



**Town of Wellesley, Massachusetts
School-based Food Rescue Program
Standard Operating Procedures and Agreement**

Agreement Authors:

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Partners

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November 1, 2017

Background

School-based food rescue programs – which include the collection of food for donation, diversion of liquid waste, and composting of food waste – have experienced a ground swell of activity in the past decade. There are over 500 school communities nationwide participating in food rescue efforts registered on foodrescue.net; many of these are striving to become zero-waste communities.

Although in many schools, students place their own lunch orders ahead of time, they do not always take all of the items offered to them as they pass through the cafeteria line. The food remaining at the end of the lunch period ranges in volume each day, but it is enough to make a difference to food pantries, soup kitchens and shelters who service food insecure populations (defined by the USDA and the World Health Organization as households unable to provide a sufficient quantity of affordable, nutritious food to their families). Public health officials are increasingly addressing the rising level of food insecurity in the U.S., as are those focused on environmental sustainability issues.

The ultimate goal for Wellesley schools is to reduce food waste at the front end of the supply chain; to that end, Whitsons, our food services provider, has a highly tuned system for guiding food preparation. Despite these efforts, some kitchen leftovers are unavoidable. Without food rescue, liquid diversion or composting initiatives, unconsumed food and beverages end up in dumpsters – contributing to an ever-increasing town-wide rodent problem – and in our landfill, where decomposition produces environmentally harmful methane gasses.

The objective of the Wellesley School-based Food Rescue Program is to “repurpose” untainted, well-preserved foods by donating them to nearby food pantries, soup kitchens or shelters as needed. In accordance with the Bill Emerson Good Samaritan Food Donation Act – as well as the Massachusetts’ Good Samaritan law – institutions donating food are protected from liability provided that the food is “apparently wholesome”, “apparently fit grocery product” and meet “all quality and labeling standards imposed by the Federal, State and local laws and regulations”, even if it is not “readily marketable due to appearance, age, freshness, grade, size, surplus, or other conditions” (Appendix 1).

The Food Rescue Program is a collaborative effort by food services staff, school staff, the Facilities Maintenance Department, parent volunteers, the Sustainable Energy Committee (SEC), and the Health Department. Wellesley’s Health Department has thoughtfully guided the development of the Standard Operating Procedures outlined here, to ensure that they are consistent with the School Food Authority’s Hazard Analysis and Critical Control Point (HACCP) plan, as well as the U.S. Food and Drug Administration’s Food Code, updated in 2013.

(<https://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/FoodCode/ucm374275.htm>) In addition to the FDA Food Code, the Food Rescue Program procedures adhere to the United States Department of Agriculture’s (USDA’s) and Massachusetts’ Guidelines for Share Table donations (Appendices 2 and 3). All necessary steps have been incorporated to prevent food borne illness, accidental food allergy reactions, and other hazardous results from contamination.

Document Overview

The Standard Operating Procedures apply to two categories of food rescue, both of which are provided by Whitsons (Wellesley's food service vendor) to the Wellesley's public school cafeterias:

- “Pre-consumer” food, includes large quantities of prepared meals (lasagna, rice dishes, pizzas, macaroni & cheese, etc.) that remain after students have been served. Pre-consumer food does not “cross the line” from the kitchen into the cafeteria; students are offered individual portions by food services staff as they pass through the cafeteria line.
This component of the Food Rescue Program has been in place in the Middle School, and, following the authorization of these procedures, will be rolled out to the High School, and to Bates, Fiske and Sprague elementary schools this fall (2017). Implementation is contingent upon completion of food services staff training, purchase of food storage and transport materials, and securing of freezer space.
- Share Table, or “post-consumer” food, includes whole fruits with skins intact, unopened packaged goods and ready-to-eat items students select from the cafeteria line, but opt not to eat. Share Table foods will not include foods brought from home. Share Table donations are limited to the elementary schools only.
Once authorized, this component of the Food Rescue Program – which was piloted at Bates last fall (2016) – will be implemented at Bates, Fiske and Sprague elementary schools this fall (2017). Implementation is contingent upon review of logistics with custodial staff, lunchroom monitors and parent volunteers.

