

Businesses donating food

Scope

Food donation may arise at any stage of the food production and distribution chain for a number of different reasons. Due to difficulties in managing supply and demand, some food businesses may have a surplus of supply to meet orders and often orders for food may be cancelled resulting in excess stock. In certain cases, errors in the labelling or packaging could mean that the perfectly safe food will not be entered into the marketplace and so is available for donation.

Food businesses can choose to donate food once it is safe and in a condition that would mean that the product is still suitable for purchase i.e. an acceptable condition.

The process of food donation must also be considered within the food safety management system of the donating food business.

All food businesses whether donating or receiving and handling donated food must also make themselves aware of their legal responsibilities under food legislation.

Introduction

This information is intended to provide an overview of general food safety guidance to food businesses involved in the donation of food.

It contains relevant questions and answers to help clarify the legal provisions in EU food legislation thus allowing the donation and receipt of food. It also includes links to guidance on compliance with relevant legislation.

- [Food Businesses Donating Food to Charities - Q and A](#)
- [Appendix 1: Food ingredients that must be declared as allergens in the EU](#)
- [Appendix 2: Mandatory food labelling information](#)

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Businesses donating food to charities - Q and A

e.g. retailers, caterers, manufacturers etc.

1. What types of food businesses can donate food?

Food may be donated by food manufactures, caterers, retailers and other types of food businesses once the food is in an acceptable condition and where a 'use-by' date is declared, the food is within this date.

2. Is it legal to donate unsold or surplus food to a charity?

Yes, food business operators can legally donate any unsold food provided that it is still within its 'use-by' date, is in an acceptable condition and is handled safely. Food which has gone beyond its 'best-before' date may be donated provided that it is in an acceptable condition and is handled safely. Food business operators must be registered or approved by the relevant competent authority.

3. What is the difference between a 'use-by' date and a 'best-before' date?

Foods, which from a microbiological point of view, are highly perishable and are therefore likely after a short period to constitute a danger to human health will be labelled with a 'use-by' date. The 'use-by' is the date up until which a food may be used safely i.e. consumed, cooked or processed, once it has been stored correctly. It is illegal to donate food after its 'use-by' date.

A 'best before' date, is the date until which a foodstuff retains its specific properties e.g. taste, aroma, appearance, any specific qualities which relate to the product, vitamin content etc. when the product has been stored appropriately and the package unopened. It is legal to donate food after its 'best-before' date since it is only a quality rather than a safety issue after this date.

4. Can food which is beyond its 'best-before' date be offered for donation?

Food may be donated when it is past its 'best-before' date once it is safe and in an acceptable condition. Issues with food carrying a 'best-before' date are usually related to quality and not safety.

5. Should a food business advise inspecting officers of the donation activity?

Yes, a food business that intends to donate surplus or unsold food should advise the inspector of the extension of the business operation.

6. What if the donation is only occasional and certain times of the year?

Where food is only donated on an occasional basis such as for Christmas hampers or for one-off events, it is advisable to discuss the donation with the inspector directly.

7. Is there a restriction on the types of food that can be donated?

In general, most unsold or surplus food can be donated to a charity once that food is safe, handled appropriately and is within its 'use-by' date. Examples of the types of food that can be donated include:

- Unsold bread and cakes
- Dried, canned food in an acceptable condition
- Whole fresh fruit and vegetables
- Food which remains in packaging (but that was bought by a food business in excess)

- Refrigerated food which has been maintained at 0-5°C (and within use-by date)
- Frozen food which has been maintained at <-18°C
- Portions of food prepared by a food business that has not been served to customers.

CAUTION: The capacity to ensure the safe donation of certain surplus food will vary depending

on factors such as: the type of food/meal, the nature of the establishment, availability of receiving

charity and the transport options.

8. Can the food donor freeze food on its 'use-by' date?

Yes, however only provided:

- that the food is suitable for freezing (e.g. as indicated by manufacturer's instructions)
- is in an acceptable condition,
- is frozen before midnight on the 'use-by' date
- that this new step is included in the donor's food safety management system, and
- that instructions for use are provided which make it clear that the product should be thawed under refrigeration and cooked immediately.

While the food may not be fully frozen before midnight, it must be at least colder than -2°C. The labelling requirements (e.g. regarding shelf life, instructions for use, etc.) will change now that the product has been frozen. See Q9 and Q11).

9. If you freeze prepacked food, what labelling information must be declared?

As the food has changed from a fresh to a frozen product, the original labelling will need to be amended and the product label must now also contain the following information in addition to the existing information:

- Best before date (as opposed to original use-by date)
- Date of freezing for meat and fish
- New storage instructions *
- Cooking or defrosting instructions as appropriate
- Name and Address of the food business operator responsible for freezing the food i.e. donor

* New storage instructions: As a rule of thumb, it is recommended that the food be used within 1

month of freezing. The quality of frozen food will deteriorate over time. If the donating business

has evidence to support a longer shelf-life, then this can be applied. Instructions for use must be

provided where appropriate, e.g. defrost before cooking.

Where this frozen prepacked food is, to be supplied in bulk (not individual packs) for use in another food business (i.e the charity), e.g. used as an ingredient, then all the labelling information can be provided either on the outer packaging of the food or in commercial documents that accompany the food with minimum information required on the outer packaging. The minimum information is as follows:

- Name of the product
- Best before date (as opposed to original use-by date)
- New storage instructions* (as above)
- Name and Address of the food business operator responsible for freezing the food i.e. donor

Information which is no longer consistent with the new information must be over- stickered/over-labelled or removed e.g. use-by date.

The documentation that accompanies the food being donated will list any allergens in the food (Appendix 1). The charity can use this information to display on loose food that they handle or serve.

10. Can cooked, hot food that is unsold be donated hot to a charity?

We do not recommend donation of hot food. This is because it would be very difficult to maintain the temperature of the food at or above 63°C during transport.

