

ARS □ CSREES □ ERS □ NASS

Policies and Procedures

Title: Gleaning (Food Recovery)

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Distribution: REE Offices in Headquarters, Areas, and Field Locations

This P&P establishes policy for donating surplus fruits, vegetables, and other crops and produce to eligible food recovery organizations to help reduce hunger. It also describes methods to encourage agencies to participate in food recovery activities.

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1. Introduction

Gleaning is the practice of gathering the extra crops left after a harvest. Food recovery is the collection of wholesome food for distribution to the poor and hungry. Food recovery is a creative way to help reduce hunger in America. It also supplements Federal food assistance programs by making better use of a food source that already exists. The President has issued a memorandum asking the Federal Government to do more to promote food recovery activities to help the hungry. The memorandum directs agencies to encourage food recovery by their contractors, subcontractors, State, local, and non-government partners/grantees to ensure that they understand its importance and role in feeding needy individuals. Also, to the extent practicable and permitted by law, agencies shall seek to increase the quantity of excess, apparently wholesome, food recovered and distributed to food recovery organizations. To help support food recovery efforts, the President also signed new legislation to encourage the donation of food and limit the liability issues involved when donating food for distribution to needy individuals.

USDA has made gleaning and food recovery a top priority. The Department has focused efforts on encouraging and providing technical assistance to existing and new private, nonprofit, and corporate food recovery efforts. USDA agencies also can participate in food recovery activities by donating Federal surplus crops/produce. This P&P will discuss Good Samaritan legislation and incorporate existing property management regulations to help the REE agencies promote and support the gleaning and food recovery initiative.

2. New Liability Legislation

Bill Emerson Good Samaritan Food Donation Act

In October 1996, the President signed Public Law 104-210, The Bill Emerson Good Samaritan Food Donation Act. (See Exhibit 1.) This act promotes food recovery by limiting the donor's liability to instances of gross negligence or intentional misconduct. The act states that **absent gross negligence or intentional misconduct**, persons, gleaners, and nonprofit organizations are not subject to civil or criminal liability from the nature, age, packaging, or condition of apparently wholesome food or apparently fit grocery products donated in good faith to nonprofit organizations for distribution to the needy. The act also establishes basic nationwide uniform definitions concerning donation and distribution of food and will help assure that donated foods meet all quality and labeling standards of Federal, State, and local laws and regulations.

As a Federal statute, the act creates a uniform minimum level of protection from liability for donors and gleaners nationwide. However, State Good Samaritan statutes still may provide protection for donors and gleaners above that guaranteed in the Federal statute. Also, the act does not alter or interfere with State or local health regulations or workers' compensation laws. Local organizations in each State should still be familiar with their State's Good Samaritan statutes and health regulations.

3. Existing Property Regulations

There are existing Federal Property Management Regulations (FPMR's) that allow for donation of surplus property, including perishables. Having an understanding of the regulations involved when donating surplus property is helpful. Agencies must follow established regulations and procedures when disposing of Government property.

Property Eligible for Exchange/Sale

Regulations allow agencies to exchange or sell similar items and apply the proceeds to acquire replacement property. Agencies may only exchange or sell property that is not excess or surplus. The acquired item and the replaced item are similar when:

- both items are identical, designed, or constructed for the same specific purpose,
- both are parts or containers for identical or similar end items, or
- both fall within a single Federal Supply Classification (FSC) group of property that is eligible for handling under the exchange/sale authority.

However, if the exchange allowance or estimated sales proceeds are **unreasonably low**, then processing exchange/sale actions is not beneficial. Agencies should instead declare the property as excess.

Perishables

The FPMR defines perishables as any foodstuffs that are subject to spoilage or decay. According to the regulations, perishables are exempt from Federal reporting requirements to the General Services Administration (GSA) and become surplus property.

Donating Surplus Property to Public Bodies

In lieu of sale, abandonment, or destruction, agencies can donate Agency surplus property to **public bodies**. The FPMR states that a public body is any State, territory, or possession of the United States, any political subdivision, the District of Columbia, Commonwealth of Puerto Rico, any agency or instrumentality of any of the above, any Indian tribe, or any agency of the Federal Government.

