

Founded in 1981, the Community Food Bank of Eastern Oklahoma is the largest private hunger-relief organization in Eastern Oklahoma. We fight hunger by securing, warehousing and distributing much-needed food and grocery items to a variety of agencies that work directly with Oklahomans in need. We feed hope by raising public awareness about hunger and the role of food banking in alleviating hunger.

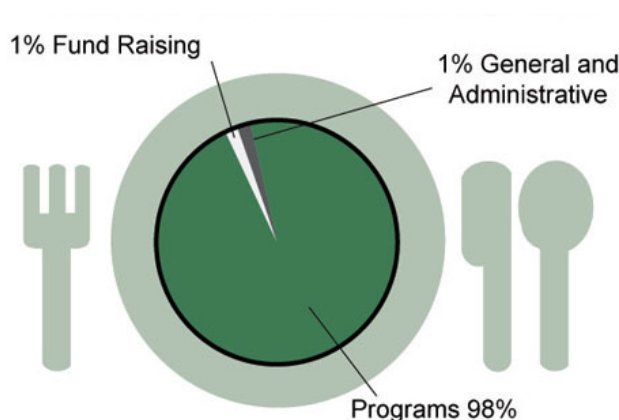
In 2009, the Food Bank:

- Distributed 12 million pounds of food
- Fed an average of 60,000 Oklahomans every week through our Partner Programs
- Provided the equivalent in food of 621,000 meals a month

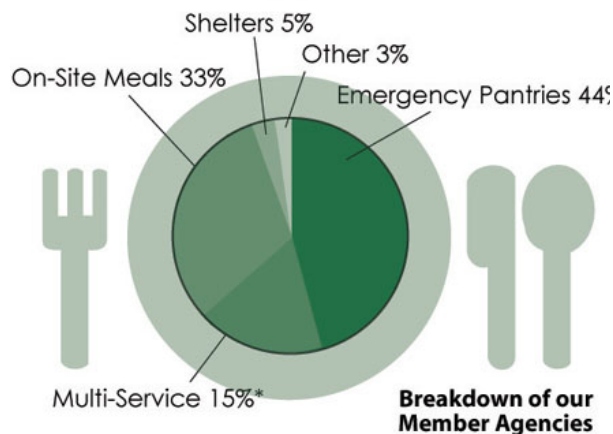
Because of our sound financial management and strong commitment to our vision and mission, **only two percent of our total resources goes toward administration and fund raising, allowing us to devote 98 percent of our resources to fighting hunger and feeding hope.**

One in every five Oklahoma children is at risk of going to bed hungry.

How Our Total Resources are Used



Where the Food Goes



* Agencies with 2 or more different food programs

Copies of our Form 990, the latest audit and annual report are available on our Web site at www.cfbeo.org.

Food Bank Programs At a Glance

The Food Bank fights hunger, feeds hope by distributing approximately almost 800,000 pounds of product to our 450 Partner Programs each month through many avenues, including the following:

Food 4 Kids Programs include our Backpack Program, which provides weekly bags of food to children at risk of going hungry over the weekend; and our Kids Café Program, which provides free meals and snacks to low-income children.

Prepared and Perishable Food Program distributes highly-valued food to the hungry, such as fresh meat, dairy products, produce and already-prepared meals. This is food that would otherwise be discarded.

Value-Added Processing Program extends the shelf life of perishable food by processing it in the Food Bank's Culinary Center into a form that can be frozen and distributed at a later date.

Produce Program supplies fresh, nutritious fruits and vegetables to our Partner Programs.

Rural Delivery Service allows the Food Bank's Partner Programs to make better use of their resources. Since half the programs are more than 35 miles away from the Food Bank's Tulsa warehouse, the Food Bank delivers their food to 13 drop-off sites throughout Eastern Oklahoma.

Product Recovery Center involves hundreds of volunteers who spend thousands of hours sorting and boxing food and other grocery items donated by retail stores and through food drives.

USDA Commodities Program distributes commodities to the Food Bank's Partner Programs through a contract with the Oklahoma Department of Human Services.

Purchased and Staple Food Program allows the Food Bank to provide highly-desirable food, such as peanut butter, canned protein, cereal, rice and beans, to its Partner Programs. This food is not typically donated.

Disaster Relief Program helps the Food Bank respond quickly during a disaster by providing food and water to victims of such catastrophic events as the ice storm of 2007.

Plant a Row for the Hungry is a nationwide program started by the Garden Writers Association of America in 1995 that encourages farmers and backyard gardeners alike to plant a little extra every year and donate the abundance to the hungry.

