

# LENAWEE COUNTY HEALTH DEPARTMENT

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## Temporary Food Service Guidelines

### LICENSURE REQUIREMENTS

- Operators of proposed Temporary Food Service Establishments must file a license application with the Lenawee County Health Department. Application and payment of license fees must be submitted not less than five (5) working days before the scheduled event.
- A listing of the menu shall be submitted with the license application.
- Any person operating a food service establishment must have a valid license issued by the regulatory authority. The license must be posted in every temporary food service establishment. Licenses are not transferable.
- These temporary food service guidelines are based upon the Food Law and the FDA Food Code of 2009.

### DEFINITIONS

- **Temporary Food Service Establishment** – Food Law: Chapter 1, Section 1111, states
  - (l)“Temporary food establishment” means a food establishment which operates at a fixed location for a temporary period not to exceed 14 consecutive days.
  - (m)“Temporary license” means a written authorization issued by the director to operate for a specified limited time period.
- **Temporary Food Establishment Risk Factors** – The top five things that cause foodborne illness are:
  - Food from unsafe sources
  - Improper holding temperatures (cold holding, hot holding, thawing & cooling)
  - Inadequate cooking temperatures (cooking and reheating)
  - Contaminated food equipment (e.g., cutting boards, utensils, gloves, other food contact surfaces)
  - Poor personal hygiene (unhealthy employees, improper hand washing, bare-hand contact)
- **Potentially Hazardous Food (time/temperature control for safety food)** means:
  - FOOD that requires time/temperature control for safety (TCS) to limit pathogenic microorganism growth or toxin formation.

### LICENSING

- **Food Establishment License; Scope:**
  - Except as provided in Section 4105, a person shall not operate a food establishment unless licensed by the department as a food establishment. Food Law, Chapter 4, Section 4101 (1).
- **Posting and Display of License; “Conspicuous Place:”**
  - A person licensed as a food establishment under this chapter shall keep a copy of the current license, or temporary license furnished by the department posted and exposed in a conspicuous place for public inspection. A conspicuous place is the principal place where food business is transacted. Food Law, Chapter 4, Section 4119 (1).

**FOOD HANDLER CARDS**

- At least one person in charge for each shift shall have a current food handler’s card from the Lenawee County Health Department or an approved Manager Food Safety Certificate.

**FEES**

- Upon submission of an application, an applicant for a food service establishment license shall pay to the local health department having jurisdiction the required license fees authorized by Section 2444 of the public health code, MCL 333.2444, and an additional State of Michigan fee.
- The State fee shall be collected by the local health department at the time the license application is submitted. The state license fee is due and payable by the local health department to the state within 60 days after the fee is collected.

***FEES SUBJECT TO CHANGE ANNUALLY – PLEASE CALL (517) 264-5213 TO VERIFY***

	Local Fee	Ed Fee	State Fee	<u>TOTAL FEE</u>
Temporary Food Service License Fee	\$110.00	\$5.00	\$4.00	<b>\$119.00</b>
<i>Fee when submitted less than 5 <u>working</u> days before the scheduled event</i>	\$160.00	\$5.00	\$4.00	<b>\$169.00</b>
Temporary Food Service License Fee <i>with IRS Charitable 501(C)3 Exemption</i>	\$100.00	\$5.00	\$0.00	<b>\$105.00</b>
<i>Fee when submitted less than 5 <u>working</u> days before the scheduled event</i>	\$150.00	\$5.00	\$0.00	<b>\$155.00</b>

**TEMPORARY LICENSE EXEMPTIONS**

- A temporary food establishment with no food preparation using only single service articles and serving only non-potentially hazardous food or beverage.
- If food is prepared in a food service establishment licensed in Michigan and the food is transported from the food service establishment to a fixed temporary serving location, the serving location is not required to be separately licensed and is considered an extension of the food service establishment if no food preparation is conducted at the serving location and the food is transported and served by employees of the food service establishment.

**VARIANCES**

- Any variance from these requirements needs to be addressed in writing to the Lenawee County Health Department. Variance request forms and instructions are available upon request.

