



Flint Hills Food Recovery – Food Safety Guidelines

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Why Participate in Flint Hills Food Recovery?

Food recovery refers to any food establishment (including grocery stores, wholesalers, distributors, restaurants, caterers, farms, and farmers markets) that donates and redirects food to people in need, preventing it from being discarded into landfills.

Flint Hills Food Recovery (FHFR) is a new initiative to develop a coordinated food recovery system throughout Riley County and the City of Manhattan, KS. This system enhances the good work of businesses, agencies, and organizations that already recover perfectly good food before it is thrown away. Using a systems approach, FHFR's goal is to reduce the amount of food that is being wasted and redirect it to food assistance providers who serve those in need.

Groups can contribute to FHFR's mission by donating unused food from a grocery store, catered event, restaurant, or farm, or by volunteering time to transport food from donor site to food distribution agency. Whatever your role, it is important that the FHFR system maintains the safety of the food and the health of its consumers.

This guide summarizes important food safety guidelines for the FHFR donor, transporter, and recipient agency.

Community Food Recovery – Safe Food Donation Liability Protection

The Bill Emerson Good Samaritan Act (PUBLIC LAW 104–210—OCT. 1, 1996 110 STAT. 3011), established in 1996, protects businesses and individuals that donate food in good faith from being held liable should someone become sick from consuming donated food. The only exception to the law is in the case of gross negligence or intentional misconduct. This Act also

gives uniform minimum federal protection to donors who may cross state lines. The law protects individuals, for-profit and non-profit businesses, and governmental entities. Even if the food may not be “readily marketable due to appearance, age, freshness, grade, size, surplus or other conditions,” the Federal Act protects food and grocery products as long as they meet all quality and labeling standards imposed by regulations at the federal, state, and local levels. As a federal statute, The Good Samaritan Act creates a uniform minimum level of protection from liability for donors and gleaners nationwide.

Safe Food Donations

Safe delivery and service of donated food require responsible communication among all parties handling the food (donor, volunteer, and receiving agency), including monitoring and appropriately handling temperature and packaging requirements as well as limiting the time out of temperature controls. With a basic understanding of food safety and good judgment, food donors, transporters and recipients can ensure that donated food is kept safe for consumption.

What kinds of foods may be donated?

Shelf-stable, hot, cold, or other fresh goods in appropriate packaging may be donated (see below for specific packaging requirements). Shelf-stable goods are preferred to be within their sell-by or best-by dates. (Guidelines outlining acceptable past-date items are listed [here](#).) Fresh goods must be within their expiration date, free of mold, and continuously held under appropriate time and temperature controls (see [below](#)). All freshly prepared food must come from a licensed food establishment.

Grocery (dry goods, non-perishables) – Commercially canned, boxed, and otherwise packaged foods such as soups, stews, fruits, vegetables, tuna, peanut butter, sauces, and meals like pasta, rice, macaroni and cheese, etc. Required packaging: Foods must be in their intact, original packaging. Non-perishable items do not require time/temperature control.

Bulk foods – Items that come in volumes or portions larger than those ordinarily considered to be for immediate consumption and may need to be broken down into smaller portions for distribution such as rice, beans, oatmeal, flour, etc. Required packaging: Foods must be in their intact, original packaging. Bulk foods can only be repackaged in a licensed facility and all smaller portions must be packaged in sanitized or new food-grade containers and labeled with: (1) food item including brand name, (2) ingredients in descending order by volume, (3) date of repack, (4) distributor of the original product, e.g. name of the grocery store).

Bakery items – Products such as breads, bagels, cakes, muffins, rolls, etc. that are prepared at a commercial baking establishment and have not been served to the public. Required: Bag or carton securely closed with no rips or tears. Most bakery items do not require time/temperature control. Exceptions include items filled with perishable foods, e.g. custards or meats.

Produce – any type of whole fruit or vegetable that is fresh (packaged or loose) – Food donations may include fresh produce. Required: Packed in clean bags, boxes, or bins. Whole (uncut, unpeeled) fruit and vegetables do not require time/temperature control.

