

Food Safety Notice

March 15, 2000

Significant changes to the laws governing Temporary Food Facilities were again enacted in 1999. These changes add more flexibility to the requirements of Article 13 and broaden the scope of Article 13.5 of the California Uniform Retail Food Facilities Law (CURFFL.) In light of these changes, it is important to distinguish between temporary food facilities that are regulated under CURFFL and food sales at occasional events, which are not subject to regulation.

Food sales or giveaways are not regulated by CURFFL if:

A.

1. The booth is operated by a nonprofit organization.
And
2. The event does not exceed three days in a 90-day period.
And
3. The event is limited to members and guests of the nonprofit organization.

Or

B.

1. The booth is operated by a for-profit entity (on behalf of a nonprofit organization) that receives no monetary benefit.
And
2. The booth is operated at an event that does not exceed three days in a 90-day period.

Food sales or giveaways are subject to CURFFL if:

1. The temporary food facility is operated for more than three days in a 90-day period.
Or
2. The event is open to the general public¹ (and the vendor is not exempt under (B) above).

The following flow chart may be used to determine if an event is subject to CURFFL, and which sections of CURFFL are applicable. A partial listing of Article 13 and 13.5 requirements for Temporary Food Facilities and Nonprofit Charitable Temporary Food Facilities follows. These lists may be used as a checklist for temporary events. Please note that some sections allow alternative methods of compliance. In addition, Article 13 authorizes the imposition of additional requirements when justified by local conditions.

¹ Events like many pancake breakfasts, church supper, school bake sale, or similar events are not considered open to the general public even though there may be limited local advertising in the community.

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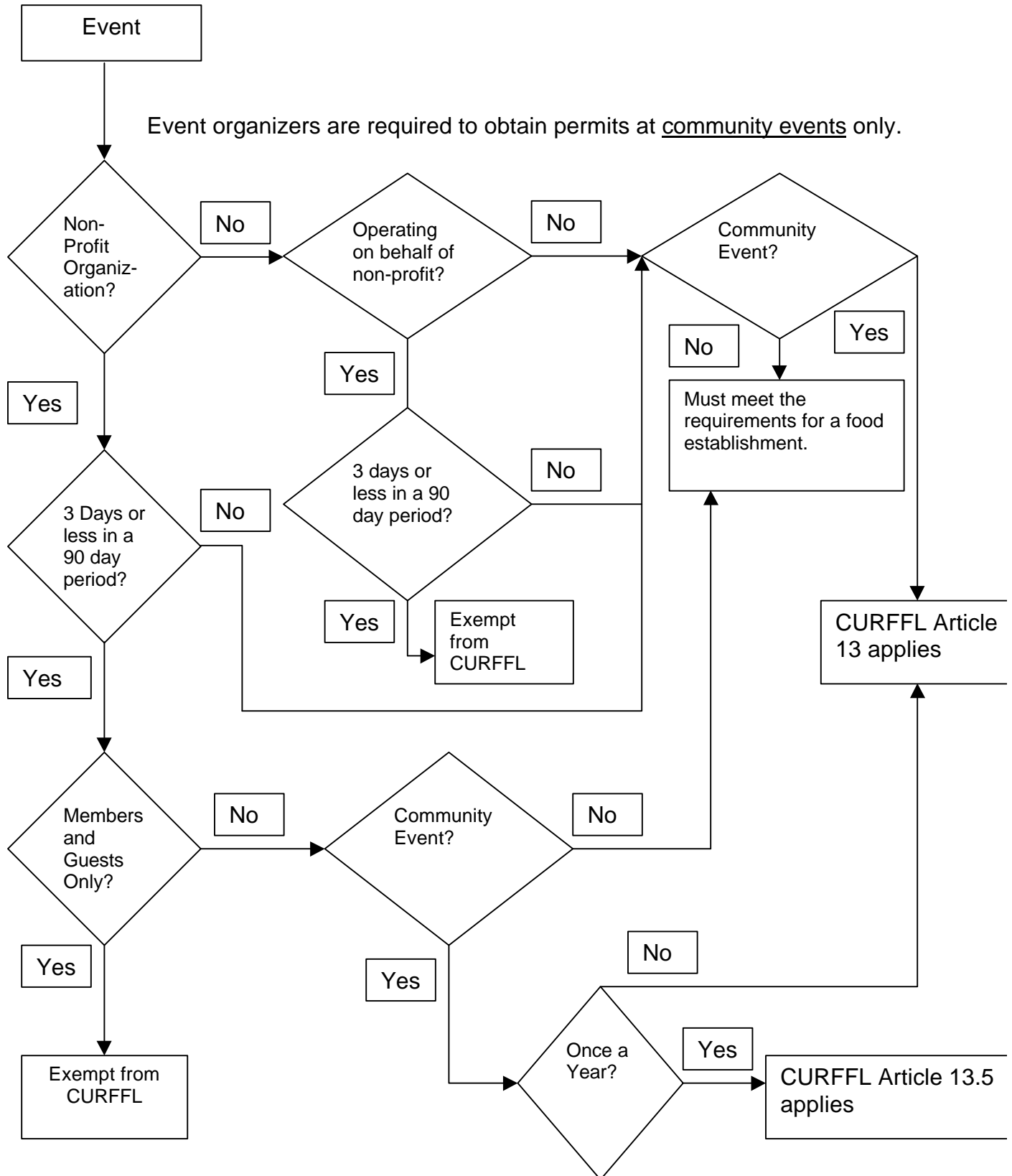
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Community event organizers are required to obtain a separate permit for the entire event under the provisions of Article 13. Event organizers need not obtain a separate permit for occasional events only.

