

Liability: Food Donation

D.C. Code 48-301

An individual who, in good faith, donates food to a charitable organization or an organization that, in good faith, accepts food donation will not be held legally responsible for injury or death due to the condition of the food. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

Immunity from Liability

(a) All other provisions of law notwithstanding, a good faith donor of food which is not known or believed to be unfit for human consumption, as defined in Chapter 1 of this title, or rules issued pursuant to that chapter at the time it is donated to a bona fide charitable or not-for-profit organization shall not be subject to criminal or civil liability arising from an injury or death due to the condition of such food unless such injury or death is a direct result of the gross negligence or intentional misconduct of such donor.

(b) All other provisions of law notwithstanding, a bona fide charitable or not-for-profit organization which in good faith receives and distributes food which is not known or believed to be unfit for human consumption, as defined in Chapter 1 of this title, or rules issued pursuant to that chapter at the time it is distributed, without charge or at a nominal charge, shall not be subject to criminal or civil liability arising from an injury or death due to the condition of such food unless such injury or death is a direct result of the gross negligence or intentional misconduct of such organization.