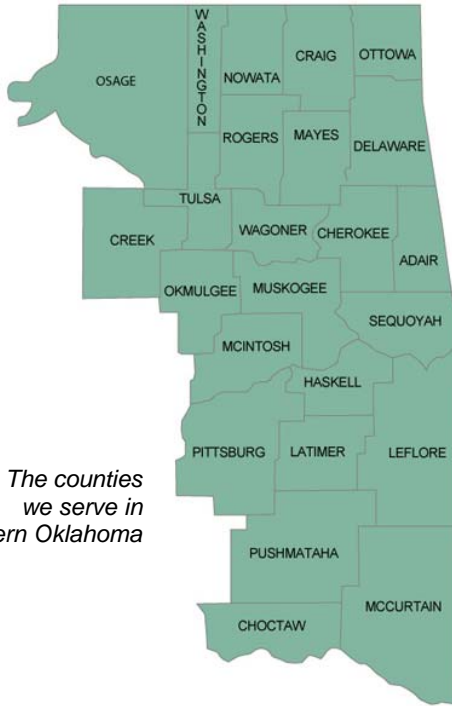
Fighting Hunger, Feeding Hope
FOOD BANK
Community **FOOD BANK** of Eastern Oklahoma



Community Food Bank of Eastern Oklahoma

Partner Programs By County

The Food Bank serves 450 partner programs in 24 counties in Eastern Oklahoma.
Here are the partner programs as of June 2010



The counties we serve in Eastern Oklahoma

Adair

Adair County Resource Center
Daystar Community Services
Emmanuel Food Pantry
Fellowship Baptist Church
The Hope Center

Cherokee

Bread of Life/Tahlequah
Care Food Pantry, Inc. *
Cherokee Nation Youth Shelter
Cookson Hills CAF/Tahlequah
Cookson Hills Center *
Help In Crisis Shelter
OK United Meth. Children's Home
Zoe Institute

Choctaw

Goodland Presbyterian Home
Grant Community Center
Kiamichi Opportunities
Sawyer Senior Citizens Center
Sharing Hope in Hugo
Soper Senior Citizens

Craig

Craig County Detention Center
Craig County Salvation Army
Grand Lake Community Ministry
Home of Hope *
Hope Housing/Vinita
Vinita Senior Citizen Center

Creek

Bristow Presbyterian Church
Bristow Social Services Inc.
Community Care of Sapulpa *
CREOKS MHS/Sapulpa
Depew Senior Citizens Center
Faith Outreach Church
First Baptist Church/Drumright
First Baptist Church/Sapulpa
First Church of God in Christ
First Presbyterian Church/Sapulpa
First UMC/Depew
First UMC/Sapulpa
Kellyville UMC
Mannford Ministerial Alliance
Mounds Senior Center
Salvation Army/Sapulpa *
Sapulpa SDA Church
Slick Senior Citizens
Youth Services of Creek County

Delaware

Brush Creek Youth Ranch
Christian HELP Center
Colcord Senior Citizens
Community Christian Care Ctr.
Cookson Hills Christian School
DOC Services/Grove
House of Hope
Jay Senior Citizens Center
New Lifehouse
Oaks Indian Center

Haskell

Greater Dimensions Outreach
Kibois CAF Women's Shelter

St. Paul UMC
Trinity Baptist Church
Women In Safe Homes *

Nowata

Emmanuel Chapel
Living Word Family Church
Nowata SDA
Trinity Full Gospel Church

Okmulgee

CREOKS MHS/Okmulgee
Crossroads Baptist Church
Crosstown Pentecostal Holiness
Deep Fork CAF/Okmulgee
First Baptist Church/Okmulgee
First UMC/Okmulgee
Henryetta Church of Christ
Jubilee Christian Center
Okmulgee Co. Family Rsrce Ctr.
Okmulgee Co. Homeless Shelter
Restoration Station
St. Anthony Catholic Church
Two Rivers NATC

Osage

Christ's Cupboard/Hominy
Christ's Cupboard/Pawhuska
Hulah Lake Senior Center
Lighthouse Family Worship Ctr
Prue Senior Citizens
SEAC
Shirley Cook Mem. Food Bank
UMC Circle of Care
West Osage Seniors
Youth Services of Osage County

Ottawa

Abounding Faith Ministries Inc
Community Crisis Center
DOC Services/Miami
Hope Housing/Miami
Miami Tribal Nutrition Center
NE OK Council on Alcoholism
North Miami First Baptist Church
Ottawa Co. Nutrition Coalition
ROCMND Group Home
Salvation Army/Miami

