

Food and Facilities Program

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TEMPORARY FOOD SERVICE ESTABLISHMENTS

EXEMPT FROM PERMIT AND PLAN REVIEW

- Commercially made caramel apples
- Cotton candy
- Machine crushed ice drinks with non-potentially hazardous ingredients (slurpies, icees, slushies)
- Corn on the cob with butter
- Individual samples of sliced non-potentially hazardous fruits and vegetables
- Popcorn and flavored popcorn with butter and/or shake on toppings
- Roasted nuts and roasted candy coated nuts
- Deep fried pork skins prepared from pork skins rendered at a food processing plant
- Whole roasted peppers for immediate service
- Dried herbs/spices, including bulk and/or packaging processed in an approved facility

Note- Machine crushed ice drinks are those prepared (mixed, frozen, and dispensed) completely within self-enclosed machines after a premix has been added. This eliminates any potential hand contact with the product.

The exempt from permit and plan review products require the vendor to fill out and submit an exemption form that is available at the Environmental Health district offices.

2008 TEMPORARY FOOD SERVICE ESTABLISHMENTS

REQUIRING "PLAN REVIEW ONLY" PERMIT

- **Blended drinks**, blenders and utensils cleaned or changed every 2 hours. Includes commercial mix, commercially frozen fruit and espresso drinks
- **Caramel apples**, made by vendor
- **Cheesecake**, with non-potentially hazardous toppings
- **Cheeses and butter**, farmer processed from WSDA, USDA, or FDA facilities
- **Chocolate dipped bananas**, prepared from bananas peeled and frozen in an approved facility
- **Chocolate dipped ice cream bars/fruit bars**, dipped in booth, commercially prepared single service bars from a food processing plant
- **Churros**, commercially prepared dough with non hazardous toppings to include canned whipped cream
- **Cookies**, baked on-site from commercially prepared, frozen dough
- **Corn dogs**, commercially prepared or hand dipped from commercial prepared mix
- **Demonstrations**, excludes raw milk and raw oysters
- **Dippin'Dots**
- **Donuts and elephant ears**, from commercial mixes/dough, non-potentially hazardous fillings, toppings, condiments
- **Espresso coffee drinks**, hot
- **Frappuccino**, commercially prepackaged
- **Ham and bacon**, fully pre-cooked commercially prepared
- **Hot dogs, sausages and tofu dogs**, precooked, as defined by USDA
- **Ice cream**, scooped
- **Iced drinks** (shaved ice with condensed/evaporated milk, Italian ice with milk, snow cones, etc.) in single service or commercially made "edible" containers
- **Lemonade and juices**, fresh squeezed/prepared high acid beverages (a consumer advisory is required)
- **Lettuce**, commercially packaged and individually packaged single service shelf stable salad dressings
- **Meat/ fish**, packaged, frozen, farmer processed or commercially caught
- **Milk, yogurt** and other commercially pasteurized, prepackaged single service dairy products
- **Nachos**, made with commercially canned cheese sauce
- **Pancakes, waffles, funnel cakes**, made from commercial mixes, non-potentially hazardous fillings, toppings, condiments
- **Peanut butter and jelly sandwiches**
- **Pepperoni and cheese pizzas**, commercially made, cooked, pre-sliced
- **Pretzels**, baked and prepped
- **Root beer floats**
- **Strawberry (or other berry) shortcake**, commercially prepared ingredients, canned whipped cream
- **Twinkies** and commercially prepared nonhazardous snack cakes and candy bars, deep fried
- **Watermelon**, sliced for consumption in eating contests only

Farmers' Market Coordinators' Information

A FARMERS' MARKET COORDINATOR IS RESPONSIBLE FOR THE FOLLOWING:

For a new market or at the beginning of the season:

- New markets must have a “field plan review” of the site completed and approved by your Public Health-Seattle & King County inspector. Call the district office listed below for more information.
- Existing markets need a pre-opening inspection prior to the beginning the season.

On going responsibilities through the market's season:

- The market coordinator must pay the annual \$100 “field plan review” fee for the overall market.
- Coordinators can accept new food selling vendors during any part of the season with district supervisor approval.
- The market coordinator or appointed representative must be on site whenever the market is open.
- Coordinators must assure that food vendors have the appropriate temporary food service permit. These permits will range from a “plan only permit” to a temporary permit allowing full food service.
- The market coordinator is responsible for monitoring all vendors for safe food practices including: temperature control of foods, packaged foods are from approved sources, proper set up of a hand washing station and washing of produce that will be sampled.
- Coordinators must assure that vendors preparing food or cutting foods for sampling have food handler's permits.
- The market coordinator's “checklist for vendors” is to be used by coordinators for each vendor each day the market is in operation.

