



pennsylvania
DEPARTMENT OF AGRICULTURE
BUREAU OF FOOD SAFETY & LABORATORY SERVICES

APPLICATION PACKET RETAIL FOOD FACILITIES

TEMPORARY FOOD FACILITIES

Any facility selling or serving food to the end consumer

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RETAIL FOOD FACILITY LICENSE APPLICATION AND PLAN REVIEW
TEMPORARY LICENSE NON-MOBILE FACILITIES

Enclosed is the application for obtaining a Temporary Retail Food Facility License from the Pennsylvania Department of Agriculture. Please note according to Retail Food Facility Safety Act (3 Pa. C.S.A. §§5701 - 5714), "...it shall be unlawful for any proprietor to conduct or operate a retail food facility without first obtaining a license for each retail food facility...."

All material must be submitted at least **60 days prior** to the **preparation/sale of food from a retail food facility**. Failure to provide all required information could delay your plan review.

Please check and sign you have included all required attachments with submission of the completed application.

Section 4*:

- Food Employee Certification
- Sales tax license or proof of application

Section 5*:

- Proof of municipal water supply (ex. A copy of a water bill)
- OR**
- DEP Approval Letter for a non-community public water system
- OR**
- Non-public water supply results **AND** affidavit / DEP documentation

Section 7*:

- Menu
- Facility floorplan / layout**
- Location of all food service equipment
- List of equipment including manufacture's names and model numbers

*Signature within this section of the application is also required.

Plans may be hand drawn, but must be to approximate scale, neat and legible. Plans will **NOT be returned.

I have attached all required documentation for each section outlined above that are applicable to this plan review application. I have signed all applicable individual sections within the application. **Failure to provide documentation or sign all sections will result in a delay of processing and/or the application may be denied.**

Applicant Signature: _____

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The Department of Agriculture will review the plans and notify you of its approval/disapproval. Please allow **4 – 6 weeks** for processing. Once you receive your approval, notify your Food Inspector or regional office at least ten (10) days prior to operation to arrange a licensing inspection. Inquiries regarding your application status should be directed to 717-787-4315 or RA-AGPlanReview@pa.gov.

All material **must be fully completed** and returned with any necessary accompanying documentation to:

RA-AGPLANREVIEW@pa.gov

or mail / fax to:

Pennsylvania Department of Agriculture
Bureau of Food Safety and Laboratory Services
Attn: Plan Review
2301 N. Cameron St, Room 112
Harrisburg, PA 17110

Fax: 717-787-1873

**If your county is under a County Health Department Jurisdiction, you should contact them directly for licensing. These counties include Allegheny, Bucks, Chester, Delaware, Erie, Montgomery, and Philadelphia.*

RETAIL FOOD FACILITY LICENSE APPLICATION AND PLAN REVIEW
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7 Pa. Code, Chapter 46, Food Code, the Rules and Regulations of the PA Department of Agriculture, are issued under the Retail Food Facility Safety Act (3 Pa. C.S.A. §§5701 - 5714) and require that properly prepared plans and specifications for construction, remodeling or alteration of a retail food facility must be submitted to and approved by the Department before food can be prepared, served and sold. PDA follows the most current version of the FDA Model Food Code as its regulations. The Retail Food Facility Safety Act also requires that "New" Proprietors, or Owners, of a Retail Food Facility apply for licensing as all licenses are non-transferable between proprietors.

SECTION 1: COMPLETE AND MOVE TO SECTION 2

PURPOSE OF THE PLAN REVIEW

LICENSE TYPE: Retail Food Facility – Temporary Event or Facility (14 days ONLY)

New License

- Temporary Retail Food Facility License
- Temporary Event Retail Food Facility License
- Change of ownership with no changes to the TFS*
- Change of ownership with changes to the TFS*

**TFS must have had a valid PA license in the past three months to apply for a change of ownership. Otherwise, you must apply for a new license.*

PART A: Facility is:

- Permanent structure (i.e. concession stand) Permanent building (i.e. church kitchen)
- Food truck / trailer Tent / stick-stand

PART B: Facility is located:

- Indoor Outdoor

SECTION 2: COMPLETE AND MOVE TO SECTION 3

FACILITY INFORMATION

NAME OF FACILITY (Common Public Name):

ADDRESS OF FACILITY (Location of food sale/service):

Facility street number and name	City	State	Zip code
_____	_____	_____	_____
County	Township/Borough		
_____	_____		
(_____) _____	(_____) _____		
Facility phone number	Facility fax number		
_____	_____		
Facility email address	Facility cell number or alternate phone number		
_____	_____		

MAILING ADDRESS (if different than above):

Street number and name	City	State	Zip code
_____	_____	_____	_____

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BUSINESS/ORGANIZATION TYPE: FOR PROFIT CHARITABLE OR NON-PROFIT

LEGAL BUSINESS NAME (if different than facility name):

LEGAL OWNER MAILING ADDRESS (if different than above mailing address):

Owner street number and name	City	State	Zip code
() _____	() _____	_____	_____
Owner phone number	Owner fax number	Owner e-mail address	

RESPONSIBLE OFFICIAL AT THE FOOD FACILITY (Person-in-charge):

Name	Contact Number
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FILL IN DETAILED INFORMATION FOR YOUR PROPRIETORSHIP ON PAGE 8 OF THIS APPLICATION.

