STRENGTHENING FOOD DONATION OPERATIONS DURING COVID-19:
Key Issues and Best Practices for Governments Around the Globe

2021 Update

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About The Global Food Donation Policy Atlas
The Global Food Donation Policy Atlas is a first-of-its-kind initiative to promote better laws on food donation to help address food loss and food insecurity. This project maps the laws affecting food donation in countries across the globe in order to help practitioners understand national laws relating to food donation, compare laws across countries and regions, analyze legal questions and barriers to donation, and share best practices and recommendations for overcoming these barriers. The project is a collaboration between Harvard Law School Food Law and Policy Clinic and The Global FoodBanking Network. To learn about and compare the food donation laws and policies for the countries FLPC has researched to date, visit atlas.foodbanking.org.

About the Harvard Law School Food Law and Policy Clinic
FLPC serves partner organizations and communities by providing guidance on cutting-edge food system legal and policy issues, while engaging law students in the practice of food law and policy. FLPC focuses on increasing access to healthy foods; supporting sustainable food production and food systems; and reducing waste of healthy, wholesome food. For more information, visit www.chlpi.org/FLPC.

About The Global FoodBanking Network
GFN is an international non-profit organization that nourishes the world’s hungry through uniting and advancing food banks in more than 40 countries. GFN focuses on combating hunger and preventing food waste by providing expertise, directing resources, sharing knowledge and developing connections that increase efficiency, ensure food safety, and help food banks reach more people facing hunger. For more information visit www.foodbanking.org.

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The rapid onset and spread of the novel coronavirus (COVID-19) pandemic sent shockwaves through the global food system, exposing and exacerbating deeply entrenched challenges. Recognizing the potential damage, the Food and Agriculture Organization of the United Nations (FAO) warned of a “looming food crisis” should governments fail to mitigate food system disruptions and food access concerns. Limiting the devastating and enduring environmental, economic, and social costs of the pandemic requires more than emergency stopgap measures adopted by governments. Resolving the supply chain fractures that amplify existing food system inefficiencies and drive food insecurity and hunger—particularly among vulnerable communities—necessitates innovative and multistakeholder solutions. To minimize the impact of this food crisis, governments should employ strategic public–private partnerships that engage food banks and other food recovery operations, which already function as essential social safety nets. Yet, more than one year after the COVID-19 outbreak, too few governments have effectively integrated such partnerships into the ongoing pandemic response. As the COVID pandemic continues to impact much of the world, there is an urgent need to more fully engage private sector partners to address the food security and food access needs of the most vulnerable populations.

Since 2020, as communities worldwide faced sudden mandated closures of schools and businesses, restrictions on movement, and severe economic disruption due to the COVID-19 pandemic, millions of people – many for the first time – have turned to food banks for assistance. Recognizing the critical role of food banks and food recovery organizations in addressing food insecurity, food loss, and food waste, the Harvard Law School Food Law and Policy Clinic (FLPC) and The Global FoodBanking Network (GFN) published the June 2020 issue brief Strengthening Food Donation Operations During COVID-19: Key Issues and Best Practices for Governments Around the Globe (hereafter the “2020 Issue Brief”). Part of the Global Food Donation Policy Atlas project, the 2020 Issue Brief highlighted key issues impacting food donation during the initial months of the pandemic and the shortcomings of government emergency responses, including a lack of official recognition of food banks, gaps in social protections, resource shortages, and emergency response measures that inadvertently hindered food recovery operations. The issue brief also recommended concrete strategies for policymakers seeking to more effectively leverage food donation as a solution to rising hunger and food waste.

This 2021 issue brief updates the FLPC and GFN’s previous publication. It reflects on the pandemic’s impact on food systems, food access, and food recovery and monitors government responses since June 2020. To better understand the effects of the COVID-19 pandemic on food banks and to inform food donation policy during the crisis, GFN conducted periodic surveys of its member and affiliate organizations in April, May, and September 2020 for contemporaneous updates of the emergency’s impact in their respective communities. In addition, all GFN members submitted comprehensive calendar year 2020 data offering a complete profile of food bank activity in response to the pandemic and comparability to their pre-COVID operations. The data from these surveys inform many of the findings in this issue brief. This brief also includes insights shared by policymakers during the virtual forum “Exploring Global Policy Solutions to Increase Food Donation and Support Food Recovery During the COVID-19 Pandemic and Beyond” hosted by FLPC and GFN in January 2021. Select government officials, representatives of intergovernmental organizations, and food bank leaders from around the world convened to discuss strategies for strengthening food donation operations during the pandemic.

