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.

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.

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

FOOD DONATION HEIRARCHY

1. PREVENTION
Reducing the amount of food that goes unused.

2. RECOVERY
Removing surplus food to feed the hungry.

3. RECYCLING
Avoiding food waste by bundling through use as animal feed, compost, or ornamental digestion.

FOOD RECOVERY HEIRARCHY

1 IN 6 DENVER RESIDENTS EXPERIENCE FOOD INSECURITY OR HUNGER

1 IN 5 CHILDREN AND YOUTH EXPERIENCE FOOD INSECURITY OR HUNGER

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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
COLD FOOD must be kept at 41 °F or below.
HOT FOOD must be kept at 135 °F or above.
HOT FOOD THAT IS COOLED and donated cold must be cooled from 135 °F to 70 °F within 2 hours and from 70 °F to 41 °F or below within 4 hours for a total of 6 hours.

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

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Can’t donate? COMPOST!
Make better use of all food that cannot be donated by using a food-to-animal or organics composting program:
• alpineview.com/recycling-compost
• scrapsmilehigh.com
• brakeinc.biz

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PREVENTION
Reducing the amount of food that goes unused.

RECOVERY
Removing surplus food to feed the hungry.

RECYCLING
Avoiding food waste by bundling through use as animal feed, compost, or ornamental digestion.

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