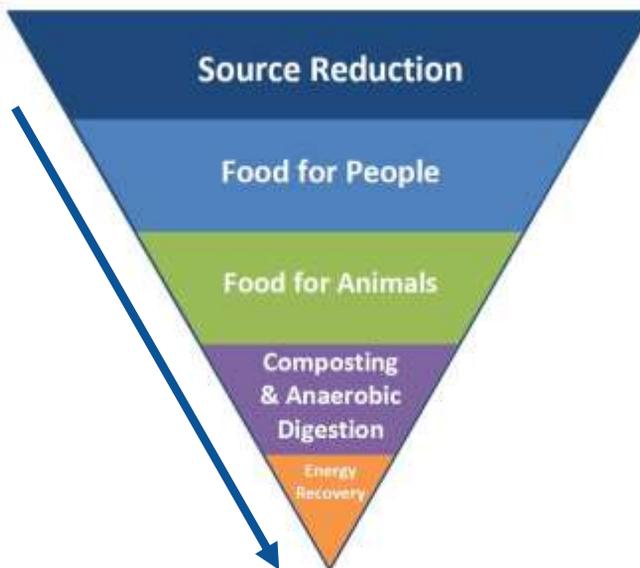




www.epa.gov/smm

VT Universal Recycling Food Hierarchy



www.epa.gov/smm

EPA United States Environmental Protection Agency

Donation to Feed People



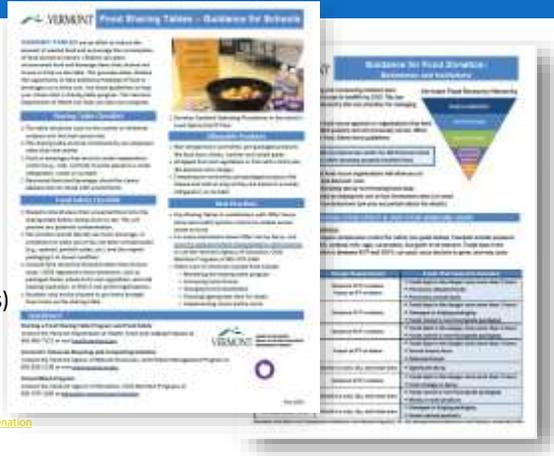
CHANGING HOW WE THINK ABOUT OUR RESOURCES FOR A BETTER TOMORROW

Navigating STATE (VERMONT) policy

Getting to "Yes"

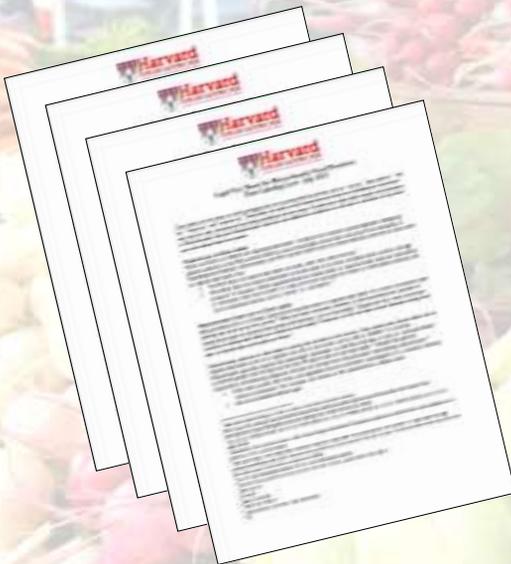
- Food safety and handling (VDH)
- Reimbursable meals (AOE)
- Local procurement (VAAFV)
- Highest & best use (ANR)
- Quality edible food (VT Foodbank)
- Improved tech. assistance (SWMEs)
- Food systems thinking (F2S Coordinators)
- Legal & safe (Food Service Mgrs)

<http://dec.vermont.gov/waste-management/solid/materials-mgmt/food-donation>



www.epa.gov/smm

Best Practices for Diverting Food for Donation



Legal Fact Sheets:

- Date Labels
- Tax Incentives
- Liability Protections
- Animal Feed

MA, CT, RI, VT, ME
& NH coming soon

SLIDE FROM HARVARD FOOD
LAW AND POLICY CLINIC



Legal Fact Sheet for Vermont Food Donation: Liability Protections

February 2017

Businesses (including farms) and non-profits that provide or receive donated food are generally well-protected by laws designed to provide immunity from liability related to such donations. The federal Bill Emerson Good Samaritan Food Donation Act provides liability protection for food donors, and Vermont's Good Samaritan Law for Donations of Food law provides additional liability protection to businesses and non-profits in the state.



Legal Fact Sheet for Vermont Food Donation: Tax Incentives for Businesses

February 2017

Tax incentives make food donation more cost effective and economically beneficial. Federal tax incentives have been extraordinarily successful in motivating food donation. Prior to 2015, federal tax incentives for food donations were limited to C-corporations.¹ After the incentives were temporarily expanded to cover more businesses in 2005, food donations across the country rose by 137% in 2006.² Congress subsequently made the expansion permanent in 2015,³ providing all businesses with added incentive to increase food donations and prevent food waste.