SECTION 3: COMPLETE THE APPROPRIATE SECTION AND MOVE TO SECTION 4

NON-EVENT FACILITY INFORMATION

DAYS & TIMES OF OPERATION: List days and times of operation including set-up time. If non-consecutive days of operation, list all dates facility plans to be operational. *Total number of days cannot exceed 14 days.*

<input type="checkbox"/> Monday	Date _____	Time _____
<input type="checkbox"/> Tuesday	Date _____	Time _____
<input type="checkbox"/> Wednesday	Date _____	Time _____
<input type="checkbox"/> Thursday	Date _____	Time _____
<input type="checkbox"/> Friday	Date _____	Time _____
<input type="checkbox"/> Saturday	Date _____	Time _____
<input type="checkbox"/> Sunday	Date _____	Time _____

EVENT/CELEBRATION FACILITY INFORMATION

NAME OF EVENT/CELEBRATION:

DATES & TIMES OF OPERATION: List date, days and times the event will be operational:

<input type="checkbox"/> Monday	Date _____	Time _____
<input type="checkbox"/> Tuesday	Date _____	Time _____
<input type="checkbox"/> Wednesday	Date _____	Time _____
<input type="checkbox"/> Thursday	Date _____	Time _____
<input type="checkbox"/> Friday	Date _____	Time _____
<input type="checkbox"/> Saturday	Date _____	Time _____
<input type="checkbox"/> Sunday	Date _____	Time _____

RETAIL FOOD FACILITY LICENSE APPLICATION AND PLAN REVIEW
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SECTION 4: COMPLETE AND MOVE TO SECTION 5

FACILITY SERVICE INFORMATION

TYPE OF FACILITY:

- TFS Type 1 – Commercially packaged non-TCS foods
- TFS Type 2 – Commercially packaged TCS-foods
- TFS Type 3 – Non-complex food preparation
- TFS Type 4 – Complex food preparation

TYPE OF SERVICE: Check ALL that apply:

- Non-profit Seasonal Operation Church/Fire Hall
- Other, describe: _____

TYPE OF MENU: *Attach a proposed list of all food/beverage products that will be prepared, sold, or given away.*

- Product is packaged by food processor and stays packaged
- Product is unpackaged and handled/prepared at facility

EMPLOYEE INFORMATION:

Anticipated # of employees/volunteers _____

Do you have a Certified Food Manager on Staff?

- YES, **attach** copy of National Certificate (ANSI Approved Managers Exam)
- NO, exempt (non-profit) or other exempt facility

Do you have an employee health policy? YES NO

Do you have a written employee policy for cleanup of vomiting or diarrheal events in the facility? YES NO

SALES TAX: Select one:

- A license to collect sales tax has been obtained or applied for. For information on applying for a sales tax license, contact the Pennsylvania Department of Revenue. A copy of the sales tax license or proof of application is required with this application.
- According to the PA Department of Revenue rules and regulations, I have determined that my business is exempt from collection of sales tax.

I certify the facility is compliant with the above requirements and all applicable supporting documentation is attached.

Applicant Signature: _____

SECTION 5: COMPLETE AND MOVE TO SECTION 6

WATER, SEWER, WASTE INFORMATION

WATER:

You must contact the Department of Environmental Protection (DEP) to determine if your facility qualifies as a public water system (PWS). If DEP determines your facility qualifies as a public water system, then the water supply must be approved by DEP. **Written documentation** must be provided including your assigned Public Water System (PWS) ID# and **approval letter** from DEP. If DEP determines your facility does **NOT** qualify as a public water system, **written documentation** from DEP must be provided and **current water tests for Total Coliform (4 initial samples in 24 hours) and 1 initial sample for Nitrate/Nitrite.**

RETAIL FOOD FACILITY LICENSE APPLICATION AND PLAN REVIEW
TEMPORARY LICENSE NON-MOBILE FACILITIES

The facility is using:

A municipal (community) water supply.
Provide name of municipal water supplier: _____ (ex: Pa American Water)
AND copy of water bill.

