
ENGROSSED SUBSTITUTE HOUSE BILL 2325

State of Washington

57th Legislature

2002 Regular Session

By House Committee on Agriculture & Ecology (originally sponsored by Representatives Wood, Schoesler, Gombosky, Kessler, Linville, Kagi and Esser)

Read first time 02/01/2002. Referred to Committee on .

1 AN ACT Relating to donated food; adding a new section to chapter
2 69.80 RCW; creating a new section; and providing an effective date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds and declares that the
5 distribution of food by donors to charitable organizations, such as
6 shelters, churches, and fraternal organizations, serving communal meals
7 to needy individuals can be done safely consistent with recommended
8 health and safety guidelines. The establishment of recommended
9 guidelines by the state board of health can educate the public about
10 the preparation and handling of food donated to charities for
11 distribution to homeless and other needy people. A federal study found
12 that of three hundred fifty-six billion pounds of foodstuffs available
13 for consumption each year in America, at least ninety-six billion
14 pounds are squandered. The purpose of this act is to authorize and
15 facilitate the donation of food to needy persons in accordance with
16 safety and health guidelines to assure that the donated food will not
17 place needy recipients at risk, to ensure that persons preparing food
18 for and participating in community potluck meals are included within
19 this authorization, and to encourage charitable organizations,

1 businesses, and individuals to donate surplus food to charities serving
2 our state's needy population.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 69.80 RCW
4 to read as follows:

5 (1) Except as expressly prohibited by rule of the state board of
6 health, a donor may donate food in either raw, cooked, processed, or
7 prepared edible form, free of charge, to a distributing organization,
8 including charitable nonprofit organizations, or to the public, for the
9 purpose of serving needy people if the donor and recipient organization
10 comply with health and safety guidelines developed by the state board
11 of health.

12 (2) If a local board of health adopts a rule concerning charitable
13 food donation more stringent than the state board of health food rule,
14 the local board of health shall first provide notice to the public and
15 written notice to cities, towns, and counties within its jurisdiction
16 prior to the public hearing to consider the rule. The local board of
17 health shall also provide notice to known charitable organizations.

18 (3) The state board of health shall promulgate recommended health
19 and safety guidelines for the donation, preparation, and distribution
20 of free food for the purpose of this chapter.

21 (4) The health and safety guidelines promulgated for food shall
22 address potlucks where the public is invited.

23 NEW SECTION. **Sec. 3.** This act takes effect January 1, 2003;
24 except that the promulgation by the state board of health of rules and
25 recommended guidelines for the health and safety for the donation,
26 preparation, and distribution of food is necessary for the immediate
27 preservation of the public peace, health, or safety, or support of the
28 state government and its existing public institutions, and takes effect
29 immediately.

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