particular packaging for long term storage. The table below outlines some examples of packaging requirements. Check with your local food recovery organization to learn about their packaging requirements.

Food Item	Description	Packaging Requirement	Other details
Dry Goods; General Non-Perishables	Canned or packaged soups, stews, fruits, vegetables, tuna, peanut butter, sauces, and meals like pasta, rice, macaroni and cheese	Intact, original packaging.	Non-perishables do not require refrigeration / temp control
Bulk foods	Large-portioned items, esp. not used for immediate consumption such as rice, beans, oatmeal, flour, etc.	Intact, original packaging.	Bulk foods can only be repackaged in a licensed facility and all smaller portions must be packaged in appropriate containers. Labels must include 1) food item including brand name, 2) ingredients in descending order by volume, 3) date of repack, 4) distributor of original product, e.g. name of grocery store.
Bakery items	Breads, bagels, cakes, muffins, rolls, etc. that are prepared at a commercial baking establishment and have not been served to the public.	Bag or carton, securely closed with no rips or tears.	Most bakery items do not require time/temperature control. Exceptions include items filled with perishable foods, e.g. custards or meats.
Produce	Any type of whole fruit or vegetable that is fresh (packaged or loose). Food donations may include fresh produce, including home-grown fruits and vegetables.	Clean bags, boxes, or bins.	Whole (uncut, unpeeled) fruit and vegetables do not require time/temperature control.
Frozen Goods	Any type of commercially packaged frozen food such as peas, berries, ravioli, waffles, etc.	Intact, original packaging.	Frozen products must be maintained at a temperature of 0 °F or below.
Dairy	Commercially packaged milk, cheese, yogurt, ice cream, eggs and egg products, etc.	Intact, original packaging.	Dairy products must be maintained at a temperature of 41 °F or below.
Prepared and Pre-packaged	Salads, entrees, etc. Items must be prepared in commercial facility and require refrigeration.	Intact, original packaging.	Cold prepackaged products must be maintained at a temperature of 41 °F or below.
Fresh meat (including seafood)	Beef, poultry, pork, seafood (excluding live shellfish) and processed items such as sausage or lunch meat that have undergone USDA inspection and approval.	Intact, original packaging. Raw meat must be transported in a separate container from other donated food items.	Fresh meat and seafood must be maintained at a temperature of 41 °F or below.