This document serves as a detailed review of the Standard Operating Procedures as well as an Agreement to be signed by the appropriate parties, authorizing the implementation of the both components of the Program.

For reference, Appendices include:

1. Legal Fact Sheet for the Federal and State Bill Emerson Good Samaritan Food Donation Act
2. USDA Guidelines for Share Tables
3. Massachusetts' Share Table Guidelines
4. Temperature Control Logs template

Pre-consumer Food Rescue

Whitson's food services staff prepares all of the food for our public schools. The High School's food is prepared onsite, as is the Middle School's food. The elementary school food is prepared at the Middle School each morning and transported to each of the elementary schools by 11:00 am in Cambro warming and cooling units. Once at the elementary schools, hot foods are continuously warmed in glass-fronted, hot holding bins, which maintain temperatures of 140 degrees Fahrenheit throughout the lunch period. Cold foods are placed in ice-lined bins to maintain cold temperatures.

Time and temperature control are the primary concerns when repurposing foods, in order to ensure food safety. The U.S. FDA Food Code stipulates strict "Time/Temp Control for Food Safety (TCFS, formerly Potentially Hazardous Food) guidelines which state that 1. Hot foods must be kept at a minimum of 140 degrees Fahrenheit, 2. Cold foods must be kept at a temperature of 40 degree Fahrenheit or below, and 3. All foods must not be outside of safe temperature zone for over four hours.

The Middle School is currently implementing a pre-consumer food donation program; the following protocols for collection, freezing, storage and transportation of food for donation are consistent with those in place at the Middle School. All procedures adhere to the TCFS requirements.

Collection, chilling, on-site freezing and storage

1. At the end of lunch period, the high school and elementary school food services staff on-site will dish out the hot foods onto large, shallow trays (14" x 22" x 2") and place them in the refrigerator, with temperatures below 40 degrees Fahrenheit.
2. Food is to be collected and placed in the refrigerator *within one hour of the end of food service*. This timing holds the time from preparation to start of storage to about three hours (well below the safety standards of four hours).
3. Food Services staff will log the temperature of food prior to refrigeration (see sample of temperature logs in Appendix 4); all daily logs are kept on file at the Middle School.
4. The next morning, the food services staff will log the temperature again, and spoon the chilled food into cooler bags designed to securely hold up to 5 pounds of food; using stick-on labels, they will then label the bags with item name, temperature and date.
5. Food services staff will then place the bagged, labeled and logged food into the freezer, where it will await transport back to the Middle School.

Transportation

1. The trucks used for food transportation return to the elementary schools every afternoon (with the exception of Wednesdays, which are half-days in the elementary schools) to collect supplies used for the morning meals including trays, utensils, bowls, etc. The Pre-consumer food to be donated will travel back to WMS on the next day of service, after being frozen and stored on-site following lunch period. Specifically, un-served items prepared and offered on...
 - a. Monday, will return to WMS on Tuesday
 - b. Tuesday, will return to WMS on Thursday (there are no lunch services in the elementary schools on Wednesdays)
 - c. Thursday, will return to WMS on Friday
 - d. Friday, will return to WMS on Monday.
2. Food Services staff will log temperature of frozen, bagged food when it leaves the elementary school kitchen and again when it arrives at WMS.
3. Frozen and bagged food from the High School will be transported in insulated coolers directly to the Middle School.
4. When food arrives at WMS, it will be stored in the freezer on site, awaiting pick-up for donation.

Donation

Effective this fall, the Town will begin a partnership with Food For Free, a non-profit organization which distributes donated food within the “emergency food system”. Food For Free picks up most food donations in refrigerated trucks (on occasion, they will pick up hot foods directly from donors and deliver them to facilities for immediate service). Food For Free will pick up the bagged, frozen foods from the Wellesley Middle School as accumulated volume dictates. On average, Food For Free will pick-up twice a month.