Based on this information and collaborative research by FLPC, the 2021 issue brief highlights compelling policy opportunities to build stronger partnerships between governments, food banks, and food recovery organizations to reduce food loss, waste, and insecurity during the present crisis and any that may arise in the future.
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Since the COVID-19 outbreak, the potential societal value of food donation has grown exponentially, as the pandemic intensified issues of hunger, food insecurity, and food loss and waste. The most recent estimates indicate that between 720 and 811 million people were hungry in 2020. Millions more are at risk of hunger due to underemployment or unemployment, especially informal workers that lack access to adequate social protections. The economic downturn during the pandemic compounded this vulnerability, driving an estimated 115 million more people into extreme poverty and creating historic demand for food assistance.

Providing such assistance should not present a challenge in principle, as global food supplies remain sufficient to feed the population. Yet efforts to contain the virus—such as restrictions on movements and border closures—have inadvertently undermined food access, upset supply chains, and destabilized markets. Additionally, market disruptions and bottlenecks contributed to food waste along the food supply chain. Global food prices rose during the pandemic to reach the highest level since 2014, while food system inefficiencies contributed to an estimated 17% of global food production being wasted. At the same time, government restrictions impeded access to existing social protection services. In the GFN network, where more than three-fourths of people served live in low-income and middle-income countries as defined by the World Bank, food banks endeavored to fill gaps in already inadequate social safety nets. The impact of the pandemic on downward economic conditions and rising food insecurity shows an urgent need for governments to work in tandem with food banks and food recovery organizations to promote greater food access, food security, and food system resilience necessary to meet current needs and a more rapid recovery.

As a result of these trends, food banks in Africa, Asia, Europe, Latin America, the Middle East, North America, and Oceania reported a surge in demand for emergency food assistance. More than six months after the publication of the 2020 Issue Brief, 78% of surveyed food banks reported that their countries remained in a state of food emergency and that they were experiencing continued and unprecedented strains on operations. Food banks in all regions reported significant demand pressure for most of 2020, more than doubling the number of persons served (rates of increase included: 169% in Africa, 138% in Asia and Oceania, 138% in Europe, 157% in Latin America, and 100% in the Middle East). The increased pressure on food bank services mirrors the rising rate of food insecurity globally in 2020—equal to that of the previous five years combined—according to FAO estimates. About one in three people in the world, did not have access to adequate food in 2020.

The 2020 Issue Brief illustrated how, amid food system turmoil, food banks and food recovery organizations emerged as their own class of pandemic first responders. Food banks not only provide immediate hunger relief to meet surging food needs but also help redirect wholesome, surplus food that would otherwise be wasted, thus minimizing potential environmental and economic costs in the short and long terms.

As the pandemic persists, some countries are beginning to reopen while others re-establishing COVID restrictions to prevent infection spread. In countries facing new COVID challenges, request for emergency food assistance have remained persistently high for more than a year. In nations emerging from the virus threat, schools and restaurants are adapting to new safety protocols, and supply chains are resuming with a degree of normalcy. Across the globe, demand for food donation remains at an all-time high. Intermittent lockdowns and quarantines, still necessary to contain the virus spread, continue to hinder food access for millions of economically disadvantaged persons, rural, indigenous, and underserved populations. The repercussions of economic downturn and mass unemployment have sharply increased demand for emergency food assistance. The number of people served by GFN food banks, for example, rose 132% in 2020 to more than 40 million persons. Many of those receiving assistance were newly in need. In Latin America, for example, 41 percent of the population served in 2020 were new recipients. While food banks have amplified their efforts to meet this rising demand, their operations remain strained as they face resource shortages and fewer in-kind donations from food businesses. Given the far-reaching and long-term effects of the COVID-19 pandemic on the food system, governments around the world must prioritize supporting these organizations that play a significant role in mitigating hunger and food insecurity.
Since the publication of the 2020 Issue Brief, governments have adopted varied, innovative policy measures in response to the food crisis, including those that involve food donation. Increasingly, governments are forming multisectoral partnerships with food recovery organizations to address the dual burden of food insecurity and food waste, as discussed throughout this issue brief. Additionally, some governments are integrating food banks into their ongoing emergency response and are providing resources directly to food recovery organizations in the form of logistical or financial support. Despite this progress, there are still several untapped opportunities for governments to directly strengthen food donation operations and avoid pandemic response measures that undermine the potential of food banks and food recovery organizations. The mobilization of food banks, alongside cash transfers, and other policy interventions are essential to address the ongoing crisis and food access needs. This issue brief highlights these opportunities and offers best practices for advancing food donation as a solution to food loss, waste, and hunger, especially as the world looks to a future beyond the global pandemic.

