

# PortlandTribune

## Food folly

*Restaurant excess goes in the trash, not down the hatch*

BY PETER KORN

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**The orange Dumpster on the sidewalk outside Jake's Grill in downtown Portland is full to the brim on a Wednesday morning. Included in the mass of kitchen waste are dozens of small loaves of leftover bread, untouched and bagged in plastic, waiting to be picked up — by trash collectors.**

A few blocks away, in Old Town, Brian Ferschweiler, executive director of the nonprofit social service agency Blanchet House, looks out over a cafeteria that serves 600 meals a day, most to the homeless, and wonders who will provide him with enough food this week to serve his customers.

"I think there is a lot of food that is wasted, but how do we get it to people in need? That's the tough part," Ferschweiler said.

There is supposed to be a way.

In restaurants and cafeterias all over the city, good food is being wasted. There are agencies collecting from grocery stores canned food and dairy products that are close to their expiration date.

But only a handful of Portland-area restaurants regularly donate excess food that was never served even though it is safe and legal to give away.

Some restaurants are worried about liability, a few have found health department regulations insurmountable, and some say they have tried and found there's just not an efficient enough collection system for them to work with.

The two most visible collection agencies — the Food Train, run by the Society of St. Vincent de Paul chapter in Portland, and Urban Gleaners, run on a shoestring by Southwest Portland volunteer Tracy Oseran — say they can do more if restaurants only would cooperate. Meanwhile, the ranks of the hungry in Portland continue to grow.

In Northeast Portland, Jean Kempe-Ware, spokeswoman for the Oregon Food Bank, acknowledged that if somebody is going to solve this logistical problem, now — with food donations near all-time lows — would be a good time to start.

The nonprofit Oregon Food Bank acts as the primary distributor for donated food to smaller agencies around the state. When its stocks are low, most of the agencies that actually serve the hungry face the same problem.

"The giving season hasn't started yet, but our warehouse is emptier than we've ever seen it," Kempe-Ware said.

Jacque Grieve, food program manager at Food Train, said that she's gone through the phone book calling local restaurants, asking them to donate.

"They'll say, 'Yeah, we'll give you a call.' And then we don't hear from them," Grieve said.



Despite donation programs run by local nonprofit and government agencies, a lot of unused but edible restaurant food ends up in the trash, such as this Dumpster outside of Jake's Grill downtown.

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But the reluctance, according to some restaurant owners, is not simply based on a lack of information.

### **Overages are hard to predict**

Dustin Clark, executive chef of Wildwood Restaurant and Bar on Northwest 21st Avenue, said there always will be some waste at a high-end restaurant, but there also always will be a very busy kitchen staff.

Clark said he arranged for Food Train to make pickups but eventually stopped. "It just got to the point that they were inconsistent," Clark said.

Annie Cuggino, executive chef at Veritable Quandary in downtown Portland, said that some days her small restaurant has extra edible food but that on other days there will be very little.

Cuggino said she called Metro's Fork It Over program, created in 2004 by the regional government to encourage restaurants to donate food.

Cuggino said she was told arrangements would be made to pick up her extra food, but that the pickups weren't consistent and efficient enough.

"It seemed like we needed a middleman," Cuggino said. "You need to just hand it over, boom, and get your containers for the next day."

Tori Harms, spokeswoman for McCormick & Schmick's Seafood Restaurants, which includes Jake's Grill among its stores, said her company is open to the idea of donating its unserved food.

"We have not been approached in a long time by an organization seeking donated food," Harms said.

Andy Klein, owner of Pepino's Mexican Grill on Northwest 23rd Avenue, said he's found a system that works just fine.

Urban Gleaners sends a car around twice a week, Klein said, to pick up leftover beans and rice the restaurant has kept refrigerated in plastic containers supplied by the nonprofit. That's food Klein said the restaurant used to dump in the garbage.

"It's really easy on our part," Klein said. "We're going to throw it away anyway."

Klein said each pickup yields about eight gallons of rice and a comparable amount of beans. Most ends up at Blanchet House.

The Urban Gleaners pickup is seamless, Klein said. "They just walk into our walk-in, open the refrigerator, get stuff, drop off empty containers and that's it," he said. "A lot of time I don't see them."

### **Some worry about liability**

Still, Oseran and Food Train's Grieve said a number of restaurants and supermarkets have told them they won't donate because they're afraid somebody will sue if they get sick from eating their donated food.

Oseran said that is a hollow excuse. "Nobody's ever gotten sick from this food," she said. "It's ridiculous."

In fact, in 2002 Metro performed a review of case law to address just that concern and found that state and national Good Samaritan laws, which don't hold restaurants liable as long as they've donated food in good faith, have worked. The review found no court cases involving donated food liability.

Bill Perry, director of government relations for the Oregon Restaurant Association, acknowledged that food donation has not caught on in Portland as it has in cities such as New York and Chicago.