Pre-consumer foods to be included	Pre-consumer foods to be excluded
<ul style="list-style-type: none">• Lasagna• Noodles with sauce• Rice dishes• Pizza• Hamburgers• Hot dogs• Cooked vegetables	<ul style="list-style-type: none">• Salads• Dishes made with previously canned fruit• Dishes deemed past their serviceability

Share Table Food Rescue

Share Table foods are defined as unopened, packaged and labeled foods with packaging intact, as well as whole fruits with skins intact. Foods donated to the Share Table come from those served by Whitsons food services only. Foods brought from home, including packaged foods and whole fruits, will not be included in donations.

Packaged items offered by Whitsons include single-serve cartons of milk, single-serve cartons of juice, wrapped cheese sticks, yogurt, bagged baby carrots, and whole fruit, including apples, bananas and oranges (see chart on page 7).

Collection, storage and donation of Share Table foods will be implemented as follows:

Collection

1. Prior to the start of lunch period, a collection cooler will be set out on a table or roll-away cart, alongside the carts and bins set out for recycling, liquid waste diversion and trash set out by the custodial staff. The cooler will be designated for Share Table foods, and signage will clarify acceptable donation items for students, staff and lunchroom monitors.
2. The cooler will be an insulated, collapsible cooler containing an ice block (18" x 12") along the bottom, which will keep foods cool throughout the lunch session.
3. During lunch period, students can select items from the Share Table if they are still hungry or forgot their lunch. Lunchroom Monitors will oversee donation collection and any redistribution to students. Note that students are not allowed to participate as "Share Table" helpers or assistants.

Sorting and Storage

1. At the conclusion of lunch period, food services staff will sort items placed in the collection bin. Items that came from home, such as granola bars, hummus, non-food services yogurts - and any other foods from home that are refrigerated, perishable, or potentially hazardous - will be removed. Food services staff will log the temperature of the bin.
2. Lunchroom monitors will remove the ice block and place the labeled, collapsible insulated cooler (containing only items donated from school-provided lunch) in the teacher's lounge refrigerator, for distribution to students, as needed.
3. Per Massachusetts' Share Table Guidelines, all apples in the collection bin will be washed prior to storage.
4. Share Table items cannot be re-serviced through food services or resold.
5. Share items are to be discarded on site if not used or donated by expiration/best by dates.

Donation

1. Parent volunteers will transport the Share Table donations to the Food Pantry every Friday. When picking up the donated items, the volunteer will check for expiration/best by dates and record an itemized count of all items donated.
2. Whitsons' cheese sticks do not have individual ingredient labels. A box of large, ingredient label stickers for the cheese sticks and a box of gallon-size sealable plastic bags will be stored in a designated location in the teacher's lounge. Before transport, the parent volunteer will gather all cheese sticks, place them in a plastic bag, and place an ingredient label sticker on the bag.
3. The parent volunteer will place the food from the Share Table cooler into an insulated bag and transport it directly to the Food Pantry.
4. The Food Pantry checks items for expiration date, integrity of packaging (and peels) and temperature.

Share Table foods to be included (all from Food Services only)	Share Table foods to be excluded (includes all foods from home)
<ul style="list-style-type: none"> • Single-serve milk cartons • Single-serve juice cartons • Cheese sticks (in sealed packaging) • Yogurts • Sealed fruit cups • Bagged baby carrots (provided that the bag is intact) • Apples (which will be washed) • Oranges (with peel intact) • Bananas (provided that they are not overripe) 	<ul style="list-style-type: none"> • School-provided items with lids that can be opened and resealed, such as fruit cups, yogurt parfaits and salad bowls • Foods from home requiring refrigeration, are perishable or potentially hazardous • Baked goods, including brownies, cookies, cupcakes • Over-ripe bananas or apples • Grapes • Packaged foods from home including granola bars, non-school-provided yogurt, hummus, any food with nuts such as Kind bars • Foods from home stored in baggies, eg cheddar cheese cubes, carrot or celery sticks or granola

Agreement

Approval of the Standard Operating Procedures outlined in this document is indicated by signature of appropriate parties. These signatures authorize the implementation of both Pre- and Post- consumer components of the food rescue program, including approval to:

1. Proceed with obtain all necessary materials, including insulated collection bins for Share Table items, cooler ice blocks, and relevant signage;
2. Proceed with training of food services staff, lunchroom monitors, and parent volunteers; and
3. Communicate with students and families to reinforce a message of healthy eating while reducing food waste, and to introduce the Share Table program in their schools.

