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**TEMPORARY FOODSERVICE OPERATIONS**

More unpermitted temporary food service operations are a result of the recent food movement. Pop-Ups seem to have been the most popular of these unpermitted foodservice activities.

Recent Food movement has included the “Pop-Up” concept

“Pop-Up”- a loosely-used term throughout the foodservice industry for a variety of foodservice activities in operation without environmental health oversight or permitting.

Very few jurisdictions have attempted to create local ordinances to address the concept.

Proposals for food facilities and operations must be reviewed and approved before an approval to operate can be issued. Section 113851(b)

California Retail Food Code (CalCode)

Governs food safety in retail food operations (Section 113705)

Requirements enforced by local environmental health department (ALCO DEH)

Once requirements are met a permit to operate can be issued. (Section 114387)

CalCode provides for temporary foodservice permits which are already available

Mobile Food Facilities (MFFs such as trucks and carts)

Food booths at Temporary Community Events

Food booths/tables at Certified Farmers Markets

**FAQs**

**Q. What is a Temporary Foodservice Operation (TFSO)?**

A. A food service operation registered with the local environmental health department operating within a permitted food facility for a temporary period.

**Q. Why is a TFSO necessary with temporary permits already available?**

A. Industry looks at the TFSO as an opportunity for those without permitted food facilities to gain retail culinary experience and test production of menu items. Many others view and support TFSO as an economic opportunity.

**Q. How will CalCode address a new type of temporary foodservice?**

A. AB 2524 is effective January 01, 2019 and clarifications in CalCode provide local jurisdictions the flexibility needed to ensure food safety for TFSO proposals.

**Q. How do I take advantage of this new opportunity?**

A. The permit holder of a food facility must acknowledge in writing intent to host a TFSO. The permitted food facility must have the existing infrastructure to support a temporary foodservice operation and its proposed menu.

**Q. What is required to be permitted?**

A. The TFSO will operate within a permitted food facility, therefore a registration for the operation will be issued after all requirements have been met and appropriate fees paid.

**Q. What about liability?**

A. The expectation is for the protection of public health at all times by conducting all food service activities using safe foodhandling and personal hygiene practices. By Law, the permit holder is responsible for all operations and activities within the permitted facility. (Section 113853)

**Q. What information is required to apply for a TFSO registration?**

A. The TFSO Registration application process includes:

* Completed and signed **“Registration for a TFSO”** application form. Facility name, address, phone number and regular hours of operation. Permit Holder name, phone number, and alternate contact information. Proposed TFSO Operator name and contact information (website and email). Proposed frequency and duration of TFSO events. Form must be signed by both permit holder and the TFSO registrant.
* **Operational plan** that includes menu, equipment to be used (existing & proposed), storage of food and supplies (dry & refrigerated), methods of foodhandling and preparation, proof of food manager certification and foodhandler cards for TFSO staff. In addition, the plan must provide the procedures, methods and schedule for cleaning of utensils, equipment and proper disposal of waste.
* Proposed dates and times to operate as a TFSO within the permitted food facility

**Q. What type of foods are TFSOs approved to serve?**

A. TFSO can prepare and serve foods approved by the local environmental health agency. No raw milk or raw milk products or any foods that require a Hazard Analysis Critical Control Point Plan (HACCP Plan) will be approved.

**Q. Can a TFSO operate an open-air barbeque unit?**

A. If the permitted facility meets all the requirements for an open air barbecue the TFSO can be approved to use the barbeque unit in the same approved manner. (Section 113843)

**Q. What if a foodservice complaint is received by the local environmental health agency?**

A. Environmental Health investigations will be conducted on each complaint received.

**Q. Can a TFSO prepare food from an alternate location?**

A. No. All foods must be prepared in the permitted facility.

**Q. Can a TFSO conduct alcoholic beverage sales?**

A. No. Only the permitted operator with the valid ABC license can conduct alcoholic beverage sales.

**Q. How long is a TFSO Registration valid?**

A. For up to one year if the operational plan is followed and the permitted facility continues to comply with CalCode requirements.