



Retail Donation Guidebook



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The Bill Emerson Good Samaritan Food Donation Act:

What does it do? The Good Samaritan Act encourages the donation of food and grocery products to 501(c)3 non-profit organizations for distribution to needy individuals. The law protects all food and grocery donors who donate apparently wholesome food in good-faith from civil and criminal liability. The Emerson Act also provides uniform federal protection and replaces all state laws, including those in the District of Columbia, Puerto Rico and all U.S. territories and possessions. Under the national law, food donors need only seek protection under one law.

Who does it protect? The law protects all food and grocery donors, including individuals, corporations, partnerships, associations, governmental entities, wholesalers, manufacturers, retailers, farmers, gleaners and non-profit feeding program administrators who donate food and grocery products in good faith. While exceptions are noted for gross negligence, the law states that these groups will 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.

GENERAL GUIDELINES

Use: This document serves as a visual guide to ensure the safety and quality of donated food, promoting the responsible and thoughtful donation process. Our aim is to eliminate waste while contributing to the well-being of our neighbors. Please adhere to the following guidelines when preparing donations, ensuring that all food items are safe and suitable for consumption.

ACCEPTABLE



1) Food must be in its original packaging, with no loss of sanitary barrier

UNACCEPTABLE

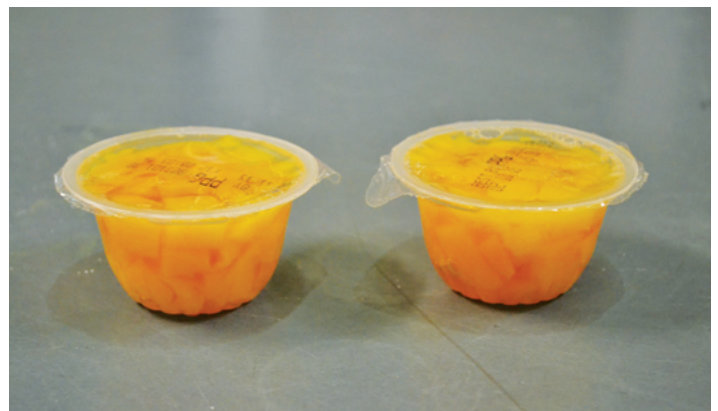


ACCEPTABLE



2.) Food must contain the product's name, full list of ingredients, net quantity of contents, and name and place of business of the manufacturer, packer or distributor.

UNACCEPTABLE



Most items can be donated past their code date. First use your company's guidelines to determine whether a product can be donated past code. For information on the guidelines the Houston Food Bank uses to distribute food past its code date, *please see charts on page 11-12.*

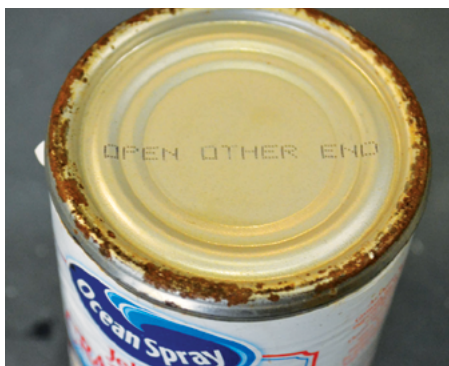
GUIDELINES FOR CANS

ACCEPTABLE



- ✓ Minor dents
- ✓ Visible/taped ingredient label
- ✓ Intact safety seal
- ✓ 24 months past code date date

UNACCEPTABLE



- ✗ Dents on seal
- ✗ Metal touching metal/crimped over
- ✗ Puffy, bulging
- ✗ Severely dented

- ✗ Rust
- ✗ Missing label
- ✗ Leaking

GUIDELINES FOR DRY GROCERY

ACCEPTABLE



- ✓ Outer packaging damaged with inner seal intact
- ✓ Crushed top of plastic jugs (seal must be intact)
- ✓ Cosmetic Damage
- ✓ Individual units taped back to original packaging, containing label
- ✓ Up to 8 months past code date (rice, pasta, flour, sugar, dried fruit)
- ✓ Up to 2 month past code date (granola bar, dry cereal, oatmeal, chips, cookies, crackers, fruit cups, popcorn)

UNACCEPTABLE



- ✗ Open or ripped bag that has been taped
- ✗ Open box with no inner seal (ie pasta)
- ✗ Missing/ no ingredient label
- ✗ Jars missing inner seal
- ✗ Individual items outside of its original package (items not labeled for retail sale)

GUIDELINES FOR BAKERY ITEMS

ACCEPTABLE



- ✓ Items with cosmetic damage
- ✓ Items with full ingredient label and unpunctured packaging
- ✓ Items approaching or just past best-by date
- ✓ 1 day before code date

UNACCEPTABLE



- ✗ No packaging
- ✗ Open or torn packaging
ex: (open-ended baguettes, self-serve bulk rolls, etc.)
- ✗ Mold, decay
- ✗ Missing/ no ingredient label
- ✗ Items left outside for pick-up

GUIDELINES FOR DAIRY

ACCEPTABLE



- ✓ Incomplete egg cartons (discard broken eggs first)
- ✓ Refrigerated juices, dips, sauces, etc.

