

Temporary Food Facility Policy

Policy Number 17-xx

Supersedes EM:P10-02

Risk Management and Safety Services

Applies to: all members of the university community and external groups wishing to serve food on campus.

Purpose of the Policy

To ensure the safe handling of food in temporary food facilities in order to protect people from injury or illness. The observance of this policy by your organization is essential in achieving this goal.

Definitions

- **Certified Commercial Kitchen-** means a room or building which meets all the requirements of the applicable California Health and Safety Code and is not a residential kitchen.
- **Nonprofit charitable organization** – Groups that are tax exempt, they do not pay income tax on the money that they receive for their organization. They can operate in scientific, research or educational settings.
- **Open Forum-**for the purposes of this policy is one which provides consumables to members of the campus community or general public, whether for free or for sale. Some examples include: art exhibits, offering samples, symposiums, quad tabling, and department luncheons which are advertised to the campus community,
- **Processing food in a commercial kitchen-**means the manufacturing, processing or packaging of food in a commercial kitchen for the purpose of distribution.
- **Potentially hazardous food**
 - means a food that is natural or synthetic and that requires temperature control because it is in a form capable of supporting the rapid and progressive growth of infectious or toxigenic microorganisms, the growth and toxin production of *Clostridium botulinum*, or, in raw shell eggs, the growth of salmonella enteritidis.
 - includes a food of animal origin that is raw or heat-treated, a food of plant origin that is heat-treated or consists of raw seed sprouts, cut melons, and garlic-in-oil mixtures that are not acidified or otherwise modified at a food processing plant in a way that results in mixtures that do not support growth as specified in the paragraph above.
 - does not include any of the following:
 - (1) A food with an aw* value of 0.85 or less.
 - (2) A food with a pH level of 4.6 or below when measured at 75°F.
 - (3) A shell egg that is not hard-boiled but has been treated to destroy all viable salmonellae.
 - (4) A food in an unopened, hermetically sealed container that is commercially processed to achieve and maintain commercial sterility under conditions of non-refrigerated storage and distribution.
 - (5) A food that has been shown by appropriate microbial challenge studies approved by the enforcement agency not to support the rapid and progressive growth of infectious or toxigenic micro-

organisms that may cause food infections or food intoxications, or the growth and toxin production of Clostridium botulinum, such as a food that has an aw* and a pH that are above the levels specified under paragraphs (1) and (2) and that may contain a preservative, other barrier to the growth of micro-organisms, or a combination of barriers that inhibit the growth of micro-organisms.

(6) A food that does not support the rapid and progressive growth of infectious or toxigenic micro-organisms, even though the food may contain an infectious or toxigenic micro-organism or chemical or physical contaminant at a level sufficient to cause illness.

* "aw" means water activity that is a measure of the free moisture in a food, is the quotient of the water vapor pressure of the substance divided by the vapor pressure of pure water at the same temperature, and is indicated by the symbol aw.

Policy Details

Nonprofit Charitable Temporary Food Facilities (hereafter: Temporary Food Facilities) means either one of the following:

- a temporary food facility that is conducted by a nonprofit charitable organization,
- or an established club or organization of students that operates under the authorization of a school or other educational facility.

NONPROFIT CHARITABLE TEMPORARY FOOD FACILITIES ARE REGULATED BY THE STATE OF CALIFORNIA UNDER THE CALIFORNIA HEALTH AND SAFETY CODE, CHAPTER 10.5, [114332-114332.7].

The enforcement of these regulations shall be the responsibility of the Humboldt State University office of Environmental Health and Safety (Ext.3302) and under the guidance of the Humboldt County Department of Health Services. The Food Safety Program Enforcement Officer (hereafter: Food Safety Officer) shall be the EH&S Specialist.

This policy covers all distribution of food and beverages on the Humboldt State University campus except those operations managed by University Center and Dining Services.

This policy does not cover closed events such as potlucks or department functions that are closed to the public. However, if a consumable is offered or sold in an open forum, except as specified above, a university food permit is required. .

Exception to food safety training requirement: Any club, organization, group and/or individuals who intend to offer only non-temperature controlled items such as pre-packaged food, candy, single serve, unopened beverages and store bought baked goods do not require completion of a food safety course. For Clubs this type of permit approval will be processed at the Clubs office.

The Office of Environmental Health and Safety has the authority to enforce this policy and all Federal, State and local regulations pertaining to the sale and distribution of food and beverages on the HSU campus by non-HSU entities.

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GUIDELINES

Temporary food facilities must obtain a permit from the office of Environmental Health and Safety before commencing operations involving the sale or distribution of food.

Only commercially prepared baked goods or baked goods prepared in a certified commercial kitchen may be offered for sale, or other distribution, from permitted temporary food facilities.

Except where all food and beverage is prepackaged, hand-washing and utensil washing facilities approved by the Food Safety Officer shall be provided within (or near proximity to) temporary food facilities.

Facilities for the sanitary disposal of all liquid waste shall be subject to the approval of the Food Safety Officer.

At least one toilet facility adequate for all food workers shall be provided within 60 meters (200 feet) of each temporary food facility.

Food contact surfaces shall be smooth, easily cleanable, and nonabsorbent.

Temporary Food Facility Permits

Temporary food facility permits shall be issued to a representative of each entity that is requesting permission to sell and/or distribute food and/or beverages. The individual submitting the permit request shall be the designated responsible person (hereafter called the "responsible person") and shall have oversight responsibility for the entity's food and/or beverage operation.