11. Can cooked food that was originally hot held be chilled/frozen for donation?

Yes, provided the food has not previously been reheated and has been kept at or above 63°C during hot holding and has been cooled as quickly as possible and placed in the fridge within 2 hours of the start of the cooling process.

12. Are donating retailers and caterers now required to have a 'one-step forward' traceability step in place?

Yes. Retailers and caterers would only have been required to maintain a 'one-step back' system of traceability as they were not required to record individual consumers to whom they sold food. With food donation however, as the food is being donated to other 'food businesses', it is essential that the traceability system reflects this.

The following information should now be included in the donating food business's traceability system:

- Name, address of customer and identification of products delivered/collected.

The following traceability information should be supplied with all food that is to be donated:

- Name and address of the donating food business
- Accurate description of the product
- Date of Delivery

In addition to the general rules for traceability above, more specific information is required for food of animal origin e.g. meat, fish, eggs. Food of animal origin include unprocessed e.g. raw meat and processed food products e.g. salami, but it excludes food containing both products of plant origin and processed foods of animal origin e.g. pepperoni pizza or ham and spinach quiche.

The additional information required for these products is:

- Volume or quantity of food
- A reference identifying the lot or batch number

Note: Many charities ask the donating business to assist them with their 'one-step back' by

providing this information (e.g. by way of a receipt). While the donating business is not obliged to

provide traceability information, many assist when asked.

13. What is the advice where one item of a multipack is unfit for consumption but the remaining units are fine e.g. where one egg in the box of eggs is broken – is it safe to donate the unbroken eggs?

Where any food that is part of a batch or multipack is thought to be unsafe, it should be presumed that all the food in the batch is unsafe, unless following a risk assessment there is evidence that other components in the entire batch are safe. Therefore, where one egg in a box is broken, the remaining

5 eggs in the box would be considered as safe due to the nature of the food however, they may need to be put in a new container if the box is soiled.

14. What labelling information must be supplied with donated food that was intended to be sold loose?

Where loose food is being donated, it should be packed in some form to allow transport to the charity. In this case, the following information must be declared on the outer pack/container:

- Name of the food
- Date of minimum durability
- Storage instructions
- Business name and address of donating food business *

The business donating the food must supply all of the mandatory labelling information on a document accompanying the food e.g. delivery docket. See [Appendix 2](#) for a full list of the mandatory labelling information.

* If the manufacturer of the food being donated is different to that declared by the donating food business, this will be available through the commercial documents (delivery docket or other) that must accompany the food. The documentation that accompanies the food being donated will list any allergens in the food. See [Appendix 1](#) for the list of food allergens which must be declared. The charity can use this information to display on loose food that they handle or serve.

15. What does a food business donating food have to do in the event of a withdrawal or recall?

From time to time, issues involving the safety and suitability of food may arise along the food chain. For example, this may be due to a packaging defect on the food, an issue with ingredients or a manufacturing or storage problem.

Withdrawal: The removal of unsafe food from the market *before it reached the consumer*.

Recall: The removal of an unsafe food from the market *when it may have reached the consumer* and the notification of the consumer.

All food businesses donating food must maintain the one-step forward traceability information as described in Q. 12.

The FSAI publishes all recall and withdrawal information in the [food alert section of the website](#). You can also [subscribe to receive these alerts](#).

16. What additional help is available to me?

The FSAI produced a [Safe Catering Pack](#) as a tool to help caterers develop a system to manage food safety and comply with the food hygiene regulations. It includes a set of record books along with a DVD to explain how to use the pack.

Our [Safe Food to Go booklet](#) is also a very helpful resource to highlight the basis of food hygiene principles.

Information on traceability and food recall and withdrawal can be found in our [Guidance Note No. 10 - Product Recall and Traceability](#)

The National Standards Authority of Ireland (NSAI) has also published '*Hygiene in Food Retailing and Wholesaling*' which is an Irish standard to be used as a guide to the food hygiene legislation (Regulation 852/2004).

If you have any further questions on the safety of donating or storing food, you can email us at info@fsai.ie.

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Be Food Allergen Aware

Five steps to help you comply with **the law** on declaring the use of food allergens in non-prepacked food for your customers:

1

Declare the use of the 14 food allergens in writing

2

Ensure the allergen information is legible and clear

3

Ensure the allergen information is easily accessible to your customers

4

Ensure the allergen information is up-to-date

5

Monitor your suppliers' allergen information

Food allergens that **must be declared**

Cereals

Cereals containing gluten, namely: wheat (such as spelt and khorasan wheat), rye, barley, oats or their hybridised strains, and products thereof, except:

- a) Wheat based glucose syrups including dextrose
- b) Wheat based maltodextrins
- c) Glucose syrups based on barley
- d) Cereals used for making alcoholic distillates including ethyl alcohol of agricultural origin



Crustaceans

Crustaceans and products thereof.



Eggs

Eggs and products thereof.



Fish

Fish and products thereof, except:

- a) Fish gelatine used as a carrier for vitamin or carotenoid preparations
- b) Fish gelatine or isinglass used as firing agent in beer and wine



Peanuts

Peanuts and products thereof.



Soybeans

Soybeans and products thereof, except:

- a) Fully refined soybean oil and fat
- b) Natural mixed tocopherols (E306), natural D-alpha tocopherol, natural D-alpha tocopherol acetate, natural D-alpha tocopherol succinate from soybean sources
- c) Vegetable oils derived phytosterols and phytosterol esters from soybean sources
- d) Plant sterol ester produced from vegetable oil sterols from soybean sources



Milk

Milk and products thereof (including lactose), except:

- a) Whey used for making alcoholic distillates including ethyl alcohol of agricultural origin
- b) Lactitol



Nuts

Nuts, (almonds, hazelnuts, walnuts, cashews, pecan nuts, Brazil nuts, pistachio nuts, macadamia/Queensland nuts) and products thereof, except for nuts used for making alcoholic distillates including ethyl alcohol of agricultural origin.



