

Food Facility Operators Guidelines for Safe Food Donation

Donating surplus food from hotels, restaurants, other food facilities, and catered events can be a great way to help local missions and other charitable organizations that serve those in need.

Although a special public health permit is not required, donating or receiving surplus foods must be done in a way that minimizes food safety risks. The Tulare County Environmental Health Department has prepared the following food safety guidelines to help facilitate safe food donations.

Approved Source of Donated Foods

Prepared foods and meals must be donated only by permitted restaurants, hotels, food-processing facilities, cottage food operators, food distributors, or catered events. Donated foods are limited to foods or food portions that have not been previously served to a consumer. Individuals who wish to donate food to a charitable organization should only provide store-bought, shelf-stable, prepackaged food products that can be donate or prepared on site by approved food handlers.



Facilities Receiving Donated Foods

Most missions or charitable organizations receiving donated foods operate under a public health permit, so they are familiar with food handling requirements. If an organized event or charitable organization does not operate under a public health permit, the donated foods must be immediately served and consumed.



Temperature Control

Donated foods that require temperature control must always remain at 41°F or below for cold foods, or 135°F or above for hot foods, prior to transportation. When refrigerated transport is available, foods should be held below 41°F while in transport to the venue. If refrigerated transport is not available, the food items should be labeled "Process Immediately" and must not be out of temperature controls for more than 2 hours. Donations consisting of whole produce, canned goods, dry foods, and similar products can be delivered anytime with no requirement for temperature controls or delivery times.



The food donor or transporter must check to ensure proper temperatures at the time of the transfer to the receiving facility. The person in charge at the receiving venue should also check the temperature of the food upon receipt and note the time that the food is received. See the attached sample Food Donation Delivery Form on page 4 for an outline of helpful information that should be captured upon delivering, transporting, and receiving foods.



Food Facility Operators

Food Donation Guidelines, continued

Protection from Contamination

Food must be protected from potential contamination at all times. Ensure that hands are thoroughly washed with warm water and soap before handling food and/or utensils and when switching from raw animal products to ready-to-eat foods and as often as necessary to remove all contamination. Always examine food for any signs of decay, spoilage, mold, or odors. For canned and dry packaged food, check the packaging for tears, holes, dents, bulging cans, broken seals, and vermin infestation. Keep packaged foods in their original containers whenever possible. Donated food should be covered and protected from contamination before and during transportation.

Questions?

For more information, please contact Tulare County Environmental Health at (559) 624-7400, or email us at tularecountyehvents@tularehhsa.org

State and Federal Food Donation Statutes

California Health and Safety Code, Section 114432

Any permitted food facility may donate food to a food bank or to a nonprofit charitable organization for distribution to persons free of charge.

California Health and Safety Code, Section 114433

No food facility that donates food as permitted by Section 114432 shall be subject to civil or criminal liability or penalty for violation of any laws, regulations, or ordinances regulating the labeling or packaging of the donated product or, with respect to any laws, regulations, or ordinances, for a violation occurring after the time of donation.

California Civil Code, Section 1714.25(a)

Except for injury resulting from negligence or a willful act in the preparation or handling of donated food, no food facility that donates any food that is fit for human consumption at the time it was donated to a nonprofit charitable organization or a food bank shall be liable for any damage or injury resulting from the consumption of the donated food. The immunity from civil liability provided by this subdivision applies regardless of compliance with any laws, regulations, or ordinances regulating the packaging or labeling of food, and regardless of compliance with any laws, regulations, or ordinances regulating the storage or handling of the food by the donor after the donation of food.

United State Code, Bill Emerson Good Samaritan Food Donation Act, Title 42, Chapter 13A, Section 1791

(c)(1) 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.

(f) This section shall not be construed to create any liability. Nothing in this section shall be construed to supersede state or local health regulations.



Food Donation Centers Locations

Bethlehem Center

1638 N. Dinuba Blvd., Visalia, CA 93291
(559) 741-1572
Accepts canned food and Ag produce;
Does not accept cooked foods.

Food Link

FA0005505
7427 W. Sunnyview Ave., Visalia, CA
(559) 651-3663
Accepts canned food, prepackaged food, and
Ag produce from local farmers or USDA-
approved.

Porterville Adult Day Services

FA1348620
227 E. Oak Ave., Porterville, CA
(559) 783-9815
Accepts any type of food donations.

Visalia Community Covenant Church

FA1351816
315 N. Conyer St., Visalia, CA
(559) 625-5075
Accepts canned and prepackaged food.

Turning Point of Central CA

FA1348562
1845 S. Court St., Visalia, CA
(559) 732-5550
Accepts canned food.

First Presbyterian Church

(559) 732-8627
215 N. Locust Street, Visalia, CA
Accepts canned food, packaged foods, and
drinks. Accepts nutritional food such as
rice/beans. Bulks of dry soup mix ingredients.
Lentils, peas, rice, pasta, potatoes, etc.
Accepts peaches and nectarines in the
summer.

Iglesia Del Nazareno

FA1351384
137 E. Morton Ave., Porterville, CA
(559) 789-4299
Accepts canned food.

Food Link for Tulare County

FA1352407
611 N. Locust Street, Visalia, CA
(559) 651-3663
Accepts canned food and produce.

Dinuba Senior Citizen's Center

FA1352915
437 N. Eaton Ave., Dinuba, CA
(559) 591-2450
Accepts prepackaged food.

Porterville senior Gleaners

FA1345557
680 S. Main Street, Porterville, CA
(559) 781-4899
Accepts prepackaged foods.

***This list is not all-inclusive; if you would like to be added to this list, please contact the Environmental Health Division. Please note that only permitted facilities may conduct full food service. If your nonprofit organization would like to give away foods or prepare and serve foods for charitable purposes, please visit our website www.tularecountyeh.org and review the charitable feeding documents.**



Food Facility Operators Food Donation Delivery Form

Perishable Food Item(s) (Continue items on separate page if needed)	Amount (lbs.)	DONOR Temperature at holding	Time Taken	RECEIVER Temperature at receipt	Time Taken	Donation Accepted
						YES or NO
						YES or NO
						YES or NO
						YES or NO
						YES or NO

Donated From:

Name of Facility or Organization:	Facility ID#:
Address:	Phone #:
Delivered by: (Print Name)	

Transported By (if other than donor or recipient):

Name of Delivery Organization:	Facility ID#:
Address:	Phone #:
Delivered by: (Print Name)	

Donated To:

Name of Facility or Organization:	Facility ID #: (if applicable)
Address:	Phone #:
Received by: (Print Name)	

I acknowledge that the food item(s) listed above meet the temperature holding requirements for potentially hazardous foods, as defined in Section 113871 of the California Retail Food Code.

Donor Signature	Date
Recipient Signature	Date