Part of the reason, he said, is that high food costs have restaurants taking more care to eliminate waste.

"They used to produce a lot of soup, and if soup was left over they would take it in," Perry said. "But in today's marketplace, they can't do a lot of mass production anymore."

But, Perry said, that isn't a complete explanation. "It just doesn't seem like the food donation thing has been working of late," he said.

### **Self-serve buffets are out**

By far the largest food rescue operation in the city is Food Train. Last year, Food Train picked up more than 374,000 pounds of food, which was turned into 62,000 meals distributed by various charities, including Blanchet House.

Food Train has two refrigerated trucks and collects from about 40 Portland-area food providers, but most are not restaurants.

According to Grieve, hospital, university and company cafeterias are among the most consistent donors.

Health department regulations don't allow food to be donated from buffets where patrons serve themselves. But cafeterias, where servers dole out the food, can donate and are perfect for gleaning because they often have excess.

Food Train is the most established restaurant gleaner, but there are a number of smaller nonprofits that will pick up food. Oseran started Urban Gleaners two years ago out of her home, simply going around to restaurants and asking if they had any excess food to donate.

Now she and her volunteer friends pick up about 25,000 pounds of food a month. Grocers such as Zupan's and Trader Joe's, she's found, are more willing to participate than restaurants.

Oseran said she'd like to see somebody put together a decal that restaurants could put in their windows or on their menus to tell customers they participate in food rescue.

"There might be people who think, 'I'd like to support a restaurant that donates their excess food,'" Oseran said.

That's an idea Oseran has borrowed from City Harvest, a food rescue agency in New York City that has 328 restaurants displaying decals and getting food picked up every week.

In Oseran's view, there's no reason Portland restaurants can't adopt a culture of giving everything they can.

"There's so much that could be done it's absolutely overwhelming," she said. "There is so much food in restaurants and markets and events and hotels and country clubs, you just can't believe it. You should see what we pick up. It's overwhelming."

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### **County's the gatekeeper to free pizza**

As far as Rick Glenn is concerned, among the biggest obstacles keeping unused restaurant food out of the mouths of the needy are county health departments.

The health departments are charged with ensuring that all food, even donated food, is safe and uncontaminated. But Glenn, vice president of Hillsboro-based Pizza Schmizza, says the overzealousness of some inspectors is forcing restaurants, including some of his, to throw away perfectly good food they'd rather donate.

Here's the story:

Pizza Schmizza is one of the Portland area's most consistent donors of unused food, according to officials at St. Vincent de Paul. That organization's Food Train is the largest of the groups that pick up unserved restaurant food in the Portland metro area and deliver it to agencies that feed the needy.

But two Pizza Schmizzas in Washington County don't donate a thing. According to Don Boje, who owns franchises on Southwest Barnes Road and on Northwest Saltzman Road, the stores had been donating leftover slices for more than a year when a Washington County health inspector said the donations violated health department regulations.

Toby Harris, environmental health supervisor for Washington County, explained that there are two ways to measure when food is safe — temperature or time.

If restaurants decide that temperature is their measurement, they must keep the food above 140 degrees or below 40 degrees to ward off bacteria. That means pizza must be under a heat lamp or in a refrigerator.

If a restaurant keeps food at room temperature, time becomes the measurement, and four hours is the limit.

Pizza Schmizza sells its slices quickly, according to Glenn. Company rules require pizza slices to be removed from the counter after 45 minutes. After 45 minutes, Glenn said, slices are either refrigerated or thrown away.

But pizza kept at room temperature for 45 minutes and then refrigerated cannot be donated, according to Harris. Once food is put out at room temperature, time is the measure. And four hours is four hours.

“We really support feeding the needy, but we really believe also that the needy should have food that’s been prepared safely. Everybody should have food that meets the same standard,” Harris said.

Which doesn’t explain why Pizza Schmizzas in Multnomah County are allowed to donate their refrigerated, unsold slices. The Food Train makes two pickups each week at Pizza Schmizza outlets downtown and at RiverPlace, and leave with about 275 slices of pizza and breadsticks per week.

Ken Yee, supervisor of Multnomah County’s environmental health program, said that his inspectors tell by-the-slice operators to throw out pizza after four hours. But apparently they haven’t been as insistent as their Washington County counterparts.

Jean Brogan, who owns the two downtown Pizza Schmizzas, said that health inspectors were satisfied when she told them the pizza was put into the refrigerator after 45 minutes.

All of which strikes Pizza Schmizza Vice President Glenn as both inconsistent and ridiculous.

“I get so frustrated with this,” Glenn said. “We’ve got folks digging in our Dumpsters for food. That’s got to be worse than giving away pizza that’s a little old. I will eat a pizza that is four hours old.”

So what happens to the Pizza Shmizza leftover slices at the Barnes Road and Saltzman Road stores?

“The staff takes some home, but staff gets tired of pizza when they eat it every day, so usually it just gets thrown away,” Boje said.

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