Celery

Celery and products thereof.



Mustard

Mustard and products thereof.



Sesame seeds

Sesame seeds and products thereof.



Sulphur dioxide and sulphites

Sulphur dioxide and sulphites at concentrations of more than 10mg/kg or 10 mg/litre, expressed as SO₂, e.g. found in burgers, sausages and wine.



Lupin

Lupin and products thereof.



Molluscs

Molluscs and products thereof.



For more information on how your food business can comply with these legal requirements, please visit www.fsai.ie/allergens or contact us at info@fsai.ie



IMPORTANT:

Allergen information regarding "Cereals containing gluten" must specify the type of cereal, e.g. wheat, and "Nuts" must specify the type of nut, e.g. cashew.

Appendix 2: Mandatory food labelling information

- (a) The name of the food *
- (b) The list of ingredients
- (c) Any ingredient or processing aid listed in Annex II or derived from a substance or product listed in Annex II causing allergies or intolerances used in the manufacture or preparation of a food and still present in the finished product, even if in an altered form
- (d) The quantity of certain ingredients or categories of ingredients
- (e) The net quantity of the food *
- (f) The date of minimum durability or the 'use-by' date *
- (g) Any special storage conditions and/or conditions of use
- (h) The name or business name and address of the food business operator
- (i) The country of origin or place of provenance where its absence may mislead the consumer as to the true origin or provenance of the food or where country of origin is specifically required under legislation
- (j) Instructions for use where it would be difficult to make appropriate use of the food in the absence of such instructions
- (k) With respect to beverages containing more than 1.2 % by volume of alcohol, the actual alcoholic strength by volume *
- (l) A nutrition declaration

* Must appear in the same 'field of vision'. The 'field of vision' means all surfaces of a packag that can be read from a single viewing point.



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Charities receiving donated food

Scope

Food donation may arise at any stage of the food production and distribution chain for a number of different reasons. Due to difficulties in managing supply and demand, some food businesses may have a surplus of supply to meet orders and often orders for food may be cancelled resulting in excess stock. In certain cases, errors in the labelling or packaging could mean that the perfectly safe food will not be entered into the marketplace and so is available for donation.

This document relates to charities using surplus food within their organisation to feed clients who are the final consumers of the food. This includes charities that prepare sandwiches or snacks e.g. a family resources centre that organises breakfast clubs, afterschool programmes etc. or charities that cook and serve meals e.g. 'meals on wheels' or day centres for the elderly.

Food businesses can choose to donate food once it is safe and in a condition that would allow the product to still be sold i.e. an acceptable condition.

The process of food donation must also be considered within the food safety management system of the donating food business.

All food businesses whether donating or receiving and handling donated food must also make themselves aware of their legal responsibilities under food legislation.

Introduction

This information is intended to provide an overview of general food safety guidance to charities receiving donated food to prepare for the final consumer.

It contains relevant questions and answers to help clarify the legal provisions in EU food legislation thus allowing the safe donation and receipt of food. It also includes links to guidance on compliance with relevant legislation. A summary of the main pieces of legislation that may apply to your business/charity is highlighted below.

- [Questions and answers for charities receiving food donations \(e.g. breakfast clubs, 'meals on wheels'\)](#)
- [Appendix 1: Food ingredients that must be declared as allergens in the EU](#)
- [Appendix 2: Mandatory food labelling information required under Regulation \(EC\) 1169/2011](#)

Charities receiving donated food - Q and A

Charities receiving food donations e.g. breakfast clubs, 'meals on wheels'

1. Why do charities have to register as a food business?

Under the food hygiene legislation, all food businesses are required to register with the local environmental health office as this serves to notify the inspectors of the food activities being carried out in each premises.

2. What does this registration process involve?

To register a food business, contact the environmental health officer (EHO) in the locality ([full list available here](#)) who will send you out a registration form. Once completed, return the form to the office. An EHO will schedule an inspection based on the types of activities carried out. There is no charge for registration.

3. If we only prepare drinks and sandwiches or serve breakfast as part of our breakfast club, are we required to register with the environmental health office?

The registration process applies to all food businesses handling and serving food. However, where food handling is minimal, such as breakfast clubs serving cereal and toast, it is advised to discuss registration with the EHO directly, as some activities may be exempt.

4. Do charities operating occasionally require registration?

Charities that operate occasionally such as organising cake sales, assembling Christmas hampers or one-off events should discuss registration with the EHO directly.

5. Does a charity have to comply with food hygiene legislation?

Yes, it is essential that all food businesses (including charities) comply with the food hygiene legislation to ensure that the food they supply/serve is safe. The food hygiene legislation is [Regulation \(EC\) No 853/2004](#).

6. What is traceability?

It is a system in which a food business must record what ingredients/food products it receives and from whom. It must also record what product it dispatches to which customers with the only exception being direct supply to final consumers, i.e. the people that you serve. This is called the 'one-step forward, one-step back' system. All food businesses must have a traceability system in place.

7. What traceability is required if a charity receives food from a food business to cook and/or serve on the premises?

Traceability in a charity serving and supplying food requires a 'one-step back' system where the charity must know who supplied it with each batch of food. This is to track and trace the food in case there was a safety issue with the donated food.

The charity should receive and record the following traceability information from the food business who is donating the food:

- Name and address of the supplier
- Accurate description of the product
- Date of delivery

In addition to the general rules for traceability above, more specific information is required for food of animal origin, e.g. meat, fish, eggs. Food of animal origin include unprocessed, e.g. raw meat and

processed food products, e.g. salami, but it excludes food containing both products of plant origin and processed foods of animal origin, e.g. pepperoni pizza or ham and spinach quiche.

The additional information required for these products is:

- Volume or quantity of food
- A reference identifying the lot or batch numbers

To make it easier to record the 'one-step back' traceability information, it is recommended to talk to the donating business to see if it could generate a receipt or if there was some way of using their 'one-step forward' traceability information. While the donating business is not obliged to provide traceability information, it may assist if asked.