Frozen grocery store or factory-prepared foods – Any type of commercially packaged frozen food such as peas, berries, ravioli, waffles, etc. Required packaging: Foods must be in their intact, original packaging. Frozen products must be maintained at a temperature of 0°F or below. See the section entitled, “[Transporting Time/Temperature Control for Safety \(TCS\) Foods](#)”. If a refrigerated product has been frozen to extend the shelf life, each container/case must have a “frozen on” date written in the area of the expiration date.

Dairy products (milk, cheese, butter, eggs) – Commercially packaged milk, cheese, yogurt, ice cream, eggs, egg products, etc. Required packaging: Foods must be in their intact, original packaging. Dairy products must be maintained at a temperature of 41 °F or below. See the section entitled, “[Transporting Time/Temperature Control for Safety \(TCS\) Foods](#)”.

Pre-packaged food (e.g. salads, entrees) – Prepared in a commercial facility and requires refrigeration. Required packaging: Foods must be in their intact, original packaging. Cold prepackaged products must be maintained at a temperature of 41°F or below. See the section entitled, “[Transporting Time/Temperature Control for Safety \(TCS\) Foods](#).”

Fresh meat (including seafood) – Beef, poultry, pork, seafood (excluding live shellfish), and processed items such as sausage or lunch meat that have undergone USDA inspection and approval. Fresh meat and seafood must be maintained at a temperature of 41°F or below. Required packaging: Foods must be in their intact, original packaging. Raw meat must be transported in a separate container from other donated food items. Fresh meat/seafood must be maintained at a temperature of 41°F or below. See the section entitled, “[Transporting Time/Temperature Control for Safety \(TCS\) Foods](#)”. If the meat was previously frozen, it must be labeled with the date when it was removed from the freezer, the manufacturer's expiration date, and the date on which the product was frozen.

Prepared food – Any type of prepared food such as grilled chicken, lasagna, pasta, salad, rice, or soup that has been prepared and properly held at food-safe temperatures at a commercial food service establishment such as a restaurant, cafeteria, or catered event but has not been served or offered to the public. **Note: Foods prepared in a home kitchen may not be donated.** Required packaging: Securely sealed, food-grade packaging. Sandwiches may be wrapped in clear plastic, wrap, or foil. Chilled food must be maintained at a temperature of 41°F or below. Hot food must be maintained at a temperature of 135°F or above. See the section entitled, “[Transporting Time/Temperature Control for Safety \(TCS\) Foods](#)”.

Transporting Time/Temperature Control for Safety (TCS) Foods

TCS food is food that requires time-temperature control to prevent the growth of microorganisms and, thus, keep it safe for consumption. Sample situations of handling TCS foods can be found below in [Food Recovery: A Practical Look](#).

- Donations consisting of whole produce, dry grocery items, baked goods, and other similar products can be delivered anytime with no requirement for temperature controls or delivery times.
 - Prepared foods should be packaged in safe, nonabsorbent, leak-proof pans or reusable containers. Food should never be packaged and shipped in containers or boxes that have contained chemicals or cleaning products.
- For TCS foods including frozen foods, hot or cold prepared foods, and fresh meat, seafood, and dairy the following considerations must be made:
 - Check food temperatures using a clean and sanitized thermometer.
 - Cold TCS food should be held below 41°F
 - Hot TCS food should be held above 135°F
 - TCS foods may only be donated if they have been held at the appropriate temperature
 - TCS foods that have been out of temperature controls for more than a total of 4 hours (including time during cooling, storage, transport, and service) must be discarded
 - Whenever possible, TCS foods should be maintained below 41°F or above 135°F while in transport.
 - Hot food out of temperature controls (for any amount of time not exceeding 4 hours) must be reheated to 165°F before service.

All donated prepared food should be labeled with: (1) the name of the food, (2) indicate any potential allergens (see below) (3) date prepared, (4) “use by” dates, (5) Donor name and contact information, (6) Temperature of the food, time the food was temped, and initials of individual temping the food.

