

# Sharing Excess Food

A guide for Agencies



second harvest  
**HEARTLAND®**



# Agenda

- What is "sub-distribution"?
- The risks of sub-distribution
- What does our agreement say?
- Questions

# Our Duty

As hunger relief organizations, we work to avoid food waste.

That said, our main goal is to provide safe and reliable access to food.

Efforts to reduce food waste cannot come at the expense of the public's trust or disobey the law.



## What is sub-distribution?

Sometimes, food shelves try to get rid of "excess" food is by giving it to other nonprofit organizations (sub-distribution, or "sharing")

While this may seem like a creative way to move more food, it's very risky for your food shelf.

Less control = more risk for you and your clients.



**What's the risk?**



# The risk of fraud

- What do we mean by fraud?
- Fraud is a major risk to hunger relief
- To do our work, we must be trusted by the community
- If we lose the community's trust, we lose their support.
- Fraud hurts all of us – if any Minnesota food shelf handles food unethically, it hurts all our reputations.
  - This means less donations, less volunteers, and less government support.

Would you want to donate or volunteer at an organization associated with fraud?



## What does sub-distribution (“sharing food”) have to do with Fraud?

- You can't guarantee other organizations are following the law.
- Not every organization is what it appears to be – there are bad actors
- If you give your food to a different organization and they commit fraud, you could be in legal trouble
- An organization that is out of compliance can damage your reputation.



# Food Safety





## What does sub-distribution (“sharing food”) have to do with food safety?

- Each time food changes hands, it becomes more difficult to ensure food has been handled safely and at the correct temperature.
- Recall tracking also becomes more difficult.
- Sub-distributing ("sharing") food increases the risk of a client getting sick and increases your risk of liability.





## What does our agreement say?

We want to limit your and our liability, keep our clients safe, and protect the integrity of the hunger relief organization.

For these reasons, food shelves are not allowed to share their excess food from Second Harvest Heartland with other organizations except in special circumstances.

This includes all food rescue – retail donors also want to limit their risk of liability!

## When is it acceptable to sub-distribute (share) food?

- In order to share SHH food (incl. food rescue) with another organization, you must:
  - First sign a Sub-Distribution Agreement with that organization & Second Harvest Heartland
  - Keep track of every food item that you share.
  - Transport food safely.





## Keep in mind...

- You can only sub-distribute an item once – no “regifting”!
- Per USDA regulations, TEFAP food can NEVER be shared with another organization.
- Food from Second Harvest Heartland (incl. food rescue) can only be shared with Second Harvest Heartland partners.

# FAQ's



## Why can I only share food with SHH partners?

- Every one of our partners is thoroughly vetted by SHH at the beginning of partnership and throughout partnership.
- Our compliance requirements are derived from regulatory bodies (incl. the USDA and MN Department of Health), as well as from Feeding America
- Sharing food with organizations who do not partner with SHH increases our risk (and your risk) of legal liability
- We've already done the work of vetting partners, so you don't have to!



## Why does SHH get to distribute food to other organizations?

- Second Harvest Heartland has all the appropriate licenses
- SHH gets rigorously audited – by AIB, Feeding America, the Department of Human Services, CPA, and by the USDA.
- We have staff dedicated to vetting the organizations we work with (that's us!)



# Why do we always have to go above and beyond?



- You're already doing great things!
- We have expectations for grocery stores – why not food shelves?
  - “Clients” are still consumers
- We have a responsibility to protect the most vulnerable members of our community
- We all are responsible for maintaining the integrity of the hunger relief system – one scandal hurts us all!





# Other ways to prevent food waste



Let clients  
come more  
often

Increase limits  
of food per  
household

Advertise your  
extra food  
online

Order only  
what you need

Need more tips? Ask SHH!  
[Orders@2harvest.org](mailto:Orders@2harvest.org)

As a last resort, you  
can sub-distribute  
food (excl. TEFAP)  
to a pre-approved  
partner

Hold  
distributions at  
other locations



**Remember:** Reducing food waste is not an excuse for compromising the integrity of the hunger relief system.

# Thank You

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