

**FOOD LAW (EXCERPT)**  
**Act 92 of 2000**

**289.5104 Donated food; criminal or civil liability; immunity; employment or designation of food safety manager.**

Sec. 5104.

(1) A retail food establishment, farmer, wholesaler, wholesale processor, distributor, or other person who donates food for use or distribution by a nonprofit organization or nonprofit corporation, and a nonprofit organization or nonprofit corporation that collects donated food and distributes that food to another nonprofit organization or nonprofit corporation free of charge or for a nominal fee, is not subject to any criminal liability under this act or any civil liability resulting from the nature, age, condition, or packaging of the food unless the donor or nonprofit organization or nonprofit corporation knew or reasonably should have known when it donated or distributed the food that the food was adulterated or not fit for human consumption.

(2) A nonprofit organization or nonprofit corporation that serves donated food described under subsection (1) shall employ or designate as a food safety manager an individual who is certified under a personnel certification program described in section 2129(1) and (5).

**History:** Add. 2015, Act 41, Imd. Eff. June 3, 2015