- ✓ 5 days before code date
- ✓ Cosmetic damage

UNACCEPTABLE



- ✗ Open, leaking
- ✗ Broken seal
- ✗ Puffy, bulging

- ✗ Missing/no ingredient label
- ✗ Items left out of temperature

GUIDELINES FOR MEAT/FROZEN

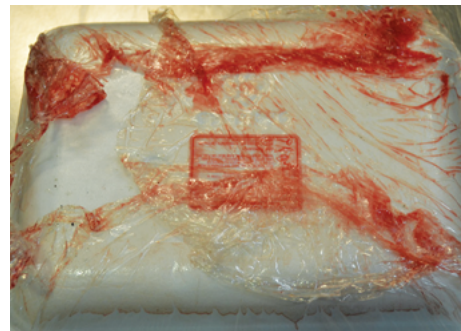
ACCEPTABLE



- ✓ Cooked fish or seafood
- ✓ Frozen raw seafood
- ✓ Outer packaging damaged with inner seal intact
- ✓ Lunch meat, hot dogs, other deli items

- ✓ All beef, chicken, pork and turkey products
- ✓ Items from frozen department (pizzas, frozen vegetables, etc.)
- ✓ Frozen by code date date

UNACCEPTABLE



- ✗ Missing/no ingredient label
- ✗ Open, exposed or leaking
- ✗ Loose vacuum seal
- ✗ Puffy/bulging
- ✗ Discolored

- ✗ Freezer burn
- ✗ Items not frozen
- ✗ Fresh seafood
- ✗ Ice cream

GUIDELINES FOR PRODUCE

ACCEPTABLE



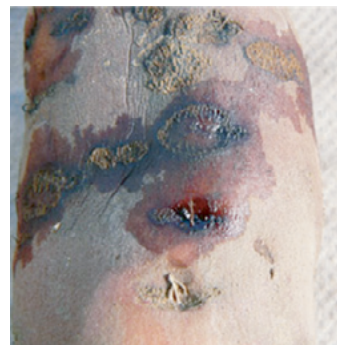
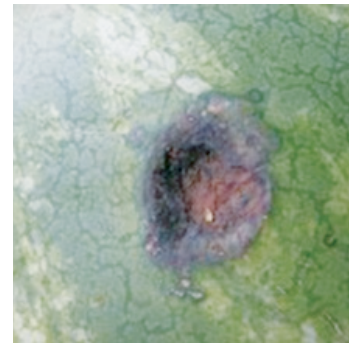
- ✓ Minor bruises
- ✓ Slight speckling

- ✓ Superficial spots
- ✓ Odd shapes

- ✓ Mold presence is insignificant
- ✓ Minor surface decay

- ✓ Small sprouts
- ✓ Slight browning at base

UNACCEPTABLE



- ✗ Overripe
- ✗ Wilted leaves

- ✗ Rot
- ✗ Mold

- ✗ Green potatoes (solanine)
- ✗ Chill damage

- ✗ Decay
- ✗ Puffy/bulging packages/past best buy date

GUIDELINES FOR SHELF LIFE

PERISHABLE

PRODUCT CATEGORY	DEADLINE FOR DONATION
Frozen Meats and Foods Fresh Meats	Frozen by code date
Milk	5 days before code date
Eggs	5 days before code date
Prepared salads, foods and dips	4 days before code date
Cheese	3 days before code date
Refrigerated juices and teas Processed refrigerated foods	2 days before code date
Bread	1 day before code date

Items we cannot accept: unsealed packaging, damaged cans with spillage or rust, expired baby food, ice cream, items with no nutritional or ingredient information, prescription drugs, feeding tube formula.

GUIDELINES FOR SHELF LIFE (CONT.)

NON-PERISHABLE

PRODUCT CATEGORY	TYPES OF ITEMS	EXAMPLES	DEADLINE FOR DONATION
DRY GROCERIES/ SNACKS	Cereal Assorted	Dry cereal, oatmeal, grits	2 months past code date
	Dried Groceries Assorted	Rice, pasta, dried fruits/flour, sugar, coffee and boxed soups	8 months past code date
	Nutritional Foods	Granola bars	2 months past code date
	Snacks Assorted	Chips, cookies, crackers, fruit cups, candy, microwave popcorn	2 months past code date *Chips 1 week before code date
ALL CANNED GOODS	Canned Goods	#10 Cans, meat, vegetables, fruit, soup	24 months past code date
	Canned Pull Top Products	Ready to eat canned products	12 months past code date
CONDIMENTS/ DRINKS	Condiments	Salad dressing, cooking oil, jelly, peanut butter, mayonnaise, pickles	9 months past code date *white salad dressing - 1 month past code date
	Drinks Assorted	All juices, sodas, sports drinks	6 months past code date
	Water	Regular and flavored water	12 months past code date
NON-FOOD	Household Assorted	Light bulbs, paper products, plastic reusable container, foil	None
	Household Cleaning Assorted	Cleaning product, laundry detergent, dish soap, cleaning wipes, bleach	
	House-wares Assorted	Toys, clothing items, small appliances, small electronics	
	School/ Office Supplies	Pencils, pens, notebook paper, scissors	
PERSONAL CARE/ BABY ITEMS	Baby Items	Diapers, wipes, clothes	None
	Personal Care	Bath soap, dental care, hand soap, body wash, shampoo/conditioner, deodorant, adult diapers	
	Personal Care Men	Male hygiene, male fragrances	
	Personal Care Women	Female hygiene, female fragrances, cosmetics	
PET SUPPLIES	Pet Food Assorted	Pet food, pet toys	9 Months After Code Date