Donate surplus food from your business

What can be donated?

- Fruits and vegetables
- Baked goods
- Frozen foods
- Bulk foods
- Meat and dairy products
- Packaged foods that have not been opened
- Prepared items that have not been served

Food that is spoiled or moldy, has been served or has not been kept according to food safety rules cannot be donated - OAR 603-025-0030 and OAR 333-150-0000. Work with your partnering food rescue organizations to determine what they can take and to create a schedule for pickup. No matter the size or frequency of your donation, it still makes a difference to those who need it.

Why donate surplus food?

- It’s safe. Oregon and federal Good Samaritan laws protect your business from liability when you donate food in good faith that your business believes to be safe and edible.

- It’s easy. Many food rescue organizations can provide you with containers, pick up the food on a regular schedule and provide you with documentation for your records.

- It’s good for your business. Not only can you save on your garbage bill, your donation may qualify for an enhanced tax deduction. Ask your accountant about potential deductions. Donating excess food also boosts employee morale.

- It’s good for your community. Donated food goes to feed the some of the 30 percent of Oregon children suffering from food insecurity according to research by charity, Feeding America. Plus, keeping food out of the landfill contributes to a cleaner environment.

Remember:

Washington County Department of Health and Human Services reminds you to please follow federal, state and local regulations for safe food handling for your donations.

- Hot foods should be kept hot at 135 degrees F or above.
- Cold foods should be kept at 41 degrees F or below.
- Cross-contamination should be avoided.
- Prepared foods should be cooled rapidly to a safe temperature.
How does it work?
1. Identify the types and amounts of surplus food generated by your business.
2. Go to www.ForkItOver.org to find a food rescue organization that suits your needs.
3. Package your donation in food-safe bags or containers, label the food and store it safely.
4. Arrange with your partnering food rescue organization for distribution. Most organizations will pick up food from your business.
5. Allow the food rescue organizations to redistribute the food to those in need.

Your donations in action:
Each week, non-profit Potluck in the Park uses up to 6,000 pounds of donated food to feed over 600 people in need each Sunday. Their volunteer drivers regularly pick up bulk, packaged, refrigerated and frozen foods from businesses including grocers, wholesalers, hotels, restaurants and caterers. Then trained volunteers prepare nourishing meals using safe food handling guidelines in a licensed facility. It is because of the generosity of donors like you that people in need are able to enjoy a hot meal.

Liability protection
Federal and Oregon laws protect you from liability when you donate food in good faith. The laws are meant to encourage donation of needed foods and protect donors.

Oregon Good Samaritan laws (ORS Chapter 30.890 and 30.892) and the Federal Good Samaritan law (The Bill Emerson Food Donation Act) state that you cannot be held liable if you have donated food you believe to be safe and edible – even though this food may not be easily sold due to appearance, age, freshness, grade, size or other condition. However, food must still meet all federal, state and local quality and labeling standards.

Oregon laws state good-faith donors of any food, apparently fit for human consumption, shall not be subject to criminal penalty or civil damages arising from the condition of the food, unless injury is caused by the gross negligence, recklessness or intentional misconduct of the donor. For information on the Good Samaritan laws, contact the Oregon Department of Agriculture, at 503-986-4720 or go to www.Oregon.gov/ODA for more information.

The federal act protects donors from liability when they donate to a nonprofit organization. It also standardizes donor liability within the U.S.

For more information contact the Washington County Solid Waste & Recycling Program at 503-846-3605 or recycle@co.washington.or.us
For more information about food safety standards contact the Washington County Environmental Health Program at 503-846-8722 or environmentalhealth@co.washington.or.us

Note: Washington County does not provide legal advice and no person should rely on this information as legal advice.