A public body is an organization that receives direct funding from the State or Federal Government, such as:

- Public schools (including colleges and universities).
- Public hospitals.

- Any other State/Federal organization (includes local governments).

Without specific legislative authority Federal agencies cannot donate surplus property directly to a nonprofit organization unless they are considered a public body.

State Donation Authority

Federal agencies can donate to State agencies. State agencies have the authority to obtain surplus property for donation to non-Federal, public agencies and certain designated recipients for educational or public health purposes. The major categories of organizations that are eligible to receive surplus property under the State program are:

- Public agencies.
- Nonprofit educational activities.
- Nonprofit public health activities.
- Nonprofit public programs for the elderly.
- Providers of assistance to homeless individuals.
- Providers of assistance to impoverished families and individuals.

4. Donating ARS Surplus Crops/Produce

This section will incorporate the existing regulations to provide guidance for donating ARS surplus crops/produce.

Screening Criteria

Each year ARS scientists conduct research to help improve food production. A potential source for food recovery is the apparently wholesome food left after scientists collect their data. To help ensure that only “apparently wholesome food is donated,” the following criteria for donating surplus crops/produce are provided:

- No donations of produce from transgenic plants (altering genes to produce a different variety) if the transgenic product has not been approved for consumption by the general public.
- No donations of produce with pesticide applications that deviate from acceptable registered use or that could result in unacceptable residues.

- No donations of produce that does not meet all quality and labeling standards imposed by Federal, State, and local laws and regulations even though the food may not be readily marketable due to appearance, age, size, etc.

Crops Eligible for Exchange/Sale

Before considering donating crops/produce, you must consider whether is it financially beneficial to the Government to sell the crops and return the proceeds to the specific program. Gleaning involves only leftover food, not products or resources that have monetary value to the Government.

Within ARS there are Areas and locations that have existing suspense accounts for the sale of crops/produce. Offices with existing crop/produce suspense accounts must first consider selling these crops/produce and depositing the proceeds into their specific accounts. Check with the appropriate property office and financial management office to verify whether a suspense account currently exists or if there is a continued need to maintain an account. Follow the procedures under ARS Directive 326.0, "Collections," and Financial Management Manual, Chapter 2400, Reimbursable and Trust Fund Agreements, for depositing proceeds from the sale of ARS crops/produce.

Declaring Excess/Surplus

After completing appropriate research information, the individual responsible for the crop/produce must ensure that it is not exchange/sale property and then declare it as excess to the appropriate accountable property officer.

When reporting excess property, follow established procedures under ARS Manual, 221.1, "Personal Property and Motor Vehicle Management." The accountable property officer completes form AD-107, Report of Transfer or Other Disposition or Construction of Property, reporting excess crops to their appropriate property management official for donation approval/disposal instructions. After the property management official approves local disposition, the accountable property office can then pursue donating to a public body. Within ARS field locations, the appropriate property management official is:

- Location Administrative Officer/Technician (when property management authority is delegated from the Area Office)
- Area Property Management Officer (if property management authority remains at the Area level).

Donated surplus property is to be made available free of charge. However, the donee is responsible for paying all costs associated with packaging and transportation.

Land-Grant Universities

When trying to find a source to donate surplus crops/produce, consider the USDA-affiliated programs at the Land-Grant Universities in each state. The Cooperative Extension Service programs help agencies and community-based groups work together to establish local hunger programs, promote food safety and proper nutrition, and administer food recovery programs. A list of telephone numbers for each State's Cooperative Extension Service is listed under USDA's Gleaning and Food Recovery home page at <http://www.usda.gov/fcs/glean.htm>.

5. Donation Agreement

Before donating surplus crops to a public body, the agency and the donee will enter a Donation Agreement (see Exhibit 2). This agreement will serve as an instrument for the agency and the public body to donate and accept surplus food for distribution to the needy. It also certifies that the donation complies with established regulations and the Government has met the liability issues covered under the Bill Emerson Good Samaritan Food Donation Act. The Donation Agreement includes:

- purpose,
- authority,
- provisions & objectives, and
- certifications.

