



UNDERSTANDING FOOD DONOR LIABILITY PROTECTIONS

You are legally protected to donate food.

THERE ARE TWO LEVELS OF PROTECTION

FEDERAL LAW

The Bill Emerson Good Samaritan Food Donation Act

TENNESSEE LAW

The Tennessee Liability of Free Food Distributors law

WHO IS PROTECTED?

Individuals, Gleaners, Non-Profits, Corporations, Government Entities, Retail Grocers, Hotels, Manufacturers, Restaurants, Schools

WHAT CAN BE DONATED?

Food that meets all quality and labeling standards imposed by Federal, State, and local laws and regulations

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- Apparently wholesome food, including bearing a past-due expiration date, sell-by date, use by date
- Apparently wholesome deer meat

WHO CAN THE FOOD BE DONATED TO?

A non-profit organization for the distribution of food to those who are food insecure

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- A non-profit organization for the distribution of food to those who are food insecure
- Directly to an individual

WHEN ARE YOU NOT PROTECTED?

Liability protections do not apply if an injury or death is caused by the gross negligence, recklessness, or intentional conduct of the donor.

TERMS TO UNDERSTAND



Apparently wholesome food: food that meets all standards of quality established by local, county, state and federal agricultural and health laws and regulations, even though the food is not readily marketable due to appearance; age; freshness; grade; size; surplus; or other condition.



Apparently wholesome deer meat: deer meat that complies with applicable standards, requirements, and procedures established by the department of agriculture.



Gross negligence: voluntary and conscious conduct by a person who, at the time of donating, knew that the food was likely to be harmful to the health or well-being of another person.

Visit www.getfoodsmarttn.com for more information.