# Temporary Food Establishment Operations Checklist

## Michigan Food Law of 2000, as amended

This document is for educational purposes only and should not be considered a replacement to reading the Food Code and Michigan Food Law of 2000, copies of which are available at [www.michigan.gov/mda](http://www.michigan.gov/mda). This document is a modified version of a checklist prepared by the Food and Drug Administration and the Conference for Food Protection. It is intended to be a guide for the temporary food service industry, the Michigan Department of Agriculture, and Michigan's local health departments.

A "Temporary Food Establishment" means a food establishment which operates at a fixed location for a temporary period not to exceed 14 consecutive days.

### Personnel

#### Person in Charge:

The permit holder shall be the person in charge or shall designate a person in charge, and ensure that a person in charge is present at the temporary food establishment during all hours of operation. The person in charge must demonstrate knowledge as required under section 2-102.11, and perform the duties as required under section 2-103.11 of the 2009 Food Code. The person in charge may demonstrate knowledge by operating the temporary food establishment in compliance with the Michigan Food Law 2000, OR by being a certified food protection manager, OR by responding correctly to the inspector's questions.

#### Handwashing:

Handwashing facilities must be located in a temporary food establishment. Potable hot and cold tempered running water under pressure with suitable hand cleaner, dispensed paper towels, and a waste receptacle must be provided, unless otherwise approved. If approved, when food exposure is limited, the following may be acceptable substitutes:

- a) A large insulated container with a spigot, which can be turned on to allow potable, clean, warm water to flow over one's hands into a waste receiving bucket of equal or larger volume; suitable hand cleaner; disposable towels, and a waste receptacle.
- b) Chemically treated towelettes may be used for cleaning hands in a temporary food establishment if the food items offered are pre-packaged or otherwise protected from contamination by hands AND a handwashing facility is available at the event and used by employees following toilet use.

#### When to Wash:

Food employees must wash their hands and exposed portions of the arms after touching bare human body parts, using the toilet room, handling animals, coughing/sneezing, using a handkerchief, using tobacco, eating/drinking, handling soiled equipment/utensils, as often as necessary to prevent cross-contamination, when switching between raw and ready-to-eat food, and after engaging in other activities that contaminate the hands.

#### How to Wash:

Food employees shall clean their hands and exposed portions of the arms in a properly equipped handwashing facility by vigorously rubbing together the surfaces of the lathered hands and arms and thoroughly rinsing with clean water. Employees shall pay particular attention to the areas underneath the fingernails and between the fingers. To avoid recontamination of hands, food employees may use disposable paper towels or similar barriers when touching surfaces such as faucet handles.

**Employee Health:**

The person in charge must exclude employees who have the following conditions:

- Symptoms such as diarrhea, fever, vomiting, jaundice, sore throat with fever. (A food employee with vomiting or diarrhea must be free of symptoms for at least 24 hours.)
- Illnesses such as Salmonella Typhi, Shigella, Eschericia coli 0157:H7, Hepatitis A, or Norovirus.

**Hygiene:**

Food employees shall maintain a high degree of personal cleanliness and shall conform to good hygienic practices during all working periods. Food employees shall have clean outer garments and wear effective hair restraints. Smoking, eating, and drinking are not allowed by food employees in the food preparation and service areas. All non-working unauthorized persons must be restricted from the food preparation and service areas.

**No Bare Hand Contact with Ready-to-Eat Food:**

Food employees may not have contact with exposed ready-to-eat food with their bare hands. Suitable utensils, such as deli paper, spatulas, tongs, dispensing equipment, or gloves shall be used.

**Food Source and Temperature****Source:**

All food must be obtained from sources that comply with the law. All meat and poultry must come from USDA-approved sources. Home canned and home-prepared foods are not allowed. Ice for use as a food or a cooling medium must be made from potable water obtained from an approved source.

**Preparation:**

All food prepared off-site for service at a temporary food establishment must be prepared in a licensed food establishment.

**Temperatures:**

**Hot Holding:** Potentially hazardous food must be maintained at 135° F or higher.

**Cold Holding:** Potentially hazardous food must be maintained at 41° F or below.

**Cooking:**

- 165° F for 15 seconds – poultry; stuffing containing fish, meat, or poultry; stuffed fish, meat, pasta, or poultry.
- 155° F for 15 seconds – comminuted fish, meat, pooled raw eggs.
- 145° F for 15 seconds – raw shell eggs broken and prepared in response to a consumers order and for immediate service, fish, meat, and pork.
- See section 3-401.11 (B) of the 2005 Food Code for cooking whole beef roasts, corned beef roasts, pork roasts, and cured pork roasts, such as ham.