### KEY ISSUES AND BEST PRACTICES

1. **Issue: Many countries do not officially recognize food banks and food recovery organizations and exclude entities from emergency response measures.**

   Despite the benefit of food donation during both emergency and nonemergency situations, the majority of affiliated food banks reported a tentative relationship with governments during the COVID-19 pandemic. In April 2020, 75% of surveyed food banks reported official or direct lines of communication with government disaster response, but far fewer had been integrated as part of their government’s emergency response effort. In most countries, this was attributed to food bank networks lacking government visibility and influence in policymaking forums. The food banks that reported initial surges of support or government partnerships ultimately concluded that such consultations were short-lived and dwindled as the pandemic forged on. Thus, by October 2020, just more than half (54%) of food banks reported official or direct lines of communication with national or local government. Continued reports from food banks of minimal or no communication with governments even after several months of the pandemic indicate that too many food recovery operations remain excluded from emergency response policies and strategies.

   The number of food banks actively engaged in partnerships with local or national governments on COVID-19 emergency responses also decreased between April and October 2020. In May 2020 more than half (56%) of food banks had engaged in such partnerships, but the number of food banks that reported local or national government partnerships decreased to 43% only a few months later. In many cases, this decrease reflected government neglect to recognize the importance of food banks in times of emergency and to officially codify their role in national strategy, policy, or law.

   As explained in the 2020 Issue Brief, the absence of meaningful partnerships with food banks and food recovery organizations is due in part to a lack of official government recognition and limited national bandwidth for crisis response. As the pandemic disrupted economies, the pre-existing infrastructure, distribution logistics, and food inventory of food banks were rapidly deployed to provide emergency food aid to the newly unemployed in addition to already impoverished communities. Even after providing vital support to food-insecure populations in the initial months of the pandemic, in many countries food banks were only infrequently considered priority government partners or received limited government support or funding to sustain the activities.
Best Practice: Formally recognize food recovery organizations as essential partners in governmental responses to food insecurity such as through tailored legislation or national food strategies.

Countries that officially recognize food banks and food recovery organizations in national legal frameworks can better leverage these operations to combat hunger and food insecurity in times of emergency. During the pandemic, food banks that were recognized in public policy frameworks and had a direct line of communication with the government were better equipped to operate amidst the increased demand for emergency food and logistical complexity of disaster services. These food banks generally reported greater access to necessary funding and less operational disruption.

Establishing direct and sustained communication with government may be a component of a broad national food policy or strategy—particularly if such framework formally recognizes the role of food banks and food recovery organizations as critical government partners. In 2019 Canada released the Food Policy for Canada: Everyone at the Table, which served as a pre-established framework for effective cooperation during the COVID-19 food crisis response. The Food Policy for Canada permitted government agility in allotting critical funds to food security organizations and adjusting food systems to the shifting needs of citizens and suppliers. Food Banks Canada reported receiving unprecedented government support, in large part due to the Food Policy for Canada. Further, the Food Policy for Canada established the Canadian Food Policy Advisory Council. In 2021 a representative from Food Banks Canada was appointed to the council, further highlighting the government’s attention to the role of food recovery and donation as integral in an equitable food system.

Official government recognition and support facilitates the operations of food banks and food recovery organizations, particularly in times of heightened demand or logistical complexity. Without formal recognition, food banks may lack clear guidance for how to best contribute to the emergency response or, in the worst cases, may be needlessly obstructed by lockdown measures just as demand for their services surges. In some countries food banks found champions within the government to support and advocate on their behalf, expanding service delivery and scope during the pandemic, reflecting government support of their efficacy to quickly deliver assistance. For example, in Russia, Foodbank Rus partnered with the national government in the provision of emergency food assistance, expanding service delivery to 54 regions of the country, establishing new branches in 10 communities and municipalities. In Madagascar, Food Bank Madagascar, in operation less than one year, provided monthly food assistance to 30,000 people, working in tandem with the World Food Programme and civic organizations to support the national government’s response.

Recognition can also come in the form of national food donation or food waste laws. Some countries successfully applied national legislation focused on food loss, waste, or donation to explicitly support food recovery and donation efforts during the pandemic. Seven countries in Latin America have already enacted food loss and waste legislation, and more than 50 food waste bills have been introduced in the region. The prevalence of such bills indicates growing recognition of the importance of establishing national policies or legislation to create codified systems of support for food waste mitigation and donation, especially in times of crisis or natural disaster. In Argentina, for example, the Food Donation Law allowed for clear prioritization of food donation efforts in the design of the pandemic response. Echoing this impetus to form new national food strategies and legislation, in some countries, food banks are working with legislators to develop food donation laws to improve and expedite future food donation efforts.

