Food Safety for Food Donation

ONSITE FEEDING LOCATIONS, FOOD SHELVES AND FOOD BANKS

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Introduction

Many businesses and non-profit organizations in Minnesota work together to reduce food waste and provide safe, nutritious food to neighbors in need. This guide outlines food safety measures to reduce the risk of foodborne illness. It helps donors, distributors, groups serving donated food and regulators follow consistent and uniform interpretation of food safety regulations. These minimum standards are based on the Minnesota food code and the Current Good Manufacturing Practice for Manufacturing, Packing, or Holding Human Food (CGMPs) federal regulation. All onsite feeding locations, food shelves and food banks operating in Minnesota must operate in compliance with the Minnesota food code or CGMPs and other ordinances, such as zoning and building.

Common Non-Profit Business Models

Hunger relief organizations commonly operate as food banks, food shelves or food pantries, and onsite feeding locations. Your organization's food operations may fit one or more of these descriptions.

Food bank

- Is a non-profit organization that receives, holds, packages, repackages and distributes food to food shelves and onsite feeding locations.
- Operates with the intent of distributing food to other hunger relief organizations.

> Food safety hazards and controls for a food bank are similar to those for a for-profit food distributor or manufacturer.

Food shelf or food pantry

- Is a non-profit organization that receives, holds, and distributes prepackaged food.
- Operates with the intent of distributing food at no cost to individuals and families.

> Food safety hazards and controls for a food shelf or food pantry are similar to those for a for-profit grocery or convenience store.

Onsite feeding location

- Is a non-profit organization that receives, holds, and processes food to be consumed on the premises.
- Operates with the intent of preparing and serving food to the hungry at no cost.

> Food safety hazards and controls for an onsite feeding location are similar to those for a for-profit restaurant or cafeteria.

How to Get Started

Plan review and licensing

Individuals or groups interested in operating an onsite feeding location, food shelf, food pantry, or food bank need to meet certain requirements. The food products and location of operation determines which agency is responsible for plan review and licensing. Some operations may be exempt or excluded from licensing or inspection.

To find out which agency you will work with, see the Minnesota Department of Health (MDH) Licensing website or Minnesota Department of Agriculture (MDA) Food Licenses website. Contact them to discuss your business plan, plan review and licensing requirements, and obtain applications. You can talk with your inspector to learn how your food bank, food shelf or onsite feeding location will be regulated.

Depending on the type of operation and location, you may need to:

- Submit a plan review application with fees and obtain approval before beginning new construction or remodeling.
- Submit a license application with fees and obtain a license before operating.
- Employ a Minnesota certified food protection manager.

Regulatory Authorities and Plan Review Resources for Food Banks, Food Shelves and Onsite Feeding Locations in Minnesota

Type of Operation	Regulatory Authority	Plan Review	Minimum Construction Requirements
Onsite feeding locations	MDH or delegated agencies	Required Contact your regulatory authority for an application.	Based on Minnesota food code. Food Establishment Construction Guide (MDH)
Food shelf or food pantry Retail portions of food bank	MDA or delegated agencies	Required Plan Review Application (MDA)	Based on Minnesota food code. Retail Food Plan Review Construction Guide (MDA)
Food bank	MDA	Plan submittal not required. An on-site review process is completed before the license is issued.	Current Good Manufacturing Practices (CGMPs)

Person in charge (PIC)

Minnesota food code requires a designated person in charge (PIC) at onsite feeding locations, food shelves or food pantries, and retail portions of food banks during all hours of operation. Managers and employees share in the responsibility to use safe food handling practices. The PIC must identify and take actions to stop high-risk practices that increase the possibility for foodborne illness.

To learn more about the areas of knowledge and duties of the PIC, read the Person in Charge fact sheet from MDH and MDA.

Minnesota certified food protection manager (CFPM)

Minnesota Certified Food Protection Manager (CFPM), formerly known as Minnesota certified food manager, or CFM, is a leader for the food establishment's food safety team. The CFPM is recognized by the Minnesota Department of Health (MDH) as meeting specific training requirements, and helps reduce the risk of foodborne illness by demonstrating safe food handling practices and sharing food safety knowledge with the food establishment's employees.

