

**TRANSYLVANIA COUNTY**  
**DEPARTMENT OF PUBLIC HEALTH**

Environmental Health Section  
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## **REQUIREMENTS FOR FOOD SERVICE AT FESTIVALS AND SPECIAL EVENTS**

The NC "Rules Governing the Sanitation of Food Service Establishments" require food service operators at festivals and special events to obtain a **Permit to Operate** from the local health department before starting operation. There are exemptions and exceptions from the requirements and they can be found at the end of these instructions. Even if you believe your operation is exempted, it is recommended that you submit an application to ensure no planned foods will be prohibited from sale.

**Application:** A blank food vendor application may be obtained from the Transylvania County Department of Public Health. The Health Department charges a \$50 per event fee for temporary food service permits. A completed application and fee must be submitted to the Health Department at least 7 days before the event. Only cash or checks (made payable to Transylvania County) are accepted. NO APPLICATIONS OR FEES may be submitted at the festival.

**Menu:** The application requires a "menu" of all foods and beverages to be served along with information describing the source of the foods and how each item is prepared and/or served (pre-packaged, cooked on site, etc.).

**Permit To Operate:** Before the event starts, an Environmental Health Specialist will visit your site, and, if all requirements have been met, issue a PERMIT TO OPERATE. No food service or food preparation is allowed on the site until you have received this permit. Your acceptance of this permit implies that you agree to keep the site as originally permitted throughout the event and that you agree to operate in

accordance with all statutes, rules, regulations and specific conditions which may be included on the permit.

**Transport of Foods:** All foods must be protected while in transit between the source and the stand. Transport containers must be able to maintain proper temperatures for a reasonable amount of time, keep out potential contamination, and be non-absorbent and cleanable.

**Source of Foods:** All foods must be clean, wholesome, free from adulteration, and obtained from approved sources. Original packaging or receipts must be provided. Any foods requiring preparation prior to the event must be prepared in a kitchen that has been pre-approved by the Health Department.

**Prohibited Foods:** Potentially hazardous foods such as cream-filled pastries and pies, or salads such as potato, chicken, ham, crab, etc., cannot be prepared or served from a temporary food establishment.

**Ice:** Ice must be obtained from an approved source. Ice used for chilling of foods may not be used for consumption. A separate bin of ice for drinks and handled scoops are required.

**Meats:** Hamburger, hot dogs, sausages, poultry, etc. must be provided in ready-to-cook portions from the supplier. Hamburger must come in preformed patties; poultry must come from the processor pre-cut into individual portions that are ready to cook. You may not process raw meats at the stand.

**Cold Foods:** Cold storage of potentially hazardous foods must be able to maintain foods at a temperature of 45°F or below. Thermometers must be provided in any refrigeration units. Temperatures must be monitored throughout the event. Styrofoam coolers will not be accepted for storage of food.

**Hot Foods:** Holding units (i.e. steam tables or hot holding cabinets) must keep foods at or above 135°F until served.

**Stem Thermometer:** All stands must provide a metallic stem-type thermometer (0° - 220°F scale or digital). Workers must monitor food temperatures frequently. Use the thermometer to be sure that all food is adequately cooked for safety, and that hot and cold foods are held at approved temperatures; 45°F or below for cold foods, 135°F or above for hot foods.

**Sneeze Guards:** Food and food contact surfaces near customers must be protected from customer exposure or sneezes by glass or something equal on the top, front, and ends. Sneeze guards are not required if the cooking surfaces are placed so that

customers cannot get near them. An acceptable alternative may be the placement of a barrier between the food preparation or storage areas and the serving location

**Self-service:** Customer self-service of food and condiments is not allowed. This applies to any unpackaged condiments such as lettuce, tomatoes, pickles, and onions. Packaged condiments such as relish, ketchup, and mustard are permitted. Mustard and ketchup can also be dispensed by the customer from approved pump-type dispensers.

**Drinks:** Bottled or canned drinks, single-portion containers of milk, and coffee may be served. Lemonade, tea and other non-hazardous beverages can be made in the stand with approved, potable water or can be brought already prepared from an approved source (prepackaged or approved by the Health Department) and served from an approved dispensing device.

**Tent:** Temporary food establishments must be conducted in a tent or other approved enclosure with a roof that will keep out rain, dust, dirt, insects, and other contaminants.

**Screening:** The booth area must exclude flying insects. Fine mesh or other screening which will allow air to pass or fans can be used. There can be an opening in the screening directly behind a stove or grill that presents a fire hazard or generates great amounts of heat. Fans may be required at the front serving counter or at other non-screened areas as needed to cut down on flies, and other insects.

**Floor:** Start with a clean space and keep it clean. Concrete, asphalt, and such street surfaces are accepted. A ground cover is required for foodservice operations on grass. If problems occur, such as grease spills, clean them up; do not wash such spills down storm drains.

**Storage:** Nothing is allowed on the "floor" except equipment with legs or non-absorbent, empty crates. Stored items, wrapped or not, must be off the floor and under the tent at all times.

**Cleaning:** All equipment must be cleaned thoroughly and maintained in a sanitary condition throughout the event. **A single vat sink** equipped with running water and capable of holding the largest utensil used during operation **must be provided**. "Running water" may be achieved by positioning a cooler or beverage urn with a stop cock nozzle above the sink basin. You must have at least one drainboard or adequate counter space to use with the washing operation. Bulk sanitizer (such as non-scented liquid bleach), test strips and properly mixed sanitizer must be provided.

