

Donation or Transfer of Commercially Purchased Food Items

A contracting entity (CE) participating in the National School Lunch Program (NSLP) and/or School Breakfast Program (SBP) may transfer unused, commercially purchased food item(s) to another entity when a CE is unable to utilize the food item(s) within the program year it was purchased. The food item(s) must be perishable or close to expiring. Please note, that commercially purchased food items that are donated or transferred to another entity will not be replaced.

A CE interested in transferring unused commercially purchased food item(s) has the following options:

- 1. The CE may donate the product to a local food bank.**

NOTE: The [hunger map](#)¹ on the Feeding Texas website may be used to find a food bank by ZIP code. CEs may contact the food bank to get more information on its process for accepting food donations.

- 2. The CE may contact another CE to initiate a transfer of a food product.**

TDA approval is not required to transfer unused, commercially purchased food items.

The CE must keep records of all transfers to another entity, including a list of items transferred, who received the food items, and the date of transfer. CEs may establish a written agreement to document the transfer of food items or may create a receipt for food items that is signed by both parties as documentation of the transfer.

¹ <https://www.feedingtexas.org/>