While some states have enacted state-level tax incentives,⁴ Vermont has no such state-level policy. Therefore, Vermont businesses are only eligible for federal tax incentives, which are available in the form of general and enhanced tax deductions. This legal fact sheet will discuss both types of deductions.

Extended federal tax benefits – as of December 2015



<http://forms.vermontlaw.edu/farmgleaning/factsheets/EnhancedTaxDeductionGuideForFarmers.pdf>



Legal Fact Sheet for Vermont Food Donation: Date Labeling Laws

February 2017

Date labels are the dates on food packaging that are accompanied by phrases such as “use by,” “best before,” “sell by,” “enjoy by,” and “expires on.” Date labels can lead to food waste because they are misleading to consumers and result in safe, wholesome food being needlessly thrown away.

Food Safety & handling

Health & Safety Controls

- Time & Temperature
- Prepared Food Date Labeling
- Recommended controls:
 - Allergen labeling
 - Donation tracking

<http://dec.vermont.gov/waste-management/solid/materials-mgmt/food-donation>

Vermont's Universal Recycling and Composting Initiative aims: knowing what food and food scraps are beneficial by 2020. This law adopted the Food Recovery Hierarchy that sets priorities for managing food and food scraps.

State food can be donated to food rescue agencies or organizations that feed the hungry only if it was handled properly and not previously served. When creating a program to donate food, follow these guidelines:

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

Donating surplus food to local food rescue organizations will allow you to:

- Lower trash disposal and diversion costs
- Follow the Universal Recycling law by not throwing food away
- Support your community by helping the need in your Vermont area
- Take possible federal tax deductions (ask your accountant about the details)

DONATING FOOD SAFELY & SAFE FOOD HANDLING GUIDE

TIME & TEMPERATURE CONTROLS

Potentially hazardous foods require temperature control for safety (see public below). Examples include prepared foods, meat, poultry, dairy, fish, seafood, eggs, cut produce, and garlic in oil mixtures. Foods kept in the temperature danger zone, which is between 41°F and 135°F, can spoil, cause bacteria to grow, and may cause people to become sick.

Food Type	Storage Requirements	Cooling Limits (within 2 hours)
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 more than 2 hours • Previously reheated foods • Previously served foods
(Dishes) Perishable, Prepared Foods (e.g., dairy, salad)	Stored at 41°F or below	<ul style="list-style-type: none"> • Foods kept in the danger zone more than 2 hours • Damaged or leaking packaging • Foods stored in non-food grade packaging
Meat, Poultry, Fish (Shellfish)	Stored at 41°F or below	<ul style="list-style-type: none"> • Foods kept in the danger zone more than 2 hours • Foods stored in non-food grade packaging
Meat, Poultry, Fish (Shellfish)	Frozen at 0°F or below	<ul style="list-style-type: none"> • Foods kept in the danger zone more than 2 hours • Sealed, frozen items • Damaged foods
Fresh Produce (Ethical)	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 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/Preserved Foods	Stored in a cool, dry, and clean area	<ul style="list-style-type: none"> • Damaged or faulty packaging • Home-canned products

Federal Timeline



State of Rhode Island
Department of Health

Home About Us Diseases Health & Wellness Food, Water & Environment Risk, Death & Strategic Health Services Laboratory Testing Learning

Food Protection

- About
- What We Screen
- Information for
- Progress
- Publications
- Regulations
- Partners

Contact

Sean McCalmod

Rhode to End Hunger Initiative

Mission

To mitigate food insecurity of at-risk populations in the state by promoting and managing a donation system where safe, edible food that may otherwise be thrown away is matched with the needs of food pantries and soup kitchens.

What we do

- Promote and manage a partnership with MEANS, a donation system where wholesome, safe food can be contributed by individuals, restaurants, and food markets to local pantries and meal sites. [More](#)

Program Publications

Brochures

- Donate Surplus Food From Your Business

Letters

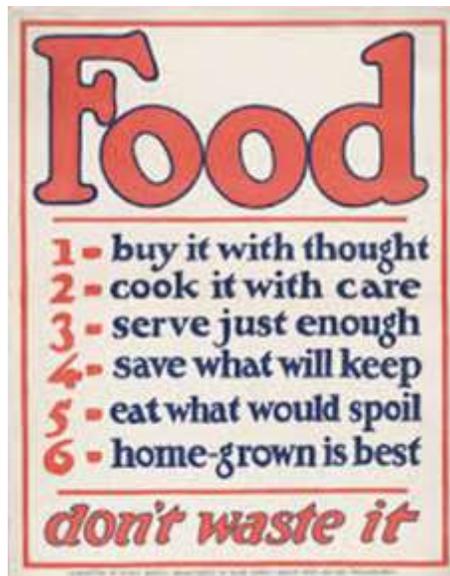
- MEANS Donor
- MEANS Recipient

More

Factsheets

- MEANS Database

<https://www.cnn.com/2018/07/19/health/cnnheroes-maria-rose-belding-means/index.html>



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