Even if national laws or policies do not explicitly advance food banks or food recovery organizations as priority actors during all emergencies, it is important that governments adopt a liberal interpretation of existing frameworks to allow for this result. For example, Peru passed a food donation law in 2016 that incentivizes greater food donation and provides for heightened benefits in times of emergency. However, these additional
benefits are only available if the emergency results from a natural disaster, and the government has not construed the COVID-19 pandemic as a triggering event. Accordingly, the food bank in Peru reported no partnership or direct line of communication with the government. It also reported that operations were negatively impacted due to government pandemic responses, including quarantines and transportation delays. As this situation demonstrates, it is critical for national governments to not only institute national laws or policies that promote food donation, but also ensure that they are operational and properly enforced, particularly during times of enhanced need for food relief and social protection.

Despite reports of infrequent communication between food banks and governments and few examples of formal recognition through legislation or policies, governments that joined or promoted multistakeholder initiatives that included food banks reported successful outcomes during the pandemic. In October 2020, 89% of food banks reported adding new agencies or new partners (i.e., municipalities or nontraditional agencies) in response to the pandemic. Agencies added to food bank local networks increased by 6% globally, reflecting a major uptick in civil society engagement and support for food donation. These public-private working groups and networks established collaborative and holistic solutions to food loss, waste, and hunger and relied on contributions from government, private-sector partners, and food recovery organizations.

In Australia, for example, the government formed a National Coordination Group under the Department of Social Services, a collaborative governance mechanism among food assistance stakeholders, including food banks. This allowed for a rapid and dynamic response to food system disruptions caused by the pandemic. In India, the Indian Food Sharing Alliance (IFSA), an initiative of the Food Safety and Standards Authority of India (FSSAI) established to address food loss and waste throughout the supply chain, allowed for streamlined, multistakeholder cooperation between various food system partners, NGOs, and government agencies. Consequently, No Food Waste, a nonprofit food recovery organization, reported that it is now meaningfully involved in the Indian government’s key initiatives around food, nutrition, and hunger issues such as Eat Right India Initiative; Save Food, Share Food, Share Joy; and the Food Hygiene Rating Scheme under FSSAI. In Colombia, the government’s Intersectoral Commission for Food and Nutrition Security (CISAN), which is tasked with implementing the Policy to Prevent Food Loss and Waste under the country’s Food Donation Law (Law 1990), contributed to food safety and security measures during the pandemic. Such inclusive stakeholder involvement maximizes efficacy and minimizes redundancy in emergency response efforts, allowing food system actors to collaborate rather than operate in silos. Such partnerships are especially critical for small-scale food distribution organizations, which experienced unprecedented demand as a result of the pandemic.

Additionally, new international partnerships have been established to strengthen social protection, particularly food assistance, during the pandemic. FAO formally launched the Food Coalition, a multistakeholder “network of networks” designed to ensure global food access, increase the resilience of agri-food systems, and inspire unified global action in response to and recovery from the COVID-19 pandemic. Featuring more than 30 country partners, the Food Coalition aims to mobilize financial resources, innovation, and technical expertise; promote advocacy initiatives to prevent the health crisis from becoming a food crisis; and establish a neutral space for dialogue among diverse and key stakeholders from academia to government to civil society, including food banks. The outcomes of this coalition are likely to strengthen food systems in the long term.
Best practice: Expand the capacity of regional, state, and municipal governments to support food banks and food recovery organizations that are mitigating food loss, waste, and insecurity.

Countries with national food donation legislation or policies may not always articulate strategies for promoting food recovery and donation on a local level. Food banks have helped implement national directives, offering local solutions to food loss, waste, and food insecurity through partnerships with regional and local governments. In several countries, food banks partnered with local, provincial or state governments to assist vulnerable populations and distribute food during the pandemic. In Mexico, for example, some state governments collaborate with the local food banks of Bancos de Alimentos de México (BAMX) to assist certain vulnerable populations. Similarly, Desarrollo en Movimiento in Guatemala actively worked with local governments to provide food assistance during the pandemic. These localized efforts help disseminate food assistance and promote greater food security in the most disadvantaged communities, expanding the reach of the national government.

