



## DEPARTMENT OF PUBLIC HEALTH

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### COMMUNITY FOOD EVENT PERMITTING

In the California Retail Food Code (CRFC), "Temporary food facility" means a food facility approved by the enforcement officer that operates at a fixed location for the duration of an approved community event and only as a part of the community event. The CRFC defines a "Community event" as an event that is of civic, political, public, or educational nature, including state and county fairs, city festivals, circuses, and other public gathering events approved by the local enforcement agency. The local enforcement agency is the Merced County Department of Public Health, Division of Environmental Health (MCDEH).

- ❖ Community food events with one food vendor must acquire a temporary food event permit prior to the event. The options listed below are for temporary food facility vendors participating at a single event:
  - Low risk single event (lasts 10 consecutive days or less).
  - High risk single event (lasts 10 consecutive days or less).
  - The determination of low risk or high risk is based on the food items the vendor sells.
- ❖ Temporary food facility vendors participating in more than five community food events annually may benefit from a cost savings by obtaining an annual permit for the following permit types:
  - Low risk annual event
  - High risk annual event
- ❖ A temporary food facility vendor operating at a weekly or monthly community event less than 25 consecutive or non-consecutive days in any 90 day period should obtain the following permit:
  - Temporary food facility operating <25 days out of 90
  - Operating a food facility for 25 or more days within a 90-day period requires a permanent facility permit or a mobile food facility permit from MCDEH.\*
- ❖ Community food events with more than one food vendor must have a designated organizer of the event. The event organizer must obtain a permit for each vendor. All permit applications and payments for permit fees must be submitted to this office by the organizer as one packet. The fees for the organizer are determined by the number of total food vendors participating in the event:
  - 2-5 temporary food facilities
  - 6-15 temporary food facilities
  - 16-25 temporary food facilities
  - 26+ temporary food facilities

Additional information for the Community Food Event organizer and vendors can be found in guidelines available on the MCDEH webpage:

<http://www.co.merced.ca.us/index.aspx?NID=1636>

All of the current fees for the above mentioned permits can be found at the following webpage:

<http://www.co.merced.ca.us/index.aspx?NID=1740>

*Please submit applications and fees **two weeks prior** to the event, allowing adequate time for staff review. Permits may be required by the local planning and/or building departments.*

*\*Permanent approved restroom facilities may be required; private home restrooms are not approved.*

## EXEMPTIONS FROM PERMITTING AND/OR FEES

The following vendors would be exempt from permitting and fees due to the definitions of non-food facilities in the CRFC:

- ❖ A church, private club, or other nonprofit association that gives or sells food to its members and guests, and not to the general public, at an event that occurs not more than three days in any 90-day period.
  - This type of event would be exempt from permitting as long as the event is **not advertised publically**. For example, there cannot be banners advertising the event and fliers cannot be distributed to the general public.
- ❖ A **for-profit entity** that gives or sells food at an event that occurs **not more than three days in a 90-day period** for the benefit of a nonprofit association, if the for-profit entity receives **no monetary benefit**, other than that resulting from recognition from participating in an event.
  - For this exemption, a form letter from MCDEH would need to be completed on the non-profit entity's letterhead and submitted to MCDEH prior to the event.  
Please contact MCDEH at (209)381-1100 to request a copy of the example form letter.

The following vendors require a Health Permit to Operate, but would be exempt from the permit fees as required by the California Business and Professions Code, Section 16102:

- ❖ Soldiers, sailors or marines of the United States who have received an honorable discharge or a release from active duty under honorable conditions may hawk, peddle and vend any goods, wares or merchandise owned by them, except spirituous, malt, vinous or other intoxicating liquor.
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## MOBILE FOOD FACILITIES AT COMMUNITY FOOD EVENTS

- ❖ Mobile food facility vendors with valid mobile permits from MCDEH who participate in community food events do not have to pay fees for temporary food facility vendor permits if the mobile food facility only sells food items allowed by their mobile food facility permit directly from the approved mobile food facility.
    - For community food events the mobile food facility vendor participates in, a complete Community Food Event Vendor Application, with notation of their valid mobile food facility permit number, must be submitted.
    - Additionally, if a mobile food facility vendor operates outside the scope of their permit and sells food items not allowed under the mobile food facility permit, the vendor must obtain a temporary food facility permit and pay the associated fees.
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**IMPORTANT NOTE:** No **potentially hazardous** perishable food or beverage **stored or prepared in a private home** may be offered for sale, sold, or given away. **Nonpotentially hazardous** beverages and baked goods may be offered for sale, sold, or given away by a nonprofit charitable organization or by an established club or organization that operates under the authorization of a school or educational facility for fundraising purposes at community events.

➤ Cottage food operations (CFO) permitted by MCDEH are allowed to sell approved CFO food items at community events if a low risk single event or annual event permit is obtained.

If there are any additional questions please contact MCDEH at **(209)-381-1100**.

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