**Thawing:**

Potentially hazardous food shall be thawed either under refrigeration maintain the food temperature at 41° F or less; completely submerged under running water having a temperature of 70° F or below; or as part of a cooking process.

**Cooling:**

Cooked potentially hazardous food shall be cooled from 135° F to 70° F within two hours or less; and from 70° F to 41° F within four hours or less.

**Reheating for Hot Holding:**

Potentially hazardous food that is cooked, cooled, and reheated for hot holding shall be reheated so that all parts of the food reach a temperature of at least 165° F for 15 seconds within two hours.

**Date Marking:**

Ready-to-eat potentially hazardous food held refrigerated for more than 24 hours must be clearly marked at the time of preparation to indicate the date by which the food shall be consumed which is seven calendar days or less from the day the food is prepared. If an alternative marking system is used, the operator must be able to explain the system to inspector. The inspector may verify employees understand and use the system.

- **Consumer Advisory:** Raw and partially cooked animal food may be served provided the food establishment serves a population that is not highly susceptible, and a consumer advisory has been provided in accordance with section 6149 of the Michigan Food Law of 2000, or 2005 Food Code section 3-603.11.

**Food and Utensil Storage & Handling****Dry Storage:**

All food, equipment, utensils, and single service items shall be stored at least six inches off the floor on pallets, tables, or shelving protected from contamination, and shall have effective overhead protection.

**Cold Storage:**

Either mechanical refrigeration units or effectively insulated hard-sided cleanable containers with sufficient ice to maintain potentially hazardous food at 41° F or below shall be provided. Unpackaged food and packaged food subject to the entry of water may not be stored in direct contact with ice or water. It is recommended all storage units be secured to prevent intentional contamination of foods.

**Hot Storage:**

Hot food storage units (i.e., electrical equipment, propane stoves, grills, etc.) shall be used to keep potentially hazardous foods at 135° F or above.

**Thermometers:**

A thermocouple or metal stem thermometer shall be provided to check internal temperatures of potentially hazardous hot and cold food items. Food temperature measuring devices shall be accurate to +/- 2° F, and should have a range of 0° F to 220° F. Each cold storage unit shall have a numerically scaled thermometer accurate to +/- 3° F to measure the air temperature of the unit.

**Food Display:**

All food shall be protected from customer handling, coughing, sneezing, or other contamination by wrapping, the use of sneeze guards, or other effective barriers. Condiments must be dispensed in single-service type packaging, in pump-style dispensers, or in protected squeeze bottles, shakers, or similar dispensers which prevent the contamination of food items by workers, patrons, insects, or other sources.

**Utensil Storage:**

In-use food dispensing utensils must be stored either in the food with their handles above the top of the food container; in running water of sufficient velocity to flush particles to a building drain; or in a container of water if the water is maintained at a temperature of at least 135°F or below 41°F and the water is changed at least every four hours.

**Cross-Contamination:**

Food shall be protected from cross-contamination by separating raw animal foods from ready-to-eat foods during storage, preparation, holding, and display. Equipment and utensils (including knives, cutting boards, and food storage containers) must be thoroughly cleaned and sanitized after being used for raw animal foods and before being used for ready-to-eat food.

**Cleaning****Warewashing:**

Either a commercial dishwasher or a three-compartment sink set-up must be utilized to wash, rinse, and sanitize equipment and utensils coming into contact with food. The minimum requirements for a utensil washing set-up to wash/rinse/sanitize should consist of three basins that are large enough for immersion of the utensils, a potable hot water supply, and an adequate disposal method for the wastewater. In-use equipment and utensils must be cleaned and sanitized at least every four hours.

A two-compartment sink may be used for small batch operations for cleaning kitchenware provided: A) specific approval has been granted; B) the number of items to be cleaned is limited; C) the cleaning and sanitizing solutions are made up immediately before use and drained immediately after use; or D) a detergent sanitizer is used as specified under section 4-501.115 of the 2005 Food Code.