Given this contribution, national governments should invest in capacity building among lower levels of government that have a more intimate knowledge of local food recovery efforts and are more attuned to community needs, especially in the most hard-to-reach regions. Food banks may not have a direct line to regional and local governments—particularly amidst the current crisis—and local governments may not have designated funding or resources available to support these organizations. Accordingly, national governments should establish formal mechanisms for decentralized governments to identify and engage with private and nonprofit organizations whose missions are to reduce hunger and food insecurity. National governments should provide funding, technical assistance, and resources to facilitate partnerships when possible.

2. Issue: Food banks and food recovery organizations are independently filling the gaps left by nonexistent or insufficient government social protections.

As discussed in the 2020 Issue Brief, the COVID-19 pandemic has accentuated gaps in social protections. Before COVID, only 45% of the global population was effectively covered by at least one public social protection benefit, and around half (55%) lacked any public social protections. Welfare systems are strained due to an increased number of eligible individuals relying on government support, particularly during times of crisis where lost wages and restricted mobility reduce access among marginalized and vulnerable populations. According to the International Labour Organization (ILO), global working hours decreased by 8.8% in 2020 relative to the fourth quarter of 2019, equivalent to 255 million full-time jobs. COVID restrictions like mandated closures have disproportionately impacted workers in emerging market and developing economy countries who earn their living in the informal economy and cannot rely on employment-based social protection programs.

In response to COVID-related economic downturns, 126 countries introduced or adapted social protection and labor market policies, with 505 measures in place in 2021. Yet, in many parts of the world, these emergency programs coverage remain limited. This economic recession—with working hour losses four times greater than during the 2009 global financial crisis—and the resulting loss of income and purchasing power, especially among vulnerable populations, coupled with inadequate and often temporary social protection, has further deepened existing inequalities.
Paired with insufficient social protections, these dynamics are leading to unprecedented need for emergency food assistance. Many of these newly at-risk populations are turning to food banks for support. Surveyed food banks are actively responding to this need, and many reported increases of up to 100% or more for emergency food assistance in their communities as a result of economic conditions during the pandemic. In some cases, the increased demand meant that some food banks were serving more than 1 million additional community members since the start of the pandemic. Overall, food banks in the 44 countries of the GFN network experienced a 132% increase in persons served, and in low and middle-income countries persons served increased to 221% in 2019-2020. Much of the demand is a result of nonexistent or insufficient support from government social protection programs, which should help increase access to adequate food.

In many countries, the pandemic either disrupted or overwhelmed existing social protection programs, a challenge addressed in the 2020 Issue Brief that persists more than one year after the onset of the pandemic. In the October 2020 survey, 91% of food banks reported that social protections to address food access, housing, income, or other needs of vulnerable populations were still insufficient to meet current needs in their country. In Latin America, for example, all GFN respondent food banks reported significant economic distress due to a high degree of labor informality, persistent poverty, limited social protections, and weak capacity of health systems. Food banks in the region experienced a 157% increase in persons served in 2019-2020, but reported facing shortages of food, funding, and logistical support to meet continually growing demand.

**Best practice:** Deploy food banks and food recovery organizations as distribution centers of food assistance, including school meals for children still affected by pandemic-related school closures.

As discussed in the 2020 Issue Brief, free and reduced-price school meals are an essential social safety net for children. School meals help break intergenerational cycles of hunger and poverty and remove barriers to education, especially for girls, low-income children, and rural children. According to the United Nations World Food Programme (WFP), prior to the pandemic at the beginning of 2020, national school feeding programs delivered school meals to more children than at any time in human history, making school feeding the most extensive social safety net in the world. More than 80% of the programs were incorporated into national policies and US$41 billion to $43 billion was spent annually, of which more than 90% came from domestic funds. Yet, in May 2020, 188 countries had instituted national or localized school closures in response to the pandemic, leaving 1.6 billion students out of school and more than 369 million children without access to school meals.

