



**Hampshire Public Health  
Shared Services Collaborative**  
Prevent. Promote. Protect.

## **Temporary Food Establishment Guideline**

### **Introduction**

A temporary food establishment is defined by the 2017 Food Code as a food establishment that operates for a period of no more than 14 consecutive days (excluding Farmers' Market participation) in conjunction with a single event or celebration. Temporary food establishments (TFE) are licensed and inspected by the Northampton Department of Health & Human Services in accordance with Massachusetts Regulation 105 CMR 590.09 Minimum Sanitation Standards for Food Establishments – Special Requirements.

A temporary food event is one where food is served to an open-ended number of participants over a period of time. Event planning is driven by the desired hours of operation and the estimated number of attendees. Having a food booth or table, where no specific invitation is given, and where people can stop and receive food or drink, is one example of a temporary food event.

### **Definition**

“Temporary Food Establishment” means a food establishment that operates for a period of no more than 14 consecutive days (excluding Farmers' Market participation) in conjunction with a single event or celebration. A temporary food establishment includes at least the following:

- A restaurant with a Permit to Operate a Food Establishment issued by the Board of Health (Approving authority) that is participating as a food vendor at an event either adjacent to your establishment (outside of your brick & mortar) OR off premises of your establishment;
- A mobile food unit without a permit issued by the Board of Health (Approving Authority).
- A food vendor who offers packaged/and or un packaged samples of their product to the public;
- A demonstration cooking booth where samples are offered to the public; and
- A church, fraternal organization, social organization, or volunteer fire department (and the auxiliary organizations) that is not sponsoring the event and/or is not preparing all food items in its premises or in the homes of its members.

Please contact HPHSSC at 413-587-4903 or email at [HPHSSC@northamptonma.gov](mailto:HPHSSC@northamptonma.gov) if you are not sure your operation meets the definition of a temporary food establishment.

### **Permit Requirements**

Please read the requirements carefully. They are intended to answer questions regarding the operation of a temporary food establishment.

**NOTE: THE APPLICANT SHALL COMPLY WITH ALL REQUIREMENTS LISTED BELOW. IF VIOLATIONS ARE FOUND, THE OPERATOR MUST TAKE CORRECTIVE ACTION IMMEDIATELY OR AS OTHERWISE**

SPECIFIED BY THE HPHSSC INSPECTOR. FAILURE TO CORRECT THE VIOLATION(S) MAY RESULT IN THE REVOCATION OF YOUR PERMIT AND IMMEDIATE CESSATION OF THE FOOD SERVICE OPERATION. FAILURE TO COMPLY MAY ALSO AFFECT ISSUANCE OF A PERMIT AT FUTURE EVENTS.

#### **PERMIT APPLICATION PROCESS:**

- a) Submit application to the HPHSSC – DHHS, c/o HPHSSC 212 Main St., Northampton, MA 01060. Your application submission must include the following documents before it is reviewed:
  - [ ] Application for Permit to Operate a Temporary Food Establishment
  - [ ] Food Protection Certificate
  - [ ] Allergen Awareness Certification
  - [ ] Workers' Compensation Insurance Affidavit
  - [ ] Application fee, if applicable
- b) The completed application and fee must be received at least ten (14) business days prior to the event. Applications shall be signed acknowledging agreement to comply with applicable requirements.

Permits are not transferable to another operator or event and are valid only for the period of time specified.

#### **PHYSICAL FACILITIES:**

Food booths shall have overhead protection and a cleanable floor surface. The preferred floor surface is asphalt or concrete; however, plywood, tarp or a similar non-slip surface may be used if the booth is located on grass, loose gravel or dirt. **Overhead protection where there is cooking must be approved by the Local Authority - Fire Department.**

- a) An adequate supply of potable water must be available at each booth. Water must be from an approved source.
- b) Containers with tight-fitting lids shall be provided for liquid waste. Wastewater (i.e. wash water, rinse water, sanitizing water, drained ice water, etc.) may not be disposed of on the ground surface. Sewage connections shall be sanitary, non-leaking, inaccessible to insects and rodents, and approved by the HPHSSC prior to the event.
- c) Adequate and sanitary toilet facilities must be available and conveniently located for food employees.
- d) The person in charge is responsible for keeping the preparation and service areas and the surrounding grounds free of litter, trash and garbage. All garbage/refuse shall be containerized and properly disposed of during and after the event.

#### **PERSONAL HYGIENE:**

- a) Persons having open cuts or sores on his/her hands or arms may not prepare or serve food.
- b) Persons with acute respiratory infections such as colds or flu, or persons with communicable diseases involving organisms that can be transmitted by food are not allowed in food service operations and are subject to immediate exclusion if found handling food in a temporary food establishment.
- c) No eating, drinking, or smoking shall take place in the food preparation area, serving area, or cleaning and storing area of a temporary food establishment.
- d) Food handlers that use the toilet facilities, smoke, eat or drink must wash their hands before returning to work.
- e) Hands must be washed frequently and fingernails kept trimmed and cleaned. A plumbed sink or a clean container with a spigot, a container to catch wastewater, liquid hand soap, and paper towels must be provided at each booth. Gloves or chemically treated towelettes are not a substitute for hand washing.
- f) Hair restraints are required for all food handlers. Hairnets, caps, visors, etc. are acceptable means of hair restraint, but hairspray alone is not acceptable.
- g) The outer garments of food handling employees shall be clean. Jewelry should be limited. Excessive hand jewelry may not be worn.

