

It is never good for your bottom line when you have lots of leftover food you cannot sell quickly enough (before it spoils). But, either due to a slow week or accidental over ordering, if you find lots of edible ingredients in your walk-in, it might be time to donate them to a local food bank, soup kitchen, or shelter. By donating edible surplus food, you can help supply nutritious food to hungry people in your community and help minimize the amount of edible food you send to the landfill. If you follow state and local food safety laws, you will be fully protected from liability by the [Bill Emerson Good Samaritan Act of 1996](#)! Also, you can get a nice tax deduction if you track your donations appropriately throughout the year and donate to a qualified charity.

5 STEPS TO CREATE A DONATION PROGRAM

Step 1: Designate Donation Leads

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

- Learning what can be donated and how to safely prepare the food for donation (e.g., maintaining the cold chain, proper handling).
- Establishing and maintaining a positive relationship with food recovery partners.
- Communicating with internal brand management hierarchy or franchise management company.
- Actively monitoring food donation handling and pick-up.
- Benchmarking and communicating the program's success to staff (and tax auditors).

Step 2: Identify Food Recovery Partners

Most large cities have multiple food rescue and recovery organizations that will work with you to schedule pick-ups, provide you with supplies, and educate staff on proper food donation practices. Look at the [United States Department of Agriculture \(USDA\)](#), [Feeding America](#), and [Further with Food](#) for advice on finding and choosing a food donation partner. The National Restaurant Association partner [Food Donation Connection](#) can help link restaurants with local organizations as well. When looking for a donation partner, ensure they can meet the following expectations:

- Can establish a regular pick-up schedule that fits your food generation schedule
- Provide on-property contacts for urgent matters
- They accept your commonly overproduced food items
- Provide detailed food safety handling practices
- Supply appropriate documentation to obtain a [tax incentive for your donation](#), if applicable

Step 3: Safely Handle Food Donations

Food safety is of utmost importance! Be sure to follow correct food cooling and handling procedures along with specific food donation partner labeling and storage requirements. Remember to get the food out of the “temperature danger zone” quickly. That means bringing the temperature of hot foods below 70°F within two hours and to 41°F within the next 4 hours. Also, always keep refrigerated food below 40°F and frozen food at 0°F.

Step 4: 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 chefs and staff are excited to see their food being used to feed the local community.

Step 5: Gather Data (optional)

Tracking your donation weight and frequency data will help you see trends that can inform better procurement and management of your food week by week. Your local food rescue partner may be able to help in this effort, so don't be afraid to ask! While it's great to donate to your community partners, you may be able to save on costs by using this data to inform purchasing or cooking decisions. In addition to volume or weight measures, consider tracking the following indicators of program success:

- Cost savings by month/quarter/year from reduced waste hauling, if applicable
- Percentage of food donated vs. food procured in pounds or dollars
- Percentage of food donated vs. food disposed in pounds
- Number of staff trained on food recovery best practices
- Number of meals donated, when possible

DC Donation Resources

Organizations that accept food donations from Washington DC, Maryland, and Virginia residents and businesses:

DC		Greater DC - VA	Greater DC - MD
Allen Chapel AME Church	Food and Friends	AFAC	Bethesda Cares
Brainfood	Food Not Bombs DC	ALIVE	Manna Food Bank*
Bread for the City	Martha's Table	A-SPAN	Shepherd's Table
Capital Area Food Bank*	Miriam's Kitchen	Food For Others	Maryland Food Bank*
Capitol Hill United Methodist Church (Our Daily Bread)	N Street Village	SERVE	AmpleHarvest
DC Central Kitchen*	SOME (So Others Might Eat)	United Community Ministries	
	Thrive DC		

*These agencies have their own trucks and may be able to pick large donations. Call ahead of time!

Food Rescue + Recovery Organizations to Help Your Business Donate

FOOD RESCUE US, DC'S FIRST FOOD RUNNER PROGRAM

The Food Rescue US app connects businesses with food to donate, volunteer food rescuers, and receiving agencies.

COMMUNITY FOOD RESCUE

Community Food Rescue connects farms and business with food to donate with volunteers who transport the food to food assistance groups in Montgomery County, MD.

MEANSDATABASE

Join the MEANS network if you are a business with food to donate or a food bank/pantry who can organize their own food pick up.

CARE TO FEED/FOOD IN MOTION

Food In Motion connects businesses with food to donate, volunteer food rescuers, and agencies that distribute recovered food to those in need.

MEALCONNECT

Your excess wholesome food is picked up at your convenience and delivered for free with MealConnect, Feeding America's food donation app and website.

Liability Protection and Donation Guidance

DC Food Donation Liability Protection

Did you know you are legally protected when you donate food? The DC law related to liability protection for food donation is D.C. Code Ann. § 48-301. The law extends the same liability coverage as the Bill Emerson Act, providing liability protection to food businesses that donate unserved food to a non-profit that distributes food for free or a nominal charge. This protection applies unless there is evidence of gross negligence or intentional misconduct by the donor. See this [fact sheet](#) from NRA to learn more about liability protection.

DC Save Good Food Act (passed in November 2018)

Extends liability coverage to anyone donating at any time. Allows people to donate directly to people in need instead of a non-profit or church middle person.

Earning Tax Deductions Through Food Donation

Did you know you can also earn tax deductions from donating food?

The Path Act of 2015

[Summary](#) | [Law](#)

Neighborhood Assistance Program (NAP)

[Summary](#) | [Law](#)

Additional Resources

DC FOOD RECOVERY GUIDE 2017

The DC Food Recovery Guide is a resource guide for DC Communities promoting all of the programs and resources in all aspects of food recovery in DC.

FOOD RECOVERY IN THE DISTRICT OF COLUMBIA: A LEGAL GUIDE

The Harvard Food Law and Policy Clinic partnered with the DC Food Recovery Working Group to publish the "Food Recovery in the District of Columbia: A Legal Guide", which lays out laws and policies related to food recovery in DC.

CAPITAL AREA FOOD BANK PRODUCE GUIDE

Provides storage advice, recommended uses, nutrition facts, etc. for many of the produce items CAFB distributes (in English & Spanish)

COMMUNITY FOOD RESCUE

Great food recovery and safety pamphlets, videos and educational resources in multiple languages

Additional resources on federal guidance surrounding food donation

The Bill Emerson Good Samaritan Food Donation Act

was created to encourage the donation of food and grocery products to qualified nonprofit organizations and provides liability protection to food donors.

Internal Revenue Code 170(e)(3) provides enhanced tax deductions to businesses to encourage donations of fit and wholesome food to qualified nonprofit organizations serving the poor and needy.

The U.S. Federal Food Donation Act of 2008

specifies procurement contract language encouraging Federal agencies and contractors of Federal agencies to donate excess wholesome food to eligible nonprofit organizations to feed food-insecure people in the United States.