The agreement is a fill-in document and requires the signature of the ARS Location Administrative Officer/Location Administrative Technician or equivalent and the donee's authorized representative. After both parties sign the agreement, the donee may pick up surplus food.

6. Harvesting by Outside Organizations

When the research does not require collection data or when harvesting is not practicable or feasible by an ARS location, offices can establish a partnership with an organization to harvest and accept crops. However, before allowing others to harvest on Federal property, all liability issues must be covered to protect the Government's interest. This can be accomplished either through a Memorandum of Understanding (MOU) or a revocable permit. Although the Bill Emerson Good Samaritan Food Donation Act does limit the Government's liability, these documents also cover liability issues and include permission to use Federal land.

Memorandum of Understanding (MOU's)

MOU's are written, legally binding agreements that establish cooperative programs and projects between ARS and public or private institutions and individuals. Unless prohibited by law, ARS may establish MOU's with the following qualified and responsible parties:

- Federal agency.
- State or local government.
- College, university, or research institution/organization.
- Private for profit/nonprofit organization.
- Individuals.

Procedures

MOU's must meet specific criteria such as:

- objectives of proposed project must support an authorized ARS mission,
- projects are designed so that each party to the MOU conducts its own activities and manages its own expenditure of funds, and
- no exchange of funds is planned.

Before initiating an MOU, follow the established procedures in ARS Manual 280.0, "Extramural Agreements," (April 1994). Areas/locations can explore using either a Standard or Individual MOU to accomplish harvesting. The MOU will cover objectives, liability, and many other concerns. One clause requires each party to maintain appropriate kinds of insurance coverage to protect their employees. If the other party elects not to obtain insurance, ARS is not held liable for those using ARS property or facilities. Only an Authorized Departmental Officer can sign MOU's. However, Location Administrative Officers/Technicians may have authority to sign standard MOU's. **The Donation Agreement is not needed with an MOU.**

In addition to the liability addressed in the MOU, the Bill Emerson Good Samaritan Food Donation Act also provides protection to the "person" (includes a Government entity) who allows the collection or gleaning of donations. The act states that the person who allows the collection or gleaning of donations, in good faith, for distribution to the needy, will not be subject to civil or criminal liability that may arise from the injury or death of the gleaner or representative. The exception to this is when an injury or death results from gross negligence or intentional misconduct.

Revocable Permits

As an alternative to using an MOU, locations can grant permission for outside organizations to gain access to harvest on Federal property through a revocable permit. Real estate warrant officers (Area Real Property Management Officers) are authorized to issue revocable permits. These permits can be issued on a one-time basis or for a specific period of time. ARS Manual 245.1, "Real Property Management," establishes the procedures for issuing these permits.

7. Other Food Recovery Activities

USDA Contracts

Departmental regulations require contracting officers to include a standard letter promoting gleaning and food recovery to all award documents for contracts of \$100,000 or more (see Exhibit 3). The letter encourages USDA's contractors and subcontractors to support food recovery activities through collection, transportation, distribution, volunteering time, and any other involvement that benefits food recovery. Although contracting officers must include the letter as a part of the award package for contracts of \$100,000 or more, further distribution of the letter with lesser award packages is also encouraged.

USDA National Hunger Clearinghouse

Recently, USDA launched a national effort to enhance public awareness and support of private efforts for food recovery. Under a contract with World Hunger Year, the Department established the USDA National Hunger Clearinghouse which connects various groups working on hunger, food, nutrition, and agriculture issues. You can obtain more information about World Hunger Year/USDA National Clearinghouse by calling 1-800 GLEAN-IT or by browsing their web site listed below.

Food Drives

Offices that do not have surplus crops/produce can still participate in or promote food recovery activities through various methods such as:

- Participating in or organizing food drives and donating nonperishable food items to a local food bank or other nonprofit food recovery organization.
- Increasing employee awareness of local hunger and food safety issues through promotional material from Government agencies, food banks, and other nonprofit food recovery organizations that are partners with USDA.

