

Liability: Donation of Prepared Food

La. R.S. 9:2799.3

An individual, organization, or restaurant, who donates perishable or prepared food to an organization which operates a on premise feeding program, will not be held legally responsible for damages as a result of the food. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

Limitation of liability of restaurants, schools, churches, civic organizations, and certain food donors for damages from donated food

No person shall have a cause of action against a restaurant, church, civic organization, or school, or against any individual, farmer, manufacturer, processor, packer, wholesaler, or retailer of food who donates perishable, salvageable food which is prepared and subsequently donated by the restaurant, church, civic organization, or school to a facility which operates an on-premises feeding program for persons who are needy, ill, or have a disability, infants, or individuals or families in need of assistance for damages caused by the condition of the food, unless the damages result from the intentional act or omission or the negligence of the restaurant or donor.