The Food Safety Officer shall require the responsible person of each temporary food facility to complete and submit a "Temporary Food Facility Permit Application" in duplicate to the office of Environmental Health and Safety, Student and Business Services Building Rm 311 (ext.3302)

The length of time a permit is valid will depend on the circumstances of the requested operations and will be at the discretion of the Food Safety Officer. All permits shall expire at the end of each semester.

Permits will be revoked if the permitted facility is found to be out of compliance with any part of this policy.

Permits may be revoked at any time at the discretion of the Food Safety Officer.

For the purpose of inspection, the approved permit must be on site during vending operations, or the responsible person may demonstrate compliance if they are able to access the permit electronically upon request.

Food Preparation

No potentially hazardous food (see definition above) or beverage stored or prepared in a private home may be offered for sale, sold, or given away from a temporary food facility. Potentially hazardous food shall be prepared in a certified commercial kitchen or on the premises of a temporary food facility. (Subject to approval by the Food Safety Officer.)

The Food Safety Officer shall have the authority to prohibit the sale or distribution of any potentially hazardous food.

Employees preparing or handling food shall wear clean clothing and shall keep their hands clean at all times.

Where appropriate, tongs, forks, ladles, and other food service utensils shall be managed and protected to ensure that they remain in a sanitary state. Utensils used to manage potentially hazardous foods shall not be used to manage other foods to avoid cross-contamination.

Food containing raw meat and/or fish may not be sold or distributed under any circumstances.

All food and beverage shall be protected at all times from unnecessary handling and shall be stored, displayed, and served so as to be protected from contamination.

Potentially hazardous food and beverage shall be maintained at or below 7 degrees Celsius (45 degrees Fahrenheit) or at or above 57.2 degrees Celsius (135 degrees Fahrenheit) at all times.

Ice used in beverages shall be protected from contamination and shall be maintained separate from ice used for refrigeration purposes.

All food and food containers shall be stored off the floor/ground on shelving or pallets located within (or close proximity to) the facility.

All garbage shall be disposed of in a sanitary manner. Garbage shall be placed in trash bags and placed in the appropriate containers.

Except as indicated below, live animals, birds, or fowl shall not be kept or allowed in, or near proximity to, temporary food facilities.

Open-air barbecue facilities may be operated adjacent to temporary food facilities, and shall be subject to the requirements of Article 9, commencing with Section 113980, et seq. of the California Health and Safety Code.

Barbecues, grills or other equipment approved for outdoor cooking may be located adjacent to the temporary food facility if local building and fire codes prohibit cooking inside the temporary food facility.

Grills and barbecues or other approved cooking equipment shall be separated from public access by using ropes or other approved methods to prevent contamination of the food and injury to the public.

Barbecues requiring briquettes are only allowed to be used in permanent barbecues.

Exception: The above paragraph does not prohibit the presence, in any room where food is served to the public, guests, or patrons, of a guide dog, signal dog, or service dog, as defined by Section 54.1 of the Civil Code.

The animal prohibition does not apply to dogs under the control of uniformed law enforcement officers or of uniformed employees of private patrol operators and operators of a private patrol service who are licensed pursuant to Chapter 11.5 (commencing with Section 7580) of Division 3 of the Business and

Professions Code, while these employees are acting within the course and scope of their employment as private patrol persons.

The persons and operators described in the above exceptions are liable for any damage done to the premises or facilities by the dog. Said dogs described in the exceptions above shall be excluded from food preparation and utensil wash areas. Aquariums and aviaries shall be allowed if enclosed so as not to create a public health problem.

The Food Safety Officer may establish additional structural or operational requirements as necessary to ensure that food is of a safe and sanitary quality.

Nothing in this policy shall prevent a local enforcement agency from performing inspections of, or requiring permits for, any temporary food facility to ensure compliance with food safety provisions contained in this chapter.

PROCEDURE

Any club, organization, group and/or individuals who wish to operate a temporary food facility on the HSU campus must submit a Temporary Food Facility Permit Application to the office of Environmental Health and Safety at least five (5) working days prior to the preparation and/or dispensing of any food items. Upon receipt of the application, the Food Safety Officer will review the application and will either issue a one-time use permit or return the application with one of the following notices within forty-eight (48) hours:

Approved— no further action required.

Denied – proposed food items are not allowed under the HSU Temporary Food Facility Policy

Pending – Food Safety Officer needs to consult Humboldt County Dept. of Health Services or requests further information.

Prior to approving a temporary food facility permit, all persons who will take part in any food preparation, acquisition and/or sales/distribution shall complete food safety training and provide proof of completion.

NON-COMPLIANCE WITH POLICY

Any club, organization, group and/or individual who neglects to obtain a Temporary Food Facility Permit will be directed to immediately cease serving food.

Repeat non-compliance (more than two times) of the temporary food policy will result in the refusal of a temporary food facility permit for the period of at least one year.

Failure to comply with the legal requirements may constitute a misdemeanor under section 114395 of the California Health and Safety Code, punishable by a fine of not less than twenty-five dollars (\$25) or more than one thousand dollars (\$1000) or by imprisonment in the county jail for a term not exceeding six months, or both fine and imprisonment.

History

Supersedes EM:P-02 Temporary Food Facilities/Food Sanitation Policy dated June, 2010

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