Food Recovery on the Internet

Sources of information on gleaning and food recovery organizations and resources are available on the Internet:

General Search of the World Wide Web. Conduct a general search of the World Wide Web by using search tools such as YAHOO or LYCOS. The terms “hunger” and “hunger resources” are more likely to identify the relevant organizations than the terms “gleaning” or “food recovery.”

Specific Sites on the World Wide Web. The following web sites are good starting points to search for gleaning and food recovery related web sites:

http://www.usda.gov/fcs/glean.htm	USDA Gleaning and Food Recovery Home Page
http://www.iglou.com/why/glean/	World Hunger Year
http://www.secondharvest.org/	Second Harvest
http://www.idealists.org	Action Without Borders
http://www.efsp.unitedway.org/	United Way

Please note that these URLs are subject to change.

8. Summary of Responsibilities

Location Administrative Officers/Technicians

- Authorize local disposal instructions.
- Sign Donation Agreement.
- Sign MOU’s when authorized.

Real Estate Warrant Officers

- Authorize revocable permits when necessary.

Authorized Departmental Officers

- Authorize MOU when necessary.

Area Property Management Officers

- Authorize local disposal instruction when necessary.

Accountable Property Officers

- Report excess produce for local disposition.
- Ensure crops eligible for donation meet screening criteria.
- Initiate MOU when necessary.

Employees

- Become more aware of food recovery efforts.

9. Glossary

Apparently Wholesome Food. Food that meets all quality and labeling standards imposed by Federal, State, and local laws and regulations even though the food may not be readily marketable due to appearance, age, freshness, grade, size, surplus, or other conditions.

Excess Property. Property no longer needed by the holding agency.

Food Recovery. Collecting wholesome food for distribution to needy individuals.

Gleaner. A person who harvests for free distribution to the needy, or for donation to a nonprofit organization for ultimate distribution to the needy, or an agricultural crop donated by the owner.

Gleaning. The practice of gathering the extra crops that are left in the fields after a harvest.

Gross Negligence. Voluntary and conscious conduct by a person with knowledge (at the time of the conduct) that the conduct is likely to be harmful to the health or well-being of another person.

Intentional Misconduct. Conduct by a person with knowledge (at the time of the conduct) that the conduct is harmful to the health or well-being of another person.

Nonprofit Organization. An incorporated or unincorporated entity that is operating for religious, charitable, or educational purposes; and does not provide net earnings to, or operate in any other manner that insures to the benefit of, any officer, employee, or shareholder of the entity.

Perishables. Any foodstuff which is subject to decay or spoilage.

Person. An individual, corporation, partnership, organization, association, or governmental entity, including a retail grocer, wholesaler, hotel, motel, manufacturer, restaurant, caterer, farmer, and nonprofit food distributor or hospital. In the case of a corporation, partnership, organization, association, or governmental entity, the term includes an officer, director, partner, deacon, trustee, council member, or other elected or appointed individual responsible for the governance of the entity.

Public Body. Any State, territory, or possession of the United States and any political subdivision thereof; the District of Columbia; the Commonwealth of Puerto Rico; an agency or instrumentality of the above; any Indian tribe; and any agency of the Federal Government.

Surplus Property. Property no longer needed by the Federal Government. Property is eligible for donation, abandonment, or destruction.

/s/

W. G. HORNER
Deputy Administrator
Administrative and Financial Management

Text of The Bill Emerson Good Samaritan Food Donation Act

PUBLIC LAW 104-210

An Act to encourage the donation of food and grocery products to nonprofit organizations for distribution to needy individuals by giving the model Good Samaritan Food Donation Act the full force and effect of law.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1.

CONVERSION TO PERMANENT LAW OF BILL EMERSON GOOD SAMARITAN FOOD DONATION ACT AND TRANSFER OF THAT ACT TO CHILD NUTRITION ACT OF 1966.

