

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 Public Health works in partnership with the operators and employees of retail food establishments. Food establishments are inspected one to three times a year (depending on risk assessment); 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 food vendors.

3. Rules for food donation

a. Pre-packaged foods that are non-time/temperature control for safety or 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. Time/Temperature Controlled for Safety Foods (Potentially Hazardous Foods). Other foods as described below are considered *time/temperature controlled for safety* (TCS) 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 Austin Public Health. The forms for food handlers, food managers, and food service providers, can be found at the address below. For TCS 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 [Texas Food Establishment Rules](#), foods to be donated must meet the following criteria (for specifics, see the end of this document):

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

- Cooling process for hot food: Stored TCS food must be cooled to 70 degrees Fahrenheit within 2 hours and cooled to 41 degrees within the next 4 hours for a total of 6 hours.
- Hot food must be maintained hot at 135 degrees Fahrenheit or above prior to and during service (with the limited exception of transport as detailed below in section 5).
- Cold food must be maintained cold at 41 degrees Fahrenheit or below prior to and during service (with the limited exception of transport as detailed below in section 5).
- 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 TCS food to maintain a proper temperature. (see section 5)
- Both the donor and recipient facility must be permitted by a city, county or state health department.
- If the donated food is transported by a third party, the transporter must meet the transportation requirements under the hot and cold holding temperatures stated in local/state code as described below in section 5.

c. Labeling of Donated Foods:

Requirements for labeling depend on whether the food is in its original package or has been prepared as a meal.

- Donated prepackaged food must show (unobscured) its complete original label, including name of the item/food, manufacturer information, list of ingredients, and expiration or sell-by date.
- Donated prepared food shall be labeled with the name of the food, the source of the food, and the date of preparation. (Example: Lasagna -- Spaghetti Warehouse -- Prepared 1/12/14)

d. Foods that may NOT be donated:

Shelf Life - The donated foods that are TCS 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 with missing or incomplete 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 licensed food salvage company.

Previous Service - Foods previously served to consumers may not be donated.

Home Prepared Foods - No home-prepared TCS foods can be donated for human consumption. This issue is encountered frequently with churches or other non-profits providing foods to charitable feeding organizations or holiday meals at shelters.

This factsheet was produced as a combined effort among Austin Resource Recovery, the City of Austin Office of Sustainability, Austin Public Health, and Austin EcoNetwork. For more information, contact the Environmental Health Services Division, Austin Public Health, at 512-978-0300 or by e-mail at ehsd.service@austintexas.gov.