Pittsburg

Carsyn's Closet
EOYS Detention Center
First Christian Church/McAlester *
First United Methodist Church *
Friendship House
Gene Heathcock Comm. Ctr.
Hope House of McAlester
Hospitality House of Oklahoma
Indianola Senior Citizens
John 6:13/All Saints Episcopal
Kiowa Emergency Pantry
McAlester Care Center
McAlester Group Home
Salvation Army/McAlester
Shared Blessings *
The Oaks RSC
Victory Park Baptist Church
Youth Emergency Shelter

The Joseph Project *
Whitefield Senior Citizens

Latimer

Calvary Baptist Church
Kibois Community Action, Inc.
New Life/Wilburton *
Wilburton Group Home

LeFlore

Bethel Baptist Church
Catholic Charities/Poteau
Christ's Food Center
Community Free Will Baptist
Fanshawe Free Will Baptist
First Baptist Church/Heavener
Grace Cottage
Harvest Hill Assembly of God
Kiamichi Valley Ministerial Alliance
Kibois CAF Pantry
LeFlore County Youth Services
Panama Senior Citizens
Pocola Senior Citizens
Poteau Church of Christ
Sugarloaf Christian Fellowship *
Victory Worship Center
Women's Crisis Services

Mayes

Boys & Girls Club of Green Ctry *
CARD Seniors/ Pryor
CARD/Pryor
Community Outreach Center *
Ketchum United Methodist Church
Locust Grove Ministerial Alliance
Pryor Ministries Center

McCurtain

Broken Bow Boys & Girls Club
Eagletown Boys & Girls Club
Eagletown Senior Citizens Center

First Baptist Church/Broken Bow
First Presbyterian/Broken Bow
Golden Senior Citizens
Hand to Hand
Haworth Senior Citizens
Kiamichi Youth Services, Inc.
Moon Church of God *
SOS For Families
Valliant Food Pantry
Wright City Senior Citizens

McIntosh

Calvary Baptist Boy's Ranch
Checotah Methodist Mission
Deep Fork CAF/Eufaula
God's Helping Hands/LAMA
Jesus' Helping Hands

Muskogee

Ark of Faith Foundation *
Ash Street Baptist Church
Boulevard Christian Church
C-Hope Ministries
Catholic Charities/Muskogee
Central Church of Christ
Chandler Road Church of Christ
Church of the Living Water
East Side Community Church
Ezra House
First Baptist Church Muskogee *
First UMC/Muskogee
Green Country Respite Care
Landmark Bible Church
MCM Community Pantry
Monarch Inc. *
Muskogee Co. CAF
Muskogee Co. Youth Services
Muskogee SDA Church
Pioneer Free Will Baptist
Rayfield Baptist Church
Salvation Army *

Pushmataha

Finley Community Center
First Baptist Church/Antlers *
Honobia Senior Citizens
Rattan Senior Citizens Center
Rivers of Water Harvest
Sobol Baptist Church *

Rogers

Blue Starr Church of Christ
Claremore SDA Church
First UMC/Claremore
Good Samaritan Ministries
Lakeside Full Gospel Fellowship
Life Changer Church
Oologah United Methodist Church *

Sequoyah

Bethel Baptist Church
Boys & Girls Club/Sequoyah Co.
Catholic Charities/Sallisaw
Cookson Hills CAF/Sallisaw
Evening Shade Comm. Center
First Assembly of God/Muldrow
Inner City Outreach Center
Marble City Community Organization
Marble City Community Pantry
Members in Christ/Vian
United Methodist Boys Ranch

Tulsa

A Third Place
Anchor of Hope Fellowship *
Apostolic Tabernacle of Tulsa
Arms Around BA
Associated Centers For Therapy *
Beaver Street Baptist Church
Bethel SDA Community Service
Bixby Community Outreach Ctr.
Broken Arrow Assembly
Broken Arrow Church of Christ
Broken Arrow Neighbors *
Calvary Temple Assembly of God
Camp Fire East
Catholic Charities/Tulsa
Center Point
Christ For Humanity
Christ the Lamb Miracle Church
Christview Christian Church
Church of St. Mary
Colberts Community Resource
Cornerstone Free Will Baptist Church *
Courtyard Church/Skiatook
Crossroads, Inc.
Crosstown Church of Christ
DVIS
Dayspring Villa Women's Shelter
The Dream Center
Emergency Infant Services
ERDA/Bradford
ERDA/Edenwood
Evangelistic Temple/Storehouse
Faith Mission IGC
Families of Murdered Children
Family & Children's Services Choices
Family & Children's Services PSR
Family & Children's Services FSATP