SECTION OF THE NATIONAL AND COMMUNITY SERVICE ACT OF 1990 THAT WAS AMENDED BY THE BILL EMERSON GOOD SAMARITAN FOOD DONATION ACT:

Public Law No. 101-610, 104 Stat. 3183 (codified at 42 U.S.C. 12671-12673) (1990)

TITLE IV- FOOD DONATIONS

SEC. 401. SENSE OF CONGRESS CONCERNING ENACTMENT OF BILL EMERSON GOOD SAMARITAN FOOD DONATION ACT. (As amended 1996)

(a) IN GENERAL.—It is the sense of Congress that each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States should

- (1) encourage the donation of apparently wholesome food or grocery products to nonprofit organizations for distribution to needy individuals; and
- (2) consider the model Good Samaritan Food Donation Act (provided in section 402) as a means of encouraging the donation of food and grocery products.

(b) DISTRIBUTION OF COPIES. -The Archivist of the United States shall distribute a copy of this title to the chief executive officer of each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

SEC. 402. BILL EMERSON MODEL GOOD SAMARITAN FOOD DONATION ACT.

(a) SHORT TITLE. —This section may be cited as the “Bill Emerson Good Samaritan Food Donation Act.”

(b) DEFINITIONS. —As used in this section:

(1) APPARENTLY FIT GROCERY PRODUCT.—The term “apparently fit grocery product” means a grocery product that meets a quality and labeling standards imposed by Federal, State, and local laws and regulations even though the product may not be readily marketable due to appearance, age, freshness, grade, size, surplus, or other conditions.

(2) APPARENTLY WHOLESOME FOOD. —The term “apparently wholesome food” means food that meets all quality and labeling standards imposed by Federal, State, and local laws and regulations even though the food may not be readily marketable due to appearance, age, freshness, grade, size, surplus, or other conditions.

(3) DONATE.—The term “donate” means to give without requiring anything of monetary value from the recipient, except that the term shall include giving by a nonprofit organization to another nonprofit organization, notwithstanding that the donor organization has charged a nominal fee to the donee organization, if the ultimate recipient or user is not required anything of monetary value.

(4) FOOD.—The term “food” means any raw, cooked, processed, or prepared edible substance, ice, beverage, or ingredient used or intended for use in whole or in part for human consumption.

(5) GLEANER. —The term “gleaner” means a person who harvests for free distribution to the needy, or for donation to a nonprofit organization for ultimate distribution to the needy, an agricultural crop that has been donated by the owner.

(6) GROCERY PRODUCT. —The term “grocery product” means a nonfood grocery product, including a disposable paper or plastic product, household cleaning product, laundry detergent, cleaning product, or miscellaneous household item.

(7) GROSS NEGLIGENCE.—The term “gross negligence” means voluntary and conscious conduct (including a failure to act) by a person who, at the time of the conduct, knew that the conduct was likely to be harmful to the health or well-being of another person.

(8) INTENTIONAL MISCONDUCT.—The term “intentional misconduct” means conduct by a person with knowledge (at the time of the conduct) that the conduct is harmful to the health or well-being of another person.

(9) NONPROFIT ORGANIZATION.—The term “nonprofit organization” means an incorporated or unincorporated entity that —

- (A) is operating for religious, charitable, or educational purposes; and
- (B) does not provide net earnings to, or operate in any other manner that inures to the benefit of, any officer, employee, or shareholder of the entity.

(10) PERSON.—The term “person” means an individual, corporation, partnership, organization, association, or governmental entity, including a retail grocer, wholesaler, hotel, motel, manufacturer, restaurant, caterer, farmer, and nonprofit food distributor or hospital. In the case of a corporation, partnership, organization, association, or governmental entity, the term includes an officer, director, partner, deacon, trustee, council member, or other elected or appointed individual responsible for the governance of the entity.

(c) LIABILITY FOR DAMAGES FROM DONATED FOOD AND GROCERY PRODUCTS. -

(1) A person or gleaner shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of apparently wholesome food or an apparently fit grocery product that the person or gleaner donates in good faith to a nonprofit organization for ultimate distribution to the needy.