A non-community water supply that is not owned/operated by the facility.
Provide name of the regulated water supplier and its Public Water System ID#:
_____ (ex: The Shopping Plaza, Public Water System ID#: 1111111)

A non-community public water supply regulated by Department of Environmental Protection (DEP). Provide Public Water System (PWS) ID#: _____ **AND DEP Approval Letter**

Other / Private water supply (ex: well water). **Provide Affidavit from DEP AND water supply test results.**

I have attached proof of municipal water supply OR I have contacted DEP and attached my approval letter OR I have attached my non-public water supply results and affidavit/DEP documentation. **Failure to provide written proof from DEP will result in denial of plans from this Department.**

Applicant Signature: _____

SEWER: The facility is using:

A municipal/public sewage disposal system. Sewage Authority: _____

A non-public sewage disposal system (ex: Sand mounds, holding tanks).

For on-lot sewage disposal systems, please contact the local Sewage Enforcement Officer for your municipality and discuss if the current sewage disposal system is appropriate for your food facility. This would not apply if the facility is connected to an approved municipal supply, as listed above.

I have contacted my municipality regarding my sewage disposal system. To the best of my knowledge my system meets state and/or local codes, is adequate for my Retail Food Facility and functioning properly.

Applicant Signature: _____

REFUSE:

The food facility refuse collector is _____ (company name)

List any other refuse/waste collection companies (ex: grease collection) _____

SECTION 6: COMPLETE AND MOVE TO SECTION 7

STRUCTURAL AND EQUIPMENT INFORMATION

TYPE OF FACILITY STRUCTURE:

Permanent building or structure (smooth, non-porous, and easily cleanable surfaces)

Non-permanent:

Overhead Covering:

Canvas Wood Other: _____

Floor: Asphalt Concrete Wood Other: _____

Walls: Screens Concrete Wood Other: _____

TYPE OF UTENSILS AND EQUIPMENT:

Single-serve eating and drinking utensils Multi-use kitchen utensils

RETAIL FOOD FACILITY LICENSE APPLICATION AND PLAN REVIEW
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TYPE OF UTENSIL WASHING SET UP:

- Three basin set-up
- Shared three compartment sink
- Three compartment sink within a food facility

TYPE OF HANDWASHING FACILITY:

- Gravity-fed water with spigot/bucket
- Self-contained portable unit (with potable water and waste water holding tanks)
- Plumbed with hot and cold water under pressure

SANITIZER TO BE USED:

- Chlorine
- Quaternary Ammonia
- Iodine

SECTION 7: COMPLETE AND MOVE TO SECTION 8

FACILITY FLOOR PLAN, EQUIPMENT SCHEDULE & PROPOSED MENU

All facilities must **SUBMIT** copies of:

- Proposed menu
- Facility floor plan/layout including location of all food service equipment
- Listing of all food service equipment including manufacture’s names and model numbers where applicable (i.e. cooking, hot and cold holding equipment)
- Handwashing and dishwashing facilities (3-compartment set up)
- Work tables
- Food storage (location and size)
- Single-service, single-use article storage (location and size)
- Garbage disposal (type and location)
- Surface or finish coat material of floors, walls and ceilings (even if temporary)
- Lighting schedule
- Overhead protection or ceiling
- Windows, doors, screens, overhead tents, side wall screening as applicable
- Location of toilet facilities for food employees

Information can be included in the form of a drawing, images, or combination. Plans may be hand drawn, but must be to approximate scale, neat and legible. Plans will **NOT** be returned. If all information is not supplied, approval will be delayed, and your application may not be approved.

I have attached the appropriate documents related to the facility with this application.

Applicant Signature: _____

SECTION 8: ALL APPLICANTS READ AND SIGN

FACILITY OPENING:

Anticipated date of opening for the facility/event: _____ (date)

RETAIL FOOD FACILITY LICENSE APPLICATION AND PLAN REVIEW
TEMPORARY LICENSE NON-MOBILE FACILITIES

There are NO fees associated with this Plan Review Application. DO NOT SEND MONEY WITH THIS APPLICATION.

License fees will be collected at the time of the licensing inspection pending the facility is compliant with all Food Safety laws and regulations. The fees are as follows (payable to: Commonwealth of PA):

Temporary Retail Food License

- New Licenses - \$14

Other fees

- Remodel Plan Review – no charge
- Change of Ownership – \$14
- Annual Renewals – \$14
- 2nd Follow-up Inspection – \$150
- 3rd or Subsequent Follow-up Inspection – \$300
- Duplicate License – \$14
- Courtesy Inspection – \$150

This application, floor plan and all other requested materials, as listed above, should be **submitted to RA-AGPlanReview@pa.gov or the Harrisburg Office via mail/fax**, as listed on the cover letter. Please allow 4-6 weeks for processing of your application from the date of submission. You may be contacted by the Plan Review Specialist requesting further clarification or information and will provide you with final approval/disapproval (including the reasons) via email or mail of this application. Next, an on-site inspection **must occur prior to** licensing and operating.