To learn more about the duties of the CFPM, how to obtain certification and CFPM requirements for food, read the Minnesota Certified Food Protection Manager fact sheet.

Who can donate?

A food bank, food shelf or onsite feeding location may accept food from commercial suppliers under regulatory control. These may include:

- Local, regional or international growers
- Food manufacturing plants
- Food suppliers or distributors
- Retail stores that sell grocery products
- Restaurants, caterers, schools, hospitals

> It is the duty of the person in charge (PIC) to ensure that food is not prepared or stored in a private home.

A food bank, food shelf or onsite feeding location may accept food products directly from a grower. Products of the farm may include produce, meats, poultry, shell eggs, grains, dry beans, and honey. The grower can either produce food on their own land to sell without a food license, or they can buy produce and resell it, with a food license. Whether licensed or not, growers must ensure that all food they sell or donate complies with applicable regulations.

Schools receiving National School Lunch Program funding can donate to qualifying food shelves meeting requirements in Minnesota Statutes, section 124D.191. The food shelf must:

- Be a 501(c)(3) nonprofit corporation, or be affiliated with one.
- Distribute food without charge to needy individuals.

- Not limit food distributions to individuals based on any criteria unrelated to need.
- Have a stable address and directly serve individuals.

Food products to donate or accept

Obtaining food products from approved sources is the first step in ensuring safe food for your clients. Food can become contaminated at any time, including during transport or delivery.

> It is the duty of the person in charge (PIC) to ensure that employees check that all food is from approved sources, received at required temperatures and in good condition.

- Check invoices, labels or tags to confirm food is from approved sources.
- Approved sources may include local, regional or international growers; food manufacturing plants; or food suppliers or distributors. Maintain documentation for food products received.
- If food products are not from an approved source, do not accept the food, or discard the products.

To learn more about food products to accept or donate, read the Approved Sources for Food Products and Receiving Food Products fact sheets from MDH and MDA.

Here are some common food products that are donated to and distributed by food banks, food shelves and onsite feeding locations.

Guidelines for Donating and Accepting Food

Food Product	Do Accept	Do Not Accept
Baked goods	Breads, cakes, pies, cookies and other non-time/temperature control for safety (TCS) baked goods manufactured in a food processing plant. TCS baked goods under temperature control.	Baked goods prepared or stored in a private home. Food products from a registered Cottage Foods Producer.
Canned food	Canned foods from a licensed food processor. Unopened, commercially packaged or canned foods in sound condition. "Brites" (cans without labels) are OK if they are direct from the manufacturer and the establishment maintains an invoice showing what the food products are. Condiments such as salt, sugar, ketchup, relish, mustard, jams and jellies.	Cans which are: - Severely dented on the side seam or top or bottom rim. - Swollen or bulging. - Rusted with pitted surfaces. - Food products from a registered Cottage Foods Producer. - Home-prepared foods such as salsa, pickles, jams, jellies or preserves.

Food Product	Do Accept	Do Not Accept
Dry goods	Flour, corn meal or other ground grains. Whole grains and cereals. Rice, wild rice, pasta or noodles. Dried beans, lentils or peas. Sugar, salt, baking powder or soda, and spices.	Dry goods with: ▪ Damaged packaging, such as tears or punctures that expose the food to contamination. ▪ Leaks. ▪ Evidence of pests, such as rodent or bird droppings or living or dead insects.
Frozen foods	Frozen food must remain frozen.	Frozen food that shows evidence of previous temperature abuse.
Eggs and egg products	Clean and intact, grade B or better shell eggs with a label that includes: grade, size, safe handling instructions, date of pack, quality assurance date, and the statement "Perishable. Keep refrigerated." Pasteurized liquid eggs, frozen eggs, dry eggs, or other egg products. Shell eggs must be received at 45°F or below (air temperature).	Dirty or cracked shell eggs. Shell eggs that do not meet grade B standards or better, including eggs for which the expiration date has passed. Unpasteurized liquid eggs, frozen eggs, dry eggs, or other egg products. Unlabeled packages or packages with incomplete labels.
Milk and milk products	Grade A, pasteurized milk and milk products including yogurt, cottage cheese or sour cream. Commercially prepared cheese. Fluid milk must be received at 45°F or below and cooled to 41°F or below.	Unpasteurized milk or milk products. Cheese, yogurt or other milk products manufactured in an unlicensed dairy facility.
Produce and produce products	Fruits and vegetables from a grower, food manufacturing plant or food supplier or distributor. Fruits and vegetables from a home garden.	Spoiled produce. Food products from a registered Cottage Foods Producer. Home-prepared foods such as salsa, pickles, jams, jellies or preserves.
Time/temperature control for safety (TCS) food	Hot food at 135°F or above. Cold food at 41°F or below.	Food in the temperature danger zone (between 41°F and 135°F).