8. Are staff or volunteers working in a charity required to have completed food hygiene training?

Staff and volunteers handling and serving food within a charity are required to be trained and/or supervised appropriate to the level of activity they are involved in. There are a number of training options available which include developing an in-house training programme for staff based on the FSAI's [Safe Food to Go](#) and/or the [FSAI's Guides to Food Safety Training](#).

The training guides detail the food safety skills food handlers and non-food handlers should demonstrate in the workplace.

Other training options are as follows:

- Attend the FSAI's 'Food Safety and You' course which provides staff with the skills to carry out basic food hygiene training of their own staff.
- Avail of an independent trainer provider
- Avail of e-learning programmes

9. Are food charities required to maintain a HACCP system?

Yes, all food businesses, including charities, are required to put in place and maintain a food safety management system based on the principles of HACCP (Hazard Analysis and Critical Control Points). Charities are required to ensure that all steps are put in place to prevent a hazard causing a risk to the safety of the food.

Hazards include:

- Microbiological, e.g. bacteria, viruses
- Chemical, e.g. cleaning solutions, pest control agents
- Physical, e.g. glass, jewellery, screws
- Allergens, e.g. any one of the allergens listed in Appendix 1

The legal requirement is flexible and takes into account, the size of the business and in particular, the nature of the activities. The FSAI has produced a [Safe Catering Pack](#) as a tool to help caterers develop a system to manage food safety and comply with the food hygiene regulations. This pack is offered free of charge to charities. Just email us at info@fsai.ie with your charity number and address.

10. What types of food can be received by a charity?

Any unsold or surplus food may be donated once it is still in a condition that would mean that the food could still be sold, i.e. an acceptable condition, and is within the 'use-by' date, where appropriate.

Examples include:

- Unsold breads and cakes
- Dried, canned foods in acceptable condition

- Whole fresh fruit and vegetables
- Food which remains in packaging (but that was bought by a food business in excess)
- Refrigerated items which have been maintained at 0-5°C (and within 'use-by' date)
- Frozen food which has been maintained at <-18°C

Caution: The capacity to ensure the safe donation of certain surplus food, e.g. cooked food from retailers and caterers will vary depending on factors such as: the type of food/meal, the nature of the establishment, the availability of receiving charity and the transport options.

11. What is the difference between a 'use-by' and a 'best-before' date?

Foods, which from a microbiological point of view, are highly perishable and are therefore, likely after a short period, to constitute a danger to human health, will be labelled with a 'use-by' date. The 'use-by' is the date up until which a food may be used safely, i.e. consumed, cooked or processed, once it has been stored correctly.

A 'best-before' date is the date until which a foodstuff retains its specific properties, e.g. taste, aroma, appearance, any specific qualities which relate to the product, vitamin content etc. when the product has been stored appropriately and the package unopened.

12. Can food which is beyond its 'use-by' date be offered for donation?

No. Any food that has gone beyond its 'use-by' date should not be donated by any food business, nor should it be offered to customers of the charity as there may be a safety risk with such foods.

13. Can food which is beyond its 'best-before' date be offered for donation?

Food may be donated when it is past its 'best-before' date once it is safe and in an acceptable condition. Issues with food carrying a 'best-before' date are usually related to quality and not safety.

14. Can donated food be frozen by a charity on the 'use-by' date?

Yes however, only provided that:

- The food is suitable for freezing, e.g. as indicated by manufacturer's instructions
- The food is in an acceptable condition
- The food is frozen before midnight on the 'use-by' date
- This new step is included in the food safety management system and the food is thawed under refrigeration and cooked immediately

While the food may not be fully frozen before midnight, it must be at least colder than -2°C. As a rule of thumb, it is recommended that the food is used within one month of freezing.

15. Can charities who freeze food, donate that food to the final consumer?

No, any food which is frozen by the charity can only be defrosted, cooked and served on the premises.

16. Must allergen information be displayed/available for all foods served or handled in charities?

Yes, certain allergens ([see Appendix 1](#)) that are intentionally added to a recipe or are contained in an ingredient used in a food must be declared in some written format near the food being offered. This is

to ensure that individuals with food allergies can identify the presence of the known allergens in the dishes/food being served.

Where prepacked food is being distributed by a charity, the allergen information will already be highlighted on the list of ingredients on each label.

17. How do I display allergens?

The allergen information for each dish or food must be displayed in some written form near the food where it is freely available to those consuming the food, so that they do not have to specifically ask for it. This written form could be on a wall chart listing all foods being handled/served or it may be written in front of the food being served.

An example of how to display the allergen information for spaghetti bolognese is below:



Other examples of how to display allergen information on loose foods are available in:

- [Allergen Information for Non-prepacked Food](#)
- [Food Allergen Checklist](#)

18. What are the refrigeration/cooking/hot holding temperatures?

- Refrigeration temperatures = 0-5°C
- Cooking temperatures = 75°C instantaneously in the core (thickest) part of the food
- Hot holding temperatures = 63°C
- Reheating temperatures = 70°C at the core (thickest) part of the food

19. How should food be defrosted safely?

Thawing should be carried out in such a way as to minimise the growth of micro-organisms. Thawing methods include placing the food in a fridge overnight (remember all uncooked food should be defrosted on the bottom shelf of the fridge) or in a microwave oven (always follow manufacturer's instructions).

20. Can food be cooked and then chilled to be used in the charity the following day?

Yes, food that is cooked by a charity can be cooled and stored in a fridge to be used the following day. Temperature control is essential throughout the steps involved. The food must be cooked thoroughly, cooled quickly (within two hours) and then stored in the fridge at a temperature between 0-5°C. All cooked food should be labelled with the date of cooking and should be used on a first in, first out basis.

