Temporary Food Establishment Requirements

Information for vendors at fairs, carnivals, circuses, public exhibitions or similar gatherings.

Catawba County
Environmental Health Department

8.20.2012

FESTIVALS AND SPECIAL EVENTS IN CATAWBA COUNTY

The North Carolina "Rules Governing the Sanitation of Restaurants and Other Foodhandling Establishments" (15A NCAC 18A, section .2600) require that certain food service operations located at festivals and special events obtain a **Permit to Operate** from the local health department before starting operation. *Exemptions and exceptions from these requirements are found at the end of this set of instructions*. The information in this document is intended to help you understand what is needed and what will be expected of an operator while the festival or event is in progress. The rules and an application for a permit may be accessed from the Catawba County website at http://www.catawbacountync.gov. Select "Environmental Health" from the options in the "Departments" box.

A temporary food establishment means those food or drink establishments which operate in connection with a fair, carnival, circus, public exhibition, or other similar gathering for a period of 21 or fewer days.

Permit to Operate: Each vendor must complete the "Application for Temporary Food Establishment Permit" and submit it to the Environmental Health Division no later than 15 calendar days prior to commencing operation. **This 15-day requirement does not prohibit the submission of applications for substitute vendors provided that these applications are submitted no fewer than 3 business days prior to the event. A $75.00 fee must be submitted with the application.** Before the event starts, an Environmental Health Specialist will visit your site, to evaluate your stand for compliance with the requirements. **It is the responsibility of each food vendor to meet these requirements.** If all requirements of the Rules have been met, a permit to operate will be issued. No food service or food preparation is allowed on site until you have received this permit. Your acceptance of this permit constitutes agreement to keep the site as originally permitted throughout the duration of the event and to operate in accordance with all statutes, rules, regulations in 15A NCAC 18A Section .2600 and any specific conditions which may be included on the permit. During operation you may be requested to remedy problems observed by the Environmental Health Specialist; prompt compliance is required.

Source of Water: Running water under pressure must be provided in each stand. The preferred method is a direct connection to a source approved by the department with a potable water hose. Holding tanks are acceptable if approved by the department after an inspection. All water used in stands regardless of method of delivery must be from an **on-site** source at that location and approved by the department and/or commercially packaged. Wells must meet the standards contained in 15A NCAC 18A, section .1700. A well must be tested and inspected prior to the event to ensure that it is in compliance and safe for consumption.

Tent: Temporary food establishments are to conduct their business inside a trailer, tent, or other approved enclosure possessing a roof which is capable of retarding rain, dust, dirt, insects, and other contaminants. All cooking and storage items must be kept under the tent at all times. When bulk foods such as roasts, shoulders, and briskets; etc are cooked, cooking equipment with attached lids, such as smokers, roasters, and other cooking devices, provide **sufficient cover** for the food being cooked. (Check with the local Fire Department to determine compliance with applicable fire codes)

Screening: Pest control measures that are approved and appropriate must be provided at all times by screening or **effective** use of fans. When screening is used, stands should be enclosed on at least three sides with fine mesh or other screening that will allow air to pass. The front of the stand should be screened with sliding or lift-up windows, or protected by **effective** use of fans. An opening or parting of the screen is allowed immediately behind a stove or grill to prevent potential fire hazards (Check with the local Fire Department to determine compliance with applicable fire codes).

Lighting: Lighting shall be shielded, coated, or otherwise shatter-resistant in areas where food, clean equipment, utensils, linens and single service articles is exposed. Infrared or other heat lamps shall be protected against breakage by a shield so that the face of the bulb is not exposed. Lighting is required for nighttime operations.

Floor: A temporary food establishment shall be located in an area kept in a clean and sanitary condition. Indoor/outdoor carpeting, matting, tarps, or similar nonabsorbent material is required as ground covering in the absence of asphalt, concrete, grass, or other surfaces that control dust or mud. If a problem occurs such as a grease spill, clean it up immediately using the proper techniques; do not wash such spills down storm drains.

Storage: Nothing is allowed on the "floor/ground" except equipment with legs or non-absorbent empty crates. All storage and equipment items whether wrapped or not must be kept above the floor and under the tent at all times.

Sneeze Guards: Food and food contact surfaces near the customer must be properly protected from customer exposure. The proper use and installation of a sneeze guard (tempered glass or something equal) positioned on the top, front, and ends may be considered acceptable. The use of plastic wrap or similar material can not be approved. Sneeze guards are not required if exposed cooking surfaces are positioned in a manner that will limit potential customer access; typically a separation of 30" is acceptable. The placement of a barrier or table, a minimum of 30" in width, between the food preparation and customer serving location is usually deemed acceptable.

