



Food and  
Nutrition  
Service

Park Office  
Center

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**DATE:** November 21, 2017

**POLICY NO:** FD-107: National School Lunch Program (NSLP), Child and Adult Care Food Program (CACFP), Summer Food Service Program (SFSP), Commodity Supplemental Food Program (CSFP), Food Distribution Program on Indian Reservations (FDPIR), The Emergency Food Assistance Program (TEFAP), and Charitable Institutions

**SUBJECT:** Donated Food Storage, Distribution, and Product Dating (Revised)

Product dates found on retail and donated foods are not federally regulated and can have a variety of definitions. Food manufacturers may voluntarily provide dating to help consumers and retailers decide when food is of best quality, but these dates are not an indicator of wholesomeness or food safety. This memorandum is meant to provide clarification and guidance on policies and procedures for donated food storage and distribution as they relate to product dating. This memorandum replaces the previous FD-107, dated June 9, 2010.

To ensure that donated foods are distributed in a timely manner and in optimal condition, proper ordering, inventory management, and storage practices are necessary. Factors including the length of time and temperature at which food is held during storage and distribution, the characteristics of the food, and the type of packaging will affect how long a product will remain at optimum quality. Distributing and recipient agencies should therefore consider their anticipated demand (i.e., average participation or caseload) to ensure the amount of product they order is distributed to participants in optimal condition and that inventory levels do not exceed amounts needed for a six-month period for TEFAP, NSLP, and other child nutrition programs, or a three-month period for CSFP and FDPIR, as outlined in 7 CFR 250.12(c). Anticipated demand should be based on historical data and should incorporate factors such as shifts in participant preferences, seasonality, and distribution logistics.

As a general rule, distributing and recipient agencies should use a first-in-first-out (FIFO) system of inventory management by marking food cases or other containers with the date of receipt at the storage facility. However, distributing and recipient agencies should also note food product dates provided by the manufacturer. Products marked with the earliest end date (e.g., “best-if-used-by”, “best-if-used-before”, etc.) should be distributed first, even if those items were received after a similar item in inventory. Distributing and recipient agencies must manage their inventories to ensure that recipients have an opportunity to consume donated foods before product end dates have passed. For further guidance on the receipt and storage of donated foods, please refer to [FNS Instruction 709-5, Revision 2, “Shipment and Receipt of USDA Foods”](#), and regulatory requirements at 7 CFR 250.12 and 7 CFR 250.14.

The following paragraphs describe the meaning of some product dates that may be found on food products, including donated foods, in accordance with FNS regulation and USDA Food Safety and Inspection Service guidance. Some products, however, may not have dates printed on them. In such instances, distributing and recipient agencies should maintain records of when products are received and exercise effective inventory management and proper storage practices to ensure wholesomeness.

### **Product End Dates**

A “best-if-used-by” or “best-if-used-before” date indicates when a product will be of best flavor or quality. A “use-by” date is the last date the manufacturer recommends using the product while at peak quality. A “sell-by” date is also a product quality indicator and is the date by which the manufacturer recommends that a store sell the food product for inventory management purposes. Any of these dates could appear on retail or donated foods; however, they are not directly related to food safety. If handled properly, the donated food could still be wholesome and safe to consume beyond these dates until the food exhibits signs of spoilage, such as changes in odor, flavor, or texture. If handled improperly, the foods could lose quality prior to the date marked on the package. **In order to ensure optimum quality, donated foods that have passed such dates should not be distributed to program recipients.** Importantly, program recipients should have the opportunity to consume all donated foods before product end dates have passed.

### **Pack Codes, Date of Pack, and Manufacturing Dates**

A “pack code”, “date of pack”, or “manufacturing date” is a series of letters and/or numbers that indicates when the product was packaged, processed, or manufactured. For example, some donated foods such as canned items may contain manufacturing dates which indicate when the products were manufactured. Certain donated fruits and vegetables, such as canned or frozen peaches, pears, green beans, and corn, may contain pack codes or a date of pack instead. Foods with pack codes or a date of pack are packed shortly after harvest and may be delivered throughout the following year or until the next harvest season. Thus, distributing and recipient agencies may receive product packed or manufactured in the previous year (e.g., product packed in September 2017 may be delivered in July 2018).

Packing or manufacturing dates should not be interpreted the same as best-if-used-by or best-if-used before dates. While they may help determine the age of a product, these codes do not necessarily provide useful information on product wholesomeness or nutritional value. As described above, for products that only have packing or manufacturing dates rather than best-if-used-by dates, distributing and recipient agencies should maintain records of when products are received and exercise

effective inventory management and proper storage practices to ensure donated foods are distributed to program recipients in a timely manner and in optimal condition.

### **Out-of-Condition Foods**

“Out-of-condition” foods are foods that are no longer fit for human consumption as a result of spoilage, contamination, infestation, adulteration, or damage, per 7 CFR 250.2. Out-of-condition donated foods should not be consumed nor distributed regardless of product dates or when the foods were received. If there are no visible defects but there is a question as to the wholesomeness of donated foods, the distributing or recipient agency must have the foods inspected by State or local health authorities, as necessary, to ensure the donated foods are still safe. As directed in 7 CFR 250.15, the distributing or recipient agency must follow food recall and complaints procedures, as applicable, and ensure that out-of-condition donated foods are removed, destroyed, or otherwise disposed of, in accordance with FNS instruction and State or local requirements pertaining to food safety and health.

### **Foods with Special Handling Requirements**

Certain types of donated foods such as dried fruits, grain products, and string cheese are more sensitive to storage conditions. If handled improperly, they may go out-of-condition prior to the dates voluntarily marked on cases or containers. These types of items should be stored in a cool, dry place at refrigerator or freezer temperatures, as applicable and in accordance with proper storage guidelines, and should be distributed to program recipients as soon as possible. Please refer to the [USDA Foods Fact Sheets](#) for specific storage requirements for USDA Foods.

### **General Resources**

Recipient agencies should contact distributing agencies, and distributing agencies should contact their FNS regional offices with any questions or refer to the following resources for more information:

- USDA Food Safety and Inspection Service website on Food Product Dating: <https://www.fsis.usda.gov/wps/portal/fsis/topics/food-safety-education/get-answers/food-safety-fact-sheets/food-labeling/food-product-dating/food-product-dating>
- USDA Foods Complaint Procedures: <https://www.fns.usda.gov/fdd/how-file-complaint>

*/s/ Original Signature on File*

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