Matthew Delaney - Food Services Director, Whitsons _____
Date

Leonard Izzo - Director of Public Health, Wellesley _____
Date

Toni Jolley - Principal, Bates Elementary School _____
Date

Susan Snyder - Principal, Sprague Elementary School _____
Date

Rachel McGregor - Principal, Fiske Elementary School _____
Date

Marybeth Martello - Administrator, Sustainable Energy Comm. _____
Date

APPENDIX 1: Good Samaritan Food Donation Act – Fact Sheet



Legal Fact Sheet for Massachusetts Food Donation: Liability Protections - July 2015

Businesses and nonprofits that provide or receive donated food are generally well-protected by laws designed to provide immunity from liability related to such donations. The federal Bill Emerson Good Samaritan Food Donation Act provides liability protection for food donors; and Massachusetts' Good Samaritan law provides additional liability protection to businesses in the state.

The Emerson Good Samaritan Act

The Bill Emerson Good Samaritan Food Donation Act (the Emerson Act) provides a federal baseline of protection for food donors.¹ The Emerson Act covers individuals, businesses, non-profit organizations, and the officers of businesses and non-profit organizations. It also covers gleaners—individuals that harvest donated agricultural crops to a nonprofit organization that distributes to the needy.² These individuals and businesses are protected so long as they donate qualifying types of food in good faith.

- **Qualifying Food:** The donated food must be “apparently wholesome” or an “apparently fit grocery product” and meet “all quality and labeling standards imposed by Federal, State, and local laws and regulations,” even if it is not “readily marketable due to appearance, age, freshness, grade, size, surplus, or other conditions.”³
- **Exception for Reconditioned Food:** Even if a food does not meet all applicable standards, the donor can still be protected by the Emerson Act as long as (s)he follows all of the Act’s reconditioning procedures,⁴ which include:
 - 1) The donor informs the nonprofit of the nonconforming nature of the product;
 - 2) The nonprofit agrees to recondition the item so that it is compliant; and
 - 3) The nonprofit knows the standards for reconditioning the item.⁵

The Emerson Act protects most but not all donations of qualifying food. In order to get protection, the transaction must be structured such that:

- 1) The donor donates to a non-profit organization.⁶
- 2) This nonprofit organization that receives the donated food distributes it to needy populations.⁷ Direct donations from the donor to needy individuals do not seem to be protected by the Act.⁸
- 3) The ultimate recipients do not pay for this donated food.⁹ However, if one nonprofit donates food to another nonprofit for distribution, the Act allows the first nonprofit to charge the distributing nonprofit a nominal fee to cover handling and processing costs.¹⁰

So long as these criteria are met, the Emerson Act is quite protective of donors, and does not hold a donor liable unless the donor acts with gross negligence or intentional misconduct.¹¹

- **Gross Negligence** involves “voluntary and conscious conduct (including a failure to act)” by a person or organization that knew when the donation was made that the donated food was likely to have harmful health impacts.¹²

¹ 42 U.S.C.A. §1791 (West 2015).

² *Id.* §1791(b)(5).

³ There is an exception for mislabeled food products that are “not readily marketable,” which can also be protected so long as the donor explains the mislabeling to the donee, and the donee has sufficient knowledge to and does recondition the product to meet applicable standards. *Id.* §1791(b)(1-2).

⁴ *Legal Guide to Food Recovery*, U. ARK. L.L.M. DEP’T OF AGRIC. & FOOD LAW 10 (2013), available at <http://law.uark.edu/documents/2013/06/Legal-Guide-To-Food-Recovery.pdf>.

⁵ *Id.*

⁶ The Act defines a non-profit as an incorporated or unincorporated entity that satisfies these requirements: (1) operates “for religious, charitable, or educational purposes” and (2) “does not provide net earnings to, or operate in any other manner for the benefit of any officer, employee, or shareholder.” 42 U.S.C.A. §1791(b)(9) (West 2015).

⁷ *Id.* §1791(c).

⁸ *See id.*

⁹ *Id.* §1791(b)(3).

