

 <p>COMMONWEALTH OF PENNSYLVANIA DEPARTMENTS OF AGING AND PUBLIC WELFARE OFFICE OF LONG-TERM LIVING</p>	<b>PENNSYLVANIA DEPARTMENT OF AGING</b>	
	<b>1. File Number:</b>  APD # 09-03-01	<b>2. Disposition:</b> Rescinds APD #06-03-01, Section IV., Off Site Consumption of Food/Leftovers
	<b>3. Issuance Date:</b> October 9, 2009	<b>4. Effective Date:</b> October 1, 2009
	<b>5. Program Area:</b> Nutrition Services	
<b>6. Origin:</b> Department of Aging Department of Public Welfare Office of Long-Term Living (OLTL) Bureau of Individual Support		<b>7. Contact:</b>  OLTL, Division of Direct Services (717) 787-8091

**AGING PROGRAM DIRECTIVE**

**SUBJECT: LEFTOVER FOOD AND OFF SITE CONSUMPTION OF FOOD/PRIVATE PAY MEALS**

**TO:** EXECUTIVE STAFF PA COUNCIL ON AGING  
PA DEPARTMENTS OF AGING & PUBLIC WELFARE PA ASSOCIATION OF AREA AGENCIES ON AGING  
OFFICE OF LONG-TERM LIVING SENIOR CENTERS  
AREA AGENCIES ON AGING

**FROM:**   


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JOHN MICHAEL HALL  
SECRETARY  
DEPARTMENT OF AGING

**PURPOSE:** The purpose of this Aging Program Directive (APD) is to update the policy regarding leftover food from participants' meals at congregate meal sites. This APD also provides guidance for full leftover meals and for take-out meal programs.

**SCOPE:** This APD is directed to all Area Agencies on Aging (AAAs), AAA staff and AAA contractors responsible for administering the Department of Aging funded nutrition service programs.

**BACKGROUND:** The Department's policy on leftover food needs to be updated to reflect the commitment Aging and OLTL have to older adults' right to self-direction, personal choice and dignity. Also, to be more responsive to the needs and

desires of today's older adults, OLTL supports the concept of the development of private pay take-out meals.

**DISCUSSION:** Beginning October 1, 2009, all AAAs and contractors with responsibility for administering Department of Aging funded nutrition programs will put the following policies into effect:

#### Leftover Food

On any given day, a meal site participant may feel unable to eat their entire meal and would prefer to take the remainder of the meal home to consume later in the day. Similarly, an attendee may wish, as a matter of habit, to eat a light lunch, routinely saving some food for a snack later in the day. Just as a restaurant would respect a diner's choice to take the remainder of their meal home in a doggie bag, all congregate meal sites should respect a consumer's right to make this same choice.

It is an acceptable practice for mealtime attendees at congregate meal sites/senior centers to take uneaten/leftover food home from their meals in containers they have brought for that purpose. A center may elect to maintain a supply of takeaway containers (e.g., Styrofoam clamshell containers or cardboard soup cups) for the convenience of attendees, but no meal site is required to do so. A center may elect to offer the takeaway containers to consumers to purchase.

There may be occurrences when a consumer has made a reservation for a meal and is unable to attend, as in the case of illness. It is permissible for a spouse or friend to take the meal to them, provided that the meal site has been notified that the consumer in question will not be attending. The meal site may then package the meal for the consumer that is not in attendance.

It is also permissible to allow eligible meal attendees to take full meals home that were not served due to cancellations. These meals can be reimbursed under the Nutrition Services Incentive Program (NSIP) and recorded in SAMS utilizing the appropriate service delivery. Centers may encourage attendees to make a donation for full meals that they take. If the number of attendees wanting the extra full meals exceeds the number of meals available, centers should determine a fair way to distribute them. Before implementing this policy, agencies and/or providers should work with Advisory Boards and consumers to develop a procedure for an equitable method for distributing any extra meals. Centers are prohibited from increasing their meal and food orders for the purpose of having leftover meals. Volunteer and paid staff need to serve required portion sizes so as not to intentionally create an excess of leftover food.

If there are leftover components of a meal that are not sufficient to make up a full meal, the food may be offered to attendees as seconds. Then, any remaining food may be offered to consumers to take home. Consumers can not be charged for taking the leftover meal components home. They may be encouraged to make a donation. Partial meals or meal components only may not be counted for NSIP reimbursement. Only full meals may be counted for NSIP reimbursement.

Centers are required to provide attendees who take food home with information on safe food handling practices. The required information shall be posted at prominent locations at the meal site to inform consumers of proper food handling practices. Copies of the information shall be made available to consumers.

The safety of food after it has been served to a consumer and/or when it has been removed from the meal site is the responsibility of the consumer. Meal sites shall post signs relieving the meal site and the AAA of liability stemming from the removal of food from the meal site by a consumer. Sample signs will be made available by the Department of Aging/Office of Long-Term Living in the near future.

Information meal sites should provide to consumers regarding safe food handling is as follows: Leftover food should be refrigerated within 2 hours. When reheating food microwave on High (100% power) until hot. Use common sense when storing and handling leftover food from the meal site.

#### Off Site Consumption of Food/Private Pay Meals

##### 1) Take-out Meal Programs:

Area Agencies on Aging and/or senior community centers may implement takeout meal programs where they provide fresh or frozen meals on a private pay basis. Meals provided under a take-out program need not meet meal/nutritional requirements for congregate or home delivered meals. The monies earned from selling these private pay meals could provide an additional revenue stream that helps to defray the costs of operating the meal program. It is important to note that these private pay take-out meals cannot be claimed for reimbursement under NSIP. To ensure that private pay and other meal funds are not commingled, appropriate accounting procedures must be in place. Before implementing a private pay/fee-for-service meal program, agencies and/or providers should develop a business plan to assure appropriate accounting procedures and practices.

Again as above, centers are required to provide attendees who take food home with information on safe food handling practices. The required information shall be posted at prominent locations at the meal site to inform consumers of proper food handling practices. Copies of the information shall be made available to consumers.

The safety of food after it has been served to a consumer and/or when it has been removed from the meal site is the responsibility of the consumer. Meal sites shall post signs relieving the meal site and the AAA of liability stemming from the removal of food from the meal site by a consumer. Sample signs will be made available by the Department of Aging/Office of Long-Term Living in the near future.

Information meal sites should provide to consumers regarding safe food handling is as follows: Takeout food should be refrigerated within two hours. When

reheating food, microwave on High (100% power) until hot. Use common sense when storing and handling takeout food from the meal site.