Cleaning: All equipment must be cleaned thoroughly and maintained in a sanitary condition throughout the event. Equipment and utensils in temporary food establishments shall be cleaned, sanitized, stored, and handled (3 separate wash basins) able to fit the largest utensil in accordance with Parts 4-6 and 4-7 of the Food Code as amended by Rule .2654 of this Section. This also includes a means to test the sanitizer so that it is at the required strength (see below). You must have one drain board or some specific counter space to use along with the washing operation positioned adjacent to the sink. An approved equipment washing setup may be a laundry type sink from a hardware store, with a table placed beside the sink for drainboard space. Chlorine Concentrations are as followed:

Chlorine Concentration Range	**Minimum Temperature**	
25-49 ppm	120˚F w/ pH of 10 or less	120˚F w/ pH of 8 or less
50-99 ppm	100˚ F w/ pH of 10 or less	75˚F w/ pH of 8 or less
100 ppm	55˚F w/ pH of 10 or less	55˚F w/ pH of 8 or less

Hot Water: Heated water must be provided for the hand-washing and utensil basins. The minimum equipment acceptable for this provision would be a pot of water on a stove.

Hand-washing: Employees must be provided with a convenient way to wash their hands. You are required to have a minimum 2 gallon container with unassisted free flowing faucet, waste water receptacle and warm water. You must provide soap and disposable towels for the proper washing of hands.

Toilets: Convenient and approved toilets shall be provided for employees. Temporary public toilet facilities provided on the grounds are acceptable if they are reasonably convenient, adequate, and kept clean.

Refrigeration: Mechanical refrigeration units should be used for the storage of potentially hazardous foods. They must have thermometers and be able to maintain a temperature of 41˚F or below. Temperatures must be monitored throughout the event by a stem-type thermometer. A cooler of approved material and construction may be accepted if the food is kept properly iced to maintain 41˚F or below at all times. The coolers shall be drained as often as necessary to prevent foods from being submerged in ice water. Ready-to-eat food shall not be stored in direct contact with ice. Styrofoam coolers and coolers of similar construction **WILL NOT** be accepted. ****Please note that the 41˚F requirement will be enforced on/after January 1, 2019. The 45˚F requirement will be in effect until that time****

Hot Foods: Holding units (e.g. steam tables) must keep foods at or above 135˚F until served.

Stem Thermometers: All stands must provide a stem-type thermometer (0-220˚F). Workers should monitor food temperatures frequently. Use the thermometer to be sure that all hot and cold foods are held at approved temperatures.

Garbage: Watertight garbage cans with tight-fitting lids must be provided by each stand. Garbage and refuse must be removed daily and disposed of in an approved, sanitary manner. The premises shall be kept clean.

Wastewater and Sewage: Wastewater from the stand must be emptied into a sanitary sewer. An approved holding tank, such as a blue holding tank for RV trailers or enclosed storage container, must be provided for holding wastewater until it may be properly discarded. Wastewater shall be disposed in accordance with 15A NCAC 18A .1900 or 15A NCAC 02H .0200. Portable wastewater containers may be used when the volume of potable water can be determined by the dimensions of sinks, basins, and interim storage containers and the portable wastewater containers are sized to contain the wastewater volume generated. Wastewater containers and hoses shall be labeled and not used for any other purpose. Wastewater containers shall not be emptied into waterways, storm drains, or on the ground.

Transport of Foods: All foods must be protected while in transit to the permitted temporary foodservice establishment. **Precooked foods prepared off site shall only be prepared in a kitchen approved and permitted by the local health department or Department of Agriculture. Those vendors who prepare foods in such offsite locations shall present verification to the Environmental Health Specialist of compliance with this rule**. Transport containers must be able to maintain proper temperatures for a reasonable amount of time, keep out potential contamination, be non-absorbent, and easy to clean.

Source of Foods: All foods shall be clean, wholesome, free from adulteration, and obtained from an approved source. Wrapped sandwiches shall be obtained from an approved source. **Partial cooking or marinating of foods prior to arrival at the temporary foodservice facility is not permitted**. Foods prepared by local groups shall be prepared in an approved kitchen permitted by the local health department, and such groups shall maintain a record of the type and origin of such foods. These foods shall be prepared, transported, and stored in a sanitary manner protected from contamination and spoilage.