¹⁰ *Id.*

¹¹ *Id.* §1791(c)(3).

- **Intentional Misconduct** is when a person or organization donates “with knowledge . . . that the conduct is harmful to the health or well-being of another person.”¹³

In other words, one should not donate or facilitate the distribution of donated food that one knows is likely to be harmful or dangerous. Unfortunately, the Act gives little guidance on what activities qualify as gross negligence or intentional misconduct. However, the House of Representatives Report associated with the Emerson Act has indicated that each case must be analyzed individually, and that, for example, donating food past the sell-by date generally will not impact liability protections because such labeling is not federally required and generally does not correspond to food safety.¹⁴ The lack of court cases interpreting the Emerson Act suggests how protective the Act is of donors; research does not turn up a single case related to food donation liability.¹⁵

Liability Protection for Food Donation in Massachusetts

In addition to the federal liability protections, there are two ways in which Massachusetts state law is relevant to liability protection for food donations.

- **The Emerson Act:** The Emerson Act indicates that donated food must meet all applicable state and local food quality and labeling standards in addition to federal requirements.¹⁶ This means that state laws regarding food labeling and safety must be followed for a food donor to receive protection under the federal Emerson Act.
- **State Authority:** States are free to enact laws that are more protective of donors than the federal Emerson Act, which sets a floor on liability protection.¹⁷ Massachusetts has passed such legislation.

The Massachusetts Good Samaritan Law protects donors who donate food, including food that is past date, to a nonprofit corporation for distribution as long as two requirements are met.¹⁸

- 1) The food cannot be misbranded or adulterated at the time of donation and must have been manufactured, processed, prepared, handled or stored in compliance with all applicable public health regulations.¹⁹ This means that donated food must comply with the Massachusetts laws on date labeling in order to receive liability protection. These requirements are laid out in *Best Management Practices around Food Donation: Date Labeling Laws*.
- 2) Any injury resulting from such donation cannot be the result of “gross negligence, recklessness or intentional misconduct.”²⁰ Like the Emerson Act, the state law does not provide additional guidance on what constitutes gross negligence, recklessness, or intentional misconduct.

The state law also clarifies the requirements for nonprofits that accept donated food for distribution. No nonprofit can distribute or serve donated food unless the relevant establishment has been inspected and is in compliance with all inspection or permit requirements.²¹ It cannot be charged a fee for these permits.²² Additionally, whereas the federal Emerson Act only allows charges to cover costs between nonprofits, the state law allows a nonprofit to charge a fee to *individual recipients* that is sufficient to cover the cost of handling the food, in order to encourage social enterprise.²³

Conclusion

Federal law and Massachusetts state law provide ample liability protections for food donors, so long as the donated food is in compliance with state safety and labeling rules, and it is donated in good faith and without the donor acting with gross negligence, recklessness, or intentional misconduct.

¹² *Id.* §1791(b)(7).

¹³ *Id.* §1791(b)(8).

¹⁴ *Legal Guide to Food Recovery*, *supra* note 4 at 9.

¹⁵ *Id.*

¹⁶ 42 U.S.C.A. §1791(b)(1-2) (West 2015).

¹⁷ *Legal Guide to Food Recovery*, *supra* note 4 at 10.

¹⁸ MASS. GEN. LAWS ch. 94, § 328 (2015).

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.* One notable exception is that food prepared in private homes to go to nonprofit organizations is not subject to such licensing and inspection requirements.

²² *Id.*

²³ *Id.*

APPENDIX 2: USDA's Use of Share Table Guidelines

United States Department of Agriculture

Food and Nutrition Service
Park Office Center
3101 Park Center Drive Alexandria VA 22302

DATE: June 22, 2016

MEMO CODE: SP 41-2016, CACFP 13-2016, SFSP 15-2016

SUBJECT: The Use of Share Tables in Child Nutrition Programs

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs All States

Using “share tables” is an innovative strategy to encourage the consumption of nutritious foods and reduce food waste in the National School Lunch Program (NSLP), School Breakfast Program (SBP), Child and Adult Care Food Program (CACFP), and Summer Food Service Program (SFSP). This memorandum provides a reminder of the opportunities presented by share tables, extends the use of share tables to the at-risk afterschool component of the CACFP, and gives an overview of the food safety requirements Child Nutrition Program (CNP) operators must follow when choosing to include share tables in their meal service. CNP operators include school food authorities, local educational agencies (LEAs), CACFP institutions, and SFSP sponsors.

