



**Memorandum**

**To: Temporary Food Event Vendors and Organizers**

**From: Foothills Health District**

**Subject: Rule Changes and New Application Process**

**Date: March 21, 2013**

North Carolina recently adopted the FDA Food Code and other 15A NCAC 18A .2600 rule amendments that became effective September 1, 2012. As a result of these rule changes, there are some new requirements for those who wish to obtain a Temporary Food Establishment permit.

A Temporary Food Establishment is a food establishment that operates for a period of time not to exceed 21 days in one location, affiliated with and endorsed by a transitory fair, carnival, circus, festival, or public exhibition. Food establishments that operate in the same event location for more than 21 days per calendar year are not eligible for a temporary food establishment permit. Domestic yard sales and businesses such as auctions, flea markets, or farmers' markets are not eligible for a temporary food establishment permit. For those who wish to prepare food in advance or off site, a separate permit must be obtained for a Temporary Food Establishment Commissary.

Temporary Food Establishments and Temporary Food Establishment Commissaries shall submit their application and fee of \$75.00 to the Health Department **no fewer than 15 calendar days prior to commencing operation**. The only exceptions that will be made to this 15 day requirement is for substitute vendors provided that these applications are submitted no fewer than 3 business days prior to the event.

Establishments are still **exempt from the TFE permit** if they are incorporated as nonprofit corporations or are exempt from federal income tax under the Internal Revenue code as defined in G.S. 105-228.90, or that 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**.

A complete packet of information is attached with this memo, including the application, the **new TFE rules, and information guide**. Please read all information and return only what is required to be returned and retain the other portion for your reference. Every effort will be made by this agency to assist you on the date of your event.

For additional information please contact the Health Department at the number below.

**Rutherford 828-287-6317**

**McDowell 828-652-2921 Ext. 0**

**\*PAYMENT OF FEE DOES NOT GUARANTEE THAT A PERMIT WILL BE ISSUED.**

Rutherford County Health Department  
221 Callahan Koon Road  
Spindale, NC 28160  
(828) 287-6100 – Health Dept.  
(828) 287-61001 – Administration  
(828) 287-6059 – HD FAX  
(828) 287-6317 – Environmental  
(828) 287-6238 - WIC

McDowell County Health Department  
408 Spaulding Road  
Marion, NC 28752  
(828) 652-6811 – Health Dept.  
(828) 652-9376 – HD FAX  
(828) 652-2921 – Environmental  
(828) 652-2019 – Environmental Fax  
(828) 652-2922 – WIC

## FOOTHILLS HEALTH DISTRICT

### REQUIREMENTS FOR TEMPORARY FOOD ESTABLISHMENTS This information is intended to help you with the set up of your TFE. Please do not return.

All food service equipment shall be positioned under an approved canopy or tent and above the ground at all times. Properly positioned fans, large enough to produce a strong, steady flow of air, will be required unless the tent is closed on 3 sides by approved screening. Covered grills and cookers with attached lids can be outside the canopy.

Indoor / outdoor carpeting, tarps, matting or similar non-absorbent material is required in the absence of asphalt, concrete, grass, or other surfaces that control dust and mud.

Hoses conveying potable water must be NSF or of food-grade quality and labeled. Connections to approved water supplies must be above ground, with proper back flow prevention devices in place.

Waste water containers, buckets and hoses shall be labeled and not used for any other purpose.

Waste water connections shall lead to an approved location, not a ditch, culvert, storm drain, etc.

A method of heating water is required. Examples include an electric coffee pot containing clean hot water or a pot of water on cooking equipment.

An employee hand wash station is required. This shall consist of at least a 2 gallon container with an unassisted free flowing faucet, such as turn spout (no push-button types), soap, disposable towels and a labeled waste water container (such as a 5 gallon bucket).

Utensil washing facilities shall consist of 3 basins of sufficient size to wash-rinse-sanitize all utensils. A 3 compartment sink is required for multi use eating and drinking utensils.

If fresh produce will be washed on site, a separate produce sink will be required- including a labeled waste water container.

Food shields or other effective barriers shall be installed to effectively protect food, disposables and food contact surfaces from the public.

Lighting must be provided within booths operating during nighttime hours. Light fixture must include shatterproof bulbs or shields.

Condiments, disposable utensils and ice shall be dispensed in a manner that protects it from the public.

Calibrated stem thermometers shall be used to monitor food temperatures.

A properly mixed sanitizer solution shall be available and used on all food contact surfaces. Test kits to accurately measure sanitizer solutions shall be available and used.

Raw meat, poultry and fish shall be purchased in ready-to-cook portions.

Ready-to-eat food shall not be in direct contact with ice. All insulated coolers must have drainage ports.

Hair restraints are required. Gloves are required for ready-to-eat.

An Employee Health Policy is required.

Advance preparation of foods must be in a kitchen which holds a valid N.C. food service permit or a TFE commissary permit (TFE commissary requires a separate application). Advance preparation may take place up to 7 days before the scheduled event date.

**FOOTHILLS HEALTH DISTRICT DEPARTMENT  
TEMPORARY EVENT ORGANIZER APPLICATION**

This application must be completed and submitted to the FOOTHILLS HEALTH DISTRICT Environmental Health office to provide information about all food preparation and sales to the public at any public event or exhibition within the FOOTHILLS HEALTH DISTRICT. In addition to this organizer application, a separate **Temporary Food Establishment Application or Current Food Truck Inspection (copy)** must be submitted by each food vendor participating in the event or exhibition. Please submit this application with a map of the event site indicating the location of each food booth. Incomplete applications will be returned.

**\*\*\*\*\* Please note:** This application, map and TFE Application(s) must be submitted no later than **15 days** prior to the event. A fee of **\$75.00** will be required for each food service permit and must be paid with the submission of each TFE application.

**Event name:** \_\_\_\_\_

**Event address:** Main Street \_\_\_\_\_ Marion \_\_\_\_\_ NC \_\_\_\_\_ 28752 \_\_\_\_\_  
Street City State Zip Code

**Event date(s) and times:** \_\_\_\_\_

**Organizer name:** \_\_\_\_\_

**Organizer Phone:** Home: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

**Organizer address:** \_\_\_\_\_  
Street City State Zip Code

**Additional organizer contacts:** \_\_\_\_\_ **Additional phone:** \_\_\_\_\_

**Anticipated number of food booths:** \_\_\_\_\_ **Food booth set-up time:** \_\_\_\_\_

**Water supply source:**  public water supplied by organizer  supplied by vendor  on site private well (requires sampling by HD)  other: \_\_\_\_\_

**Check the following items supplied by the event organizer:**  
 electricity  refrigeration  permanent toilet facilities  grease disposal  garbage pick-up  
 waste water disposal  portable toilets

**Estimated attendance:** \_\_\_\_\_ **Number of permanent and portable toilets:** \_\_\_\_\_

**Will the event include a petting zoo or pony rides?** \_\_\_\_\_ If yes, how many hand wash facilities will be available? \_\_\_\_\_

*I certify that the information in this application is complete and accurate. I understand that any changes to the operation must be submitted to the RPM Health District for review and approval prior to the day of the event.*

**Organizer signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Submit this application, all TFE applications, permit fee(s) and event map to:**

McDowell County Environmental Health 408 Spaulding Rd. Marion, NC 28752 Ph: 828-652-2921

**Email addresses:**