Hamburgers and Poultry: Hamburgers shall be obtained from an approved market or plant in patties separated by clean paper, or other wrapping material, and ready to cook. Additionally, poultry must be prepared for cooking in an approved market or plant. In other words, you can not make hamburger patties or cut up chicken within the stand.

Prohibited Foods: Potentially hazardous foods such as cream-filled pastries and pies, and salads such as potato, chicken, ham, crab, etc., shall not be served in a temporary food establishment. Food prepared at a previous event or potentially hazardous food (time/temperature control for safety food) removed from original packaging shall not be served at a subsequent event in a temporary food establishment.

Prep Sink(s): When washing produce and fruit a prep sink with running water and waste water receptacle must be provided.

Drinks: Drinks served shall be limited to bottled or canned drinks, single-portion containers of milk, coffee, or carbonated beverages from approved dispensing devices, and other non-potentially hazardous drinks. Non-potentially hazardous beverages include but may not be limited to tea, lemonade, orangeade and smoothies prepared from commercially processed fruits or vegetables.

Toxic materials: Shall be labeled, used, and stored to prevent the contamination of food, equipment, utensils, linens, and single-service articles and meet the provisions of Sections 7-101.11 and 7-203.11 of the Food Code as amended by Rule .2657 of this Section.

Diseases: No person who has a communicable or infectious disease that can be transmitted by foods, or who is a carrier of organisms that cause such a disease, or who has a boil, infected wound, or an acute respiratory infection with cough and nasal discharge, shall work in a temporary food establishment in any capacity in which there is a likelihood of such person contaminating food or food-contact surfaces, with disease-causing organisms or transmitting the illness to other persons.

Worker Information: Hair nets or caps should be worn at all times by employees or workers preparing or serving food or drink, and no tobacco should be used in any form while in the foodservice area.

Mobile Food Units and Pushcarts: These units already have permits to operate, but they must comply with all the requirements of their permit when operating at the event. This means that the mobile food unit permit must be posted so that it can be read by customers, and the mobile food unit must return daily to its commissary for supplies, cleaning, and servicing.

If the Mobile Food Unit or Push Cart does not comply with permit requirements for the permit which it holds, the vendor will not be allowed to operate at the event unless the temporary foodservice establishment requirements are met and a temporary foodservice establishment permit is obtained.

Exemptions: The following foodservice operations will not require a permit, however exempt establishments are encouraged to follow the food safety items noted in the above document:

- Facilities where only items such as; dip ice-cream, popcorn, candy apples, candy, fried apple pies, cotton candy, funnel cakes, packaged items (chips or peanuts), shaved ice, soft pretzels or similar items are served.
- Facilities that prepare drinks that are not potentially hazardous served in single service containers.
- **Effective October 15, 2001** some establishments are exempt from the permitting requirements in the foodservice rules. In order to operate under the exemption, the facility must meet one of the following conditions: (i) facilities that are incorporated as nonprofit corporations in accordance with Chapter 55A of the General Statutes or (ii) that are exempt from federal income tax under the Internal Revenue Code or (iii) that are political committees as defined in G.S. 163-278.6(14). A facility meeting one of the three conditions may sell food without a permit, but is limited to selling no more frequently than two consecutive days, once per month. The once monthly operation is based on a calendar month. This continues to allow food preparation and sales by organizations such as: Churches, Civic Clubs, Service Organizations, Scouts, Booster Clubs, Fire Departments, Other Similar Non-profit Groups, Political Committee Fund Raising, Organizations Exempt From Federal Income Tax that meet the above noted requirements

  Notice for vendors claiming exemption: If you will be claiming exempt status, you **must** possess a letter or statement from the qualifying organization, on organization letterhead, signed by an official of the organization, such as president, pastor, or events coordinator **and** a copy of your 501(c)3, verifying that the event is an **authorized function of the organization**, and that the stand is **staffed and operated by members of the organization**. Also include the first page of the temporary food application filled out completely.

Questions: Please contact the Catawba County Environmental Health Department office at (828) 465-8270 between the hours of 8:00am and 5:00pm Monday through Friday if you have questions on these requirements.

Catawba County Public Health Department
Environmental Health Division
100-A Southwest Boulevard
P.O. Box 389
Newton, NC 28658
(828) 465-8270
(828) 465-8276 (fax)
(828) 465-8200 (TDD)