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Temporary Food Facility Regulatory Flow Chart



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Requirements for Temporary Food Facilities

Article 13	Article 13.5
Subject to applicable sections of Article 6 and 7 except as specified	Operation limited to 72 hours, once annually.
All food must be from an approved source.	PHF ² must be from an approved source.
Owner/operator must be prominently identified on the facility.	
Event organizer must obtain a permit.	
Temperature requirements for PHF. <= 45 degrees F daytime/41 degrees F night >= 140 degrees - no hold over to next day Adequate holding equipment provided	Temperature requirements for PHF. <= 45 degrees F or >= 140 degrees F at all times
No live animals within 20 feet of facility except service animals.	No live animals or fowl in the facility except service animals.
Equipment and utensils must be approved.	
Ice used for refrigeration must not be used in beverages or cooking.	Ice must be protected from contamination. Ice for beverages must be kept separate from ice for refrigeration.
Adequate storage facilities must be provided. Food must be stored 6 inches off the floor or in enclosed cabinets or facilities during periods of inoperation.	Food must be protected from contamination. Food must be stored off the floor on pallets or shelves in the facility.
Food must be protected from contamination during transportation.	
Toilets and handwashing: <ul style="list-style-type: none"> • 1 for each 15 employees within 200 ft. • Hot and cold running water • Soap and towels in permanent dispensers • Cold water and "germicidal soap" is ok if only prepackaged foods are sold. • Alternatives may be approved 	A toilet for each 15 employees must be provided within 200 ft.
Janitorial facilities with hot and cold water supplied through a mixing valve must be available. Alternatives may be approved.	
A separate area for storage of employee personal effects must be provided.	

² Potentially hazardous food

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Article 13/13.5 comparison, continued...

Article 13	Article 13.5
Adequate lighting must be provided	
<p>Water supply:</p> <ul style="list-style-type: none"> • Water source must be approved. • Hot water (120 degrees F) must be provided • Adequate potable water for activities in the booth, plus 20 gallons. • Backflow prevention must be provided to water source and holding tank. 	
<p>Liquid waste:</p> <ul style="list-style-type: none"> • The enforcement officer must approve disposal. • Waste capacity must be at least 50% greater than potable water holding tanks. If ice is used, additional storage for ice melt is required. • System must preclude contamination of potable water. 	<p>Liquid waste disposal is subject to the approval of the enforcement officer.</p>
<p>Open-air barbecue facilities are subject to approval by the enforcement officer and must comply with Article 9.</p>	<p>Open-air barbecue facilities are subject to approval by the enforcement officer and must comply with Article 9.</p>
<p>Prepackaged foods only:</p> <ul style="list-style-type: none"> • Floor is required • Enforcement officer may require overhead and other protective measures as needed. 	<p>Food contact surfaces must be smooth, easily cleanable, and nonabsorbent. Smoking is prohibited in the facility. Garbage must be removed daily.</p>
<p>Non-prepackaged foods:</p> <ul style="list-style-type: none"> • The booth must be fully enclosed, but if only non-PHF foods are handled, food compartments may be used. • A readily cleanable floor, walls, and ceiling are required. Screens must be 16 mesh or finer. • Self-service condiments must be pre-packaged or dispensed from approved dispensers. • A 3 compartment sink with drainboards and hot and cold water supplied from a mixing valve must be provided. • A handwash sink with hot and cold water supplied from a mixing valve is required. Sharing may be allowed. • Alternatives may be approved. 	<p>Non-prepackaged foods: Utensil washing and handwashing facilities must be provided in the booth. The enforcement officer must approve utensil washing and handwashing facilities.</p>

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