

HOW TO DONATE FOODS FOR HUMAN CONSUMPTION

1. Why donate food?

Organic materials, including food waste, can represent as much as 47% of the materials disposed of in landfills. Finding alternative uses for food waste is a key part of Austin's strategy to divert waste from landfills and become a Zero Waste community.

Donating leftover food to feed people and animals is considered a higher and best use, above composting, by the Environmental Protection Agency's Food Waste Recovery Hierarchy.

Donating food waste can help address a critical human need of hunger in our community, while also helping to reach our Zero Waste goals. When food donation is not possible, the City encourages composting of food waste or food scraps.

2. Food Safety

While donating food is encouraged, the handling of food must be done correctly. Food safety is a key element to protecting public health and preventing the spread of food-borne illnesses. To ensure the safety of food in Austin and Travis County, Austin/Travis County Health and Human Services works in partnership with the operators and employees of food service establishments. Food establishments are inspected twice a year; employees who handle food are trained and registered as food handlers; food managers are certified in the safe preparation and storage of food; and permits are issued to food service providers, including temporary food establishments and mobile vendors.

3. Rules for food donation

a. Pre-packaged foods that are **non-potentially hazardous** (cans of soup, boxes of cereal, bottled water) may be collected for donation and distributed without a permit. Some restrictions also apply for expired or damaged foods. See the note below for these rules.

b. Potentially Hazardous Foods. Other foods as described below are considered *Potentially Hazardous* due to health considerations. The donation of these foods must meet certain criteria, and for donations within Travis County, they require a permit application from the Austin/Travis County Health and Human Services Department. The forms for food handlers, food managers, and food service providers, can be found at the address below. For Potentially Hazardous food donations outside of Travis County, please consult the appropriate local health authority for rules.

<http://www.austintexas.gov/department/food-establishment-requirements>

As per §229.164(v) of the Texas Food Establishment Rules, foods to be donated must meet the following criteria:

If foods that are considered potentially hazardous (ex. cut tomatoes or melons, dairy products, fresh shell eggs, meats, cooked foods, etc.) are served, they may be donated under the following conditions:

- The food must be maintained hot at 135 degrees Fahrenheit or above during service.
- The food must be maintained cold at 41 degrees Fahrenheit or below.
- The donor has verified that the person receiving the food (recipient) has the proper facilities to meet all the requirements during transport, storage, and reheating the potentially hazardous food to maintain a proper temperature. Both the donor and recipient facility must be permitted by a city, county or state health department.
- If the donated food is transported to a third party, the transporter must meet the transportation requirements under the hot and cold holding temperatures stated in local/state code as described above.

c. Labeling of Donated Foods: The donated foods must be labeled to include the following:

- name of the item/food
- manufacturer information
- list of ingredients
- the date the food was prepared.

d. Foods that may NOT be donated:

Shelf Life - The donated foods that are potentially hazardous must not be used for consumption past the shelf life expiration date or past 7 days after preparing and or opening from its original package.

Damaged Foods - Food must not be donated if it's damaged in the following ways:

- canned foods that are heavily dented on the rim or seam
- packaged foods without a complete source/manufacturer label.

Distressed Foods – Foods that have been exposed to fire, flooding, excessive heat, smoke, radiation, other environmental contamination, or prolonged storage must not be donated for consumption by a consumer. Foods exposed to the listed conditions, may be sold or donated to a licensed food salvage.

Previous Service - Foods that may be donated must not have been previously served to a consumer.

Home Prepared Foods - No home-prepared potentially hazardous foods can be donated for human consumption. This issue is encountered frequently with churches or other non-profits providing foods for food pantries or holiday meals at shelters.

This factsheet was produced as a combined effort among Austin Resource Recovery, the City of Austin Office of Sustainability, the Austin/Travis County Health and Human Services Department, and Austin EcoNetwork. For more information, contact Vincent Delisi, Assistant Division Manager, Environmental Health Services, Austin/Travis County Health and Human Services Department, at 512-978-0319.