

Regular Session, 2012

HOUSE CONCURRENT RESOLUTION NO. 143

BY REPRESENTATIVE HOFFMANN

A CONCURRENT RESOLUTION

To urge and request that the Louisiana Food Bank Association study means by which to facilitate and encourage the donation of food by grocers and restaurants to food banks and other charitable organizations which serve the needy.

WHEREAS, R.S. 9:2799 provides that no person shall have a cause of action in this state against a food bank or against any individual, food service establishment, restaurant, wholesaler, or retailer of food which donates to food banks perishable or prepared food for gleaning or for free distribution for damages caused by the condition of the food, unless the damages result from the intentional act or omission or the gross negligence of the food bank or donor; and

WHEREAS, though Louisiana law thus protects from liability grocers and restaurants which donate perishable or prepared food to food banks and other charitable organizations which serve the needy, the practice of such donation is not widespread in this state; and

WHEREAS, analyses of food waste in the United States frequently cite figures which estimate that between twenty and twenty-five percent of all food produced in this country is thrown away; and

WHEREAS, a 2009 report by the United States Department of Agriculture indicated that forty-nine million Americans are going hungry and that dependable access to adequate food has especially deteriorated among families with children; and

WHEREAS, a 2009 study conducted by leading anti-hunger organization Feeding America concluded that Louisiana has the highest rate of child hunger in the nation; and

WHEREAS, there exist numerous examples from other states and localities of successful food donation programs involving donations from grocers and restaurants; and

WHEREAS, the National Restaurant Association has published "Food Donation: A Restaurateur's Guide", which encourages restaurants to participate actively in food recovery and donation programs and provides practical guidance for doing so; and

WHEREAS, grocers and restaurants have played a leading role in places where successful food donation programs have been implemented; and

WHEREAS, the mission of the Louisiana Food Bank Association includes promotion of communication and interaction among food banks, provision of education and training programs on issues of hunger and food banking, coordination of statewide resources to benefit food banks, and development of new resources for food and funds; and

WHEREAS, the Louisiana Food Bank Association is uniquely qualified to inform policymakers on strategies for reducing food insecurity in this state.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request that the Louisiana Food Bank Association study means by which to encourage the donation of food by grocers and restaurants to food banks and other charitable organizations which serve the needy.

BE IT FURTHER RESOLVED that in conducting such study, the Louisiana Food Bank Association shall engage the Louisiana Restaurant Association and the Louisiana Food Industry Council of the Louisiana Retailers Association and shall incorporate analysis and commentary from those groups in the study.

BE IT FURTHER RESOLVED that the Louisiana Food Bank Association shall present findings from the study in the form of a report to the House Committee on Health and Welfare and the Senate Committee on Health and Welfare on or before March 1, 2013.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the executive director of the Louisiana Food Bank Association, the president of the Louisiana Restaurant Association, and the president of the Louisiana Food Industry Council of the Louisiana Retailers Association.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE