



TEMPORARY EVENTS – FAQ’S

1. What is Temporary Food Facility?

“Temporary Food Facility” means a food facility operating out of temporary facilities approved by the enforcement officer at a fixed location for a period of time not to exceed 25 consecutive or nonconsecutive days in any 90-day period in conjunction with a community event.

2. Do I need a permit to sell food at a temporary event?

Yes, a permit is nearly always required to sell food or drinks to the public.

3. How do I get a permit?

Contact the coordinator/organizer of the event. The coordinator will gather the necessary forms and information from the Department of Environmental Health.

4. What conditions are attached to the permit?

In order to qualify for a permit, the applicant must agree to operate in accordance with all applicable state laws and such inspectional procedures needed to ensure compliance.

State law requires food to be handled and sold from a fully screened booth, unless the food is completely wrapped and remains so until sold. The booth must be equipped with facilities for washing hands and for washing and sanitizing utensils, and equipment to keep potentially hazardous foods at a safe temperature. The full list of conditions can be read in our information packet.

5. My food is prepackaged... do I still need a permit?

Yes, a permit is still required. However, a fully screened booth will probably not be necessary and nor will hand washing and utensil washing facilities, unless you intend to open the packages, to give samples, for example. Then the requirements are the same as for any other booth with open food.

6. I am only selling drinks... do I still need a permit?

Yes. Beverages are considered food and a permit is required. For events that have a number of beverage booths run by the coordinator, such as a wine festival, the permits can be obtained at a reduced cost.

7. I am not selling any food or drink, but I will be giving away samples. Do I need a permit?

Yes, a permit is required to give food or drink to the public. However, only a non-profit permit is necessary and the fee is therefore lower. If the samples of food/drink are open (not completely wrapped), a fully equipped booth is necessary. A permit is not required when only pre-packaged, non-potentially hazardous food samples are given away and no food preparation is involved.

8. My booth is only to raise money for our club... do I still need a permit?

Yes, a permit is usually required for all food vendors. The potential risk attached to handling and selling food is the same, no matter where the proceeds go.

9. Can I set up a temporary food facility outside a shopping mall or my permitted food facility?

No. The temporary food facility must be in connection with a community event.

10. How much does a permit cost?

Current Environmental Health permit fees are as follows:

(note: listed fees are valid from 7/1/07 through 6/30/08 only; fees may increase on 07/01/08):

	Minimum two weeks before event	Late submittals (25% late penalty) Submitted less than two weeks before event
For Profit booth	\$ 183.00	\$ 228.75
Non-profit booth	\$ 67.00	\$ 83.75
For Profit cart	\$ 63.00	\$ 78.75
Non-profit cart	\$ 56.00	\$ 70.00
Coordinator / Organizer	\$ 60.00	\$ 75.00

After July 1, each year, the fees may be raised to reflect increased departmental costs.

11. When is a permit not required?

If all of your food is donated by a *permitted food facility* (such as a local restaurant or a market) then the event is exempt from these requirements. This is known as “The Craven Act”. Problems or complaints about the event would then be the responsibility of the donor(s). Craven Act forms are available at this office for both donors and recipients of food. They should be completed for the record.

Note that the donors need to be *permitted facilities* – individuals cannot donate food in order to circumvent the law. Also remember that no one is exempt from civil liability – you must still practice safe food handling

12. What other permits do I need?

Firstly, you need permission from the event coordinator. You might also need to contact the local Fire Department (if you have any heating equipment), California Alcoholic Beverage Control and local police (if you have alcoholic beverages) and the California Board of Equalization (for sales tax payments). Your event coordinator should be able to advise you.

13. What are the responsibilities of the organizer or coordinator of the event?

The coordinator is required to gather together all applications for the food booth vendors and bring them to the Department of Environmental Health with the correct fees. They must also ensure that all temporary food facilities comply with the Health and Safety Code. In addition, they are responsible for shared facilities such as toilets and waste water, grease and garbage disposal. They should ensure that food booth operators know where to find potable water and ice.

14. Will a specialist come to look at my booth?

A specialist will visit all food booths – usually early in the event, to make sure that food is being handled safely. However, booth operators are expected to follow the law even after the specialist has left.

15. Will I be fined if I make a mistake at the event?

Specialists cannot issue fines – only a court can do that. However, the specialist will expect corrections to be made when necessary, and may close your booth temporarily until he/she considers it safe. Any inspection time more than twenty minutes may be billed for additional time and which is based on an hourly rate of \$138.00. If your problems cannot be corrected, the specialist may suspend your permit, which means you will have to close down. In extreme cases a specialist can issue a citation which means you would have to go to court.

16. Does the booth need to be enclosed?

The booth must have overhead protection, cleanable flooring and needs to be fully screened on all sides if you are handling open food. If all food is *prepackaged* and the packages will be sold *unopened*, no screening is required, just overhead protection and cleanable flooring.

17. Do I need my own hand-washing facilities – even if I am right next to the public restrooms?

Yes. Hand washing facilities are always required in each booth where open foods or beverages are handled.

18. Can I cook outside the booth?

Yes. BBQ and deep fat frying must be outside the booth, in an area fenced off to the public. All other cooking and should be inside the booth. Always check with your local Fire Department if you will be working with open flames.

19. I have decided to join an event this coming weekend and I live far away. Can I still get a permit?

Call the Department of Environmental Health and speak to the Temporary Events Specialist. We will help you if we can. However, it is not always possible to issue a permit at very short notice, so it is better to apply through your coordinator in plenty of time.

20. I have a hot dog cart with an annual permit to operate in Santa Clara County. Do I need another permit to sell at a temporary event?

No. If your annual permit is current, no other environmental health permits are necessary. Make sure that you have permission from the event coordinator to attend. Many events charge participants an entrance fee.

21. I have a hot dog cart with a permit to operate in another County. Does this permit cover me for a temporary event in Santa Clara County?

No, the permit is only valid in the county where it was issued. You can obtain a temporary environmental health permit for Santa Clara County. The fee is \$60.00 for each event.

22. I am organizing an event this summer. Can someone from the Department of Environmental Health come to one of our meetings, to explain the requirements?

An Environmental Health Specialist will be happy to attend your pre event meeting. Please make sure that you give us plenty of notice so we can find a mutually convenient date.

23. I understand that restaurant operators in California need a certificate in food safety. Do I need a certificate to sell food at a temporary event?

No, this requirement does not apply to temporary food facilities.

24. I attend many temporary events during the year. Can I get an annual permit?

An annual permit is available, but only to applicants who already have a fixed food facility, such as a restaurant or a market, in Santa Clara County. An annual permit to operate at special events can be obtained by paying an annual fee.

25. I already have a permit for my restaurant in Santa Clara County. Does that permit cover me for temporary events?

No. The permit to operate a restaurant does not cover temporary events, even if it is on the street outside your facility. A temporary food facility has to be set up in a specific way and will require an additional inspection by Santa Clara County, and therefore needs a separate permit. However, you may display samples of food outside your restaurant during a special event, and invite patrons to come inside to eat. Then, no additional permit would be necessary.

26. Where is your office located?

We are located at 1555 Berger Drive, Suite 300, San Jose, CA 95112.

27. Who can I call if I have a question?

All questions should first be directed to the coordinator of the event. If the coordinator is unable to help, please call Environmental Health reception at (408) 918-3400 and ask for the Temporary Events Specialist.