

Temporary Events - FAQ's

Do I need a permit to sell food at a temporary event?

Yes, a permit is nearly always required to sell food or drinks to the public.

How do I get a permit?

Contact the coordinator/organizer of the event or the Department of Environmental Health. The Department of Environmental Health will collect the fee and review your application to issue a permit.

What conditions are attached to the permit?

In order to qualify for a permit, the applicant must agree to operate in accordance with all applicable state laws and such inspectional procedures as are needed to ensure compliance.

State law requires food to be handled and sold from a fully screened booth, unless the food is completely wrapped and remains so until sold. The booth must be equipped with facilities for washing hands and for washing and sanitizing utensils, and equipment to keep potentially hazardous foods at a safe temperature. The full list of conditions can be read in our information packet.



My food is prepackaged; do I still need a permit?

Yes, a permit is still required. However, a fully screened booth will probably not be necessary nor will hand washing and utensil washing facilities, unless you intend to open the packages, to give samples, for example. Then the requirements are the same as for any other booth with open food.

I am only selling drinks; do I still need a permit?

Yes. Beverages are considered food and a permit is required.

I am not selling any food or drink, but I will be giving away samples. Do I need a permit?

Yes, a permit is required to give food or drink to the public. If the samples of food/drink are open (not completely wrapped), a fully equipped booth is necessary.

Can I set up a temporary food facility outside a shopping mall?

No. The temporary food facility must be in connection with a community event.

My booth is only to raise money for our club; do I still need a permit?

Yes, a permit is usually required for all food vendors. The potential risk attached to handling and selling food is the same, no matter where the proceeds go.

When is a permit not required?

If all of your food is donated by a permitted food facility (such as a local restaurant or a market) then the booth is exempt from these requirements. This is known as "The Craven Act". Problems or complaints about the event would then be the responsibility of the donor(s). A letter to the department specifically requesting this exemption must be approved in advance by the Director of Environmental Health. Any other pertinent documents must be submitted with the letter. They should be completed for the record.

Note that the donors need to be permitted facilities - individuals cannot donate food in order to circumvent the law. Also remember that no one is exempt from civil liability - you must still practice safe food handling.

What other permits do I need?

Firstly, you need permission from the event coordinator. You might also need to contact the local Fire Department (if you have any heating equipment) and the California Board of Equalization (for sales tax payments). Your event coordinator should be able to advise you.

What are the responsibilities of the sponsor (organizer or coordinator) of the event?

The sponsor must obtain a sponsor permit prior to the event. The sponsor must ensure that all temporary food facilities comply with the Health and Safety Code including the possession of a valid health permit by each booth operator. In addition, the sponsor is responsible for shared facilities such as toilets and waste water, grease and garbage disposal. They should ensure that food booth operators know where to find potable water and ice.

Will an inspector come to look at my booth?

An inspector will visit all food booths - usually early in the event, to make sure that food is being handled safely. However, booth operators are expected to follow the law at all times.

Will I be fined if I make a mistake at the event?

Inspectors cannot issue fines - only a court can do that. However, the inspector will expect corrections to be made when necessary, and may close your booth temporarily until he/she considers it safe. If your problems cannot be corrected, the inspector may suspend your permit, which means you will have to close down.

In extreme cases an inspector can issue a citation which means you would have to go to court.

Does the booth need to be enclosed?

The booth must have overhead protection and needs to be fully screened on all sides if you are handling open food. If all food is prepackaged and the packages will be sold unopened, no screening is required.

Do I need my own hand-washing facilities - even if I am right next to the public restrooms?

Yes. Hand washing facilities are always required in each booth where open foods or beverages are handled.

Can I cook outside the booth?

Yes. BBQ and deep fat frying must be outside the booth, in an area fenced off to the public. All other cooking and should be inside the booth. Always check with your local Fire Department if you will be working with open flames.

I have decided to join an event this coming weekend and I live far away. Can I still get a permit?

Call the Department of Environmental Health and speak to the Temporary Events Specialist. We will help you if we can. However, it is not always possible to issue a permit at very short notice, so it is better to apply either through your sponsor or through Environmental Health in plenty of time.

I am organizing an event this summer. Can someone from the Department of Environmental Health come to one of our meetings, to explain the requirements?

An Environmental Health Specialist will be happy to attend your pre-event meeting. Please make sure that you give us plenty of notice so we can find a mutually convenient date and time.

Who can I call if I have a question?

All questions should first be directed to the sponsor of the event. If the sponsor is unable to help, please call Environmental Health reception at (209) 468-3420.