



## Requirements for Temporary Retail Food Establishments



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# REQUIREMENTS FOR TEMPORARY RETAIL FOOD ESTABLISHMENTS

## **Definitions:**

“Temporary Event” means a single community event or celebration that operates for a period of time of not more than fourteen (14) consecutive days and may include town celebrations, fairs, and festivals. Temporary events do not include:

- a. Regularly scheduled series of events at venues such as sporting arenas, concert halls, flea markets, corn mazes, or farmers’ markets;
- b. Events serviced by licensed caterers are not considered temporary events;
- c. Sporadic promotional events such as grand openings are not considered temporary events.

“Temporary Retail Food Establishment” means a food establishment that is limited to operating at temporary events only.

## **General:**

A temporary retail food establishment shall comply with all requirements of the Colorado Retail Food Establishment Regulations 6 CCR 1010-2, except as approved by the Regulatory Authority. Mobile Food Establishments, including pushcarts, operating at temporary events shall operate according to the Colorado Retail Food Establishment Regulations 6 CCR 1010-2. Each for profit space rented shall require a separate temporary retail food establishment license.

## **Required Paperwork:**

- A temporary retail food establishment vendor application, which shall include a list of food items to be sold, shall be submitted to the Regulatory Authority for each event. The vendor application shall be submitted at least ten (10) working days prior to the event. Approvals will be based upon the nature and extent of the proposed menu, equipment capacities, setup and the ability to handle and prepare food in a safe manner and protect against public health hazards.
- For Profit Vendors: Copy of your Sales Tax License. If you are a licensed Mobile Unit, you must also include a copy of your retail food license.
- Non-Profit Vendors: Nonprofits (as defined by the State Department of Revenue or by a 501-C-3 status) must provide proof of their non-profit designation.
- Temporary retail food establishment operators shall maintain records detailing the source of all foods being held, stored, offered for sale, sold and

distributed. These records shall be made available to the Regulatory Authority when requested.

## **Commissary:**

- Temporary Retail Food Establishment vendors shall operate from a commissary or servicing area approved by the Regulatory Authority and shall provide a commissary agreement to the Regulatory Authority for each event. The agreement shall specify if the temporary retail food establishment is allowed to report to the commissary daily, and which operations the temporary retail food establishment is allowed to use (i.e. warewashing equipment, refrigeration, food preparation equipment, storage areas, disposal of liquid waste, or acquiring drinking water). Written documentation or a log as to when the temporary retail food establishment utilizes the commissary shall be maintained and made available to the Regulatory Authority when requested.
- The commissary for vendors operating at an event of more than one (1) day in duration shall be within 30 minutes or 30 miles of the event.
- Temporary retail food establishments shall report to their commissary or servicing area at a minimum of every 24 hours (on operational days) for all supplies, all cleaning, advanced food preparation, and servicing operations.
- The commissary shall be constructed and operated in compliance with the requirements of the Colorado Retail Food Establishment Regulations 6 CCR 1010-2.
- All foods, utensils, and single use articles must be transported in clean, covered, waterproof containers to protect them from contamination or stored at least 6 inches off the ground. All food shall be maintained at required temperatures during all aspects of the operation including transportation.
- Mobile food establishments are not required to report to a commissary if:
  - Adequate storage areas are provided within the mobile food establishment for food, dry goods, single service articles and cleaning supplies; and
  - Adequate facilities including a handwashing sink, warewashing facilities, mop sink, mechanical refrigeration, and any additional equipment as required by the menu; and
  - Adequate accommodations for food preparation, storage of food, equipment,

utensils and other supplies; and

- Approved arrangements and facilities are provided and used to supply drinking water, and for the disposal of wastewater generated by the mobile food establishment.
- A mobile retail food establishment is prohibited from acting as a commissary for another retail food establishment.
- The Regulatory Authority’s decision whether to require auxiliary support services such as a commissary or servicing area will be based on the menu, type of operation, duration of event and availability of on-board equipment and support services at the event. The location of the commissary or servicing area shall be adequate to support operations and the safe handling of food.

## **Minimum Event Site Equipment Requirements:**

- Equipment for holding food cold (41°F or below) and/or hot (135°F or above) shall be sufficient in number and capacity to maintain foods at required temperatures. Equipment utilizing fuel gel canister is prohibited at outdoor venues unless approved by the Regulatory Authority.
- A conveniently located hand washing station shall be provided within the Temporary Retail Food Establishment.
- Extra utensils and in-use food contact surfaces (cutting boards, tongs, knives, etc.) shall be provided to allow soiled items to be replaced at a minimum of every four (4) hours. Warewashing of equipment and utensils shall be conducted at an approved facility. Onsite warewashing is prohibited unless otherwise approved by the Regulatory Authority.
- Sufficient, non-absorbent, smooth, easily cleanable work surfaces must be provided where food is being handled.
- Coolers and approved food-grade containers used to store food shall be durable, smooth, non-absorbent and easily cleanable. Styrofoam and soft sided coolers are prohibited.
- A clean trash receptacle shall be provided.

