

IDOE Guidance on Disposal and Financial Responsibility of USDA Foods

1. USDA Foods are to be disposed of only after IDOE has been informed and approval is given to do so.
2. If the food is left over from a previous meal and still within proper dates it can be repurposed into another recipe.
3. USDA Foods can be disposed of for the following conditions:
 - a. Freezer burn, damage, or tampering.
 - b. If the product is past its expiration date, useful life. **Please keep in mind if a product is past the Best if Used By Date, it does not mean it is expired. Food can continue to be used past the BIUB Date but after that point it should be monitored and considered for use based on quality.**
4. USDA Foods must be properly disposed of in one of the following ways after IDOE notification and approval:
 - a. Start a composting program at the school. There are local composting service companies throughout the state which can be easily found on the internet.
 - b. USDA Foods can be donated to a food bank if:
 - There is too much product on hand.
 - The food bank agrees to receive the product.
 - Prior approval is given by IDOE.
 - c. The contents of the package is taken out of its original packaging, placed into a garbage bag and throwing in the trash receptacle. Note: For safety reasons, the contents should not be disposed of in its original form in order to deter human or animal consumption.

Financial Responsibility for Loss and/or Disposal of USDA Foods Pursuant to FNS 410 and CFR 250.16

Claim Determination from the FNS 410 Guidance

Elements and time frame. The distributing agency must investigate any loss of donated foods, or any improper use or loss of funds, as described in Section IV.A of this Instruction, regardless of the value of the loss, in order to determine if a claim must be pursued against the party responsible for the loss. Such claim determination must be completed within 30 days from the date of discovery of the loss, or from the date that information was first received indicating that the loss had occurred, whichever is later. As part of the claim determination, the distributing agency must establish:

1. The types and quantities of donated foods lost;
2. The value of the donated foods lost, or the amount of funds improperly used or lost;
3. The date and location of the loss, to the extent they can be determined;

4. The cause, including if theft, embezzlement, or fraud was involved; and
5. The party responsible for the loss, if any.

§250.16 Claims and restitution for donated food losses.

(a) *Distributing agency responsibilities.* The distributing agency must ensure that restitution is made for the loss of donated foods, or for the loss or improper use of funds provided for, or obtained as an incident of, the distribution of donated foods. The distributing agency must identify, and seek restitution from, parties responsible for the loss, and implement corrective actions to prevent future losses.