## **FOOD AND BEVERAGE:**

- a) Only those food items listed on the application may be offered for sale, sample, or service unless changes are approved in advance by the HPHSSC Inspectors.
- b) All food products including beverages, ice and water shall come from an approved source. The use of HOME CANNED or HOME PREPARED FOOD is strictly prohibited.
  - Food temperatures shall be maintained safe for perishable (potentially hazardous) foods as follows:
    - Cold foods - maintain food temperature of 41°F or below.
    - Hot foods - maintain food temperature of 135°F or above.
  - Food in transit must be protected from contamination and must meet the temperature requirements noted above.
  - Note: Sufficient equipment is essential for cooking foods and maintaining temperatures of all perishable foods (i.e. steam tables, chafing dishes, refrigerators, ice chests, etc.)
- c) Potentially hazardous foods that have been cooked, cooled and refrigerated must be reheated for hot holding to 165°F within 2 hours.
- d) Foods and single service items shall be stored at least six (6) inches off the floor.
- e) The manager, operator, or person in charge shall provide and use a properly calibrated metal stem bayonet thermometer or digital thermometer with a range of (0 - 220°F) in +/-2°F increments for checking internal food temperatures. The thermometer shall be properly sanitized prior to each use and periodically calibrated.
- f) Food and utensils must be protected from contamination.
- g) Ice for human consumption shall be stored in cleanable, covered, self-draining containers and dispensed with handled scoops, tongs, or other approved methods.
- h) Food condiments such as mustard, ketchup, relish, etc. must be served in individual packets, squeeze bottles, or pump type dispensers. Cream and sugar shall be served in individual packets only. Milk products or non-dairy creamers shall be refrigerated to 41°F or below. In instances where dispensers or individual packets are not available, food handlers must add condiments or ingredients requested by the patron.
- i) Foods that are contaminated, adulterated in any way or held at improper temperature are subject to immediate condemnation and discarding.

## **FOOD PREPARATION, HANDLING, DISPLAY, AND SERVICE:**

- a) Bare hand contact with ready-to-eat foods is prohibited. Provide disposable gloves, tongs, spatula, tissue paper or other utensil(s) for use to prevent bare hand contact with ready-to-eat foods.
- b) Food preparation is to be kept to a minimum and prepared in small quantities.
- c) Holding of cooked food is not allowed unless proper hot holding equipment is available.
- d) Prepackaged food must be used where possible.
- e) Food preparation and cooking must be separated from public access.
- f) Adequate counter protection devices (sneeze guards or shielding) must be provided to protect non-packaged displayed foods from contamination.
- g) Food containers must be labeled to properly identify their contents.
- h) Canned or bottled drinks and packaged food shall not be stored in contact with water or undrained ice.
- i) Toxic items such as cleaners must be labeled and stored away from food and food preparation surfaces. The use of pesticides is prohibited without prior approval from the HPHSSC .
- j) An adequate number of leak proof and fly proof garbage containers shall be provided and serviced as needed. Plastic garbage bags should be used to line the garbage containers. Arrangements must be made for clean up and final disposal of all solid waste.

## **EQUIPMENT AND UTENSILS:**

- a) Sufficient refrigeration and/or hot holding facilities shall be provided which are capable of maintaining potentially hazardous food at proper temperature of 41°F or below and 135°F or above. Ice chest with adequate ice may be used for keeping foods cold.
- b) Storage containers, single service items, equipment and utensils shall be stored at least six (6) inches off the floor.
- c) Only single service utensils may be provided for use by the consumer. If wrapped single service utensils are not provided, then the utensils must either be handed to each consumer by the food worker, or stored in a manner where the food contact surface is not exposed and handles are presented to the consumer.
- d) Hoses used for potable water must be food grade and labeled to indicate that they are commercial grade or NSF approved. Back-flow prevention devices must be provided also if deemed necessary.
- e) Metal banded paint-type brushes are prohibited. Plastic banded brushes are approved. Trash bags are not acceptable for food storage. Lead, lead glazed, cadmium (plating on gray enamelware) or enameled utensils / equipment are prohibited.
- f) If slicing, chopping, cutting, mixing, or any other type of food handling at the event site, a properly plumbed three-compartment sink with hot and cold running water or three containers of adequate size (i.e. 5-gallon buckets or 3-gallon dish pans) shall be provided for washing, rinsing and sanitizing food contact surfaces of equipment and utensils.
- g) Equipment and utensils shall be cleaned and sanitized after each possible contamination (i.e. dropped on ground, working with different products, etc.).
- h) Appropriate chemical test kit or strips shall be provided by the operator or person in charge and used to check sanitizing concentration strengths.