

California Uniform Retail Food Facilities Law (CURFFL)

Article 13: Temporary Food Facilities

114310. Scope

This article governs sanitation requirements for temporary food facilities as defined in this chapter.

114311. General Requirements

Except as otherwise set forth in this article, temporary food facilities shall meet the applicable requirements in Article 6 (commencing with Section 113975) and Article 7 (commencing with Section 113990).

114312. Food from an Approved Source

All food that is sold, given away, or dispensed from a temporary food facility shall be from an approved source. No food prepared or stored in a private home may be used, stored, served, offered for sale, sold, or given away in a temporary food facility.

114313. Identification of Operator

The name, address, and telephone number of the owner, operator, permittee, or business shall be legible and clearly visible to patrons. The name shall be in letters at least 8 centimeters (3 inches) high and shall have strokes at least one centimeter (3/8 inches) wide, and shall be of a color contrasting with the temporary food facility. Letters and numbers for the address and telephone numbers may not be less than 2.5 centimeters (1 inch) in height.

114314. Permit Requirements for Event Organizer

In addition to the permit issued to each complying temporary food facility, a permit shall be obtained by the person or organization that is in control of any community event at which one or more temporary food facilities operates. This permit shall specify all the areas and facilities at the event site to be utilized by the temporary food facilities and the responsibilities of the person or organization issued the permit, including ensuring compliance with this article by the temporary food facilities operating at the event. Effective January 1, 2000, the person or organization in control of the event shall submit a permit application and a site plan to the local enforcement agency at least two weeks prior to the event. The site plan shall show the proposed locations of the temporary food facilities, restrooms, and all shared utensil washing, hand washing, and janitorial facilities.

114315. Temperature Requirements for Potentially Hazardous Foods

(a) Notwithstanding Section 113995, during operating hours of the temporary food facility, potentially hazardous food may be held at a temperature not to exceed 7 degrees Celsius (45 degrees Fahrenheit) for up to 12 hours in any 24-hour period. At the end of the operating day, potentially hazardous food that has been held in accordance with this subdivision shall be placed in refrigeration units that maintain the food at or below 5 degrees Celsius (41 degrees Fahrenheit) or the food shall be destroyed in a manner approved by the local enforcement agency.

(b) At the end of the operating day potentially hazardous food that is held at or above 60 degrees Celsius (140 degrees Fahrenheit) shall be either destroyed in a manner approved by the local enforcement agency or donated in accordance with Article 19 (commencing with Section 114435), but may not be reserved in a food facility.

(c) Adequate cold food and hot food holding equipment shall be provided to insure proper temperature control during transportation and operation of the temporary food facility.

114316. Live Animal Prohibition

In addition to complying with Section 114045, live animals, birds, and fowl may not be kept or allowed within 6 meters (20 feet) of any area where food is stored or held for sale. All reasonable efforts shall be taken to exclude wild animals, birds, and fowl from the temporary food facility. This subdivision shall not apply to guide dogs, signal dogs, or service dogs when used in the manner specified in Section 54.1 of the Civil Code.

114317. Equipment Standards

Food-related and utensil-related equipment used in conjunction with a temporary food facility shall be approved by the local enforcement agency.

114318. Ice restrictions

Ice used for refrigeration purposes may not be used for consumption in food or beverages.

114319. Operating Requirements

(a) Adequate and suitable facilities shall be provided for the storage of food, utensils, and related items.

(b) All food-related and utensil-related items shall be stored at least 15 centimeters (6 inches) above the floor and in a manner that will protect these items from sources of contamination.

(c) During periods of inoperation, food shall be stored in one of the following methods:

(1) Within a fully enclosed temporary food facility that is in compliance with Sections 114030 and 114145.

(2) In lockable food storage compartments or containers meeting both of the following conditions:

(A) The food is adequately protected at all times from contamination, exposure to the elements, ingress of rodents and other vermin, and temperature abuse.

(B) The storage compartments or containers have been approved by the local enforcement agency.

(3) Within a permitted food facility or other facility approved by the local enforcement agency.

114320. Conditions of Transport

During transportation to and from the temporary food facility and during operation of the temporary food facility, all food, food contact surfaces, and utensils shall be protected from contamination.

114321. Toilet Facilities

At least one toilet facility for each 15 employees shall be provided within 60 meters (200 feet) of each temporary food facility. Each toilet facility shall be provided with hand washing facilities equipped with hot and cold running water. Hand washing cleanser and single-use sanitary towels shall be provided in permanently installed dispensers at each hand washing facility. Temporary food facilities that handle only prepackaged foods may provide cold water with a germicidal soap in lieu of hot and cold running water at the hand washing facilities. The local enforcement agency may allow hand washing facilities other than those required by this section when it deems that the alternate facilities are adequate.

114322. Janitorial Facilities

Adequate janitorial facilities shall be provided for the cleaning of the temporary food facilities, restrooms, and all shared utensil washing and hand washing facilities. Janitorial facilities shall be provided with hot and cold running water from a mixing valve. The local enforcement agency may allow janitorial facilities other than those required by this section when it deems that the alternate facilities are adequate.