Food labels must indicate whether the food contains any of the following major allergens or derivatives of the following major allergens: milk, egg, fish, crustacean shellfish, tree nuts, wheat, peanuts, soybean

Sample label:
Product name: Meat Sauce
Potential allergens: Soybean oil
Date prepared: 1/20/22
Use by: 1/22/22
Donated by: Zio's Trattoria, ph: 123-4567
38°F, 3:20 pm, KL

If a refrigerated product has been frozen to extend the shelf life each container/case must have a "frozen on" date written on the container/case in the area of the expiration date.

Foods Unsuitable for Donation

Certain foods are not suitable for donation because of safety concerns. These foods include:

- Alcohol
 - Any foods prepared, cooked, cooled, or reheated at home including home-canned, vacuum-packed, or pickled foods.
 - Foods previously served to consumers.
 - Foods in sharply dented, swollen, bulging, leaking, or rusted cans.
 - Foods in opened or torn containers that exposes the food to potential contamination.
 - Unpasteurized milk and milk products.
 - Foods with an "off" odor or that show any signs of spoilage (browning, slimy layer, unusual color).
 - "Distressed" foods = foods that have been exposed to fire, flooding, excessive heat, smoke, radiation, and other environmental contamination.
 - Foods designated for discard per regulatory or donor standards.
 - Foods past their expiration date.
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Personal Hygiene

- If sick, do not recover food.
- Pull long hair up and/or wear a hat/hairnet.
- Wear a waterproof bandage if you have a cut.
- Wash hands and exposed arms up to your elbows with warm water and soap before handling food. Wet hands with warm water and use soap, rub hands together for 20 seconds, rinse and dry with a disposable paper towel.
- Wash hands again if you do any of the following: use the restroom, smoke, touch your hair, face, clothes, or body, handle raw meat or eggs, eat or drink or use cleaning chemicals.

- If handling ready-to-eat foods wear gloves. Gloves minimize bare-hand contact with ready-to-eat foods. Wash hands before putting on gloves. Gloves should be changed when changing tasks or if they develop a hole.
 - Do not eat, drink, smoke, or chew gum near exposed food.
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Safe Transportation of Donated Food

- Use safe, nonabsorbent, leakproof pans or reusable containers.
 - Never put pans containing food or intended for food on the ground.
 - Animals are not permitted in the vehicle during transportation.
 - Sick individuals are not permitted in the vehicle during transportation.
 - Protect food from contamination from sources such as chemicals, staples, insects, water drippage, dirty equipment, etc.
 - Keep food transportation vehicles clean of excessive dirt, insects, animals, and any other potential contaminants while transporting food.
 - It is a good idea to have a sheet, tarp, or carry-all container that you lay in the trunk or back seat before transporting any donated food.
 - Avoid cross-contamination of foods. Store raw and ready-to-eat foods separately. Do not allow raw foods to drip onto or otherwise contaminate other foods. Do not store foods and non-food items together.
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Receiving Donated Food Safely

When donated food products are delivered to an agency, it is the responsibility of the receiving agency to ensure inspection of every food delivery for general cleanliness, condition of containers, and signs of temperature abuse.

When receiving TCS foods:

- Use a sanitized thermometer to take and record the temperature before storing TCS in a proper temperature-controlled space or before preparing donated hot food for immediate consumption.
- When receiving canned products, always inspect them for the following potential problems:
 - Severe dents on the top or bottom rim, or the side seam.
 - Swollen or bulging cans
 - Rusted cans with pitted surfaces
- When receiving boxed or dry goods, always inspect them for the following potential problems:
 - Bag is torn or leaking

- Bag has moldy or foreign objects inside
 - Box has live or dead insects, webs, or droppings.
 - Seals are ripped
 - Box is stained or wet
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Shelf-life of Donated Food

