



Donations of food from commercial sources

The following advice is aimed at commercial operators who periodically or regularly donate food to food banks etc. This advice is equally applicable to food donations that may have been damaged in or salvaged from a civil emergency and are proposed for donation to welfare centres or food banks etc.

Donated food needs to be safe and suitable for human consumption. **Food is unsafe if it is likely to cause the person eating it harm. Food is unsuitable if it is contaminated, deteriorated, in a condition that affects its intended use, or people can't tell what is in it.** Provided the food was safe and suitable when it was donated, and came with any information needed to keep it safe and suitable, the donor is protected from civil or criminal liability under the Food Act 2014.

The following advice will help you make sure food is safe and suitable. Particular care needs to be taken when donating foods that need temperature control and/or have a 'Use-by' date. Key points to note:

- Food subject to recall for safety reasons must not be donated.
- Food marked with a 'Use-by' date must either be used or thrown away by that date. This is because it may be unsafe to eat after this date, even though spoilage may not be visible. In addition nutrients may become unstable after the expiry of the 'Use-by' date which may have an adverse effect on the health of people who are already ill.
- Food that has passed its 'Use-by' date must not be donated.
- Where donated food will be safe to eat for only a limited time, inform the food bank of the time limit.
- Inform the food bank about any food in a donation that requires special handling or storage.
- Food marked with a 'Best-before' date can be donated after the date has passed, provided it is otherwise fit to eat. There may be some loss of quality after this date but there should not be any safety issue with the food.
- Food withdrawn from sale because of incorrect/faulty labelling may be donated; however, correct information about the food needs to be identified and provided with the food so consumers can make informed choices.
- Packaging, or at least the inner wrapping, should completely enclose donated food. Do not donate any food that has been exposed and may have become contaminated.
- Food must be clear of mould or slime or other signs of spoilage, e.g. packaging inflated by spoilage gasses.
- Cans that are excessively rusty or have damaged seams, or 'spring' at the end, or are leaking should not be donated.

- Fresh meat to be frozen for donation should be frozen on or before its 'Best-before' date. It should be hard-frozen when it leaves donor storage.
- Chilled foods for donation should have been maintained in the chill-chain at, or below, 5°C.
- Hot foods for donation should have been thoroughly cooked and kept above 60°C.

When donating food:

- Work closely with the receiving organisation to identify:
 - the range of foods that are most useful and can be safely handled
 - best/ appropriate times for food collection.
- Check that the receiving organisation is aware of what needs to be done to keep food safe.
- If reusing boxes and packaging ensure that these have not been used for anything other than food, and have been made clean and hygienic.
- Keep food items separated from non-food items.
- Keep raw food separate from cooked/ready-to-eat food.

Additional information about food safety, such as what to do when re-opening a food business after an emergency, is available in 'resources for adverse events' on the MPI website at www.mpi.govt.nz If you have any specific food safety questions not covered by the available advice please phone 0800 00 83 33 for further information.