The Food and Nutrition Service (FNS) encourages State agencies to support CNP operators in their efforts to increase consumption of nutritious foods and minimize food waste in their programs. As a reminder, all CNP operators must plan, prepare, and order food with the goal of providing one meal per child at each meal service. If a school, CACFP institution, or SFSP sponsor has leftover or unusable foods on a frequent basis, menu planning and production practices should be adjusted to reduce leftovers or unusable foods.

Share Table Overview

FNS regulations require participating schools, CACFP institutions, and SFSP sponsors to provide reimbursable meals that meet specific meal pattern requirements outlined in 7 CFR 210.10, 220.8, 226.20, and 225.16, respectively. However, FNS recognizes that, for various reasons, children may not always want to consume certain food or beverage items included in their meal. “Share tables” are tables or stations where children may return whole food or beverage items they choose not to eat, if it is in compliance with local and State health and food safety codes. These food and beverage items are then available to other children who may want additional servings.

Share tables allow food or beverage items to be reused in a number of ways, depending on the Program's preference:

- Children may take an additional helping of a food or beverage item from the share table at no cost;
- Food or beverage items left on the share table may be served and claimed for reimbursement during another meal service (i.e., during an afterschool program when leftover from a school lunch); and/or
- Food or beverage items may be donated to a non-profit organization, such as a community food bank, homeless shelter or other non-profit charitable organization (see SP 11-2012, CACFP 05-2012, SFSP 07-2012, *Guidance on the Food Donation Program in Child Nutrition Programs*, http://www.fns.usda.gov/sites/default/files/SP11_CACFP05_SFSP07-2012os.pdf).

FNS Instruction 786-6 provides FNS the authority to allow the use of share tables and the recycling of food and beverage items in CNPs. The Instruction allows milk (when the milk carton is unopened and the proper temperature is maintained) and other meal components that are served to be retrieved for re-service if such a practice is permitted under local and State health and food safety codes. The Instruction also states that food or beverage items should only be reused in situations where it is necessary to prevent food waste. It is important to note that when using a share table, CNP operators are able to claim the reimbursable meal at the point of service even if a child then puts one or more of the meal components on the share table. When food items are left on the share table at the end of the meal service, that food can be used in later meals that are claimed for reimbursement.

As always, CNP operators should take steps to encourage consumption of the meal, including preparing appealing meals and serving them in a convenient manner. For example, CNP operators are encouraged to promote meal consumption by including an option of cut up whole fruit to make it easier to eat, and engaging children through taste tests, student advisory committees, and nutrition education. These practices help ensure children get the most out of the food assistance programs.

Food Safety Requirements for Share Tables

As with all foods and beverages prepared for the NSLP, SBP, CACFP, and SFSP, CNP operators choosing to use share tables must follow the food safety requirements outlined in 7 CFR 210.13, 220.7, 226.20(l), and 225.16(a), respectively. In addition, CNP operators must be aware of all applicable local and State health and food safety codes to ensure their use of share tables does not violate any of those codes. It is important to keep in mind that local and State health and food safety codes may be more restrictive than the FNS requirements, or may place specific limitations on which food or beverage items may be reused. To ensure compliance with food safety requirements, CNP operators should discuss plans for a share table with their local health department and State agency prior to implementation. Further, schools must ensure that their policies for saving and sharing food or beverage items are consistent with the LEA's Hazard Analysis and Critical Control Point (HACCP) plan.

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Please see section 3-306.14 of the 2013 the Food and Drug Administration (FDA) Food Code for more information about food safety considerations when re-serving food (available at: <http://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/FoodCode/>). In addition, see the attachment for a list of food safety requirements and other best practices to consider when establishing a share table.