The 2020 Issue Brief explained that integrating food banks into school meal provisions is a way governments can account for pandemic-related school closures and complement insufficient or overburdened social protection policies. Since the start of the pandemic, WFP reported that 79 countries found alternative solutions to deliver school meals to children affected by school closures—such as home delivery, cash-based transfers (such as in Brazil, France, and the United Kingdom), and take-home rations (such as in Japan and South Africa)—and some countries effectively relied on food banks to implement the strategies. For example, in Tunisia, the government provided US$1.7 million to build a school food bank to promote food security and alleviate hunger among children. Using food banks as a means of supporting school meals helps reduce the risk of food insecurity among children and alleviate financial pressures on families, especially those that rely on informal employment and lack access to other forms of social assistance. This is not unprecedented. According to GFN, food banks in 18 countries were already implementing feeding programs for school-aged children, including school meals, prior to the COVID-19 pandemic. In response to the school closures in 2020, GFN member food banks in 23 countries operated an alternative school-age child feeding program or food distribution programs focused on children and their families.
As of April 2021, many countries have fully or partially reopened schools in response to mounting pressure and concern about educational setbacks, lack of child care, and food insecurity among children who rely on school meals. However, also at the time of this writing, 73 countries still had school closures, resulting in 239 million children missing meals daily. It is therefore essential that governments continue to work directly with school administration authorities to develop meal distribution programs and serve children who are out of school. Governments are encouraged to expand social protection and cash transfers for vulnerable people and mobilize food banks to provide basic nutrition and food access. Policy interventions that encourage new outlets for school meal delivery and that involve food banks in distributing emergency food assistance for children and families may help ensure that meals are successfully delivered to those most in need.

3. Issue: Food banks and partner charitable agencies continue to face resource shortages.

As explained in the 2020 Issue Brief, food banks mostly rely on donors for in-kind and monetary donations, with the latter helping cover operational expenses such as transportation, food distribution, and salaries for staff. However, due to lockdowns, supply chain disruptions, and the economic impact of the pandemic, the flow of monetary contributions to food banks and other food recovery organizations significantly slowed in the first few months of the pandemic. In June 2020 more than half (54%) of GFN surveyed food banks reported an immediate and critical funding shortfall due to a loss of financial support, food supply pressures, and unprecedented demand for assistance. While some food banks reported an improved fiscal outlook in the second half of 2020, many food banks continued to report funding as the most immediate critical need. The cited improvement is likely due to increased multistakeholder collaboration among businesses, governments, communities, and nonprofit organizations to meet COVID-related needs.

Food banks also continue to report food procurement challenges due to fewer in-kind donations, barriers to on-site food rescue and recovery and supply chain disruptions. As COVID-19 spread globally, food banks faced a supply shock followed by a demand shock, which forced rapid re-direction of supply sources to meet community needs. In 2020, food donated by retailers and the food service and hospitality industry declined sharply, and food sourced by food manufacturers and processors increased. Food sourced from farms and the agricultural sector doubled over the same period, and among some food banks in sub-Saharan Africa, farms accounted for 40% of donated food, owing to export market and supply chain constrictions.

To meet rising demand, most food banks resorted to purchasing food to augment inventories, many for the first time, simultaneous to food price increases, adding additional financial strain. In May 2020 more than 80% of surveyed food banks purchased food to meet increased need during the pandemic. In Colombia, for example, 26% of distributed food was purchased in order to help the food bank serve over one million additional people in need. Even with supply chain challenges, GFN food banks increased distribution to 882 million kilos of food and grocery product in 2020, a 10% increase over the previous year. Approximately 16% of food distributed was purchased to meet critical local needs.

Providing adequate access to food among economically disadvantaged and marginalized persons in their communities was the primary driver of food banks efforts to rapidly augment inventories. Food banks worked to address urgent community needs in the pandemic response, but in most instances without public sector financial support, or additional government funding for food accessibility, food sourcing activities, recoupment of costs, or compensation for budgetary shortfalls. While approximately 91 countries provided an unprecedented level of financial support to businesses and tax relief in COVID response, very little direct financial support was directed to food banks and food recovery organizations providing essential social protections for the most vulnerable people.
3a. Best practice: Provide additional resources to food banks and food recovery organizations to support direct food purchasing and procurement.

While food banks have shown resilience amid operational challenges brought on by the pandemic, adjusting to these disruptions adds further expense to food bank operations, many of which are still facing limitations in funding and logistics capacity alongside greatly increased demand. Government assistance in procuring food for donation would significantly enhance the potential impact of food banks.¹¹⁴ This assistance can take many forms, including financial support, in-kind food donations, and technical training (i.e., operations and budget management). In the United States, for example, the government provided direct funding support to food banks through the Emergency Food Assistance Program (TEFAP),¹¹⁵ approving US$450 million in TEFAP funds through the Consolidated Appropriations Act in December 2020.¹¹⁶ In the Farmers to Families Food Box Program, launched as part of the US COVID-19 emergency response, food banks also received in-kind food distributions for dissemination to at-risk populations.¹¹⁷ In Canada food banks received an additional $100 million in funding through the Emergency Food Security Fund to provide food to communities in need during the pandemic.¹¹⁸ In the United Kingdom FareShare purchased food with government funds and redistributed it to local government food hubs.¹¹⁹ In South Africa the government provided a truck to FoodForward SA to help rescue farm surpluses and reach communities in need.²²⁰ Governments should also offer meaningful policy guidance to help food banks adapt to the new normal of direct food purchasing and other innovative procurement strategies. For example, in the United States the USDA Food Safety and Inspection Service published detailed “Guidelines to Assist with the Donation of Eligible Meat & Poultry Products to Non-Profit Organizations.”¹²¹ While the guidelines were not COVID-19-specific, they were well timed to address a lack of clarity regarding food safety requirements for donated food, a long-standing barrier to donation. The European Union also issued specific guidelines for food donation in collaboration with the EU Platform on Food Loss and Waste with a similar intent to clarify requirements and relevant regulatory frameworks.¹²² In Costa Rica the Ministry of Health adopted specific COVID-19 Food Donation Guidelines to facilitate safe and seamless donation during the pandemic.²²³ Providing food banks and food recovery organizations with additional resources, such as tailored guidelines, also reassures donors and encourages increased donation of safe surplus food in a time of unprecedented need.

