GARLAND
Health Department
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REQUIREMENTS FOR THE TEMPORARY SALE OF FOOD

The City of Garland Code of Ordinances defines a temporary food establishment as an entity "which operates at a fixed location for no longer than five (5) consecutive days in conjunction with a single event." Each separate event shall require a separate temporary food establishment permit. An event may occur at a given site only once during a thirty (30) day period. The Director of Health may extend the time a temporary event is operating in conjunction with a special event that is permitted under Section 30.214 of the Code of Ordinances.

The ordinance also gives the Health Department the authority to prohibit or restrict the sale of certain foods which are likely to cause illness. In accordance with the authority and responsibility vested in the Health Department and in the interest of consumer health protection, the Health Department has established specific requirements for the temporary sale of food. Generally, the degree of regulation depends upon the type of food to be sold and the extent of preparation required.

The following is a synopsis of requirements that must be met. These requirements are dependent on the type of food to be conveyed and the facilities available.

A. TEMPORARY SALE OF POTENTIALLY HAZARDOUS FOOD

Potentially hazardous foods are those food items that support the rapid growth of disease-causing bacteria and which are most commonly implicated in foodborne illness outbreaks. Potentially hazardous foods are characterized as having high protein content and normally requiring refrigeration (meat and meat products, fish, poultry, eggs, shellfish, milk and milk products, cooked vegetables, etc.). Because of the inherent dangers associated with the sale of potentially hazardous foods, extreme care and diligence must be utilized to ensure a safe and sanitary product is sold.

(1) Potentially hazardous foods may be prepared and sold from approved food trailers and permanent structures on a temporary basis provided the following conditions are met:

a) Permit required: A temporary food establishment permit shall be obtained from the health department. An application for such permit shall be filed prior to the scheduled event.

b) Structure: Floors, walls, and ceilings of mobile trailers shall meet or exceed structural requirements as detailed in Section 22.31 of this chapter (*available on request)*. Permanent facilities, such as churches and retail stores, utilized as a

temporary food establishment shall meet structural requirements as approved by the health department.

c) Refrigeration: Mechanical refrigeration capable of maintaining all potentially hazardous food products at forty-one (41) degrees Fahrenheit or below shall be provided in the temporary food service facility. All bulk storage of potentially hazardous foods shall be located onsite in approved refrigeration equipment. Ice chests shall be allowed for pre-cooked link products for events of one (1) day duration.

d) Sanitary Facilities and Controls:

    1. Water supply. Hot (110 degrees Fahrenheit) and cold running water under pressure with a water heater volume sufficient to handle daily handwashing and utensil sanitizing demands shall be provided in the temporary food service facility if potentially hazardous foods are conveyed.

    2. Waste retention. Wastewater shall be drained to a sanitary sewer or collected onsite in an approved holding tank for later disposal.

e) Equipment and Utensils:

    1. Sinks. A three-compartment sink for washing, rinsing, and sanitizing utensils may be required by the health department for temporary food service facilities involved with preparation of potentially hazardous food. If required, the use of a three-compartment sink shall be in accordance with Section 22.29 (G)(2).

    2. Hot holding devices. Approved hot holding devices with sufficient capacity to maintain all hot, potentially hazardous foods at one hundred forty (140) degrees Fahrenheit or above shall be available in temporary food service facilities.

    3. Food contact surfaces. All food contact surfaces shall be constructed of stainless steel or other material approved by the health department.

    4. Vent hoods. Ventilation hoods with grease intercepting filters shall be installed in temporary food service facilities if grills or deep fryers of any type are utilized inside a structure.

f) Food supplies: All food products shall be made with ingredients from approved sources.

g) Food thermometers. A food thermometer (metal stem-type, 0-220 degrees Fahrenheit scale) shall be present in all trailers for temperature measurement.

B. TEMPORARY SALE OF NON-POTENTIALLY HAZARDOUS FOODS AND LIMITED PREPARATION OF POTENTIALLY HAZARDOUS FOODS

(1) There are some potentially hazardous food products that may require limited preparation and may be conveyed from a food booth. Approved products include hot dogs, hamburgers (frozen, pre-formed patties only), bacon, pre-cooked link products, corn dogs, pre-breaded chicken patties, and commercially prepared chili and barbecue where only heating is required. Food products other than those listed above shall be allowed only by special approval of the Director of Health. The following shall be required of any organization conveying potentially hazardous food products from an open air booth:

a) Permit. A temporary food service permit shall be obtained from the health department. An application for such permit shall be filed prior to the scheduled event.

b) Construction. An approved booth shall be constructed with:

1. An impervious floor such as concrete, asphalt, or plywood.

2. A roof covering all food storage, preparation, and service areas. Roof material may be canvas, nylon, plywood, etc.

3. Fabric or plywood sidewalks extending at least 30” from the ground on three sides of the booth.

4. Events, which are indoors, do not require individual roofs over each booth.

c) Approved foods. Only those potentially hazardous foods that require limited preparation as determined by the health department shall be authorized for preparation and conveyance.

d) Refrigeration. Mechanical refrigeration capable of maintaining all potentially hazardous food products at forty-one (41) degrees Fahrenheit or below shall be provided in the temporary food establishment; however, other forms of non-mechanical refrigeration may be authorized dependent upon the duration of the event and the type of potentially hazardous food products to be conveyed.

e) Sanitary Facilities, Equipment, and Utensils:

1. Water supply. Handwash facilities with a minimum three-gallon capacity shall be required in temporary facilities that convey unpackaged non-potentially hazardous foods or

limited preparation of potentially hazardous food products. The sink shall be supplied with running water through gravity flow or a marine-type hand pump. Adequate containers for holding wastewater shall be provided at the handwash facility. Soap and paper towels must be provided at the handsink facility.