Other Strategies to Reduce Food Waste

FNS has additional resources available to Program operators interested in reducing food waste in the CNPs:

- Creative Solutions to Ending School Food Waste: <http://www.fns.usda.gov/school-meals/creative-solutions-ending-school-food-waste>
- Join the Food Waste Challenge: <http://www.usda.gov/oce/foodwaste/join.htm>
- The Smarter Lunchroom Movement: <http://smarterlunchrooms.org/>
- SP 41-2014, Clarification of the Policy on Food Consumption Outside of Foodservice Area, <http://www.fns.usda.gov/sites/default/files/SP41-2014os.pdf>

State agencies are reminded to distribute this information to Program operators immediately. Program operators should direct any questions regarding this memorandum to the appropriate State agency. State agency contact information is available at <http://www.fns.usda.gov/cnd/Contacts/StateDirectory.htm>. State agencies should direct questions to the appropriate FNS Regional Office.

Angela Kline
Director, Policy and Program Development Division Child Nutrition Programs

Attachment

Attachment: Share Tables Food Safety Requirements and Other Best Practices

This resource provides a list of food safety requirements and other best practices to consider when establishing a share table.

Step 1 (REQUIRED): Follow Federal, State, and local health and food safety requirements:

- Comply with FNS food safety requirements outlined in 7 CFR 210.13, 226.20(l), and 225.16(a).
- Comply with all local and State health and food safety codes, including storage of reused items.
- Schools only: Ensure policies for saving and sharing food or beverage items are consistent with the local educational agency’s Hazard Analysis and Critical Control Point (HACCP) plan.

Step 2: Establish clear guidelines for food components that may and may not be shared or reused as part of a later reimbursable meal:

- Food components FNS recommends sharing:
 - Unopened pre-packaged items, such as a bag of baby carrots or sliced apples stored in a cooling bin.
 - Whole pieces of fruit, such as apples or bananas.
 - Unopened milk, if immediately stored in a cooling bin maintained at 41°F or below.
- Food components FNS does not recommend sharing:
 - Unpackaged items, such as a salad bowl without a lid.
 - Packaged items that can be opened and resealed.
 - Open items, such as an opened bag of baby carrots or sliced apples.
 - Perishable foods, when a temperature control mechanism is not in place.

Step 3: If sharing items that require cooling is permissible under local and State laws, establish strict food safety guidelines to prevent the risk of foodborne illness:

- Maintain proper temperature (and temperature logs) (41 degrees Fahrenheit or colder) by storing food components in a temperature controlled storage bin, such as an ice tub or cooler.
- Make note of expiration dates on packaged foods, and do not intermix reused items with items that have not yet been prepared and served yet.
- Decide how many times a food item can be re-used (recommended just once).

Step 4: Supervise the share table at all times to ensure compliance with food safety requirements:

- Ask supervisors to make sure packaging of items placed on the share table is not open, punctured, or otherwise compromised.
- If cooling bins are used, have supervisors monitor the bin to ensure that time and temperature control requirements are met.
- Invite children to participate as “share table helpers,” or assistant monitors, teaching them about the importance of food safety and recycling.

Step 5: Promote the share table to children and families:

- Provide children and families with information about share table guidelines.
- Ask for input from parents and guardians, and make sure families are comfortable with their children participating in the share table option.
- Explain the share table concept to children, taking care to emphasize the importance of healthy eating and trying new foods whenever possible.
- Display signage outlining share table “rules” and encouraging recycling.

APPENDIX 3: MASSACHUSETTS' SHARE TABLE GUIDELINES

Office for Food and Nutrition Programs

Share Tables and Reducing Food Waste in School Meal Programs

To: School Nutrition Directors and School Business Officials

From: Robert Leshin, Director
Office for Food and Nutrition Programs

Date: January 19, 2017

In 2015, the United States Department of Agriculture (USDA) and the Environmental Protection Agency (EPA) launched the United States 2030 National Food Loss and Waste Reduction Goal to reduce, recycle, and recover food waste in half by 2030. School Food Authorities (SFAs) participating in the School Meal Programs should do their part by participating in the U.S. Food Waste Challenge and committing to reduce food waste in their schools. In addition to best practices such as marketing, taste testing, and optimal menu planning, share tables may also be utilized to achieve this goal. However, it is important to note that share tables should be viewed as a technique to reduce food waste and not as a cost-saving measure.