RETAIL FOOD FACILITY LICENSE APPLICATION AND PLAN REVIEW
TEMPORARY LICENSE NON-MOBILE FACILITIES

The Applicant understands and agrees that this document is an application for licensure of a retail food facility. The applicant understands and agrees that only a "proprietor" of a retail food facility may obtain a retail food facility license; and that a "proprietor" may be a person, partnership, association or corporation operating a retail food facility within the Commonwealth of Pennsylvania. The applicant verifies by signature below, that they are the "proprietor" of the retail food facility that is the subject of this application. The applicant verifies that all statements and information in this application is true and correct to the best of the applicant's knowledge, information and belief; and makes these statements subject to the penalties of 18 Pa.C.S.A. §4904, relating to unsworn falsification to authorities.

INDIVIDUAL PERSON:

Signature

Legibly Print Name

_____ _____
Date Date of Birth

PARTNERSHIP:

_____ Signature – General Partner	_____ Signature – General Partner
_____ Legibly Print Name	_____ Legibly Print Name
_____ _____ Date Date of Birth	_____ _____ Date Date of Birth

CORPORATION OR ASSOCIATION / NON-PROFIT ENTITY:

Name of Corporation or Non-Profit Entity

_____ Name of current CEO/President/or similar	_____ Official Title	_____ Date of Birth of CEO/President/or similar
_____ Signature of Corporate / Association / Non-Profit Official	_____ Official Title of Signatory	_____ Date
_____ Legibly Print Name		

LIMITED LIABILITY COMPANY (LLC) OR LIMITED LIABILITY PARTNERSHIP (LLP):

Name of LLC or LLP

_____ Name of Senior Official/General Partner, or Similar	_____ Official Title	_____ Date of Birth of Senior Official/General Partner, or Similar
_____ Signature – Member	_____ Date	_____ Signature – Member
_____ Legibly Print Name		_____ Legibly Print Name

RETAIL FOOD FACILITY LICENSE APPLICATION AND PLAN REVIEW **TEMPORARY LICENSE NON-MOBILE FACILITIES**

This document is intended to assist owner/operators in understanding the review, approval and operation of Temporary Food Service (TFS) Facilities that are operating from permanent building or structures and are not operating as a Mobile Food Facility (MFF). However, it does not establish regulatory requirements and the recommendations contained herein are not intended to supplant, or otherwise serve as, the rules and regulations applicable to food facilities in a given Federal, State, local or tribal jurisdiction.

DEFINITIONS

Food Facility - Includes an operation that is conducted in a mobile, stationary, temporary, or permanent facility or location; where consumption is on or off the PREMISES; and regardless of whether there is a charge for the FOOD.

Time/Temperature Controlled for Safety (TCS) food - A food that requires temperature control because it is capable of supporting the rapid growth of infectious or toxic microorganisms which can make people sick.

Temporary Food Service Facility (TFS) - A food facility operating more than 3 days, but not more than 14 days within a single calendar year.

Temporary Retail Food License

- **A license that is the following (Temporary Event License):**
 - Issued to the operator selling in conjunction with an event or celebration and
 - Valid for the duration of the particular event or celebration of no more than 14 days duration (whether these days are consecutive or nonconsecutive)

OR

- **A license that is the following (Temporary Food Facility License):**
 - Issued to a food facility operator operating a food facility in operation for a total of no more than 14 days within a particular calendar year and
 - Not in conjunction with an event or celebration

Fees: Temporary Licenses are \$14.00. Do not send money with this Application. The license fee will be collected at the time of your licensing inspection. Check or Money Orders only made out to the 'Commonwealth of PA'.

PLAN REVIEW AND APPLICATION PROCESS

No person, firm, or corporation is allowed to operate a food facility (permanent or temporary) where food or beverages are served to the public without a license from the food regulatory authority.

The plans and application for a TFS must include all the information necessary to assure that the physical and sanitary facilities are adequate to ensure safe food, in the same manner a permanent food facility goes through plan review.

Prior to issuing a license to a food facility, the Department is responsible for performing a pre-operational plan review. The review provides the opportunity to review areas of concern and must be conducted prior to the issuance of a license. This process should begin 60 days prior to opening the TFS.

To obtain a temporary retail food license, the applicant shall complete and submit this application including floor plan and equipment schedules at least 60 calendar days before the event or first day of business.

RETAIL FOOD FACILITY LICENSE APPLICATION AND PLAN REVIEW **TEMPORARY LICENSE NON-MOBILE FACILITIES**

Step 1: Submit your application including floor plan sketch, proposed menu, and equipment schedule to RA-AGPlanReview@pa.gov or the Harrisburg Office via mail/fax as listed on the cover page. Allow 4-6 weeks for processing.

Step 2: When approval is obtained on your application and the facility is ready for inspection, contact your Inspector to schedule a pre-operational (licensing) inspection. This may occur at the event itself.