21. Can food be cooked and then frozen to be used in the charity at a later date?

Yes, food that is cooked by a charity can be cooled and frozen to be used at a later date. Temperature control is essential throughout the steps involved, when the food is cooked (thoroughly), cooled quickly (to refrigeration temperature of 0-5°C) and then stored in the freezer. All cooked food

should be labelled with the date of cooking and freezing. As a rule of thumb, it is recommended that the food is used within one month of freezing.

22. What does a charity have to do in the event of a withdrawal or recall?

From time to time, issues involving the safety and suitability of food may arise along the food chain, e.g. this may be due to a packaging defect on the food, an issue with ingredients not being declared on a food label or a manufacturing or storage problem.

Withdrawal: The removal of unsafe food from the market before it reached the consumer.

Recall: The removal of an unsafe food from the market when it may have reached the consumer and the notification of the consumer.

All food businesses donating food must maintain the one-step forward traceability information as described in Q.7.

The FSAI publishes all recall and withdrawal information in the [food alert section of the website](#). You can also [subscribe to receive these alerts](#).

23. What labelling information should be on the foods coming into a charity?

Any food that is donated in a prepacked form, e.g. box of cereal, pot of yogurt or jar of jam, will be required to have all of the mandatory labelling information declared on the label ([see Appendix 2](#)).

Where the food being donated was originally intended to be sold loose by the donating food business, it may bulk pack the food for delivery/transport to the charity and this business then need only display the following four pieces of information on the outer packaging of the bulk pack:

- Name of the food
- Date of minimum durability, i.e. 'use-by' or 'best-before' date
- Storage instructions
- Business name and address of the donating food business

All of the mandatory information must also be provided by the donating business in a document accompanying the food, e.g. delivery docket or invoice.

* If the manufacturer of the food being donated is different to that declared by the donating food

business, this will be available through the commercial documents (delivery docket or other) that

must accompany the food.

The documentation that accompanies the food being donated will list any allergens in the food ([Appendix 1](#)). The charity can use this information to display on loose food that it handles or serves.

24. Are we required to have information displayed regarding the origin of beef?

Yes, under separate legislation, food businesses that are cooking and serving beef on their premises are required to declare the country of origin of 'prepared beef'. This includes beef brought into the premises as fresh or frozen and cooked within, or beef that is brought into the premises already cooked and then served on the premises, e.g. sliced cooked beef.

[More information on the display of country of origin of beef](#)

25. What additional help is available to our charity?

The FSAI produced a [Safe Catering Pack](#) as a tool to help caterers develop a system to manage food safety and comply with the food hygiene regulations. It includes a set of record books along with a DVD to explain how to use the pack. A free Safe Catering Pack is available to all charities by emailing info@fsai.ie and giving its charity number.

The FSAI [Safe Food to Go booklet](#) is also a very helpful resource to highlight the basic food hygiene principles.

The National Standards Authority of Ireland (NSAI) has also published Hygiene in the Catering Sector which is an Irish standard to be used as a guide to the food hygiene legislation ([Regulation 852/2004](#)).

If you have any further questions on the safety of donating or storing food, you can email the Food Safety Authority of Ireland at info@fsai.ie.

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Food banks / distribution centres

Scope

Food donation may arise at any stage of the food production and distribution chain for a number of different reasons. Due to difficulties in managing supply and demand, some food businesses may have a surplus of supply to meet orders and often orders for food may be cancelled resulting in excess stock. In certain cases, errors in the labelling or packaging could mean that the perfectly safe food will not be entered into the marketplace and so is available for donation.

This document relates to both food banks and food redistribution centres:

Food Banks

This type of charity collects food from other food business operators or from food redistribution centres, stores it and redistributes it to families/individuals which are considered the final consumer of the food.

Food Redistribution Centres

This type of charity brings surplus food in from other food business operators (Food Donors) and distributes it to other food business operators (Charities) and the process will be considered food business to food business for the purpose of food safety management.

Food businesses can choose to donate food once it is safe and in a condition that would allow the product to still be sold i.e. an acceptable condition.

The process of food donation must also be considered within the food safety management system of the donating food business. All food businesses whether donating or receiving and handling food must also make themselves aware of their legal responsibilities under food legislation.

All food businesses whether donating or receiving and handling food must also make themselves aware of their legal responsibilities under food legislation.

Introduction

This information is intended to provide an overview of general food safety guidance to all food businesses whether involved in the donation or receipt and handling of food.

It contains relevant questions and answers to help clarify the legal provisions in EU food legislation thus allowing the safe donation and receipt of food. It also includes links to guidance on compliance with relevant legislation. A summary of the main pieces of legislation that may apply to your business/charity is highlighted below.

- [Questions and answers for charities redistributing food \(e.g food banks, food redistribution centres redistributing food to other charities\)](#)
- [Appendix 1: Food ingredients that must be declared as allergens in the EU](#)
- [Appendix 2: Mandatory food labelling information required under \(EU\) Regulation 1169/2011](#)

Last reviewed: 19/9/2017

Food banks / distribution centres - Q and A

1. Why do charities such as food banks/food redistribution centres have to register as a food business?

Under the food hygiene legislation, food businesses are required to register the business with the local environmental health office as this serves to notify the inspectors of the food activities being carried out in each premises.

2. What does this registration process involve?

To register a food business, contact the local environmental health officer (EHO) ([full list is available here](#)) who will send out a registration form. Once completed, return the form to the office. An EHO will schedule an inspection based on the types of activities carried out. Enforcement of food legislation is carried out by EHOs for the Food Safety Authority of Ireland (FSAI).

3. If we simply redistribute food without handling it at all, are we required to register as a food business?

Yes, food distribution businesses are required to register with their local environmental health office. The storage and distribution steps will be subject to inspection.

4. Does a food bank/food redistribution centre have to comply with food/hygiene legislation?

Yes, it is essential that any food business (including charities) comply with the food hygiene legislation to ensure that the food it supplies/serves is safe. The food hygiene legislation is [Regulation \(EC\) No 853/2004](#)

5. What is traceability?

It is a system in which all food business must record what ingredients/food products it receives and from whom. It must also record what product it dispatches to which customers with the only exception being direct supply to final consumers, i.e. the people that you serve. This is called the 'one-step forward, one-step back' system. All food businesses must have a traceability system in place.