Family & Children's Services Headstart *
Family & Children's Services Midtown
Family & Children's Services North *
Family & Children's Services South *
Family & Children's Services Women in
Recovery *
First Baptist Church/Owasso
First Baptist Church/Tulsa
First UMC/Bixby
Friendship Resource Center
Garnett Church of Christ
Gateway Foundation
Glenpool Outreach Center
Gospel Tabernacle Church of God in Christ
Harvest House
HOW Foundation
Helping Hand Ministry
Higher Esteem
Holy Highway Evangelistic Center
Homelife Association *
Hospice of Green Country
Housing Partners of Tulsa
Hutcherson Family YMCA
Iron Gate Trust *
Jenks Church of Christ
John 3:16 Family Ministry
John 3:16 Mission Inc.
John Knox Presbyterian Church
Kendall Whittier, Inc.*
Leonard United Methodist Church
Life Adult Day Care Center
Loaves and Fishes *
Love Heals Church
Madonna House
Manna House
Margaret Hudson Program
Members In Christ Assembly/Tulsa
Memorial Drive Church of Christ
Metropolitan Tulsa Urban League
Morton Health Services
Mt. Zion HELP Project
NATL/Tulsa Works
Neighbor for Neighbor
Neighbors Along The Line
New Birth Tabernacle UPC
New Faith/Crestview
New Hope Baptist Church
Nueva Esperanza UMC
Oasis Inc. Adult Day Services
Operation Share/Immanuel Baptist Church
Osage Hills Christian Church
Owasso Baptist Children's Home
Owasso Community Resources
Palmer Continuum of Care
Paradise Baptist Church
Parent Child Center *
Parish of St. Jerome's
Park Plaza Church of Christ
Parkside Pantry
Parkside/TCAT *
Potter's Clay Mission *
Red Fork Baptist Church
Restore Hope Ministries
Ribbon of Blue Ministries
STEPS Resource Center
Safe Haven
Salvation Army/Adult Rehab Ctr.

Salvation Army/Sand Springs
Salvation Army/TSSC
San Miguel School
Sand Springs Community Service
Sheridan Road Baptist Church
Souls Harbor Church
South Peoria Neighborhood House
Special Kids
Springdale Baptist Church
Springs Inc.
St. Clements Community Outreach
St. James United Methodist Church
St. Joseph Residence
St. Paul's Manna Meals
St. Thomas More Catholic Church
Standing in the Gap
Street School
Templo Cristiano
The Bridges Foundation
The Ministry Center
The People's Pantry
Timothy Baptist/Operation PIN
Triumph Worship Center
Tulsa Boys Home
Tulsa CARES *
Tulsa County Social Services
Tulsa Day Center for Homeless
Tulsa Indian UMC
Twelve & Twelve Transition House
UCC Owasso
UMC Circle of Care
VCC Overcomers Group
Victory Christian Center
Vision of Faith Church *
Volunteers of America
Walker Hall
West Tulsa Salvation Army
Western Neighbors
World Won Ministry *
Youth Services of Tulsa

Wagoner

Abundant Rain Ministries *
CARD/Coweta
Destiny Family Church
Immanuel Southern Baptist Church
Lake Crest House of Prayer
Okay Area Senior Citizens
Wagoner Area Neighbors
Wagoner Comm. Outreach *

Washington

Abundant Life/Bartlesville
Adams Blvd. Church of Christ
Agape Mission *
ARC Group Homes
Boys & Girls Club/Bartlesville
Concern Child Learning Center
Concern Emergency Services
Lighthouse Outreach Ctr./Bartlesville
Mary Martha Outreach
Salvation Army/Bartlesville *
Warriors for Christ
Washington/Nowata Nutrition Prg.
Youth & Family Services

* Denotes partners with more than one food program.



Hold a Food Drive

Your company could hold a customer or employee food drive. By holding a food drive, you would be donating additional needed food, plus you would be helping us raise hunger awareness in your area. For more information, contact Susan Hartman, our Food Drive Manager, at ext. 111 or shartman@cfbeo.org.

Make a Financial Contribution

For every dollar received, we can distribute enough food to make seven meals. For more information, contact Carol Foley, our Deputy Director of Resource Development, at ext. 108 or cfoley@cfbeo.org.

Donate Time

We could not do what we do without the generosity of thousands of volunteers. Just an hour or two once a week, once a month or once a year can make a big difference. While many companies promote volunteerism, some companies allow employees to volunteer during regular work hours. For more information, contact Kate Pelizzoni, our Director of Volunteer Services, at ext. 112 or kpelizzoni@cfbeo.org.