Step 3: Once a satisfactory pre-operational inspection is preformed, your Inspector will collect your licensing fee and you will be able to operate.

Step 4: Your formal Retail Food License will be mailed to you after your pre-operational inspection. Your inspection report will serve as your license until you receive your actual license in the mail.

Step 5: Your license must be renewed annually. A renewal will be mailed to you. Temporary Licenses are renewed each December. Please return your renewal and payment by December 31.

TEMPORARY FOOD FACILITY CLASSIFICATIONS

Facilities that offer only prepackaged non-TCS foods (TFS Type 1) are exempt from the license fees; however, these types of facilities must still complete an Application and Plan Review and will be subject to inspection.

TFS requirements are risk based according to the food service operations that will occur.

Temporary Food Service (TFS) Type 1

- Packaged non- TCS foods

Temporary Food Service (TFS) Type 2

- Commercially processed packaged TCS in its original package (Receive-Store-Hold)

Temporary Food Service (TFS) Type 3

- Food Preparation with no cook step (Receive-Store-Prepare-Hold-Serve)
- Preparation for same day service (Receive-Store-Prepare-Cook-Hold-Serve)
- Reheating of a commercially processed food item (Receive-Store-Reheat-Hold-Serve)

Temporary Food Service (TFS) Type 4

- Complex food preparation (Receive-Store-Prepare-Cook-Cool-Reheat-Hot Hold-Serve)
- Large quantities of food being prepared (e.g., Olympics, Academy Awards, State Fairs)
- Using Time as a Public Health Control
- Serving a Highly Susceptible Population

TEMPORARY LICENSE FACILITY OPERATIONS CHECKLIST

The following checklist provides an overview of the general requirements that must be addressed. The local regulatory authority may impose additional requirements based upon the type of food preparation and/or sanitary facilities available.

RETAIL FOOD FACILITY LICENSE APPLICATION AND PLAN REVIEW
TEMPORARY LICENSE NON-MOBILE FACILITIES

PERSONNEL

- ❑ **PERSON-IN-CHARGE (PIC):** A designated person must be on site during all hours of operations of the TFS facility. The PIC is responsible for ensuring compliance with health code requirements. (*§2-101.11, 2-103.11*)
- ❑ **CERTIFIED FOOD PROTECTION MANAGER:** At least one person that has supervisory and management responsibility and authority to direct and control food preparation and service shall comply with Food Employee Certification for food facilities that are classified as TFS Type 3 or TFS Type 4. (*§2-102.12*)
- ❑ **EMPLOYEE HEALTH:** Employees with communicable diseases which can be transmitted through food shall be excluded and/or restricted from food activities. (*§2-201.11, 2-201.12, 2-201.13, 2-401.12*)

There must be employee practices and behaviors established that can help prevent the spreading of viruses and bacteria to food. The Centers for Disease Control and Prevention (CDC) and FDA cite six highly infective pathogens that can be easily transmitted by food employees and cause severe illness. These six pathogens known as the Big Five are Norovirus, the Hepatitis A virus, Salmonella Typhi, Salmonella Non-typhoidal, Shigella spp., and Escherichia coli (E. coli) 0157:H7 or other Enterohemorrhagic or Shiga toxin-producing E. coli.

Interventions must be used to prevent the transmission of foodborne illness. These interventions include (a) restricting or excluding ill food employees from working with food; (b) using proper handwashing procedures; and (c) eliminating bare hand contact with foods that are ready-to-eat (RTE).

Proper management involves ensuring that food employees do not work when they are ill and having procedures for identifying employees who may transmit foodborne pathogens to food, other employees, and consumers. Symptoms that the person in charge (PIC) should be concerned with include: vomiting, diarrhea, jaundice (yellow skin or eyes), sore throat with fever, infected cuts and burns with pus on hands and wrists.

Information and forms to aid in complying with Employee Health can be found in the FDA Model Food Code and the Employee Health and Personal Hygiene Handbook.

(<http://www.fda.gov/Food/FoodSafety/RetailFoodProtection/IndustryandRegulatoryAssistanceandTrainingResources/ucm113827.htm>)

- ❑ **HANDWASHING:** Food employees shall wash their hands upon entering the TFS or food preparation and service areas, immediately before engaging in food preparation, after using the toilet room, and as often as necessary to remove soil and contamination and to prevent cross contamination. (*§2-301.11, 2-301.12, 2-301.14, 2-301.15*)
- ❑ **HANDWASHING FACILITIES:** Handwashing facilities shall be located to allow convenient use by food employees in food preparation, food dispensing and warewashing areas. Handwashing sinks are to only be used for handwashing. A handwashing sign shall be posted at each handwashing sink. (*§5-204.11, 5-205.11, 5-202.12, 5-203.11, 6-301.11, 6-301.12, 6-301.14, 6-301.20*)
 - Packaged food only – Hand wash stations are not required if only commercially pre-packaged foods are kept in their original containers and will be provided to consumers in the package. Disposable moist towelettes must be provided.

