



Powered by

States passing laws to assist food pantries

By Tina Irgang, USA TODAY

As pantries across the nation face increasing demands for help, a growing number of states have enacted or are considering laws to make it easier for restaurants to donate leftover food to charities.

SHARING IN THE USA: [More coverage](#)

Ross Fraser of Feeding America, a national association of food banks, says the demand for free meals rose by an average of 30% in 2008, but some areas saw an increase of up to 70%.

Many of the new laws are designed to add extra liability protection for food donors:

- In **Mississippi**, a law that took effect July 1 allows the state Department of Health to authorize certain restaurants and cafeterias to donate leftover food. The step provides an extra layer of insulation for restaurants that fear liability, says Mike Cashion, executive director of the Mississippi Hospitality & Restaurant Association. Cashion says the law is the first in the state that explicitly protects restaurant donors.
- In **Nevada**, a law that took effect July 1 protects donors of perishable food from civil liability.

Democratic Assembly member Marilyn Dondero Loop, the law's author, says the bill is "designed to encourage restaurants to donate their food. There were so many restaurants throwing out perfectly good banquet food" because, under Nevada law, they could be held civilly liable for harm caused by donated food.

- In **Massachusetts**, a state House of Representatives committee is considering a bill that would provide tax credits to restaurants and cafeterias that donate food to charity. Peter Christie, president and CEO of the Massachusetts Restaurant Association, says the tax credit is "an admirable incentive" for food providers in the state.
- A **California** bill aims to ease communication between food banks and restaurants willing to donate. The bill would establish a database containing the contact information of food outlets interested in donating their leftovers, making it easier for food banks to contact them. The bill is in committee and awaiting its first hearing, according to the Legislature's website.

State Sen. Jenny Oropeza, a Democrat, introduced the bill and also sponsored a similar one in 2008. That bill failed, but the recession motivated Oropeza to try again.

"There simply is too much perfectly good food being wasted in California," Oropeza says. "Sadly, too many people are struggling financially and going to bed hungry."

John Knapp, president of the Food Bank of Southern California, says: "In an ideal world, this bill would have passed three decades ago. It's a moral imperative that we donate food."

•**Florida** passed the "Jack Davis Florida Restaurant Lending a Helping Hand Act" in 2008. The law, which specifically protected restaurants from liability, was named after an 11-year-old from South Florida who had alerted state legislators to the vast amounts of food discarded by local restaurants.

Food donors are protected from liability by the 1996 federal [Bill Emerson](#) Good Samaritan Food Donation Act, but it does not supersede state and local restrictions on food donations, says Maureen Ryan, spokesperson for the National Restaurant Association.

Find this article at:

http://www.usatoday.com/news/sharing/2009-07-13-restaurantdonations_N.htm

Check the box to include the list of links referenced in the article.

Copyright 2009 USA TODAY, a division of Gannett Co. Inc.