4. Issue: Food banks and food recovery organizations are encountering new barriers to food rescue and delivery.

Despite the vital role of food banks and food recovery organizations in supporting food security and reducing food loss and waste, food banks in many countries continue to face challenges that result not just from the pandemic but from government responses to the pandemic. To prevent the spread of COVID-19, governments around the world introduced restrictions that impeded the flow of people and food over the past year. Unsurprisingly, in June 2020, 74% of food banks reported that pandemic response policies had negatively impacted their operations.¹¹³ Specifically, half of food banks surveyed cited curfews as impeding operations, 52% cited quarantine or shelter-in-place orders, 66% cited transportation restrictions, and 24% cited government-ordered closures of local beneficiary organizations, all of which stopped donated food from reaching those in need.¹²⁵ Recognizing that food banks were often collateral to these necessary emergency response measures, the 2020 Issue Brief advocated for greater government consideration of and consultation with affected organizations.

Since this issue was highlighted in June 2020, the negative impacts of COVID-19-related policies on food banks and food recovery organizations have decreased yet remain a notable challenge. In October 2020,
63% of food banks reported that government policies in response to COVID-19 impacted, limited, or harmed operations—43% cited quarantines or shelter-in-place orders, 32% cited transportation restrictions or delays, 26% cited curfews, 13% cited food donation or food safety changes and restrictions, and 13% cited government-ordered closures of food banks and beneficiary organizations. This indicates that, despite the innovation and resilience demonstrated by food banks during the pandemic, governments are still failing to adequately consider and include food banks as essential services that require special attention during the policymaking process.

**Best practice:** Create exceptions to emergency response measures (e.g., lockdowns, curfews, and stay-at-home orders) to ensure that food donation and distribution continue uninterrupted.

Greater consultation with food recovery organizations when developing and implementing emergency responses would ensure that governments enable rather than undermine food donation and charitable food operations. Some governments already include food banks and food recovery organizations in government responses. For example, in Nigeria the Lagos Food Bank partnered with the Lagos State Emergency Management Agency to join the Emergency Food Response Initiative of Lagos State. As a result, their operations were not adversely affected by emergency response measures. Similarly, the Food Bank of Singapore was elevated to a primary essential partner, allowing it to participate meaningfully in the government response. In Kenya the government recognized Food Banking Kenya as an essential services provider. In Jordan, Tkiyet Um Ali became an integral part of the social emergency response team through government designation.

At the time of this writing, governments are slowly easing COVID-19 restrictions, and food bank operations are gradually returning to normal. However, in countries where COVID-19 restrictions still exist, governments should continue to collaborate with food banks as essential partners and carve out appropriate exceptions to curfews and other protectionist measures that might interrupt food bank operations that provide critical emergency food relief and social services.

**CONCLUSION**

The COVID-19 pandemic continues to disrupt economies and food systems, starkly exposing existing inequities and inefficiencies that governments can no longer ignore. At the same time, the pandemic has underscored the critical role that food banks and other civil society actors can and should play in promoting more resilient, inclusive, and just food systems. The impact of COVID-19 has led to significantly higher rates of food insecurity and hunger in every region, and nearly every country. As many countries continue to address new waves of infection and economic uncertainty, it is projected that food insecurity impacts will continue through 2021 and into 2022.

Food banks and other food recovery organizations are crucial social safety net partners, providing the valuable service of ensuring safe, surplus food is redirected to those who need it most, particularly during emergency situations. In many parts of the world, especially emerging market and developing economies where fewer social protections exist, the essential contribution of food banks too often remains underutilized by governments.