RETAIL FOOD FACILITY LICENSE APPLICATION AND PLAN REVIEW
TEMPORARY LICENSE NON-MOBILE FACILITIES

- Unpackaged food that is Non-TCS Food or TCS Food– Hand wash station/basins that provides gravity feed water. For example – A five-gallon insulated container with a spigot which can be turned on to allow potable warm water to flow over one’s hands into a waste receiving bucket of equal or larger volume. Hand soap, single-use dispensed towels, and a waste receptacle shall be provided. (See Below)



Sample for Type 2 or 3

- **HYGIENE:** Food employees shall maintain a high degree of personal cleanliness and shall conform to good hygienic practices during all working periods. (§2-302.11)
 - Food employees shall have clean outer garments, aprons and effective hair restraints. (§2-304.11, 2-402.11)
 - Food employees are not allowed to smoke or eat (including chewing gum) in the food preparation and service areas. A food employee may drink from a closed beverage container if the container is handled to prevent contamination of the employee’s hands; the container; and exposed food, clean equipment, utensils and single-service/single-use articles. (§2-401.11)
 - All non-working, unauthorized persons should be restricted from food preparation and service areas. (§2-103.11)
- **NO BARE HAND CONTACT:** Employees preparing food may not contact exposed, ready-to-eat food with their bare hands and shall use suitable utensils such as deli paper, spatulas, tongs, single-use gloves or dispensing equipment. (§3-301.11)

FOOD SOURCE

- **SOURCE:** All food shall be obtained from sources that comply with law. All meat and poultry shall come from USDA or other acceptable government regulated approved sources. (§3-201.11)
 - Neither home canned foods or Non-TCS foods prepared at home are allowed unless the producer is registered and inspected as a Limited Food Producer by the Department of Agriculture.
 - No TCS home cooked or prepared foods may be offered or used by a TFS facility. (§3-201.11)
 - All TCS food which is pre-cooked and pre-cooled off site for service at the temporary food facility shall be prepared at an approved, permanent food facility. (§3-201.11)
 - Ice for use as a food or a cooling medium shall be made from potable water. (§3-202.16)
- **TRANSPORTATION:** Food shall be transported in a manner that protects the food from contamination and if a TCS food item shall be maintained at 135°F or above or 41°F or below. (§3-202.15, 3-501.16)

RETAIL FOOD FACILITY LICENSE APPLICATION AND PLAN REVIEW
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FOOD PREPARATION

- ❑ **FOOD CONTAMINATION:** All cooking and serving areas shall be protected from contamination. Consumers shall be prevented from accessing areas of the TFS facility where food, food-contact surfaces, and equipment are located. (§2-103.11(B), 3- 307.11)
- ❑ **CROSS CONTAMINATION:** Food shall be protected from cross contamination by separating raw animal foods from ready-to-eat foods and separating types of raw animal foods from each other during storage, preparation, holding, and display. (§3- 302.11, 3-307.11)
 - Equipment and utensils (including knives, cutting boards, and food storage containers) shall be thoroughly cleaned and sanitized after being used for raw animal foods and before being used for ready-to-eat food. (§3-304.11, 4-602.11)

The following practices are only permitted with TFS Type 1 and TFS Type 2

- ❑ **HANDLING OF PACKAGED NON-TCS FOOD**
During storage food shall be protected from contamination. (§3- 305.14, 3-307.11)
- ❑ **HOLDING OF COMMERCIALY PROCESSED PACKAGED TCS FOOD:**
TCS food shall be maintained at 135°F or higher or 41°F or below. (§3-501.16)

The following practices are only permitted with TFS Type 3

- ❑ **HOLDING OF TCS FOOD:** Time/Temperature Control for Safety Food shall be maintained at 135°F or higher or 41°F or below. (§3-501.16)
- ❑ **COOKING:** Food shall be cooked to the minimum temperatures and times specified below**: (§3-401.11, 3-603.11)
 - **165°F for 15 seconds** - poultry; wild game animals; stuffing containing fish, meat, poultry or ratites; stuffed fish, meat, pasta, poultry or ratites.
 - **155°F for 15 seconds** - mechanically tenderized and injected meats; the following if they are comminuted: fish, meat (hamburgers), game animals commercially raised for food; pooled raw eggs; ratites.
 - **145°F for 15 seconds** - raw eggs that are broken and prepared in response to a consumer's order and for immediate service; fish and meat.**TFS operators should consult with their Inspector if considering cooking roasts (whole beef, pork, cured pork (ham) and corned beef) or if serving or selling undercooked foods to ensure compliance with the provisions of the Food Code.
- ❑ **THAWING:** TCS food shall be thawed either under refrigeration that maintains the food temperature at 41°F or less, or as part of a cooking process. (§3-501.13)
- ❑ **REHEATING FOR HOT HOLDING OF COMMERCIALY PROCESSED FOOD**
 - Food from a commercially processed, hermetically sealed container of food or from an intact package from a food processing plant shall be reheated to 135°F for hot holding. (§3-403.11)