114323. Employee Personal Effects Storage

An area separate from food preparation, utensil washing, and food storage areas shall be provided for the storage of employee clothing or other personal effects. Personal effects shall be stored in a manner that prevents the contamination of food-related and utensil-related items.

114324. Lighting

Adequate lighting shall be provided.

114325. Water Supply

(a) An adequate supply of potable hot water, at least 48 degrees Celsius (120 degrees Fahrenheit) shall be provided for utensil washing, hand washing, and janitorial purposes. The water supply shall be from a source approved by the enforcement agency. The potable water supply shall be protected with a backflow or back siphonage protection device, as required by applicable plumbing codes.

(b) Adequate potable water shall be provided, commensurate with the food handling activities taking place in the temporary food facility. In addition to the water needed for food preparation and dispensing, at least 75.8 liters (20 gallons) of potable water shall be provided per temporary food facility per day of operation for utensil washing and hand washing.

(c) The inlet to a potable water tank shall be provided with a connection of a size and type that will prevent its use for any other service, and shall be constructed so that backflow and other contamination of the water supply is prevented. Hoses used to fill potable water tanks shall be made of food grade materials and handled in a sanitary manner.

114326. Liquid Waste Facilities

Adequate liquid waste holding facilities shall be provided and shall meet all of the following requirements:

- (a) All liquid waste shall be disposed of in a manner approved by the enforcement agency.
- (b) The liquid waste tanks shall have a minimum capacity that is 50 percent greater than the potable water tanks.
- (c) When ice is utilized in the storage or display of foods or beverages, an additional minimum liquid waste holding tank capacity equal to one-third of the volume of the ice bins shall be provided for the drainage of ice melt.
- (d) Additional liquid waste tank capacity may be required where liquid waste production or spillage is likely to occur.
- (e) Any connection to a liquid waste holding tank shall preclude the possibility of contaminating any food, food contact surface, or utensils.

114327. Open-air Barbecue

Open-air barbecue facilities may be operated adjacent only to those temporary food facilities that are permitted to handle the types of foods to be prepared on the barbecue and with the approval of the local enforcement officer and subject to the requirements of Article 9 (commencing with Section 114185). All other cooking equipment shall be installed and operated in compliance with all applicable local building and fire codes.

114328. Enforcement Officer Discretion in Imposing Requirements

Based upon local environmental conditions, location, and other similar factors, the enforcement officer may establish additional structural or operational requirements, or both, as necessary to ensure that foods are of a safe and sanitary quality.

114329. Requirements for Prepackaged Foods

In addition to complying with Sections 114310 to 114328, inclusive, temporary food facilities that handle only prepackaged foods shall also meet both of the following requirements:

- (a) A durable and readily cleanable floor surface shall be provided within the temporary food facility.
- (b) A temporary food facility shall be designed and operated so as to prevent contamination of food under normal operating conditions with regard to employee sanitation, and minimize exposure to airborne contaminants, birds, vermin, leaves, rain, condensation, and other forms of contamination. Overhead protection may be required by the enforcement agency in order to protect food products from contamination.

114330. Requirements for Nonprepackaged Foods

In addition to complying with Sections 114310 to 114328, inclusive, temporary food facilities that handle nonprepackaged foods shall also meet all of the following requirements:

(a) Temporary food facilities shall be fully enclosed, meeting the requirements of Sections 114030 and 114145, except that temporary food facilities that handle only nonprepackaged nonpotentially hazardous food shall be fully enclosed, or, if approved by the local enforcement agency, all food handling activities shall take place within food compartments meeting the requirements of subdivision (o) of Section 114265.

(b) A durable and readily cleanable floor surface shall be provided within the temporary food facility.

(c) Walls shall be smooth, durable, and readily cleanable. Screening that is at least 16 mesh shall be considered an acceptable wall material for enclosing a temporary food facility.

(d) Ceilings shall be smooth, durable, and readily cleanable. Screening shall only be acceptable as a ceiling material above cooking equipment when necessary for ventilation purposes.

(e) Food condiments shall be protected from contamination and, where available for customer self-service, be prepackaged or available only from approved dispensing devices.

(f) A stainless steel utensil washing sink with at least three compartments with two integrally installed stainless steel drainboards shall be provided. The sink compartments and drainboards shall be large enough to accommodate the largest utensil or piece of equipment to be cleaned in the sink. The sink shall be provided with hot and cold running water from a mixing valve. The sink shall be located within each temporary food facility, except that one sink may be shared by no more than four temporary food facilities that handle only nonprepackaged nonpotentially hazardous food, if the sink is centrally located and is adjacent to the sharing facilities. The local enforcement agency may allow utensil washing facilities other than those required by this section when it deems that utensils can still be handled in a safe and sanitary manner.

(g) Hand washing facilities, separate from the utensil washing sink, shall be provided. The hand washing facilities shall be located within each temporary food facility, except that the facilities may be shared by no more than four temporary food facilities that handle only nonprepackaged nonpotentially hazardous food, if the facilities are centrally located and are adjacent to the sharing facilities. Each hand washing facility shall be equipped with hot and cold running water. Hand washing cleanser and single-use sanitary towels shall be provided in permanently installed dispensers at each hand washing facility. The local enforcement agency may allow hand washing facilities other than those required by this section when it deems that the alternate facilities are adequate.