(2) A non-profit organization shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of apparently wholesome food or an apparently fit grocery product that the person or gleaner donates in good faith to a non-profit organization for ultimate distribution to needy individuals.

(3) Exceptions. Paragraphs (1) and (2) shall not apply to an injury to or death of an ultimate user or recipient of the good or grocery product that results from an act or omission of the person, gleaner, or non-profit organization, as applicable, constituting gross negligence or intentional misconduct.

(d) COLLECTION OR GLEANING OF DONATIONS.—A person who allows the collection or gleaning of donations on property owned or occupied by the person by gleaners, or paid or unpaid representatives of a nonprofit organization, for ultimate distribution to needy individuals shall not be subject to civil or criminal liability that arises due to the injury or death of the gleaner or representative, except that this paragraph shall not apply to an injury or death that results from an act or omission of the person constituting gross negligence or intentional misconduct.

(e) PARTIAL COMPLIANCE.—If some or all of the donated food and grocery products do not meet all quality and labeling standards imposed by Federal, State, and local laws and regulations, the person or gleaner who donates the food and grocery products shall not be subject to civil or criminal liability in accordance with this section if the nonprofit organization that receives the donated food or grocery products-

(1) is informed by the donor of the distressed or defective condition of the donated food or grocery products;

(2) agrees to recondition the donated food or grocery products to comply with all the quality and labeling standards prior to distribution; and

(3) is knowledgeable of the standards to properly recondition the donated food or grocery product.

(f) CONSTRUCTION.—This section shall not be construed to create any liability.

SEC. 403. EFFECT OF SECTION. 402

The Bill Emerson Good Samaritan Food Donation Act (provided in section 402) is intended only to serve as a model law for enactment by the States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States. Nothing in this section shall be construed to supersede State or local health regulations.

Food Recovery Donation Agreement

(ARS, Area/Location Name and Public Body)

1. Purpose

The purpose of the agreement is to establish a relationship between **USDA, ARS, (Location)** and **(Public Body)** concerning the donation of surplus perishables in support of USDA food recovery efforts.

2. Authority

Federal Property Management Regulations (FPMR), 101-43.305 and 101-43.311 allow agencies to declare perishables as surplus property and donate surplus to public bodies.

Public Law 104-210 limits the liability of persons who act in good faith to donate apparently wholesome food to nonprofit organizations for ultimate distribution to needy individuals.

3. Objectives and Program Elements

This agreement is intended to provide a mechanism for the donation of surplus food recovered from **(ARS Location)** to **(Public Body)** to support USDA's food recovery initiative. **(ARS Location)** is offering the following crops/produce to **(Public Body)**.

Description	Quantity/Unit of Measure
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(ARS Location) ensures that the above produce does meet the following criteria:

1. No donation of produce from transgenic plants (genes were not altered to produce a different variety), if the transgenic product has not been approved for consumption by the general public.
2. No donations of produce with pesticide applications that deviate from acceptable registered use or that resulted in an unacceptable residue.
3. No donations of produce not meeting the definition of "apparently wholesome product."

The **(ARS Location)** certifies that the food recovered is donated in good faith and meets the criteria and definitions of Public Law 104-210, The Bill Emerson Good Samaritan Food Donation Act for “apparently wholesome food,” which states that the food meets all quality and labeling standards under Federal, State, and local laws and regulations even though the produce may not be readily marketable due to appearance, age, freshness, grade, size, or another condition.

The **(Public Body)** accepts this donation for ultimate distribution to the needy and will not subject the **(ARS Location)** to civil or criminal liability absent gross negligence and intentional misconduct. Per Public Law 104-210, “gross negligence” is voluntary and conscious conduct by a person with knowledge (at the time of the conduct) that the conduct is likely to be harmful to the health or well-being of another person. “Intentional misconduct” is conduct by a person with knowledge (at the time of the conduct) that the conduct is harmful to the health or well-being of another person.