6. What traceability is required if a food bank/food redistribution centre receives food from a food business to re-distribute it again?

Traceability within a food bank charity re-distributing food requires a 'one-step forward and one-step back' system where the charity must record who supplied them with each batch of food and in addition, they must be able to trace to whom they supplied donated food, i.e another charity. This is to trace and track the food should there be a safety issue with the donated food.

'One-step back' - The food bank/food redistribution centre should receive and record the following traceability information from the food business who is donating the food:

- Name and address of the supplier
- Accurate description of the product
- Date of delivery

In addition to the general rules for traceability above, more specific information is required for food of animal origin, e.g. meat, fish, eggs. Food of animal origin include unprocessed, e.g. raw meat and processed food products, e.g. salami, but it excludes food containing both products of plant origin and processed foods of animal origin, e.g. pepperoni pizza or ham and spinach quiche.

The additional information required for these products is:

- Volume or quantity of food
- A reference identifying the lot or batch

To make it easier to record the 'one-step back' traceability information, it is recommended to talk to the donating business to see if it could generate a receipt or if there was some way of using its 'one-step forward' traceability information. While the donating business is not obliged to provide traceability information, it may assist if asked.

'One-step forward' - If a food bank/food redistribution centre is distributing food to another food business, 'one-step forward' traceability is required to record to whom the food was donated.

7. What types of food can be received by a food bank/food redistribution centre?

Any unsold or surplus food may be donated once it is in an acceptable condition and is within the 'use-by' date where appropriate. Examples include:

- Dried, canned foods in acceptable condition
- Whole fresh fruit and vegetables
- Food which remains in packaging (but that was bought by a food business in excess)
- Refrigerated food which has been maintained at 0-5°C (and within 'use-by' date)
- Frozen food which has been maintained at <-18°C

8. Are staff or volunteers working in a food bank/food redistribution centre required to have completed food hygiene training?

Staff and volunteers handling and serving food within a charity are required to be trained and/or supervised appropriate to the level of activity they are involved in. There are a number of training options available which include developing an in-house training programme for staff based on the FSAI's [Safe Food to Go](#) and/or the [FSAI's Guides to Food Safety Training](#).

The training guides detail the food safety skills food handlers and non-food handlers should demonstrate in the workplace.

Other training options are as follows:

- Attend the FSAI's ['Food Safety and You' course](#) which provides staff with the skills to carry out training of their own staff
- Avail of an independent trainer provider
- Avail of e-learning programmes

9. Are food bank/food redistribution centres required to maintain a HACCP system?

Yes, all food businesses, including food banks/food redistribution centres, are required to put in place and maintain a food safety management system based on the principles of HACCP (Hazard Analysis and Critical Control Point). There is a requirement to ensure that all steps are put in place to prevent a hazard causing a risk to the safety of the food. Hazards include:

- Microbiological, e.g. bacteria, viruses
- Chemical, e.g. cleaning solutions, pest control agents
- Physical, e.g. glass, jewellery, screws
- Allergens, e.g. any one of the allergens listed in Appendix 1

The complexity of the food safety management system will depend on the nature and size of the business. Additional guidance is available from the FSAI and in the National Standards Authority of Ireland's I.S 341 document Hygiene in Food Retailing and Wholesaling.

10. Can food received by a food bank/food redistribution centre be frozen on the 'use-by' date?

Yes, however only provided that:

- The food is suitable for freezing, e.g. as indicated by manufacturer's instructions
- The food is in an acceptable condition
- The food is frozen before midnight on the 'use-by' date
- This new step is included in the food safety management system and
- The instructions for use are provided which make it clear that the product should be thawed under refrigeration and cooked immediately

While the food may not be fully frozen before midnight, it must be at least colder than -2°C. The labelling requirements, e.g. regarding shelf-life, instructions for use, etc. will change now that the product has been frozen (See Q11).

11. If the food can be frozen, what labelling information must be declared?

As the food has changed from a fresh to a frozen product, the original labelling will need to be amended and the product label must now also contain the following information:

- Best before date (as opposed to original 'use-by' date)
- Date of freezing for meat and fish
- New storage instructions*
- Cooking or defrosting instructions as appropriate
- Name and address of the food business operator responsible for freezing the food, i.e. donor

Where the prepacked food is to be supplied for use in another food business, i.e. the charity, e.g. used as an ingredient, then all the information can be provided either on the outer packaging or in commercial documents with minimum information required on the outer packaging. The minimum information is as follows:

- Name of the product
- 'Best-before' date (as opposed to original 'use-by' date)
- New storage instructions *
- Name and address of the food business operator responsible for freezing the food, i.e. donor

Where the prepacked food could be passed on to the final consumer (via the charity), the above additional information must be on each package along with the remaining mandatory labelling information as per [Appendix 2](#).

Information which is no longer consistent with the new information must be over-stickered/over-labelled or removed e.g. 'use-by' date.

* New storage instructions:

As a rule of thumb, it is recommended that the food be used within one month of freezing. The

quality of frozen food will deteriorate over time. If the donating business has evidence to support a

longer shelf-life, this can be applied. Instructions for use must be provided where appropriate, e.g.

defrost before cooking.

12. What is the difference between a 'use-by' date and a 'best before' date?

Foods, which from a microbiological point of view, are highly perishable and are therefore, likely after a short period, to constitute a danger to human health, will be labelled with a 'use-by' date. The 'use-by' is the date up until which a food may be used safely, i.e. consumed, cooked or processed, once it has been stored correctly.

A 'best-before' date is the date until which a foodstuff retains its specific properties, e.g. taste, aroma, appearance, any specific qualities which relate to the product, vitamin content etc. when the product has been stored appropriately and the package unopened.