2. Tableware. All tableware conveyed to consumers shall be single service.

3. Utensil sanitization. Utensil sanitization may be accomplished using three pans or tubs with soapy water, clean water, and sanitizer. The pans or tubs must be large enough to immerse the largest utensils used. Note: Normally, a solution of two teaspoons of household bleach per gallon of water produces a 50 ppm chlorine sanitizer.

4. Hot holding devices. Approved hot holding devices with sufficient capacity to maintain hot potentially hazardous foods at one hundred forty (140) degrees Fahrenheit or above shall be available in temporary food service facilities.

5. Food contact surfaces. All food contact surfaces shall be easily cleanable and consist of stainless steel, plastic laminated wood, polymer cutting boards or equivalent as approved by the health department.

6. Food protection. Stored foods shall be maintained in approved containers with tight-fitting lids to reduce contamination.

7. Condiments. All condiments shall be served in single-serving containers or from bottles with manual pump dispensers. No open condiment containers shall be permitted.

8. Toilet facilities. Toilet facilities shall be available and readily accessible, but in no case shall toilet facilities be greater than three hundred (300) feet from food preparation areas.

f) Garbage and Refuse Disposal. Trash cans with liners and tight-fitting lids shall be provided, convenient, adequate in number, and properly maintained to minimize vermin, odors, and litter.

g) Food thermometers. A food thermometer (metal stem-type, 0-220 degrees Fahrenheit scale) shall be present in all trailers for temperature measurement.

h) Waiver of requirements. The health department may waive certain requirements for temporary food establishments in which only certain prepackaged potentially hazardous foods are conveyed.

C. CATERING OF POTENTIALLY HAZARDOUS FOODS FROM AN APPROVED ESTABLISHMENT

(1) Some potentially hazardous foods may be prepared in a licensed food establishment approved by the Health Department and catered (delivered to) a booth or mobile trailer at a temporary food establishment. The following requirements must be met:

a) Permit. A temporary food service permit shall be obtained from the health department. An application for such permit shall be filed prior to the scheduled event.

b) All requirements listed in Section B of this document shall be met.

c) Approved establishments for preparation may include restaurants, school cafeterias, commercial day care centers, and adequately equipped church kitchens. Facilities which do not currently possess valid food service permits must be inspected by the Health Department prior to use;

d) All potentially hazardous foods must be maintained under proper temperature control (above 140ºF or below 41ºF) <u>at all times</u> including the transport time from the preparation facility to the food booth or mobile trailer. Additionally, mechanical refrigeration, electric or gas-fired hot holding temperature devices, or approved commercial pits will be required at the booth for temperature control. <u>Health Department personnel will discard those potentially hazardous foods which have been held at unsafe temperatures for significant periods of time.</u>

D. BAKE SALES

(1) Bake sales are certainly one of the more popular fund raising activities utilized by nonprofit organizations. The following points should be remembered when a group wished to conduct a bake sale:

a. Permit. A temporary food service permit shall be obtained from the health department. An application for such permit shall be filed prior to the scheduled event.

b. Approved foods. Only approved, non-potentially hazardous foods may be sold at bake sales. Cream or custard-filled pies and home-canned products are prohibited. Non-perishable baked items may be prepared in the home, but all food portions must be individually wrapped and protected from contamination.

E. PERMITTING REQUIREMENTS

(1) Most events in which food is conveyed require a Temporary Food Service Permit. You must notify the Health Department a minimum of 48 hours before the scheduled event so an application can be filed and questions can be approved. A complete menu of foods to be conveyed must be provided at the time of application. Applications for conveyance of potentially hazardous food which are filed less than 48 hours prior to an event will be denied.

a. The Health Department must inspect all potentially hazardous food preparation facilities by 4:00pm on the last work day prior to the event.

b. Facilities designed for the sale of those foods classified as non-potentially hazardous will normally not require prior inspection.

(2) What types of events require a Temporary Food Service Permit?

If the answer to any of the following questions is yes, you may need Temporary Food Service Permit:

a. Is the general public invited to the event?

b. Can persons other than members of the organization and their family members attend?

c. Have you advertised the fund raiser in newspapers, on radio, posted bulletins, mailed out flyers?

d. Have you sold tickets to persons other than organization members?

The Health Department recognized that many instances of non-profit organization food service functions do not involve the public. We refer to these activities as "closed party functions" in which organization members, their families, and invited guests are the only persons present. Examples of closed party functions include church dinners, regular meetings of civic organizations and clubs, and certain sales of baked goods at schools during school hours, etc. If you are unsure whether your group's planned food service requires a permit, please call the Health Department at (972) 205-3460.

(3) Additional requirements include:

a. Inspections. The health department may inspect temporary food establishments at any reasonable time. The health authority shall require certain temporary food establishments to be inspected and to be in compliance with all applicable sections of this chapter prior to the scheduled event.

b. Personnel practices. Temporary food service facility employees shall abide by all applicable sections of the health code with respect to

personal hygiene and sanitary food handling practices. Employees may be required to obtain a food handlers' certificate prior to the event.

c. Permit fees and display. Permit fees for Temporary Food Establishments are $25.00 per booth or trailer per event. Permit fees for non-profit groups shall be waived. Permits shall be displayed in plain view of the public.

REMEMBER! The information listed above can only serve as a guide as your organization plans its activities. Please do not hesitate to call (972) 205-3460 if we can help you answer your specific questions.