Donate In-kind Products or Services

This provides us with services and products at no cost, which allows us to channel more money into fighting hunger. Examples of in-kind donations include gift cards, office supplies, boxes, transportation, printing, maintenance on vehicles and equipment, or giveaways that can be used as fundraisers. For more information, contact Ken Bacon, our Donor Relations Manager, at ext. 122 or kbacon@cfbeo.org.

Help Us Spread the Word

We believe the more informed people are, the sooner our vision of food security, with dignity, for all Oklahomans will become a reality. We have a Speaker's Bureau and would welcome the opportunity to talk to your employees. For more information, contact Cindy Stevens, our Director of Marketing and Communications, at ext. 124 or cstevens@cfbeo.org.

Take Action

It takes more than food and money to fight hunger. It takes a voice speaking up for those who can't always speak for themselves. For more information, visit www.hungerinoklahoma.org or call Cindy Stevens at ext. 124 or cstevens@cfbeo.org. You could be one of those voices!

When you give to the Community Food Bank of Eastern Oklahoma, you make a powerful impact on hunger in Eastern Oklahoma. Although we do not directly feed the hungry, we “feed” the agencies who, in turn, feed the hungry, an average of 60,000 Oklahomans every week. This is how we work:



Financial Contributions and Donated Food

98% of all of our total resources goes directly to hunger-relief programs. The majority of the food we receive is donated by local and national food manufacturers, retailers, wholesalers, growers, restaurants and through food drives. It is transported to our warehouse using our own trucks or major trucking companies who generously donate their services or provide a significant discount.



Community Food Bank of Eastern Oklahoma

The food is put into inventory and the inventory is put online where it is accessed by our Partner Programs. Programs within 35 miles of our warehouse come to the Food Bank on a regular basis to pick up food they have ordered. The other orders are delivered to 13 drop-off sites using our own refrigerated trucks as part of our Rural Delivery Service.



460 Partner Programs

The Food Bank works with 450 Partner Programs in 24 counties of Eastern Oklahoma. These Programs work directly with the hungry. They may provide a week’s worth of groceries at an emergency food pantry, a hot meal at a soup kitchen, homeless shelter or senior citizens center, or a nutritious snack at an after-school program. Last year we distributed almost 13 million pounds of food.

Fighting Hunger, Feeding Hope

Our mission is to feed the hungry of Eastern Oklahoma through a network of Partner Programs and engage our communities in ending hunger.



Almost 93 percent of the food we distribute is donated, thanks to these local and national food industry companies:

National Food Companies

Campbell Soup Company
The Clorox Company
Columbia Fresh Produce Sales
ConAgra Consolidated
ConAgra Grocery Products
Healds Valley Farms
Heinz North America
Kellogg Company
Kraft NA-Nabisco Division
Kraft National Claim Center
Mountain King Potatoes
P and K Services, LLC
Pepsi-Cola North America
The Procter & Gamble Company
Quaker/Pepsico Beverage & Food
Tropicana Products
Tyson Foods, Inc.
Unilever
Walgreen Company
Western Veg-Produce Inc.

Local Food Companies

AKiN'S Natural Foods Market
Albert G's Bar-B-Q
Allen's Inc.
American Gold Label Foods
Andolini's Pizza
Back Yard Burgers
Bama Foods Limited Partnership
Ben E. Keith
Benton County United Way
Big Lots
Blue Bell Creameries Inc.
BOK Center
Borden
Byrd Middle School Cafeteria
CCF Brands, Inc.

Central High School Cafeteria
The Cheesecake Factory
Chicken of the Sea International
Chipotle Mexican Grill
The Clorox Sales Company
Crystal Farms
East Central High School Cafeteria
Edison High School Cafeteria
Edison Middle School Cafeteria
Emerson Elementary School Cafeteria
Expo Square Food & Beverage
Fadler Company, Inc.
Farm Fresh Direct
Fitzgerald Catering
Frito-Lay Inc.
Frontier Produce
Gourmet On the Go
Griffin Food Company
Gutierrez Brothers Banana House
Hale High School Cafeteria
Hamilton Middle School Cafeteria
Hebert's Specialty Meats
Hideaway Pizza
Jasper Products
J-M Farms
Joe Momma's Southtown Pizza
Juice Bowl
K. C. Fruit Inc.
Kendall-Whittier Elementary School Cafeteria
Kraft Foods, Inc.
Kum & Go
La Donna's Fancy Foods
Lance, Inc.
Lean Gourmet
Livesay Orchards