Infant formula

Do not accept donations of, distribute or use infant formula after its use-by date. Federal regulations require a use-by date on the product label of infant formula to ensure it meets the nutrition facts as described on the label. In addition, if stored too long, formula can separate and clog the nipple.

Egg carton labels

If the egg carton has an expiration date printed on it, such as "EXP May 1," be sure that the date has not passed when the eggs are purchased. That is the last day the store may sell the eggs as fresh.

Wild game

Many types of wild animals are lawfully hunted for sport and food in Minnesota. Some common examples include venison, pheasant and fish.

A food bank, food shelf or onsite feeding location may accept donated game. Before accepting donated game, ensure that it:

- Was lawfully taken.
- Is pure wild animal meat (no sausage or ground meat).
- Was eviscerated within two hours after harvest.
- Was properly cleaned, stored, and processed at a Minnesota Department of Agriculture (MDA) licensed facility.
- The MDA licensed facility must have written sanitation standard operating procedures to eliminate the possibility of cross-contamination from wild animal processing to other food.

The Minnesota Department of Natural Resources (DNR) requires that the recipient of a donated wild animal obtain a receipt from the donor at the time of transfer, and retain this receipt in possession. The donor must prepare this receipt containing the following information:

- The name and address of the donor.
- The name and address of the recipient.
- Date of transfer.
- Description of gift, including number and species.
- License number under which the animal was taken.

A food bank may accept donated game and distribute it to an onsite feeding program by complying with these requirements. A food bank should not distribute donated wild game to a food shelf and a food shelf should not accept donated wild game for distribution to a consumer unless prior written approval is received from the Minnesota Department of Agriculture.

Venison donation program

The Minnesota Department of Natural Resources, in cooperation with the Minnesota Department of Agriculture, has a program that allows Minnesota deer hunters to donate deer

carcasses to food shelves and feeding programs. This program provides an excellent source of protein to people in need while helping reduce local deer populations.

- Hunter Harvested Venison Donation in Minnesota (MDA)
- Donating hunter-harvested deer in Minnesota (DNR)

Keeping food safe

The person in charge (PIC) and Minnesota certified food protection manager (CFPM) ensure safe operation of a food bank, food shelf, or onsite feeding location through monitoring staff training and daily operations, and taking corrective actions when needed.

Controlling foodborne illness risk factors

The table below lists some effective control measures for the top five foodborne illness risk factors as identified by the U.S. Food and Drug Administration (FDA) and U.S. Centers for Disease Control and Prevention (CDC).

Effective control measures for the five most common foodborne illness risk factors

Control measures	Foodborne illness risk factor	Resources
Exclude ill employees. **Wash** hands properly. **Limit** bare hand contact with food.	Poor employee health and hygiene	- Handwashing for Employees - Illness Reporting for Food Establishments - Employee Personal Hygiene - Employee Illness Log - Preventing Contamination From Hands
Cook raw animal foods to at least the minimum food code required temperatures and times.	Improper cooking temperatures and times	- Temperature and Time Requirements for Food - Cooking Whole Meat Roasts - Noncontinuous Cooking
Verify food sources. **Evaluate** received food for temperature abuse, cross-contamination and labeling.	Food from unsafe sources	- Approved Source for Food Products - Aquaculture and Aquaponics - Harvesting and Selling Wild Mushrooms in Minnesota - Molluscan Shellfish - Selling or Serving Locally Grown Produce in Food Facilities