Many goods that are donated to a charitable food system are often nearing or past their printed quality dates. Fortunately, many foods that have not been opened and have been properly stored are safe to eat food after the “best by”, “sell-by” or “use-by” date. **Food that is past its expiration date may not be donated.**

Some common foods that may be donated and used past their “best by” or “use by” dates include:

- Fresh/frozen foods
 - Prepared Tuna Fish, Chicken, Pasta Salad, etc. – 3 to 5 days
 - Fresh, uncooked meat – 2 to 5 days
 - Milk – 5 to 7 days
 - Yogurt – 7 to 10 days
 - Deli Meat and Bacon – 2 weeks
 - Eggs – 3 to 5 weeks
 - Frozen meat – 4 to 8 months from the date it was frozen
 - Frozen dinners – 3 to 4 months
- Dry goods
 - Baking Mixes – 8 months
 - Dry Beans and Nuts – 1 year
 - Cereal and Crackers – 1 to 2 years
 - Uncooked Rice/Pasta – 1 to 2 years
 - Canned High-Acid Foods (peaches, tomatoes, juice, etc.) – 12 to 18 months
 - Canned Low-Acid Foods (meat and vegetables) – 2 to 3 years
 - Food in Glass/Plastic Jars – 2 to 3 years

For information about additional foods you can consult the following resources:

[USDA Guide to Food Product Dating](#)

[Guide to Shelf Life of Donated Products – by Greater Pittsburgh Community Food Bank](#)

If you have questions about the food safety practices encouraged by Flint Hills Food Recovery and the guidelines presented here, please contact:

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Food Recovery: A Practical Look

The following scenarios are meant to illustrate the types of food that can be donated and the time/temperature control guidelines for each:

FHFR Caterers has several hotel pans full of food leftover from the breakfast service that they would like to donate. They have used the ChowMatch Mobile App to locate an appropriate recipient who will be there to pick up in 30 minutes. They are reviewing their time and temperature log to determine which of the following items are safe to donate:

1. One of the pans is missing a single scoop of scrambled eggs which was served by the catering company staff to a latecomer for breakfast. It has been sitting in a chafing dish with a lit Sterno® and held at a temperature of 140°F for the last 2 hours. Can this food be donated?

No. Any food that has been offered to the public is unsuitable for donation regardless of time or temperature considerations.

2. A second pan containing sausage links has not been served at all. It is still covered in saran wrap and aluminum foil. It has been on the serving line for an hour and held at a temperature of 120°F. Can this food be donated?

No. Hot food must be received at a temperature of 135°F or higher.

3. The hash browns in the third pan never made it out of the kitchen and have been held in a warming oven at 135°F since they were brought to the conference hall 3 hours ago. Can this food be donated?

Yes. This food can be donated hot if served immediately or if cooled properly by the commercial foodservice establishment or recipient organization.

4. A basket of bagels was sitting on the table next to the coffee for the entirety of the breakfast service (7a-11a). Some are pre-sliced and others are whole. Can this food be donated?

No. These bagels have been offered to the public and are not suitable for donation.

5. Several unopened milk cartons were held on ice during the service. Can this food be donated?

Yes. This milk can be donated as long as it is at a temperature of 41°F or lower at the time of donation. The temperature of one container should be taken to ensure proper temperature.

Note: if there was no attempt at temperature control (i.e. no ice) the milk must be discarded.

6. A bowl of cut fruit that patrons were serving themselves from. Can this food be donated?

No. Food that has been offered to the public is not suitable for donation.

7. A bowl of cut fruit that was never served and stored at 40°F all morning. Can this food be donated?

Yes. As long as it is at 41°F or lower at the time of donation.

8. A bowl of whole fruit that was never served but sitting out at room temperature for under 4 hours. Can this food be donated?

Yes. Whole fruit does not require time/temperature considerations for safety.

9. Bowl of cut fruit that was never served but sitting out at room temperature for 4.5 hours. Can this food be donated?

No. Cold food that has been above 41°F for more than 4 hours must be discarded.