Even when governments acknowledge the essential role of food banks and food recovery organizations to address food access and food insecurity, or their role in mitigating food loss and waste, food banks face policy
related challenges which hinder their work to more effectively meet community needs. Limited funding, lack of official recognition and integration into national policies or strategies, inadequate access to surplus food, and operational challenges hinder the potential contributions of food banks and food recovery organizations unduly limiting their ability in such critical times. As outlined throughout this issue brief, when public and private food assistance work in tandem, more effective and comprehensive social protection objectives can be attained than sectors operating in isolation.

Governments must recognize food banks and food recovery organizations as essential providers of humanitarian relief both during the COVID-19 crisis and as countries begin to recover from the pandemic’s long-term socio-economic impacts. Policy frameworks that encourage food donation can help build food system resilience by redistributing surplus food that would otherwise be wasted, contributing to greater food efficiency, equity, and sustainability. The best practices and recommendations set forth in this issue brief are designed to increase awareness and inspire governments to effectively mobilize and support food banks and other food recovery organizations as they seek to meet the demand for food during this ongoing global pandemic and subsequent recovery period.
ENDNOTES


3. See THE GLOBAL FOOD DONATION POLICY ATLAS, https://atlas.foodbanking.org/index.html (last visited Apr. 9, 2021). The Global Food Donation Policy Atlas project was made possible through funding by the Walmart Foundation. The findings, conclusions, and recommendations presented in that project and the present issue brief are those of the Harvard Law School Food Law and Policy Clinic and of The Global FoodBanking Network. They do not necessarily reflect the opinions of the Walmart Foundation.

4. HARV. FOOD L. & POL’LY CLINIC, supra note 2.


6. The Global FoodBanking Network (GFN), 2020 Network Activity Report (NAR) (2020) (on file with authors). GFN annual survey of member food banking organizations to quantitatively assess operational activity and key service indicators, reflecting member activity 01 January 2020 through 31 December 2020. 100% of GFN member organizations (including national networks, national food banks, and independent food banks), representing 49 members and 778 food banks in 44 countries, provided data.


18. GFN, COVID Pulse Survey, supra note 5.

19. GFN, supra note 6.


21. Id.

22. GFN, supra note 6.


24. GFN, supra note 6.

25. Id.

26. FAO, supra note 13; GFN, COVID Pulse Survey, supra note 5.


29. HARV. FOOD L. & POL’LY CLINIC, supra note 2.

30. GFN, COVID Pulse Survey, supra note 5.

Id.

INT’L LAB. ORG., supra note 10.


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Id.

INT’L LAB. ORG., supra note 10.

GFN, COVID Pulse Survey, supra note 5.

Id.

GFN, supra note 6.

Harv. Food L. & Pol’y CLINIC, supra note 2.

GFN, COVID Pulse Survey, supra note 5.

Id.


GFN, supra notes 5 and 6.

Harv. Food L. & Pol’y CLINIC, supra note 2 at 4-5.


Id at 16.

Harv. Food L. & Pol’y CLINIC, supra note 2 at 4-5.


See GFN, Government Social Protection Responses to COVID-19 Pandemic (on file with author).


Id.

WORLD FOOD PROGRAMME, supra note 6 at 188.


GFN, supra note 6.


Global Monitoring of School Meals During COVID-19 School Closures, supra note 89.

Maximo, supra note 16 at 120.


Harv. Food L. & Pol’y CLINIC, supra note 2 at 6.

GFN, COVID Pulse Survey, supra note 5.

Harv. Food L. & Pol’y CLINIC, supra note 7.

GFN, COVID Pulse Survey, supra note 5.

GFN, supra note 6.

Id.


GFN, supra note 6.

Id.

Id.

Id.

Id.


Id.


GFN, COVID Pulse Survey, supra note 5.
MINISTERIO DE SALUD DE COSTA RICA, LS-PG-001: LINEAMIENTOS GENERALES PARA LA DONACIÓN DE ALIMENTOS ANTE LA ALERTA SANITARIA POR COVID-19, Part 2 (April 22, 2020), https://www.tec.ac.cr/sites/default/files/media/doc/lineamientos_donacion_alimentos_.pdf. The COVID-19 Food Donation Guidelines charge municipal emergency committees with identifying and directing donations to beneficiaries exhibiting a heightened need during the pandemic. The guidelines also detail several requirements for how collection centers (i.e., food banks or other organizations receiving donations) should store and distribute donated food. Requirements include hygiene standards, criteria related to refrigeration and freezing for perishable foods, and the operation of vehicles that deliver donations to recipients.