

LAX FOOD DONATION POLICY
Frequently Asked Questions (FAQs)

1) Does the LAX Food Donation Policy (Policy) apply to my business?

Answer: All businesses that sell or distribute food at LAX are subject to the Policy, including concessionaires, such as coffee shops, gift shops, sit-down restaurants, airline lounges, and caterers (flight kitchens).

2) What is required and what are the deadlines for the Policy?

Answer: All businesses that sell or distribute food are required to comply with the Policy. Complying with the Policy means adopting and implementing a Business Operational Plan for Surplus Edible Food (BOPSEF) detailing how the company will avoid edible food disposal. In addition, businesses must report to LAWA the weight and types of food donated and upload their BOPSEF plan for the prior year by January 31st.

3) What is a Business Operational Plan for Surplus Edible Food?

Answer: A Business Operational Plan for Surplus Edible Food (BOPSEF) is a formal operational plan detailing how the business will avoid edible food disposal, which can include policies and practices the business implements for surplus edible food prevention and/or edible food donation. Practices can include, but are not limited to, partnering with a food donation charity or agency, right-sizing inventory, and donating excess food to employees). A sample BOPSEF and other resources can be found at www.lawa.org/lawa-environment/lax/lax-food-donation-program.

4) What is the LAX Harvest Food Donation Program and how do I join?

Answer: The LAX Harvest Food Donation Program is an award-winning partnership between LAX, Food Donation Connection (FDC), and several concessionaires. FDC facilitates the donation of unsold, edible food from concessionaires in the terminals to local charities. They also provide participating concessionaires with food containers, food handling safety training, and documentation to enable donors to receive tax deductions for the market value of the donated food. Businesses can register online at www.foodtodonate.com and email steve.dietz@foodtodonate.com or keith.crowe@foodtodonate.com for additional information.

5) I donate surplus food to another charity; am I now required to donate through the LAX Harvest Food Donation Program?

Answer: No. If you have surplus edible food, you can donate to the food donation agency/charity of your choice. This can include the LAX Harvest Food Donation Program, USO Bob Hope, or your employees.

6) Am I still required to comply with the LAX Food Donation Policy if my business does not regularly produce surplus food?

Answer: Yes. The spirit of the Policy is not to encourage or create excess edible food. If your business is right-sizing its inventory and does not have edible surplus food, congratulations on running an efficient operation. The Policy requires that affected businesses have an operational plan that consists of their surplus edible food prevention practices, including food donation. However, there is no requirement from LAWA that the business donates a certain amount of food or any food at all.

7) Do I need to complete the Annual Reporting Form if I did not have surplus food to donate?

Answer: Yes, annual reporting is required regardless of the amount of surplus food donated. The Policy requires that all eligible businesses annually upload their BOPSEF and report the amount and types of food they donate.

8) When is the Annual Reporting Form due and where can I find the Reporting Form?

Answer: Annual reporting is due every year by January 31st. The most current reporting forms can be found at www.lawa.org/lawa-environment/lax/lax-food-donation-program.

9) Are there tax benefits to donating surplus food? If so, what are they?

Answer: On average, a donor can recover 30-40% of the cost of donated food. Please consult with a tax professional regarding your specific situation.

10) Could I be held liable if someone gets sick from donated food?

Answer: The Bill Emerson Good Samaritan Food Donation Act (Good Samaritan Act) is a federal law that provides a national standard of liability protection for both food donors and the non-profit organizations accepting these donations. Link to law: <https://www.congress.gov/congressional-report/104th-congress/house-report/661/1> California state law expands upon the federal Good Samaritan Act. Link to law: http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB1219

11) If I have any additional questions regarding the Policy, who should I contact?

Answer: Please email sustainability@lawa.org.