The following two practices are only permitted at a TFS Type 4

RETAIL FOOD FACILITY LICENSE APPLICATION AND PLAN REVIEW
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- ❑ **COOLING:** TCS shall be cooled by an approved method in accordance with the following time and temperature criteria: (§3-501.14 3-501.15)
 - Cooked TCS food shall be cooled within 2 hours from 135°F to 70°F and within a total of 6 hours from 135°F to 41°F or less.
 - TCS food prepared from ingredients at ambient temperature shall be cooled within 4 hours to 41°F or less.

- ❑ **REHEATING FOR HOT HOLDING:** TCS food that is cooked and cooled at a permanent food facility prior to delivery to the temporary food facility shall be reheated so that all parts of the food reach a temperature of at least **165°F for 15 seconds if hot held.** (§3-403.11)
 - Reheating shall be done rapidly so that the food is between 41°F and 165°F for no more than 2 hours.
 - Cooked and refrigerated food that is prepared in response to an individual consumer order may be served at any temperature.

EQUIPMENT

Equipment used for cooking or for holding of TCS food shall be evaluated for approval based on a menu review, food service operations that will occur, and the length of the event. (§4-301.11)

- ❑ **COOKING DEVICES:**
 - For safety reasons, cooking equipment, such as BBQs, propane stoves, and grills, should be roped off or otherwise segregated from the public (§3-307.11) if cooking is occurring outside.

- ❑ **COLD STORAGE:**
 - Packaged food may not be stored in direct contact with ice or water if the food is subject to the entry of water because of the nature of its packaging, wrapping, or container or its positioning in the ice or water. (§3-303.12)
 - Each refrigeration unit should have a numerically scaled thermometer accurate to ±3°F if scaled only in Fahrenheit or accurate to +/- 1.5°C if dually scaled in Celsius and Fahrenheit to measure the air temperature of the unit. (§4-203.12, 4-204.112)
 - An effectively insulated, hard sided, cleanable container with sufficient ice or other means to maintain TCS food at 41°F or below may be approved for the storage of small quantities of TCS food. (§3-501.16, 4-301.11). Mechanical refrigeration units may be needed to keep TCS food at 41°F or below. (§3-501.16, 4-301.11)

- ❑ **HOT STORAGE:** Hot food storage units shall be used to keep TCS food at 135°F or above. Electrical equipment, propane stoves, grills, etc. shall be capable of holding foods at 135°F or above. (§3-501.16, 4-301.11)

- ❑ **THERMOMETERS:** A thermocouple or metal stem thermometer shall be provided to check the internal temperatures of TCS hot and cold food items. Food temperature measuring devices that are scaled only in Celsius or dually scaled in Celsius and Fahrenheit shall be accurate to +/-1°C or if scaled only in Fahrenheit shall be accurate to +/-2°F in the intended use of range. Temperature measuring devices shall be equipped with a small diameter probe if thin foods are served. (§4-302.12, 4-502.11)

- ❑ **COUNTERS/SHELVES:** All food contact surfaces shall be non-toxic, smooth, easily cleanable, durable, nonabsorbent, and free of seams and difficult to clean areas. All other surfaces shall be finished so that they are easily cleanable. (§4-101.11)

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FOOD AND UTENSIL STORAGE

- ❑ **DRY STORAGE:** All food, equipment, utensils, and single service items shall be stored at least 6" off the ground or floor on pallets, tables, or shelving. Food shall be protected from contamination and shall have effective overhead protection. (§3- 305.11, 3-305.12)
- ❑ **FOOD DISPLAY:** All food and food contact surfaces shall be protected from consumer handling, coughing, sneezing or other contamination. (§3-306.11, 3- 306.12, 3-306.13)
 - Use sneeze guards or other effective barriers for food on display.
 - Keep food covered, except for working containers of food.
 - Condiments shall be dispensed in single service type packaging, in pump-style dispensers, or in protected squeeze bottles, shakers, or similar dispensers which prevent contamination of the food items by food employees, patrons, insects, or other sources.
 - Knives, forks, and spoons that are not pre-wrapped shall be presented so that only the handles are touched.
- ❑ **IN-USE UTENSILS:** Food dispensing utensils shall be stored in the food with their handles above the top of the food and container; on a clean portion of the food preparation table or cooking equipment; or in a container of water if the water is maintained at a temperature of at least 135°F and the utensil and container is cleaned as necessary to preclude accumulation of soil residues. (§3-304.12)

CLEANING AND SANITIZING

Equipment food-contact surfaces and utensils shall be cleaned and sanitized when changing from working with raw foods to working with ready-to-eat foods; between uses with raw fruits and vegetables and with TCS food; before using or storing a food temperature measuring device; and if used with TCS food shall be cleaned throughout the day at least every 4 hours; and at any time during the operation when contamination may have occurred. (§4-602.11)

- ❑ **WAREWASHING:** A commercial dishwasher or manual warewashing method should 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 3 basins, large enough for complete immersion of utensils, a potable hot water supply, and an adequate disposal system for the wastewater.

