

FOOD BANK OF THE ROCKIES' FOOD RESCUE PROGRAM



Food Should be Rescued - Not Wasted

According to the USDA, an estimated 30 - 40 percent of the U.S. food supply ends up as food waste. At Food Bank of the Rockies, we are working with our community partners to keep nutritious food out of landfills and get more meals onto the plates of hungry men, women and children.

Grocers, retailers, caterers and restaurants often have quality products they no longer need or cannot sell. Thanks to Food Bank of the Rockies' Food Rescue program and our generous donors, more than 18 million pounds of nutritious food was distributed to hungry families rather than being thrown away in a landfill. That's almost 15 million meals!

How Does our Food Rescue Program Work?

Food Bank of the Rockies sends refrigerated trucks every day to pick up and safely transport items like meat, dairy, produce, lightly package-damaged products, condiments or prepared meals which haven't been served or handled by patrons. Items are brought back to our warehouse or directly distributed to our large local hunger relief partners. Food is handled with high standards when freezing, picking up and distributing these items. The food bank has received AIB certification and all our partner agencies are required to attend food safety training, provided free through FBR's online university. All items are carefully sorted and if necessary, cleaned prior to distribution to our partner agencies. Food donors are protected by state and federal Good Samaritan Acts. (See reverse side for details.)

Items that make great donations include:

- Close dated perishable foods - meat, dairy, eggs, produce
- Fresh meat or produce deemed aesthetically unfit for patrons or rotated out of inventory but still wholesome and nutritious
- Prepared entrees, side dishes and desserts never served to patrons
- Unopened containers of food, beverages, condiments, sauces, spices and non-food items



Laws Protecting Food Donors

Food donors are protected from liability federally by the Bill Emerson Good Samaritan Food Donation Act. Passed in 1996, this law states that an individual or company “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 donated in good faith to a nonprofit organization for ultimate distribution to needy individuals” except in cases of “gross negligence or intentional misconduct”.

There is also a Colorado state law pertaining to food donation, C.R.S. §§ 13-21-113, which offers more explicit, but narrower protection for food donors. The bill states:

“No farmer, retail food establishment, or processor, distributor, wholesaler, or retailer of food who donates items of food to a nonprofit organization for use or distribution in providing assistance to needy or poor persons nor any nonprofit organization in receipt of such gleaned or donated food who transfers said food to another nonprofit organization for use or distribution in providing assistance to needy or poor persons shall be liable for damages in any civil action or subject to prosecution in any criminal proceeding resulting from the nature, age, condition, or packaging of such donated foods; except that this exemption shall not apply to the willful, wanton, or reckless acts of donors which result in injury to recipients of such donated foods.”

Neither statute has been tested in court. The Bill Emerson Good Samaritan Food Donation Act offers broader protection from liability and would preempt the Colorado state law. Both laws offer strong protection and peace of mind for good-faith food donors.

Tax Benefits for Food Donors

Federal tax laws provide most donors with tax benefits for the contribution of food to Food Bank of the Rockies' 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). Colorado donors who file a schedule “F” may also be eligible for a tax credit through the Colorado Charitable Crop Donation Act, HB 14-1119.

Consult with your tax advisor in order to determine the exact charitable contribution to which you may be entitled.

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

