



Prepared Food Recovery Proposal

What is Food Recovery?

Food recovery, also called food rescue, is the process of gleaning wholesome food for human consumption that would otherwise not be used and go to waste from institutions such as restaurants, dining facilities (businesses, hospitals, cafeterias, etc.), grocery stores, markets, etc. and donating that food to vetted nonprofit agencies able to feed clients in their community.

What are Prepared Foods?

Prepared and ready-to-eat foods are regulated in North Carolina by county health departments under statewide rules adopted by the Dairy and Food Protection Branch of the NC Department of Agriculture and Consumer Services (<http://ncagr.gov/foodanddrug/food/foodlaw.htm>). NC Department of Health and Human Services (NCDHHS) Environmental Health Section's Food Protection Program (<https://ehs.ncpublichealth.com/faf/food/>) applies the NC Food Code and provides support to local health departments in enforcing those regulations. Prepared and ready-to-eat foods are any meal, food, or beverage to which a retailer has added value or has altered its state (other than solely by cooling) by preparing, combining, dividing, heating, or serving, in order to make the food or beverage available for immediate human consumption.

What are Unserved Prepared Foods?

Unserved prepared and ready-to-eat foods are prepared foods that have not passed into the hands of a consumer. Foods that have passed into the possession of consumers fall under a different set of regulatory guidelines for recovery.

Background

Due to widely varying interpretations and enforcement of state-level food safety regulations at the local level, leftover prepared foods that could be legally and safely donated and consumed are instead entering landfills.

Last year, a group of local food councils - including the Asheville-Buncombe Food Policy Council, the Cabarrus Farm & Food Council, the Carteret Food & Health Council, the Chatham Community Food Council, the Davidson Food Network, the Greater High Point Food Alliance, the Guilford County Food Council, and the Orange County Food Policy Council - reached out to the NC Local Food Council (NCLFC) with an issue they were noticing that was affecting food recovery efforts in their communities.

NCDHHS acknowledged in 2016 that Standard Operating Procedures (SOPs) on prepared food recovery activities and resources were needed to support prepared food recovery efforts through best practice recommendation. NCLFC, Dr. Ben Chapman, Food Safety Extension Specialist at NCSU, and local food council partners met with the NCDHHS Food Safety and Facilities Branch Division in September of 2020 and they agreed that this project would be extremely beneficial to prepared food recovery efforts and that they would sign off on materials developed by Dr. Chapman.

Identified Need

The local food councils highlighted confusion within the communities and local health departments and identified the need for clarity around the rules and regulations that provide the framework for prepared food recovery activities for human consumption. Before approaching NCLFC, the food councils did several research projects with Duke Law and Duke Public Policy students and a recommendation was made that NC could benefit from a program similar to Don't Waste Food SC, that could provide resources and information to community stakeholders interested in

engaging in prepared food recovery and food waste prevention activities as a way to increase awareness and overall recovery activities. In response to the local food councils' request for support, NCLFC formed a Food Waste Recovery Working Group including members from state and local councils to better understand the challenges regarding prepared food recovery policy, and to identify the next steps to improve prepared food recovery outcomes.

This Working Group had several interns perform research over the

past 6 months to gain more insight into the specific issues that communities are facing around prepared food recovery policy. As part of that research, Nicole Lococo (Duke) completed a SOP Review of all 100 counties, as well as several organizations working in prepared food recovery in NC. Additionally, Ethan Phillips (UNC) completed a Prepared Food Recovery Survey prior to the start of the pandemic, and recently another follow-up survey that will soon provide even more insights on prepared food challenges since the start of the shut-down.

This research has confirmed the issues that were brought to the attention of NCLFC by the local food councils:

- There is no standard set of SOPs for prepared food recovery activities that are approved by NCDHHS to serve as guidance and recommendations to county health departments and community prepared food recovery programs.
- There is no consistent, easily understandable information about prepared food recovery policy and procedures, in general, that is easily available to the public.
- This lack of clear and consistent information on prepared food recovery policy and procedures leads to confusion by community stakeholders interested in engaging in prepared food recovery activities, and confusion by County Environmental Health Inspectors who have to regulate and enforce those activities.

This ultimately leads to more prepared food going to county landfills instead of being reclaimed for human consumption, and thus less help to address the growing problem of food insecurity during the pandemic.

- There are also no specific recommendations around prepared food recovery activities related to health and safety protocols related to the pandemic, leading to further fear and confusion.