



# The Benefits of Starting a Food Recovery Network

*College and university dining departments make the whole community stronger when they partner with Food Recovery Networks, student-run volunteer service programs that recover and donate surplus unsellable food.*

## ✓ **Help the community**

- One in seven American households are food insecure<sup>1</sup>
- Food donations enable shelters to spend less money on buying food and focus more on programming like literacy and job skills
- With the economic downturn, most shelters are seeing an increased need while also seeing their budgets get slashed
- FRN can also help town-gown relations

## ✓ **Improve your bottom line**

- UMD's Dining Services saved thousands of dollars after becoming more conscious of their food waste prompted new waste reduction strategies
- If you contract out to private firms like Sodexo or Aramark, they can write off donations as in-kind contributions; there is even an enhanced tax deduction for food donations up to 1.5 times the cost of the food<sup>2</sup>

## ✓ **Bolster sustainability**

- Food recovery helps close the loop on food waste, America's second largest waste stream (next to paper)
- Organic waste is a huge emitter of methane gas, which is 21 times more harmful towards climate change than carbon dioxide<sup>3</sup>

## ✓ **Attract good PR**

- Get recognized in news articles, on FRN's website, and on your website
- FRN National can make custom window stickers upon request
- Food recovery programs can also boost worker morale

## ✓ **No Liability**

- The Bill Emerson Good Samaritan Act clears all good faith donors from any and all liability, barring "gross negligence"
- The FRN model minimizes time in the food temperature danger zone
- We typically take the food from the steam table to the homeless shelter within less than an hour, easily clearing the USDA's recommended two hour limit

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<sup>1</sup> Garton, Christie. "New Breed of Americans Going Hungry." *USA Today*. Gannett. Web. 26 Feb. 2012.  
<[http://www.usatoday.com/money/economy/2011-05-10-new-face-of-hunger-food-assistance\\_n.htm](http://www.usatoday.com/money/economy/2011-05-10-new-face-of-hunger-food-assistance_n.htm)>.

<sup>2</sup> "Tax Benefits." *Food Donation Connection*. Web. 26 Feb. 2012.  
<<http://www.foodtodonate.com/Fdcmain/TaxBenefits.aspx>>.

<sup>3</sup> "Basic Information about Food Waste." *EPA*. Environmental Protection Agency. Web. 26 Feb. 2012.  
<<http://www.epa.gov/osw/consERVE/materials/organics/food/fd-basic.htm>>.



## Food Donors are Protected from Liability

*Millions of pound of food and groceries go to waste each year. To encourage companies and organizations to donate healthy food that would otherwise go to waste, they are protected from criminal and civil liability under the Good Samaritan Food Donation Act.*

### **The Federal Bill Emerson Good Samaritan Food Donation Act**

On October 1, 1996, President Clinton signed this act to encourage donation of food and grocery products to non-profit organizations for distribution to individuals in need. This law:

- \* Protects you from liability when you donate to a non-profit organization;
- \* Protects you from civil and criminal liability should the product donated in good faith later cause harm to the recipient;
- \* Standardizes donor liability exposure. You or your legal counsel do not need to investigate liability laws in 50 states; and
- \* Sets a floor of "gross negligence" or intentional misconduct for persons who donate grocery products. According to the new law, gross negligence is defined as "voluntary and conscious conduct by a person with knowledge (at the time of conduct) that the conduct is likely to be harmful to the health or well-being of another person."

*Credit: this document was adapted from FeedingAmerica.org*



The text of the bill itself follows:

The Bill Emerson Food Donation Act

One Hundred Fourth Congress of the United States of America

At the Second Session

Begun and held at the City of Washington on Wednesday, the third day of January, one thousand nine hundred and ninety-six.

An Act

To encourage the donation of food and grocery products to nonprofit organizations for distribution to needy individuals by giving the Model Good Samaritan Food Donation Act the full force and effect of law.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. CONVERSION TO PERMANENT LAW OF MODEL GOOD SAMARITAN FOOD DONATION ACT AND TRANSFER OF THAT ACT TO CHILD NUTRITION ACT OF 1966.

(a) Conversion to Permanent Law. -- Title IV of the National and Community Service Act of 1990 is amended --

1. by striking the title heading and sections 401 and 403 (42 U.S.C. 12671 and 12673); and
2. in section 402 (42 U.S.C. 12672) --

(A) in the section heading, by striking "model" and inserting "bill emerson"

(B) in subsection (a), by striking "Good Samaritan" and inserting "Bill Emerson Good Samaritan:"

(C) in subsection (b)(7), to read as follows:

"(7) GROSS NEGLIGENCE. -- The term 'gross negligence' means voluntary and conscious conduct (including a failure to act) by a person who, at the time of the conduct, knew that the conduct was likely to be harmful to the health or well-being of another person.";

(D) by striking subsection (c) and inserting the following:

"(c) LIABILITY FOR DAMAGES FROM DONATED FOOD AND GROCERY PRODUCTS.

"(1) LIABILITY OF PERSON OR GLEANER. -- A person or gleaner shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of apparently wholesome food or an apparently fit grocery product that the person or gleaner donates in good faith to a nonprofit organization for ultimate distribution to needy individuals.