Control measures	Foodborne illness risk factor	Resources
Keep food out of the temperature danger zone (between 41°F and 135°F).	Improper hot and cold holding temperatures and times	▪ [Temperature and Time Requirements for Food](#) ▪ [Cooling Time/Temperature Control for Safety Food](#) ▪ [Time as Public Health Control](#) ▪ [Reheating Ready-to-Eat Food](#)
Store food safely. **Wash**, **rinse**, and **sanitize** food-contact surfaces.	Cross-contamination and contaminated equipment	▪ [Cleaning and Sanitizing](#)

The [Food Business Fact Sheets](#) website provides more information about Minnesota food code requirements, such as employee personal hygiene, temperature and time requirements for food, selling or serving locally grown produce in food facilities, cooling time/temperature control for safety (TCS) food, and safe operation of a food establishment.

Food delivery and transportation

Maintain vehicles used to transport food in a clean and sanitary condition to protect food from contamination. A vehicle used for transporting refuse or garbage may not be used for transporting food. Keep hot time/temperature control for safety (TCS) food at 135°F or above and cold time/temperature control for safety (TCS) food at 41°F or below during transportation. Mechanical refrigeration or mechanical hot holding equipment may be required. To learn more about what you will need to keep your food safe during transport, talk to your inspector.

Food salvage

Food salvage operations must be licensed and inspected to ensure compliance with Minnesota salvage law and rules. Food salvage operations are regulated under [Minnesota Statutes, section 31.495](#).

Contact the Minnesota Department of Agriculture at 651-201-6027 if you are interested in learning more about requirements, licensing and inspections.

Food package dates

Regardless of printed dates, a product should be safe, wholesome and of good quality, if protected from contamination and held at required temperatures. Special considerations are listed above for shell eggs and infant formula.

You may see three different types of dates on food packages:

▪ A "Sell-By" date tells the store how long to display the product for sale. The consumer should receive the product before the date expires.

- A "Best if Used By (or Before)" date is recommended for best flavor or quality. It is not a purchase or safety date.
- A "Use-By" date is the last date recommended for the use of the product while at peak quality. The manufacturer, packer or distributor of the product on the basis of product analysis, tests, or other information, selects the use-by date. It is also based on the conditions of handling, storage, preparation and use printed on the label.

Resources

Current Good Manufacturing Practices (CGMPs) (www.fda.gov/food/guidance-regulation-food-and-dietary-supplements/current-good-manufacturing-practices-cgmps)

The Food Group (thefoodgroupmn.org/)

FoodSafety.gov (www.foodsafety.gov)

U.S. Department of Agriculture (www.usda.gov/)

The Emergency Food Assistance Program (www.fns.usda.gov/tefap/emergency-food-assistance-program)

U.S. Food & Drug Administration (www.fda.gov)

Food Establishment Construction Guide (www.health.state.mn.us/communities/environment/food/docs/license/feconstguide.pdf)

Plan Review Application (MDA) (www.mda.state.mn.us/sites/default/files/2018-05/ag01084planreviewx%20-%20New_0.pdf)

Retail Food Plan Review Construction Guide (MDA) (www.mda.state.mn.us/sites/default/files/2019-05/PlanReviewConstGuide_20190501.pdf)

Minnesota Statutes, chapter 124D.1191 (www.revisor.leg.state.mn.us/statutes/?id=124D.1191)

Registered Cottage Foods Producer (www.mda.state.mn.us/food-feed/cottage-food-producer-registration)

Hunter Harvested Venison Donation in Minnesota (MDA) (www.mda.state.mn.us/food-feed/hunter-harvested-venison-donation-minnesota)

Donating hunter-harvested deer in Minnesota (DNR) (www.dnr.state.mn.us/hunting/deer/donation/index.html)

Food Business Fact Sheets (www.health.state.mn.us/communities/environment/food/fs.html)

Minnesota Statutes, section 31.495 (https://www.revisor.leg.state.mn.us/statutes/?id=31.495)