## **Ice:**

Only ice which has been manufactured from drinking water and handled in a sanitary manner shall be used or offered for sale. Ice used as a cooling medium for food storage, beverage containers, food containers or food utensils shall not be used or sold for human consumption. The storage of packaged food and/ or beverage in undrained ice is prohibited.

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## Water:

A sufficient quantity of drinking water (water that meets criteria as specified in 40 CFR 141 National Primary Drinking Water Regulations) shall be available for food preparation, wiping cloth solutions, and sanitization of food-contact surfaces. The water supply system hoses, piping, and fixtures shall be fabricated of approved food-contact materials. The water supply system must be installed to preclude the backflow of contaminants into the drinking water supply.

## Waste:

All sewage, including liquid waste, shall be disposed of according to law. Waste water shall not be discharged onto ground or into storm drainage system. Ask the event coordinator if there are approved containers or if there is a sink plumbed to a sanitary drain on-site. Drainage from clean drinking ice may be discharged onto the surface of the ground provided it does not create a nuisance.

## Handwashing:

- A hand washing station, as required by the Regulatory Authority, shall be provided within the Temporary Retail Food Establishment that meets the operational needs of the establishment. Use of hand sanitizers is not a replacement for required hand washing. Handwashing stations must be capable of providing hands-free continuous flowing warm water of adequate pressure shall be provided. Push button spigots on water supply containers are not permitted.
- A basin that is capable of capturing hand washing waste water to then convey it into a closed waste water container shall be provided.
- Soap and dispensed paper towels shall be provided at each hand washing station.
- A minimum of five (5) gallons of drinking water shall be provided for hand washing. The required volume of water will be based upon



menu, equipment, and hours of operation.

## Booth/Space Requirements:

- Areas within the Temporary Retail Food Establishment shall be free from standing water, mud, dust and fecal material. If graded to drain, a floor may be concrete, machine laid, asphalt, dirt or gravel if it is covered with mats, removable platforms, duckboards, or other approved materials that are effectively treated to control dust and mud.
- Overhead protection shall be provided and be made of wood, canvas, or other materials that protect the interior of the establishment from weather, windblown dust and debris, or other contamination. Any grease producing equipment or equipment with open flames shall not be located under overhead protection.
- Screening or other provisions may be required to prevent the entrance of pests and debris.

## Operating at the Temporary Event:

- A calibrated 0° to 220° F metal stem probe thermometer, digital thermometer or thermocouple must be on site. If thin foods (hamburger patties, fish fillets) are being cooked, a thin mass food probe shall be provided.
- Food preparation at the event shall be limited to seasoning, cooking, assembly of pre-prepared foods and service of packaged foods stored at required temperatures.
- All slicing, chopping, peeling, dicing, shredding and washing of produce shall be done at an approved commissary. Food cooked or stored at home is prohibited. Vendors are permitted to do an on-site cut of non-potentially hazardous whole produce items (including: potatoes, lemons, limes, oranges and apples) for a single order intended for immediate consumption provided that the produce is pre-washed at an approved commissary.
- Food and food-contact surfaces of equipment shall be protected from contamination by consumers or other sources. Appropriate coverings, packaging, shields, barriers, or other means shall be provided as necessary to prevent contamination.
- Equipment shall be maintained and operated per its intended use and design.
- Equipment shall be located and installed to facilitate cleaning. Grease from grease-producing equipment shall not be discharged onto the ground or into any storm drainage system.
- Bare hand contact with ready to eat foods (items

that will not require further cooking) is prohibited.

- All individuals involved in food preparation shall wear appropriate hair restraints.
- Eating, drinking and smoking are prohibited within the food booth. Staff must leave the booth for these activities and upon returning must wash their hands.
- No pets shall be allowed inside the booth.
- Wiping cloths must be saturated with an approved chemical sanitizer at proper concentration. Test strips specific to that chemical shall be provided. The sanitizing solution should be changed as needed, or when visibly soiled.
- Any remaining hot held food on site must be discarded at the end of the business day unless properly cooled and reheated.

## CRITICAL FOOD TEMPERATURES