As stated in Public Law 104-210, **(ARS Location)** is not subject to civil or criminal liability that arise due to the injury or death of the gleaner or harvester or their representative of the **(Public Body)**, except in cases constituting gross negligence or intentional misconduct.

4. Costs

The **(Public Body)** is responsible for paying all costs associated with receiving the donations, which may include packing and transportation.

5. Approving Officials

The approving officials for this Food Recovery Donation Agreement are:

(ARS)	(Public Body)
Name:	Name:
Title:	Title:
Signature:	Signature:
Date:	Date:

AGAR Advisory

September 16, 1997

UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF PROCUREMENT AND PROPERTY MANAGEMENT
PROCUREMENT POLICY DIVISION
AGAR ADVISORY NO. 13

INTRODUCTION: This Agriculture Acquisition Regulation (AGAR) Advisory has been prepared to provide information regarding the Department of Agriculture's (USDA) food recovery and gleaning activities.

SUMMARY: President Clinton launched a food recovery and gleaning initiative in November 1996. He called for all activities to promote the donation of excess food and grocery products to nonprofit organizations for distribution to the needy. As a part of accomplishing this, we are committed to encourage food recovery by contractors and subcontractors working with us.

SPECIFIC ISSUES:

- *SECRETARY'S WORKING GROUP:* The Secretary appointed a working group to coordinate USDA's efforts. The working group has endorsed advertisements to contractors and subcontractors working with USDA as a valuable way to promote food recovery.
- *LETTER TO CONTRACTORS AND SUBCONTRACTORS:* We prepared a letter to contractors working with USDA. Bulk copies of the letter have been provided to the Procurement Council member for each contracting activity. A copy of the letter is attached. The letter is to be included when an award document of \$100,000 or more is mailed to a contractor. Further distribution to contractors may be made when local personnel consider it effective in promoting gleaning.
- *END OF MAIL CAMPAIGN:* This letter should not be distributed after the expiration date of this advisory.

If you have questions or comments regarding this advisory, please contact J. R. Holcombe, Jr. by phone, (202) 720-8484, fax, (202) 720-8972, or e-mail, RHOLCOMBE@USDA.GOV. This AGAR Advisory will appear on the USDA World Wide Web site at the following URL: <http://www.usda.gov/da/procure/agaradv.htm>.

EXPIRATION DATE: This advisory expires 360 calendar days from the date of issuance.

September 16, 1997

In November 1996, President Clinton launched an initiative to reduce hunger in this country by promoting food recovery activities. This initiative represents the culmination of the efforts of many, including the Department of Agriculture (USDA). Today, I am urging you to add your support to this work and to join USDA and many others in the collection, distribution, and provision of food to the many Americans who rely on nonprofit food distribution organizations for a significant portion of their nutritional needs.

The food recovery effort needs your help! Many businesses, large and small, have already joined the effort. Many State and Federal agencies, nonprofit organizations, community volunteer groups, and individuals have stepped forward. Each fills a different role; limited only by their imagination. Food donation comes easily to mind; but collection, transportation, volunteer time, office space and equipment, computer help, visible support, and organizational talents are also prime needs.

The common goal is to economically reduce hunger. Food is available to meet the goal. Almost one-fifth of America's food goes to waste each year. Additional business and community efforts are needed to reach success; that is to rescue healthful food and provide it to those who are hungry.

If you choose to join this initiative, we can help you begin. USDA has established a toll-free hotline, "1-800-GLEAN IT." We provide information on food recovery opportunities and participating groups through this number. Food recovery and gleaning information can be reached at our web site <http://www.usda.gov/fcs/glean.htm> and from our brochure, "A Citizen's Guide to Food Recovery."

I strongly encourage you to step forward and to join in the food recovery effort. Participation in food recovery benefits your business, your customers, your employees, and their communities. Participation builds your visibility and workplace volunteer spirit spills over to build a more robust and cohesive community.

Together we can reduce the hunger around us.

W. R. Ashworth

USDA Senior Procurement Executive