Longhorn Steakhouse
Ludger's Catering Restaurant
Master Foods
McKee Foods Corporation
Memorial Baptist Church
Memorial High School Cafeteria
Mrs Baird's Bakery Outlet
National Steak & Poultry
Nonni's Food Company
The Olive Garden
OSU Horticulture & Landscape Dept.
P. F. Chang's China Bistro
Panera Bread
Patrick Henry Elementary School Cafeteria
Pepsi-Cola Bottling Group
Pizza Hut
QuikTrip Kitchens
Randy's Foods
Reasor's
Red Lobster Restaurant
Rogers High School Cafeteria
St. Francis Hospital Cafeteria
Sam's Club Membership Warehouse
Sara Lee Food & Beverage
Sunny Delight Beverage Co.
Sweet Tooth Candy & Gift Company
The Sygma Network
Target
United Warehouse
Walmart
Warehouse Market Distribution Center
Whole Foods Market
Williams Produce

Making product donations to the Community Food Bank of Eastern Oklahoma is as simple as making a phone call to (918) 585-2800 and following these simple steps. Your product donation will be handled in a timely and appropriate manner.

Step 1 - Call

- (918) 585-2800
- Monday - Friday 8 a.m. - 4:30 p.m.
- After hours, dial extension 122 to leave a message with Ken Bacon.

Step 2 - Ask for Ken Bacon at ext. 122

Step 3 - If you need to leave a message, please provide the following information:

- Your name
- Name of your company
- Your phone number
- Type of product available for donation: dry, refrigerated, frozen
- Amount of product available for donation
- If the product is on pallets and the number of pallets
- Pick-up location

If there is any other information you would like to provide that will enable us to be fully prepared when we return your call, please add it to your message.

We work to accommodate your schedule by arranging for a pickup time to meet your needs.

We also accept product that is delivered directly to the Food Bank. We will make date and time arrangements for your delivery.

A receipt is mailed to you within one week of pick up or delivery.

Though donating food helps those in need, there are many sound business reasons to donate food or non-food items to the Food Bank. Donating your product:

- Provides potential tax benefits (see Potential Tax Benefits of Donating Food)
- Reduces transportation costs
- Frees up warehouse space
- Ensures food safety
- Provides liability protection - The Good Faith Donor bill and the Bill Emerson Good Samaritan Food Donation Act provides protection for donors. These laws protect companies if they donate their unsaleables, not if they sell them. (see Am I Protected from Liability?)
- Reduces disposal costs
- Increase employee morale
- It's a good thing to do! Your donation will be blended with other donations to help feed 50,000 children, women and men each week through our 440 Partner Programs.

Consider donating:

- Discontinued items
- Damaged product
- Slow moving items
- Misrotated product
- Pack changes
- Reformulations
- Obsolete/discontinued promotional items
- End-of-season items
- Product samples
- Close dated product
- Customer turndowns
- Unlabeled items
- Mislabeled items
- Products with cosmetic or production errors
- Perishable product beyond retail sales that will not affect safe consumption



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Heinz North America
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Kraft National Claim Center
Mountain King Potatoes
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Walgreen Company
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Chipotle Mexican Grill
The Clorox Sales Company
Crystal Farms
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Edison High School Cafeteria
Edison Middle School Cafeteria
Emerson Elementary School Cafeteria
Expo Square Food & Beverage
Fadler Company, Inc.
Farm Fresh Direct
Fitzgerald Catering
Frito-Lay Inc.
Frontier Produce
Gourmet On the Go
Griffin Food Company
Gutierrez Brothers Banana House
Hale High School Cafeteria
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Hideaway Pizza
Jasper Products
J-M Farms
Joe Momma's Southtown Pizza
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P. F. Chang's China Bistro
Panera Bread
Patrick Henry Elementary School Cafeteria
Pepsi-Cola Bottling Group
Pizza Hut
QuikTrip Kitchens
Randy's Foods
Reasor's
Red Lobster Restaurant
Rogers High School Cafeteria
St. Francis Hospital Cafeteria
Sam's Club Membership Warehouse
Sara Lee Food & Beverage
Sunny Delight Beverage Co.
Sweet Tooth Candy & Gift Company
The Sygma Network
Target
United Warehouse
Walmart
Warehouse Market Distribution Center
Whole Foods Market
Williams Produce



Why Donate to the Food Bank?

The Community Food Bank of Eastern Oklahoma serves as a “one-stop” donation center. One call to the Food Bank handles all your donation needs on many types of product ranging from one case to a semi-trailer load. Your food is then shared with 460 different private non-profit organizations and churches who feed and help low-income, hungry people without charging for the food.

