

## Liability: Food Donation

### ORS 30.890(1)

An individual who, in good faith, donates food to a charity or nonprofit organization, will not be held legally responsible for the condition of the food. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

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### Liability of food gleaners, donors and distributors

(1)

(a) Notwithstanding any other provision of law, a gleaner or the good-faith donor of any food, apparently fit for human consumption, to a bona fide charitable or nonprofit organization, including but not limited to a food bank, for distribution without charge or on a scale reflecting ability to pay or only requiring a shared maintenance contribution, shall not be subject to criminal penalty or civil damages arising from the condition of the food, unless an injury is caused by the gross negligence, recklessness or intentional conduct of the donor or gleaner.

(b) The immunity from civil liability and criminal penalty provided by this section applies regardless of compliance with any laws, rules or ordinances regulating the packaging or labeling of food, and regardless of compliance with any laws, rules or ordinances regulating the storage or handling of the food by the donee after the donation of the food.