- ❑ **SANITIZING:** Chlorine bleach or other approved sanitizers should be provided for sanitizing food contact surfaces, equipment, and wiping cloths. Sanitizers shall be used in accordance with the EPA-registered label use instructions. An approved test kit shall be available to accurately measure the concentration of sanitizing solutions. (§4-501.116, 4-703.11)
- ❑ **WIPING CLOTHS:** Wiping cloths that are in use for wiping food spills shall be used for no other purpose and shall be stored clean and dry or in a clean sanitizing solution at the approved sanitizer concentration. (§3-304.14)

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. (*applicable sections in Chapter 5 FDA Food Code*)

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- Water shall come from an approved DEP (Department of Environmental Protection) public water supply or a DEP approved well. If the water supply is not regulated by DEP you will need to supply water test results along with your Application for Total Coliform and Nitrate/Nitrite.
 - **TFS type 1 & 2: 1 Total Coliform and 1 Nitrate/Nitrite test**
 - **TFS type 3 & 4: 4 Total Coliform tests in 24 hrs and 1 Nitrate/Nitrite**
 - The water supply system and hoses carrying water shall be constructed with approved food contact materials. *Recommend labeling potable water hose.*
 - The water supply shall be protected with backflow devices to preclude the backflow of contaminants into the potable water supply. (§5-202.13, 5-202.14, 5-203.14, 5-203.15)
 - All hose and other connections to the potable water supply shall be maintained a minimum of 6" above the ground or top plane surface.
 - A supply of commercially bottled drinking water or sanitary potable water storage tanks may be allowed if approved by the Inspector.
- ❑ **WASTEWATER DISPOSAL:** Wastewater shall be disposed in an approved wastewater disposal system. Wastewater may not be dumped onto the ground surface, into waterways, or into storm drains; but shall be collected and disposed through an approved sewage disposal system. (§5-402.13)

PREMISES

- ❑ **FLOORS:** Inside floors must be smooth non-porous and easily cleanable. If outside of a building or structure floors must be graded to drain, a floor may be concrete, machine-laid asphalt, or dirt or gravel if it is covered with mats, removable platforms, duckboards, or other approved materials that are effectively treated to control dust and mud. (§6-101.11).
- ❑ **WALLS AND CEILINGS:** Walls and ceilings inside of building or structures shall be smooth, non-porous and easily cleanable. If outside, the TFS shall be covered with a canopy or other type of overhead protection, unless the food items offered are commercially prepackaged food items and dispensed in their original containers.
- If outside, walls and ceilings, when required, are to be of tight and sound construction to protect against the elements, windblown dust and debris, insects, or other sources that may contaminate food, food contact surfaces, equipment, utensils, or employees. (§6-101.11)
 - Inside a building or structure, window and door openings shall be protected from insects and rodents by 16 mesh to 1 inch screen, properly designed air curtain, or other effective means. (§6-202.15)
- ❑ **LIGHTING:** Adequate lighting by natural or artificial means shall 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 and single-use articles. (§6-202.11)
- ❑ **REFUSE:** An adequate number of non-absorbent, easily cleanable refuse containers shall be provided both inside and outside of each TFS site. Refuse containers shall be removed at a frequency that will minimize the development of objectionable odors and other conditions that attract or harbor insects and rodents. Dumpsters shall be covered, rodent-proof, and non-absorbent. Grease shall be disposed of properly and shall not be dumped onto the ground surface. (§5-501.13, 5-502.11, 5-502.12)
- ❑ **TOILET FACILITIES:** An adequate number of approved toilet and handwashing facilities shall be provided for food employees. The toilet facilities, preferably permanently established, should be conveniently located to the food preparation areas and be supplied with toilet tissue. Toilets may consist of properly designed, operated, and maintained portable toilets. (§5-203.12, 5-204.11, 6-302.11)

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- ❑ **CLOTHING STORAGE:** Personal clothing and belongings should be stored at a designated place in the TFS away from food preparation, food service and warewashing areas. (§6-305.11, 6-403.11)

- ❑ **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 service operation shall be provided. (§7-202.11, 7-202.12)

- ❑ **PESTS:** The TFS shall be maintained free of insects, rodents, and other pests. (§6-202.15)