Our new 78,000 square-foot, state-of-the-art facility is equipped to receive, inventory, store, transport and distribute dry, frozen and refrigerated food and other grocery products. Our facility includes:

- 1,980 pallet spaces of dry storage, 280 pallet spaces of -10° frozen storage, and 280 pallet spaces of refrigerated storage
- Temperature-controlled dock area
- Computerized inventory control system to facilitate tracking of donations
- Refrigerated trucks to ensure proper temperatures are maintained on all donated product
- Accurate and complete receipt documentation of all donations for tax purposes.
- Adherence to state and local Health Department guidelines, as well as USDA and food industry standards.
- Inspection monthly by Tulsa City County Health Department and annually by the food industry
- Less than 3 percent administrative costs

**Your donation is moved quickly and
reaches a maximum number of Oklahomans in need.**

For more information or to donate food or non-food items, please contact

Ken Bacon

Donor Relations Manager

(918) 585-2800, ext. 122 or kbacon@cfbeo.org



Potential Tax Benefits of Donating Food

The following is a summary of the effect current tax laws have on the treatment, under the Internal Revenue Code (IRC), of donations of appreciated ordinary income property when contributed by corporations to charitable organizations. The following information should be used only as a guide. Donors are advised to consult with their tax advisor in applying the appropriate deduction.

The general rule since 1969 states that a taxpayer who contributes appreciated inventory or certain other ordinary income property is permitted a charitable deduction only for an amount equal to the taxpayer's basis in the contributed property, not its fair market value.

Congress, in the 1976 Tax Reform Act, further refined the statute to allow corporate donors an increased deduction, under certain circumstances, for contributions of ordinary income property to a public charity or to a private operating foundation.

Under IRC Section 170 (e) (3), a corporation is entitled to a deduction with respect to a contribution to a public charity or to a private operating foundation of appreciated property described in IRC Section 1221 (1) and (2). That is, certain types of ordinary income property in an amount equal to:

- A. The sum of one-half of the unrealized appreciation (market value minus cost equals appreciation) plus the taxpayer's cost, but
- B. Not in excess of twice the cost of the contributed property as described in IRC Section 170 (e) (B).

Example:

Selling Price	\$4.00
Cost	\$1.00
Gross profit equals \$3.00. One-half of \$3.00 equals	\$1.50
The maximum deduction can never exceed two times cost	(\$2.00)
Therefore, the gross profit element is limited to	\$2.00



Am I Protected From Liability?

As a donor, you are protected by the Good Faith Donor bill and the Bill Emerson Good Samaritan Donation Act. Below is a summary of both bills. Attached is the full text.

Good Faith Donor Bill

Section 1

Any donor who makes a good faith donation of food which is at the time of donation fit for human consumption to a charitable organization or non-profit corporation shall not be liable for damages in any civil suit or subject to criminal prosecution for any injury resulting from the nature, age, condition or packaging of the donated food, unless the injury or death is a direct result of the gross negligence, recklessness or intentional misconduct of the donor.

Section 2

Section 1 of this act shall be codified in the Oklahoma Statutes as Section 5.6 of Title 76, unless there is a created duplication in numbering.

Section 3

It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

A complete version of the bill follows.

Bill Emerson Good Samaritan Food Donation Act

In 1996 the Bill Emerson Good Samaritan Food Donation Act was passed. It encourages the donation of food and grocery products to non-profit organizations for distribution to needy individuals. This new law makes it easier to donate. Here's how:

It protects donors from liability when donating to a non-profit organization.

It protects donors from civil and criminal liability should the product donated in good faith later cause harm to the needy recipient.

It standardizes donor liability exposure. Donors and their legal counsel no longer have to investigate liability laws in 50 states.

It sets a liability floor of "gross negligence" or intentional misconduct for persons who donate grocery products.

It recognizes that the provision of food close to recommended date of sale is, in and of itself, not grounds for finding gross negligence. For example, cereal can be donated if it is marked close to code date for retail sale.

A complete version of the act follows.

Good Faith Donor Act

This Oklahoma state law protects you as a donor.

Section 1

A. Any donor who makes a good faith donation of food which is at the time of donation fit for human consumption to a charitable organization or nonprofit corporation shall not be liable for damages in any civil suit or subject to criminal prosecution for any injury resulting from the nature, age, condition or packaging of the donated food, unless the injury or death is a direct result of the gross negligence, recklessness or intentional misconduct of the donor.

