

The Good Samaritan Law

According to the Good Samaritan Food Donation Act, a person, gleaner or nonprofit 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 nonprofit organization for ultimate distribution to needy individuals.

The Act also states that liability exemption does not apply to an injury to or death of an ultimate user or recipient of the food or grocery product that results from an act or omission of the person, gleaner or nonprofit organization, as applicable, constituting gross negligence or intentional misconduct.

This national law offers uniform protection to citizens, businesses and nonprofit organizations that proceed in good faith to donate, recover and distribute excess food. It promotes food recovery by limiting liability to acts of gross negligence or intentional misconduct such as donating food from which others have already become ill-and absent these, donors and others shall not be subject to “civil or criminal liability arising from the nature, age, packaging, or condition of apparently wholesome food or apparently fit grocery products received as donations.”