**Water:** Water must be obtained from an approved source. The festival organizer will indicate locations of approved taps. Only bottled water, water purchased from a municipality (receipt required) or water from a NC permitted establishment (letter required) may be brought with you.

**Hot Water:** Heated water must be provided for the utensil sink and handwashing basin. The minimum equipment acceptable for this provision would be a pot of water on a stove, or a separate coffee maker.

**Handwashing:** Provide employees with a convenient way to wash their hands. This can consist of a handwashing lavatory with warm water through a combination supply faucet or could, at minimum, be a wash pan or bucket. Anti-bacterial soap and single-use towels must be provided.

**Diseases:** No person who has a contagious or infectious disease which can be transmitted through food or drink is allowed to work in a temporary food establishment.

**Hair restraints:** Hair nets and/or caps must be worn at all times by foodservice employees.

**Tobacco:** No tobacco of any form is to be used while handling, preparing, or serving food or while in the foodservice area.

**Worker information:** Each vendor should keep a list of names and phone numbers of people involved in food preparation and service. The list should include persons handling the food at approved kitchens away from the festival grounds.

**Wastewater and Sewage:** Wastewater from the stand must be emptied into sanitary sewer or designated wastewater holding tanks. Do not empty storage tanks or catch buckets into storm drains. Storm drains in Brevard are covered with square or rectangular grates that empty directly into area creeks. A collection bucket with lid or other basin can be used to hold wastewater prior to disposal. The festival organizer will indicate approved dumping provisions.

**Toilets:** Convenient and approved toilets are required for employees. Temporary public toilet facilities provided on the grounds are accepted if they are reasonably convenient, adequate, and kept clean.

**Garbage:** Watertight garbage cans with tight-fitting lids must be provided by each stand. Garbage and refuse must be removed daily and disposed of in an approved, sanitary manner.

### Other Permitting Conditions

- A Temporary Food Establishment must operate in conjunction with a public event such as a fair, festival, or carnival.
- The Temporary Food Establishment must operate on the property of the public exhibition.

### Mobile Food Units and Pushcarts

These units already have permits to operate, issued through a cooperating restaurant or commissary. A temporary food service permit is not required if they **comply with all the requirements of their existing permit** when operating at the event. This means that:

- The permit must be posted so that it can be read by customers
- Food must come from the commissary identified on the permit
- The whole unit must return daily to its commissary for supplies, cleaning, and servicing.

If it is impossible to comply with the Mobile Food Unit or Push Cart permit specifications, the permit will be invalid for event use. The vendor will not be allowed to operate at the event unless he is capable of meeting the temporary food establishment requirements detailed in this document, an application is made, fee is paid, and a temporary food service permit obtained.

**Exemptions:** The following foodservice operations will not require a Health Department permit:

- Establishments that are incorporated as nonprofit in accordance with Chapter 55A of the General Statutes, or are exempt from federal income tax under the IRS Code as defined in G.S. 105-228.90, or are political committees as defined in G.S. 163-278.6(14) and that prepare or serve food or drink for pay no more frequently than once a month for a period not to exceed two consecutive days in North Carolina. *PROOF of non-profit or tax-exempt status must be provided to meet this exemption.*
- Facilities where drinks that do not contain raw apples, raw fruits or vegetables are put together, portioned, set out, or handed out using single service containers that are not reused on the premises.
- Facilities where only items such as; dip ice-cream, popcorn, candy apples, cotton candy, funnel cakes, pre-packaged items (chips, peanuts, candy bars, etc.), or soft pretzels are served.
- Establishments that set out or hand out only beverages or foods regulated by the NC Department of Agriculture (cookies, low risk bakery items, boiled peanuts, etc.)

### Operator's Quick Checklist

- All food and ice from an approved (inspected) source, properly labeled
- Ice for drinks separate from ice for keeping foods cold, scoops
- A metal stem-type thermometer (0-220 °F) for checking food temperatures
- Sneeze guard or barrier for food exposed to customers
- At least a 1 compartment sink and adjacent drainboard or counter area
- Cooler or beverage urns with stop cock nozzle (for hot and cold running water under pressure)
- A way to heat water (burner or coffee pot)
- Bottled water or clean water containers for water obtained on site
- Adequate number of utensils to allow replacement or washing at least every 2 hours
- Bleach (non-scented liquid) or other approved sanitizer and test strips
- Handwashing sink or pan, soap and disposable towels
- Disposable food gloves
- Hair nets or caps
- Tent, canopy or other overhead protection
- Ground cover if not set up on asphalt, concrete or similar floor.
- Screening and/or fans for controlling flying insects
- Crates, pallets, 2x4's etc. to store all equipment & food above the ground
- Trash cans with lids, liners
- Wastewater collection tank or bucket with lid
- Letter from owner of approved kitchen for any food prepped away from booth
- Copy of permit or approval by regulatory authority of kitchen used for any food prepped away from the booth
- Copy of tax exempt letter for non-profit or political committee exemption

### Questions?

Please contact this office at (828) 884-3139 x2 if you have questions or want to discuss any of these requirements. If you wish to contact us by e-mail, please contact Patricia Hawkins at [patricia.hawkins@transylvaniacounty.org](mailto:patricia.hawkins@transylvaniacounty.org) .