



Implementing a Wild Game Donation Program

Legal, Food Safety, and Practical Considerations

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Outline

- Context within Food Protection Alliance Workshop
- Background
- Legal Basis
- Food Safety Concerns
- Practical Considerations
- Remaining Issues



Context

- *“...actions that protect our citizens, visitors and critical infrastructure against potential threats and hazards while still providing for interests, aspirations, and way of life to thrive.”*



Background

- Hunger and food insecurity
- Surplus wild game meat
 - Herd culling
 - Hunter benevolent programs
- Roadblocks to getting game meat to the needy



Legal Basis for Food Donation

- Federal - Bill Emerson Good Samaritan Food Donation Act (Pub. L. 104-210)
- New Mexico – Food Donors Liability Act (41-10 NMSA)
 - Both laws address civil/criminal liability with respect to
 - Good-faith donation
 - Gross negligence, recklessness, intentional conduct



Legal Basis for Food Donation

- Food Donors Liability Act amended in 1997 to include “donated game meat products”
 - Directed NMED to establish procedures for transportation, storage, and processing
 - Limited “wild game” to specific large animals



Legal Basis for Food Donation

- House Memorial 78 (2013) – Donation of Certain Meat to Needy
 - Directed NMDGF and NMED to collaborate... to allow donations to the needy “of meat that is not inspected”



Food Safety Concerns

- “*Meat that is not inspected*”???
- Current NMED food regulations for donations of wild game relied on NM Livestock Board inspection (N/A)
- FDA Food Code has provision for field-dressed wild game animals without postmortem examination



Food Safety Concerns

- NMED developed game donation program modeled after 2007 Conference for Food Protection “*Comprehensive Guidelines for Food Recovery Programs*”
- Consistent with FDA Food Code



Practical Considerations

- Division of responsibilities
 - NMDGF – Hunter
 - Harvest
 - Transport
 - NMED – Processor
 - Receipt
 - Processing
 - Packaging/Labeling
 - Storing/Distribution



Practical Considerations

- Many components to coordinate
 - Hunter education program
 - Recruit/permit game processors
 - Identify who will pay
 - Distribution network
- Relies heavily on “good faith”
 - Hunter
 - Processor



Remaining Issues

- Resume discussions with NMDGF and other parties
- Resolve outstanding questions
- Implement program in time for 2014 hunting season
- Seek buy-in from City of Albuquerque and Bernalillo County jurisdictions



Questions

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