13. Can food which is beyond its 'best-before' date be offered for donation?

Food may be donated when it is past its 'best-before' date once it is safe and in an acceptable condition. Issues with food carrying a 'best-before' date are usually related to quality and not safety.

14. What does a food bank/food redistribution centre have to do in the event of a withdrawal or recall?

From time to time, issues involving the safety and suitability of food may arise along the food chain, e.g. this may be due to a packaging defect on the food, an issue with ingredients not being declared on a food label or a manufacturing or storage problem.

Withdrawal: The removal of unsafe food from the market before it reached the consumer.

Recall: The removal of an unsafe food from the market when it may have reached the consumer and the notification of the consumer.

All food businesses donating food must maintain the 'one-step forward' traceability information as described in Q.6.

The FSAI publishes all recall and withdrawal information in the [food alert section of the website](#). You can also [subscribe to receive these alerts](#).

15. What labelling information should be on the foods coming into a food bank/food redistribution centre?

Any food that is donated in a prepacked form, e.g. box of cereal, pot of yogurt or jar of jam, will be required to have all of the mandatory labelling information ([Appendix 2](#)) declared on the label and this information will not be altered by the donating food business.

Where the food being donated was originally intended to be sold loose by the donating food business, it may bulk pack the food for delivery/transport to the charity and this business then only needs to display the following four pieces of information on the bulk pack:

- Name of the food
- Date of minimum durability, i.e. 'use-by' or 'best-before' date
- Storage instructions
- Business name and address of the donating food business *

All of the mandatory information must also be provided by the donating business in a document accompanying the food, e.g. delivery docket or invoice.

* If the manufacturer of the food being donated is different to that declared by the donating food

business, this will be available through the commercial documents (delivery docket or other) that

must accompany the food. The documentation that accompanies the food being donated will list any allergens in the food ([Appendix 1](#)). The charity can use this information to display on loose food that it handles or serves.

16. What labelling is required on foods leaving a food bank/food redistribution centre?

Foods that were prepacked by the manufacturer or other food businesses before entering the food redistribution centre, will have all of the mandatory food labelling information already declared on the labels. These prepacked foods may be redistributed in the same state.

17. What about repacking?

If a food bank/food redistribution centre opens and repacks certain food products, it will be required to transfer all of the mandatory labelling information onto the redistributed foods. A full list of the mandatory labelling information is available in [Appendix 2](#). Restrictions are in place for the repacking of foods of animal origin such as meat, fish and cheese. Charities wishing to repack these foods should first contact the FSAI on info@fsai.ie.

18. What additional help is available to our charity?

The FSAI [Safe Food to Go booklet](#) is also a very helpful resource to highlight the basis food hygiene principles.

The National Standards Authority of Ireland (NSAI) has also published 'Hygiene in Food Retailing and Wholesaling' which is an Irish standard to be used as a guide to the food hygiene legislation (Regulation 852/2004).

If you have any further questions on the safety of donating or storing food, you can email the Food Safety Authority of Ireland at info@fsai.ie.

Last reviewed: 19/9/2017

Compiling food into food parcels for redistribution

Scope

Food donation may arise at any stage of the food production and distribution chain for a number of different reasons. Due to difficulties in managing supply and demand, some food businesses may have a surplus of supply to meet orders and often orders for food may be cancelled resulting in excess stock. In certain cases, errors in the labelling or packaging could mean that the perfectly safe food will not be entered into the marketplace and so is available for donation.

This document relates to charities or individuals who collect food from a donating food business to compile into food parcels for redistribution.

Food Parcels

- Parcels may be compiled by individuals immediately after it is collected from the donating food business
- Parcels may be compiled by individuals in their own home following collection of food from retailers or other food businesses.
- Parcels may be compiled by charities in an independent premises (not the individuals home) following collection of food from retailers or other food businesses.
- These food parcels may be distributed to other charities as well as to individuals.
- The donated food may not be part of a food parcel, but may be left in a central location within a centre where individuals may select the food they wish to take.

Food businesses can choose to donate food once it is safe and in a condition that would allow the product to still be sold i.e. an acceptable condition.

In general, the compilation and handling of food parcels involves minimal handling of the food itself but rather involves placing already prepacked food into the final food parcel. Where additional handling or repacking of food occurs, you should consult the other guidance on food donation Link one Pat puts onto website.

All charities or individuals receiving donated food for food parcels or redistribution must make themselves aware of their legal responsibilities under food legislation.

Introduction

This information is intended to provide an overview of general food safety guidance.

It contains relevant questions and answers to help clarify the legal provisions in EU food legislation thus allowing the safe donation and receipt of food. It also includes links to guidance on compliance with relevant legislation. A summary of the main pieces of legislation that may apply to your business/charity is highlighted below.

- [Questions and answers for charities or individuals who collect donated food for food parcels that may be redistributed to other charities or delivered to/collected by individuals](#)
- [Appendix 1: Food ingredients that must be declared as allergens in the EU](#)
- [Appendix 2: Mandatory food labelling information](#)

Last reviewed: 19/9/2017

Compiling food into food parcels - Q and A

1. Do charities handling and distributing food parcels or other donated food have to register as a food business?

Yes, under the food hygiene legislation, food businesses are required to register the business with the local environmental health office (EHO) as this serves to notify the inspectors of the food activities being carried out in each premises.

2. What does this registration process involve?

To register a food business, contact the local EHO ([EHO contact details](#)) who will send out a registration form. Once completed, return the form to the office. An EHO will schedule an inspection based on the types of activities carried out. Enforcement of food legislation is carried out by EHOs for the Food Safety Authority of Ireland (FSAI).

3. Does a charity handling and distributing food parcels (other donated food) have to comply with food/hygiene legislation?

