

FOOD BANK OF THE ROCKIES' DENVER'S TABLE FOOD RESCUE PROGRAM INFORMATION FOR DONORS



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Since 1991, FBR's Denver's Table Food Rescue Program has worked to keep nutritious surplus food from being thrown away, and instead, served through our partner agencies, to those most in need. These agencies assist the most vulnerable citizens in the metro area: low-income seniors and children, people with disabilities, victims of domestic violence, the homeless and others struggling to put food on their tables. Last year Denver's Table safely picked up 5.2 million pounds of nutritious food for hunger-relief programs. That equates to four million nutritious meals! The commitment of our partner agencies that receive and serve items from Denver's Table and the donors who participate, make this fantastic program successful. Without this support, many of the nonprofit hunger-relief programs that we serve would not be able to meet the needs of their clients. Here's how it works:

Every weekday, FBR sends refrigerated trucks to retail establishments, including grocers, restaurants and caterers. Rather than discard surplus food, these establishments freeze, refrigerate or safely store the food. This food has not been served to patrons. These are quality products, prepared or purchased in excess of our donors' needs, such as frozen meat and fish, produce, prepared dishes and other items essential to cooking nutritious, tasty meals. Everyone employs the highest standards in professional food handling when freezing and picking up these donations. Food Bank of the Rockies safely transports products to our warehouse and to large local hunger-relief programs serving meals to less fortunate individuals. Generous donors in the food service and grocery industries are protected from liability by the state and federal Good Samaritan Acts.

Items that make great donations include:

- ◆ Close-dated dairy products
- ◆ Fresh meat or produce deemed aesthetically unfit for patrons, or rotated out of inventory, but still wholesome & nutritious.
- ◆ Prepared entrees, side dishes & desserts never served to patrons
- ◆ Unopened industry-sized containers of food, beverages, condiments, sauces, spices, & non-food items

LAWS PROTECTING FOOD DONORS

State (12-21-113, Colorado Revised Statutes, 1987) and Federal (PL 104-210, 1996) Good Samaritan Acts protect those who donate food to non-profit organizations. These laws encourage the donation of food and grocery products to nonprofit organizations for distribution to needy individuals. They also make it easier for concerned farmers, food service establishments, processors, distributors, wholesalers, and food retailers to donate food items to Food Bank of the Rockies. These laws protect food donors from civil and criminal liability, should the product donated in good faith later cause harm to the recipient. They standardize donor liability exposure and set



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a liability floor of 'gross negligence' or intentional misconduct for persons who donate grocery products. According to the federal 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." In addition, Congress recognized the provision of food close to the date of recommended retail sale is, in and of itself, not grounds for finding gross negligence.

In 1989, the Colorado Legislature passed an amendment to the Good Samaritan Act, saying

food donors will not be subject to criminal penalty or civil damage resulting from the condition of the food, unless injury is caused by "willful, wanton or reckless acts" by the donor. This includes canned or perishable food not readily marketable due to appearances, freshness, grade, surplus, or other considerations.

TAX BENEFITS FOR FOOD DONORS

Federal tax laws provide most donors with tax benefits for the contribution of food to Denver's Table Food Rescue Program in the form of a charitable deduction equal to the tax basis of the property contributed, plus half of the difference between the basis and fair market value (limited to twice the basis of the property).

It is recommended that donors consult with their accountant or tax advisor in order to determine the exact charitable contribution to which they may be entitled.

If your organization would like to participate in our program, please contact our Operations Manager. Visit www.foodbankrockies.org for contact information, or call 303.371.9250.



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