

## Donation of Food Act, 1994

S.O. 1994, CHAPTER 19

**Consolidation Period:** From June 23, 1994 to the [e-Laws currency date](#).

No amendments.

### **Liability of donor**

**1. (1)** A person who donates food or who distributes donated food to another person is not liable for damages resulting from injuries or death caused by the consumption of the food unless,

- (a) the food was adulterated, rotten or otherwise unfit for human consumption; and
- (b) in donating or distributing the food, the person intended to injure or to cause the death of the recipient of the food or acted with reckless disregard for the safety of others. 1994, c. 19, s. 1 (1).

### **Liability of director, agent, etc.**

**(2)** The director, agent, employee or volunteer of a corporation that donates food or that distributes donated food is not personally liable for any damages resulting from injuries or death caused by the consumption of the food unless,

- (a) the food was adulterated, rotten or otherwise unfit for human consumption; and
- (b) in donating or distributing the food, the director, agent, employee or volunteer,
  - (i) did not act in good faith,
  - (ii) acted beyond the scope of his or her role as director, agent, employee or volunteer, and
  - (iii) intended to injure or to cause the death of the recipient of the food or acted with reckless disregard for the safety of others. 1994, c. 19, s. 1 (2).

### **Non-application**

**2.** This Act does not apply to a person who distributes donated food for profit. 1994, c. 19, s. 2.

**3.** Omitted (provides for coming into force of provisions of this Act). 1994, c. 19, s. 3.

**4.** Omitted (enacts short title of this Act). 1994, c. 19, s. 4.