Regular Session, 2012

HOUSE CONCURRENT RESOLUTION NO. 143

BY REPRESENTATIVE HOFFMANN

CHARITABLE ORGANIZATION: Requests a study of means by which to facilitate and encourage the donation of food by grocers and restaurants to food banks

1	A CONCURRENT RESOLUTION
2	To urge and request that the Louisiana Food Bank Association study means by which to
3	facilitate and encourage the donation of food by grocers and restaurants to food
4	banks and other charitable organizations which serve the needy.
5	WHEREAS, R.S. 9:2799 provides that no person shall have a cause of action in this
6	state against a food bank or against any individual, food service establishment, restaurant,
7	wholesaler, or retailer of food which donates to food banks perishable or prepared food for
8	gleaning or for free distribution for damages caused by the condition of the food, unless the
9	damages result from the intentional act or omission or the gross negligence of the food bank
10	or donor; and
11	WHEREAS, though Louisiana law thus protects from liability grocers and
12	restaurants which donate perishable or prepared food to food banks and other charitable
13	organizations which serve the needy, the practice of such donation is not widespread in this
14	state; and
15	WHEREAS, analyses of food waste in the United States frequently cite figures which
16	estimate that between twenty and twenty-five percent of all food produced in this country
17	is thrown away; and
18	WHEREAS, a 2009 report by the United States Department of Agriculture indicated
19	that forty-nine million Americans are going hungry and that dependable access to adequate
20	food has especially deteriorated among families with children; and

1 WHEREAS, a 2009 study conducted by leading anti-hunger organization Feeding 2 America concluded that Louisiana has the highest rate of child hunger in the nation; and 3 WHEREAS, there exist numerous examples from other states and localities of 4 successful food donation programs involving donations from grocers and restaurants; and 5 WHEREAS, the National Restaurant Association has published "Food Donation: A 6 Restauranteur's Guide", which encourages restaurants to participate actively in food recovery 7 and donation programs and provides practical guidance for doing so; and 8 WHEREAS, grocers and restaurants have played a leading role in places where 9 successful food donation programs have been implemented; and 10 WHEREAS, the mission of the Louisiana Food Bank Association includes promotion 11 of communication and interaction among food banks, provision of education and training 12 programs on issues of hunger and food banking, coordination of statewide resources to 13 benefit food banks, and development of new resources for food and funds; and 14 WHEREAS, the Louisiana Food Bank Association is uniquely qualified to inform 15 policymakers on strategies for reducing food insecurity in this state. 16 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby 17 urge and request that the Louisiana Food Bank Association study means by which to 18 encourage the donation of food by grocers and restaurants to food banks and other charitable 19 organizations which serve the needy. 20 BE IT FURTHER RESOLVED that in conducting such study, the Louisiana Food 21 Bank Association shall engage the Louisiana Restaurant Association and the Louisiana Food 22 Industry Council of the Louisiana Retailers Association and shall incorporate analysis and 23 commentary from those groups in the study. 24 BE IT FURTHER RESOLVED that the Louisiana Food Bank Association shall 25 present findings from the study in the form of a report to the House Committee on Health 26 and Welfare and the Senate Committee on Health and Welfare on or before March 1, 2013. 27 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the 28 executive director of the Louisiana Food Bank Association, the president of the Louisiana 29 Restaurant Association, and the president of the Louisiana Food Industry Council of the 30 Louisiana Retailers Association.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Hoffmann

HCR No. 143

Urges and requests that the La. Association of Food Banks conduct a study of means by which to facilitate and encourage the donation of food by grocers and restaurants to food banks.

Provides that such study shall incorporate analysis and commentary from the La. Restaurant Association and the La. Food Industry Council of the La. Retailers Association.

Requests that findings of the study be submitted to the House and Senate committees on health and welfare on or before March 1, 2013.