

Universal Recycling

Guidance for Food Donation

Vermont’s Universal Recycling Law bans throwing food and food scraps into landfills. Donating surplus food to local food rescue organizations allows your business to:

- Follow the Universal Recycling law by not throwing food into the trash
- Support your community by helping the one in four Vermonters who are in need of food
- Potentially lower trash disposal and diversion costs
- Possible federal tax deductions (ask your accountant for details)



You are protected from liability by Federal Law, under the Bill Emerson Good Samaritan Food Donation Act, when donating properly handled food.

Extra food can only be donated to food rescue organizations if it was **handled properly** and **not previously served**. When creating a program to donate food, follow these guidelines.

DONATING FOOD SAFELY AND SAFE FOOD HANDLING GUIDE

TIME & TEMPERATURE CONTROLS

The temperature of potentially hazardous foods, including prepared foods, meat, poultry, dairy, fish, seafood, tofu, eggs, and cut produce, must be managed for safety. Foods kept in the **temperature danger zone**, which is **between 41°F and 135°F**, can spoil, grow bacteria, and may cause people to become sick.

Food Type	Storage Requirements	Foods that Cannot be Donated
Prepared Foods	Stored at 41°F or below Frozen at 0°F or below	<ul style="list-style-type: none"> • Foods kept in the danger zone for more than 2 hours • Previously reheated foods • Previously served foods
Chilled Perishable, Prepackaged Foods (e.g. dairy, juice)	Stored at 41°F or below	<ul style="list-style-type: none"> • Foods kept in the danger zone for more than 2 hours • Damaged or bulging packaging • Foods stored in non-food grade packaging
Meat, Poultry, Fish (Unfrozen)	Stored at 41°F or below	<ul style="list-style-type: none"> • Foods kept in the danger zone for more than 2 hours • Foods stored in non-food grade packaging
Meat, Poultry, Fish (Frozen)	Frozen at 0°F or below	<ul style="list-style-type: none"> • Foods kept in the danger zone for more than 2 hours • Severe freezer burn • Defrosted foods
Fresh Produce (Whole)	Stored in a cool, dry, and clean area	<ul style="list-style-type: none"> • Significant decay
Fresh Produce (Cut)	Stored at 41°F or below	<ul style="list-style-type: none"> • Foods kept in the danger zone for more than 2 hours • Color change or decay
Baked Goods	Stored in a cool, dry, and clean area	<ul style="list-style-type: none"> • Foods stored in non-food grade packaging • Moldy or stale products
Canned/Boxed Foods	Stored in a cool, dry, and clean area	<ul style="list-style-type: none"> • Damaged or bulging packaging • Home-canned products

LABELING FOOD FOR DONATION

Food service facilities must properly label the food they are donating. **All donated food must be kept in food-grade packaging at all times.**

ALLERGEN LABELING

Each year, millions of Americans have allergic reactions to food. It is strongly recommended that foods for donation be labeled with ingredients so people with food allergies are aware of what is in the food. Eight major foods account for 90% of food allergic reactions and are important to label: *milk, eggs, fish (e.g., bass, salmon), shellfish (e.g., crab, shrimp), tree nuts (e.g., almonds, walnuts), peanuts, wheat, and soybeans.*

DATE MARKING

Vermont Department of Health food service regulations require date marking for prepared foods. Prepared food must be discarded **after seven days**. Mark the date when food is prepared and the date when food must be discarded (the day food is prepared + six days = seven days).

Prepared Foods

- Label the packaging with the food name, the date it was prepared, and the seven-day expiration date.
- Food that has been refrigerated for seven days or more should not be donated.
- Foods that are frozen, thawed, and then refrozen should not be donated.

- Food that will be donated can be frozen prior to donation to “stop the clock” and prevent the growth of bacteria. Label the packaging with the date it was frozen.
- Store foods in a designated area of a refrigerator or freezer while waiting for pick-up.

Non-Perishable Foods (*baked goods and canned/boxed foods*)

- “Best by,” “sell by,” and “use by” dates on food packaging are dates marked by the manufacturer. They indicate the time period the product will have the highest quality, not the date at which the food is no longer safe to eat.
- Store foods in a designated area while waiting for pick-up.

RECOMMENDATIONS FOR TRACKING DONATIONS

Facilities are encouraged to keep logs documenting that food is handled and served properly within the facility. Here is an example of a food donation log:

Date	Name of Food Donated	Temperature (°F)	Name of Food Rescue Agency

Food rescue agencies receiving donations should have the equipment to maintain proper food temperatures by keeping foods hot or cold during transportation, receiving, and storage.

QUESTIONS?

Food Safety and Handling

Contact the Vermont Department of Health at 802-863-7221 or visit healthvermont.gov.

Food Donation and Vermont’s Universal Recycling and Composting Initiative

Contact the ANR Solid Waste Management Program at 802-828-1138 or visit VTrecycles.com.

Food Donation Locations

Visit the Materials Management Map and zoom in to the purple apples: anrmaps.vermont.gov/websites/Organics/default.html