"(2) LIABILITY OF NONPROFIT ORGANIZATION. -- A nonprofit organization shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of apparently wholesome food or an apparently fit grocery product that the nonprofit organization received as a donation in good faith from a person or gleaner for ultimate distribution to needy individuals.

"(3) EXCEPTION. -- Paragraphs (1) and (2) shall not apply to an injury to or death of an ultimate user or recipient of the food or grocery product that results from an act or omission of the person, gleaner or nonprofit organization, as applicable, constituting gross negligence or intentional misconduct."; and

(E) in subsection (f), by adding at the end the following: "Nothing in this section shall be construed to supersede State or local health regulations."

(b) TRANSFER TO CHILD NUTRITION ACT OF 1966. -- Section 402 of the National and Community Service Act of 1990 (42 U.S.C. 12762) (as amended by subsection (a))

1. is transferred from the National and Community Service Act of 1990 to the Child Nutrition Act of 1966;

2. is redesignated as section 22 of the Child Nutrition Act of 1966; and

3. is added at the end of such Act.

(c) CONFORMING AMENDMENT. -- The table of contents for the National and Community Service Act of 1990 is amended by striking the items relating to title IV.

Newt Gingrich  
Speaker of the House of Representatives

Strom Thurmond  
President of the Senate Pro Tempore

Approved 10/01/96

William J. Clinton  
President of the United States  
P.L. 104-210



# UNIVERSITY OF MARYLAND

DEPARTMENT OF DINING SERVICES  
DIVISION OF STUDENT AFFAIRS

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Dear College and University Dining Directors,

By way of introduction, I'm the Director of Dining Services at the University of Maryland, College Park. I'm writing to let you know of a wonderful opportunity to support your local community and possibly reduce expenses for your dining program.

For the last two years, Dining Services has worked with The Food Recovery Network; a student-run organization that recovers surplus food from UMD dining halls and from Byrd Stadium concessions stands and donates it to So Others Might Eat (SOME) and other local shelters in the Washington, DC area.

The Food Recovery Network is eager to expand this initiative and recover surplus food from other campuses like yours. I would highly recommend you consider the benefits of joining as a donor in this effort - in my experience they have been very professional and flexible and they are truly making a difference in our community.

Let me detail how the program works - a team of trained volunteers arrive at our dining halls at a time we specify; then our staff aggregates any food items that were not sold/served during the meal period and that cannot be saved and reheated for sale the next day; the volunteers transfer this food into trays and transport it immediately to partner shelters. We are proud that our partnership resulted in over 10,000 donated meals last year.

Working with the Food Recovery Network has also saved us money by helping our dining hall teams be more aware of the type and amount of leftovers we have - we are tracking production more closely and we are cooking in smaller batches. It has also encouraged our Chefs to modify recipes and look for ways to better utilize leftovers. And when there is waste, everyone has an increased level of satisfaction when items we can't reuse go to someone in need, rather than to the compost bin.

All restaurants donating leftover food in good faith are protected from liability under the federal Bill Emerson Good Samaritan Food Donation Act and the National Restaurant Association encourages donating leftovers whenever reasonable and possible. Most importantly though, our involvement shows that food service is not just an industry, but a community of people who care about and provide for others in need.

I hope you will join with the University of Maryland by joining the Network!

Sincerely,

Colleen Wright-Riva  
Director, Department of Dining Services  
University of Maryland College Park



# Food Recovery Network

## Sample Dining Hall Recovery Protocol

*Taken from the FRN chapter at the University of Maryland, this protocol was designed collaboratively between Dining Services and the students involved. It is meant to give other chapters a detailed idea of what a dining hall recovery looks like.*

1. Between 3 and 5 student volunteers can enter through the back loading dock and will be allowed into the 251 North kitchen area to start setting up at 8:50pm. You can park in the back loading dock. Ring the doorbell and ask for Chef Rob.
2. Students must have proper foot wear and pants in order to be in the kitchen. Long pants and closed toe foot wear only, no shorts or open toe foot wear is allowed in the kitchen area. *Please be aware that kitchen floors get wet and greasy at times and there is hot equipment turned on at all times. Please be cautious and aware when walking through the kitchen.*
3. Students will be allowed to gather a cart, sheet pans and utensils from the dish area but must not venture into any other area of the kitchen.
4. Trays, lids, latex gloves and spoons are supplied by Dining Services and will be stored in the 251 North kitchen. If you don't know where they are you can ask Chef Rob.
5. Cooks will bring products that are being recovered to the kitchen area where the students will transfer products into aluminum trays and put lids on them for transport.
6. Make sure you record each item and the approx. number of servings, so that you can enter it into our google form later that night!
7. Students will neatly stack empty food pans and clean the table areas where food was repackaged. Students will request a dishwasher pick up the empty food pans.
8. Student will transport the recovered food to the loading dock. *If you use a cart, please make sure it is neatly placed back inside.*
9. FRN at UMD's partner shelters for Spring 2012 are So Others Might Eat (Mon and Fri), Gospel Rescue Ministries (Tue and Wed) and Community for Creative Non-Violence (Thurs).
10. Make sure you log your recovery on our google form after each and every pickup: <http://bit.ly/nzIzNL>

Students must remember that the food products being recovered are at the discretion of the Dining Services Manager. You may recover a product one day but may not recover that same product the next recovery day.