Section 2

Section 1 of this act shall be codified in the Oklahoma Statutes as Section 5.6 of Title 76, unless there is a created duplication in numbering.

Section 3

It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

House Bill 1052

Section 1

A. Any donor who makes a good faith donation of food which is at the time of donation fit for human consumption to a charitable organization or nonprofit corporation shall not be liable for damages in any civil suit or subject to criminal prosecution for any injury resulting from the nature, age, condition, or packaging of the donated food, unless the injury or death is a direct result of the gross negligence, recklessness or intentional misconduct of the donor.

B. This section shall apply to all good faith donations of perishable or nonperishable food which is not readily marketable due to appearance, freshness, grade or other conditions.

C. This section shall not restrict the authority of any appropriate agency to regulate or ban the use of such food for human consumption.

D. For purposes of this section:

1. "Donor" means any person, profit or nonprofit food distributor or person who harvests perishable foods who makes a good faith donation of food;

2. "Good faith donation" means a gift conferred without condition or consideration;

3. "Charitable organization" means any benevolent, philanthropic, patriotic, eleemosynary, educational, social, civic, recreational, religious group or association or any other person performing or purporting to perform acts beneficial to the public;

4. "Nonprofit organization" means a corporation formed for a purpose not involving pecuniary gain to its shareholders or members, paying no dividends or other pecuniary remuneration, directly or indirectly, to its shareholders or members as such, and having no capital stock;

5. "Food" includes any packaged, prepared, perishable or nonperishable food items.

Section 2

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Section 3

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The Good Faith Donor Bill has been in effect since April 1981.



The Bill Emerson Food Donation Act

**One Hundred Fourth Congress of the United States of America
At the Second Session**

**Begun and held at the City of Washington on Wednesday, the third day of January,
one thousand nine hundred and ninety-six.**

An Act

To encourage the donation of food and grocery products to nonprofit organizations for distribution to needy individuals by giving the Model Good Samaritan Food Donation Act the full force and effect of law.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. Conversion to Permanent law of Model Good Samaritan Food Donation Act and Transfer of that act to Child Nutrition Act of 1966.

(a) Conversion to Permanent Law. -- Title IV of the National and Community Service Act of 1990 is amended --

(1) by striking the title heading and sections 401 and 403 (42 U.S.C. 12671 and 12673); and
(2) in section 402 (42 U.S.C. 12672) --

(A) in the section heading, by striking "Model" and inserting "Bill Emerson";

(B) in subsection (a), by striking "Good Samaritan" and inserting "Bill Emerson Good Samaritan";

(C) in subsection (b)(7), to read as follows:

"(7) GROSS NEGLIGENCE. -- The term 'gross negligence' means voluntary and conscious conduct (including a failure to act) by a person who, at the time of conduct, knew that the conduct was likely to be harmful to the health or well-being of another person.";

(D) by striking subsection (c) and inserting the following:

"(c) LIABILITY FOR DAMAGES FROM DONATED FOOD AND GROCERY PRODUCTS. --

"(1) LIABILITY OF PERSON OR GLEANER. -- A person or gleaner shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of apparently wholesome food or an apparently fit grocery product that the person or gleaner donates in good faith to a nonprofit organization for ultimate distribution to needy individuals.

"(2) LIABILITY OF NONPROFIT ORGANIZATION. -- A nonprofit organization shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of apparently wholesome food or an apparently fit grocery product that the nonprofit organization received as a donation in good faith from a person or gleaner for ultimate distribution to needy individuals.

"(3) EXCEPTION. -- Paragraphs (1) and (2) shall not apply to an injury to or death of an ultimate user or recipient of the food or grocery product that results from an act or omission of the person, gleaner, or nonprofit organization, as applicable, constituting gross negligence or intentional misconduct."; and

(E) in subsection (f), by adding at the end of the following: "Nothing in this section shall be construed to supersede State or local health regulations.".

(b) TRANSFER TO CHILD NUTRITION ACT OF 1966. -- Section 402 of the National and Community Service Act of 1990 (42 U.S.C. 12762) (as amended by subsection (a)) --

(1) is transferred from the National and Community Service Act of 1990 to the Child Nutrition Act of 1966;

(2) is redesigned as section 22 of the Child Nutrition Act of 1966; and

(3) is added at the end of such Act.

(c) CONFORMING AMENDMENT. -- The table of contents for the National and Community Service Act of 1990 is amended by striking the items related to title IV.

Newt Gingrich Speaker of the House of Representatives
Strom Thurmond President of the Senate Pro Tempore
Approved 10/01/96