

Donating or Repurposing Excess School Meals

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Issue

Are schools allowed to donate or repurpose excess school meals and do they have programs for doing so?

Summary

The State Department of Education (SDE) Health/Nutrition Bureau indicates that many schools have composting programs or food donation policies (e.g., school cafeteria “share tables” or food donations to food pantries). According to SDE, federal school nutrition regulations permit and encourage these programs and policies as long as schools implement measures to minimize leftover food and comply with the state’s Public Health Code.

School Composting

The Department of Energy and Environmental Protection (DEEP) features information on food waste and school composting on its [website](#). Also available on the department’s website is a [manual on composting](#), written specifically for K-12 schools, which outlines the steps necessary for establishing and maintaining a successful schoolwide composting program for cafeteria food scraps.

Food Donations and Share Tables

The SDE Health/Nutrition Bureau states that many schools have food share tables or donate food to local food pantries. However, such programs must operate within the limits of the state Public Health Code and federal school nutrition program regulations.

For example, share tables are areas designated in a cafeteria where students can leave food they have purchased from the school meals program but are not going to eat. This allows students who want a second serving to help themselves to additional food. To ensure that the food is safe to eat, the Public Health Code restricts the types of food items that may be shared. For example, whole fruit with a peel that the student removes before eating (e.g., oranges and bananas) is permitted while whole fruit without a peel is not permitted (e.g., apples and peaches). SDE has issued a guidance [memo](#) that details what is, and what is not, permitted.

Similarly, state and federal law protects from liability those who donate food to a nonprofit unless the donor “knew or had reasonable grounds to believe” that the food was either adulterated or not fit for human consumption. DEEP has posted a [fact sheet](#) on its website on the legal protections for donors.

SDE points out that the goal of federal school nutrition programs is for students to eat healthy, nutritious food while at school and if any school continuously has excessive leftover food, the school should adjust its practices to ensure the food is consumed at school and minimize food waste.

SDE noted the following concerns with share tables and food donations:

1. Once food leaves the serving line, the food service program cannot ensure that (a) it will be maintained at the right temperature, (b) it did not come into contact with allergens, (c) it was not altered in any way, or (d) a student did not purposefully contaminate the food item and then placed it in a donation area or on a share table.
2. When food donations or share tables are promoted, students may place items that they would otherwise consume on the share table to help a particular cause (e.g., apples being donated to the local horse farm as part of a school project).
3. Parents assume that their children are having all meal components, including drinking milk at breakfast and lunch provided by the school, when in fact the children may be putting items on a share table. Low-income families may be especially reliant on school meals for their children’s daily nutrition; therefore, the parents of low-income students may have a greater concern about their children donating food.

Additional Resources

- U.S. Department of Agriculture Creative Solutions for Ending School Food Waste
<https://www.usda.gov/media/blog/2014/08/26/creative-solutions-ending-school-food-waste>
- EPA: Tips for Schools: Get Kids to Eat More and Waste Less
https://www.epa.gov/sites/production/files/2017-08/documents/food_tips_for_k-12_schools_bold_links_508c.pdf

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