**Sanitizing:**

An approved sanitizer must be provided for sanitizing food contact surfaces. Sanitizers must be used at appropriate strengths as specified by manufacturer. Three common sanitizers, and the typical concentrations required by manufacturers, are:

Chlorine solution = 50 ppm;  
Iodine solution = 12.5 to 25 ppm; or  
Quaternary ammonium compound = 200 ppm

An approved test kit to measure sanitizer concentrations must be available and used.

**Wiping Cloths:**

Wet wiping cloths in use for wiping food spills from food contact and nonfood contact surfaces of equipment shall be stored in a clean chlorine sanitizing solution at a concentration of 100 mg/l. Dry wiping cloths may be used to wipe food spills from tableware and carryout containers. All wiping cloths shall be free of food debris and visible soil, and shall be used for no other purpose.

**Water Supply and Wastewater Disposal****Water:**

An adequate supply of potable water shall be available on site for cooking and drinking purposes; for cleaning and sanitizing equipment, utensils, and food contact surfaces; and for handwashing. Water must come from an approved water supply. The water supply system hoses, piping, and appurtenances must be constructed with approved food contact materials. The water supply system must be installed to preclude the backflow of contaminants into the potable water supply. All hose and other connections to the potable water supply shall be maintained a minimum of six inches above the ground. The water supply system must be adequately flushed and disinfected prior to use. A supply of commercially bottled drinking water may be allowed.

**Wastewater Disposal:**

Wastewater shall be disposed in an approved wastewater disposal system. Wastewater may not be dumped onto the ground surfaces, into waterways, or storm drains.

**Premises****Food Contact Surfaces:**

All food contact surfaces shall be smooth, easily cleanable, durable, and nonabsorbent. All other surfaces shall be finished so that they are easily cleanable.

**Floors:**

Unless otherwise approved, floors of outdoor-type temporary food establishments should be constructed of concrete; asphalt; non-absorbent matting; tight wood; or removable platforms that minimize dust and mud. The floor area should be graded to drain away from the temporary food establishment.

**Overhead Protection:**

The temporary food establishment must be covered with a canopy or other type of overhead protection unless the food items offered are commercially pre-packaged food items dispensed in their original containers. Overhead protection is not required over outdoor cooking devices unless unique local circumstances warrant (i.e., roosting birds over cooking area, blowing dust from construction areas, etc.).

**Walls:**

Walls may be required as necessary to protect against the elements, windblown dust and debris, insects, or other sources that contaminate food, food contact surfaces, equipment, utensils, or employees.

**Insect Control:**

Windows and doors kept open for ventilation shall be protected against the entry of insects and rodents by 16 to 25 mesh screen, properly designed and installed air curtains, or other effective means. Other effective means may include the storage and handling of food, equipment, utensils, linens, and single service articles in covered containers or by using other methods in a manner that would protect the items from insects and rodents. Such precautions do not apply if flying insects and other pests are absent due to the location of the establishment, the weather, or other limiting conditions.

**Lighting:**

Adequate lighting by natural or artificial means must be provided. Light bulbs shall be shielded, coated, or otherwise shatter-resistant in areas where there is exposed food, clean equipment and utensils, or unwrapped single service articles.

**Ventilation:**

If necessary, mechanical ventilation shall be provided to keep rooms free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke, and fumes. Natural ventilation is normally all that is necessary for outdoor-type temporary food establishments.

**Garbage:**

An adequate number of nonabsorbent, easily cleanable garbage containers must be provided. The containers must be covered and rodent proof. Grease must be disposed of properly.

**Toilet Facilities:**

An adequate number of toilet facilities, as required by law, shall be conveniently provided for food employees. As a minimum, toilets may consist of properly designed, operated, and maintained portable toilets.

**Personal Belongings:**

Personal clothing and belongings must be stored at a designated place away from food, equipment, utensils, linens, and single service articles.

**Toxic Materials:**

Poisonous or toxic materials shall be properly labeled and stored so they cannot contaminate food, equipment, utensils, and single service and single use articles. Only those chemicals necessary for the food establishment operation shall be provided.