The Use of Share Tables in School Meal Programs

In June of 2016, USDA released the memo *The Use of Share Tables in Child Nutrition Programs* (SP 41-2016) regarding the practice of share tables in schools. USDA defines share tables as "tables or stations where children may return whole food or beverage items they choose not to eat." Share tables provide the opportunity for:

- other children to take additional helpings of food at no extra cost.
- food items left on the share table to be served and sold or claimed for reimbursement one additional time.
- donation of food items to a non-profit organization.

There are many food safety concerns that must be considered when using share tables. Written approval from the local board of health must first be obtained and kept on file. In addition, all policies/procedures related to saving and sharing food items must be consistent with the SFA's food safety plan.

This policy is consistent with share table procedures required by other Massachusetts Child Nutrition Programs. For any schools looking to implement share tables in their program, please see "Share Tables—Guidance for Schools in Massachusetts" for state specific information.

If you have any questions please contact:

Nutrition Education and Training Programs

Linda Fischer	781-338-6456	lfischer@doe.mass.edu
Lisa Jackson	781-338-6469	ljackson@doe.mass.edu
Sally Teixeira	781-338-6304	steixeira@doe.mass.edu

For additional tips on how to reduce food waste in your school, see these resources:

U.S. Food Waste Challenge
<https://www.usda.gov/oce/foodwaste/>

USDA’s *Creative Solutions to Ending School Food Waste*
<http://www.fns.usda.gov/school-meals/creative-solutions-ending-school-food-waste>

USDA’s infographic *Reducing Food Waste: What Schools Can Do Today*.
https://www.usda.gov/oce/foodwaste/resources/K12_schools.html

USDA’s Team Nutrition *What You Can Do To Help Prevent Wasted Food*
<https://www.fns.usda.gov/sites/default/files/tn/USDAHelppreventwastedfood.pdf>

USDA memo SP 11-2012: *Guidance on the Food Donation Program in Child Nutrition Programs*
https://www.fns.usda.gov/sites/default/files/SP11_CACFP05_SFSP07-2012os.pdf

The Smarter Lunchroom Movement
<http://smarterlunchrooms.org/>

MASSACHUSETTS' SHARE TABLE GUIDELINES, Continued

Communication piece by MDESE, adapted from USDA Memo SP 41-2016

MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
Office for Food and Nutrition Programs

Massachusetts' School Meal Programs Share Table Guidance

Getting Started

- Contact and obtain written approval from your local board of health regarding the use of share tables in your district.
- Develop written Standard Operating Procedures for saving and sharing food or beverage items that are consistent with the School Food Authority's Hazard Analysis and Critical Control Point (HACCP) plan.
- Comply with all local and state health and food safety codes.
- Provide children and families with information about share table guidelines.
- Explain the share table concept to children and staff.
- Display signage outlining share table "rules."

Food Safety

- Maintain proper temperature (and temperature logs) by storing appropriate food components in a temperature controlled storage bin, such as an ice tub or cooler.
- Food items must be tracked and labeled and may only be redistributed for sale or reimbursement one additional time.
- Do not intermix food items from the share table with items that have not yet been prepared and served.
- Assign an employee other than the cashier to monitor the share table and to ensure food items have not been contaminated.

Updated as of January 2017.

Allowable Foods

- Unopened pre-packaged items, such as a bag of baby carrots or sliced apples, stored in a cooling bin.
- Whole pieces of fruit with a peel, such as bananas or oranges.
- Whole pieces of fruit with an edible peel, such as apples and pears, must be rewashed unless wrapped.
- Unopened milk, if immediately stored in a cooling bin maintained at 41°F or below.

Unallowable Foods

- Foods not provided by the School Meal Programs (e.g., foods brought from home.)
- Unpackaged items, such as a salad bowl without a lid.
- Packaged items that can be opened and resealed.
- Open Items, such as an opened bag of baby carrots or sliced apples.
- Perishable foods, when a temperature control mechanism is not in place.



Massachusetts Department of
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Adapted from USDA memo SP 41-2016:
The Use of Share Tables in Child Nutrition Programs.
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