Yes, it is essential that any food business (including charities) comply with the food hygiene legislation to ensure that the food it supplies/serves is safe. The food hygiene legislation is [Regulation \(EC\) No 852/2004](#)

4. What if I work alone and only collect food once a week from food businesses to redistribute as a food parcel?

If you only operate occasionally, it is best to discuss registration with an EHO directly. It is important to remember however, that the hygiene and temperature control requirements will still apply.

5. What types of food can be received by a charity compiling and distributing food parcels?

Any unsold or surplus food may be donated, once it is in an acceptable condition and is within the 'use-by' date where appropriate. Examples include:

- Dried, canned foods in an acceptable condition
- Whole fresh fruit and vegetables
- Food which remains in packaging (but that was bought by a food business in excess)
- Refrigerated food which has been maintained between 0-5°C (and within the 'use-by' date)
- Frozen food which has been maintained at <-18°C

Caution: The capacity to ensure the safe donation of certain surplus food will vary depending on factors such as: the type of food/meal, the availability of the receiving charity/individual and the transport option.

6. What if I am just collecting food from a donating food business to deliver immediately to individuals in the form of a food parcel?

While there are no specific safety issues with ambient food that is donated and used in a food parcel, the food should be handled and transported hygienically. Where chilled or frozen foods are received and used in a food parcel, temperature control is necessary. Chilled food must be kept between 0-5°C and frozen food must be kept at < -18°C. Suitable containers may be required to ensure that the chilled/frozen temperature is maintained during transport.

7. What if I collect donated food, bring it back to my home to compile food parcels to deliver over/within a couple of days?

Food parcels may be compiled in individuals own homes but consideration must be given at all times to the safety of the product. Therefore, the food parcels must be compiled in a hygienic area away from the risk of cross-contamination and the temperatures of chilled (0-5°C) or frozen food (<-18°C) must be maintained at all times.

8. What if I am collecting food from a donating food business to deliver to another food charity for use in a food parcel?

Any food that is collected from a donating food business must be transported under controlled temperatures where the food is chilled or frozen. Suitable containers will be required to maintain the temperature during transport/redistribution. All other food not requiring temperature control must be transported in a hygienic way to prevent any cross-contamination or risk to that food.

9. What if I collect food from a donating charity to bring back to a refuge/church for collection by individuals?

The transport of donated food must be carried out under temperature controlled (as appropriate) and hygienic conditions. Where the donated food is then left in a central location for individuals to pick from, this storage must also be controlled. All chilled food must be placed immediately into a fridge and kept at a temperature of 0-5°C and all frozen food must be placed in a freezer (<-18°C). Consideration must be given to the dates declared on food. Any food that is leftover in the central collection area must be checked and foods gone beyond their 'use-by' date, must be discarded.

10. What is traceability?

It is a system in which a food business must record what ingredients/food products it receives and from whom. It must also record what product it dispatches to which customers with the only exception being direct supply to final consumers, i.e. the people that you serve. This is called the 'one-step forward, one-step back' system. All food businesses must have a traceability system in place.

11. What traceability information must I keep if I receive donated food for donation as food parcels?

Traceability in a charity handling donated food for food parcels is a 'one-step back' system where the charity must know who supplied it with each batch of food. This is to track and trace the food if there was a safety issue with the donated food. The 'one-step forward' system is not required in this case.

The charity should record the following traceability information from the food business donating the food:

- Name and address of the supplier
- Accurate description of the product
- Date of delivery

In addition to the general rules for traceability above, more specific information is required for food of animal origin, e.g. meat, fish, eggs. Food of animal origin include unprocessed e.g. raw meat and processed food products, e.g. salami, but it excludes food containing both products of plant origin and processed foods of animal origin, e.g. pepperoni pizza or ham and spinach quiche.

The additional information required for these products is:

- Volume or quantity of food
- A reference identifying the lot or batch numbers
- To make it easier to record the 'one-step back' traceability information, it is recommended to talk to the donating business to see if it could generate a receipt or if there was some way of using its 'one-step forward' traceability information. While the donating business is not obliged to provide traceability information, it may assist if asked.

12. What labelling information should be on the foods coming from a donating food business?

Any food that is donated in a prepacked form, e.g. box of cereal, pot of yogurt or jar of jam, will be required to have all of the mandatory labelling information (Appendix 2) declared on the label and this information will not be altered by the donating food business.

Where the food being donated was originally intended to be sold loose by the donating food business, it may bulk pack the food for delivery/transport to the charity and this business then only needs to display the following four pieces of information on the bulk pack:

- Name of the food
- Date of minimum durability, i.e. 'use-by' or 'best-before' date
- Storage instructions
- Business name and address of the donating food business

All of the mandatory information must also be provided by the donating business in a document accompanying the food, e.g. delivery docket or invoice which can be forwarded on with the food. This will contain details of any allergens present in the food being donated. A full list of the allergens is provided in [Appendix 1](#).

13. What about repacking?

If an individual opens and repacks certain food products for donation, they will be required to transfer all of the mandatory labelling information onto the redistributed foods. A full list of the mandatory labelling information is available in [Appendix 2](#). Restrictions are in place for the repacking of foods of animal origin such as meat, fish and cheese. Charities wishing to repack these foods should first contact the FSAI on info@fsai.ie.

14. What additional help is available to our charity?

The FSAI produced a [Safe Catering Pack](#) as a tool to help caterers develop a system to manage food safety and comply with the food hygiene regulations. It includes a set of record books along with a DVD to explain how to use the pack. A free Safe Catering Pack is available to all charities by emailing info@fsai.ie and giving the charity number.

Our [Safe Food to Go booklet](#) is also a very helpful resource to highlight the basic food hygiene principles.

The National Standards Authority of Ireland (NSAI) has also published 'Hygiene in the Catering Sector' which is an Irish standard to be used as a guide to the food hygiene legislation ([Regulation 852/2004](#)).

If you have any further questions on the safety of donating or storing food, you can email the Food Safety Authority of Ireland at info@fsai.ie.

Last reviewed: 19/9/2017