



Donating food in the Illawarra: what you need to know

Every day, perfectly good food goes to waste across our region, while 38% of locals experience food insecurity. The good news? Donating food is not only a powerful way to support your community, it's also legally protected in NSW.








You are not liable when you donate food – here's why:

The Civil Liability Act 2002 (NSW), protects businesses and individuals who donate food in good faith, provided a few simple conditions are met. Under the Act, you are protected from civil liability if:

- The food is donated for a charitable or benevolent purpose (e.g. to a charity or not-for-profit).
- The food is given without receiving a payment or benefit
- The food is safe to eat at the time it leaves your possession.
- You provide information to the recipient to keep the food safe (e.g. storage, handling, or expiry timeframes).

*This means you can't be sued if someone becomes ill after consuming food you donated in good faith, for free, and in a safe condition.

Food Donations Checklist for Businesses

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|  Check food for visible spoilage |  Inform the recipient if the food has a limited window for safe consumption |
|  Discard any food past its use by date |  Provide clear instructions on storage and handling |
|  Keep cold food below 5°C or hot food above 60°C during transport |  Store food in clean, covered, food-grade containers |
|  Keep raw and cooked foods separate | |

Questions? Reach out to foodfairness@healthycities.org.au.

<https://foodfairnessillawarra.org.au>