For information about Farmers' Markets, call the PH-S&KC district office nearest to where the market is located:

Downtown Health Office 206-296-4632

Northshore Health Office 206-296-9791

Alder Square (South Region) Health Office 206-296-4708

**The Farmers' Market information packet can also be found on the county website:
www.metrokc.gov/health/foodsfty/foodbusiness.htm.**

Definitions of Types of Foods Served at Farmers' Markets

- **Commercially prepared and packaged:** These are *non*-potentially hazardous foods that may be sold without a permit. They do not need to meet any food code requirements, as long as they are sold in their original intact package. (examples: canned pop, wrapped cookies, bagged chips).
 - Commercially prepared means food prepared in a commercial kitchen site approved by US Department of Agriculture (USDA), Food and Drug Administration (FDA), Washington State Department of Agriculture (WSDA) and/or Public Health – Seattle & King County. Home canned products are never allowed. For further information in Seattle-King County, contact your district Health Department office; for information from WSDA, call Denise Curette at 360-902-1876.
- **Commercially packaged dairy products** may be sold in intact cartons held at 41° F or less. This includes milk, cheese, yogurt, ice cream, etc. A vendor may take orders either at the market or at the dairy during the week and have it available for pickup at the market. The vendor must keep a log sheet of the order. Raw milk products must be properly labeled and the raw milk warning prominently displayed.
- **Properly labeled eggs** held at 45°F or less may be sold. Contact Washington State Department of Agriculture for proper labeling requirements. If ice is used for cold holding, eggs may not come in contact with the ice or melted water.
- **Meat, poultry, rabbit, or seafood** is allowed with restrictions and if public health concerns are met. Contact the district Meat/Seafood compliance officer for more information at listed phone numbers.
- **Bulk Foods:** Foods sold in bulk, like coffee beans, dried beans, lentils, granola, whole grains, dried fruit, etc., may be sold bulk if hand-washing is available. There can be no bare hand contact with ready to eat bulk foods. If the foods are self-serve, utensils must be available for the public to use.
- **Sampling:** Sampling may take place provided the vendor has **hand-washing in the booth**, protects the samples from contamination, and provides the samples with single service utensils such as toothpicks. Potentially hazardous foods can be sampled as long as they are kept in the correct hot or cold temperature zone, and utensils are used. Disposable serving utensils like toothpicks are to be used for the public. The server's utensils need to be changed or cleaned at least once every two hours in appropriate dishwashing facilities. Permits will be dependent on the type of food sampled. A coordinator may obtain a permit to provide a demo booth for the whole market, and will then be responsible for meeting all the permit requirements.
- **Temporary Full Food Service Permits:** These can be obtained if the vendor meets the temporary permit guidelines. Contact your local Public Health – Seattle & King County for more information.

MARKET COORDINATOR GUIDELINES

MARKET SITE

Before the market can open for the first time:

- Pay annual coordinator's "Field Plan Review" fee.
- Complete the market site "Field Plan Review" with an inspector from the district office the market is located.
- Complete the "Pre-operational, on-site" review with the inspector to assure the common facilities on site meet the code for hand-washing, plumbed restrooms with both hot and cold water, proper garbage disposal, potable water, and back up refrigeration.

Before the market opens each year:

- Pay the annual coordinator's "Field Plan Review" fee.
- Complete a phone review with your inspector on the site to assure the common facilities still meet the code.
- Provide vendors with packets on how to get a permit, including application deadlines.
- Review the Market Coordinators' Information sheet to assure that all responsibilities and PH-SKC expectations are clear and will be able to be followed.

On each market day:

- Market Coordinator or designated representative must be on the market site at all times.
- Market Coordinator must complete and keep on file a "Market Day Checklist" for each vendor on each market day. The inspector will review these during the routine inspections.

COMMON FACILITIES

- Plumbed or temporary restrooms with handwash setup, warm water, soap, and paper towels must be available and used by food workers.
- Plumbed or temporary restrooms with hand-washing facilities may be made available for customers.
- Proper and adequate garbage disposal available.
- Potable water source convenient to vendors (no garden hoses).
- Available refrigeration- mechanical or ice chests.
- Three compartment sink or commercial dishwasher, or other approved commissary if needed.
- Produce washing sink if farmers are providing fruit or vegetable samples. If farmers bring their produce samples prewashed they need to provide the coordinator with a written plan that includes where and how the produce is washed.

COORDINATORS ASSURE THAT INDIVIDUAL VENDORS

- All vendors have all necessary permits.
- Proper hand-washing is available *and used* in all booths that offer unwrapped food.
- All ready-to-eat foods are being handled with a physical barrier (no bare-hand contact with ready-to-eat foods).
- Foods are under proper temperature control, and temperature log sheets kept.
- All foods are from approved sources (kitchens approved by FDA, USDA, WSDA, and/or PH-S&KC).
- Any vendor or staff person handling unwrapped food has a Food Worker Permit.

Frequently Asked Questions for Selling at the Farmers' Market

Q. I want to sell food in a farmers' market. Are there foods I can sell for which I don't have to have a temporary permit from the Health Department?

A. Yes! If you have "commercially prepared and packaged, non-potentially hazardous foods" you are exempt from the code. That's a "legal" term for foods that are made in a kitchen approved by FDA, USDA, WSDA, &/or PH-S&KC, then wrapped in that kitchen, opened only by the buyer, and don't require refrigeration. This includes foods like wrapped bread and commercially canned foods such as salad dressing or bottled fruit juice. Farmers selling produce or other farm products they have grown but have not been processed in any way (cut, turned into jams, etc.) are also exempt from the code. A list of other foods exempt from the code is attached.

Q. What if I want to sell something simple like baked goods, hot dogs, and pop?

A. There are lots of foods you can sell that don't require a permit, but do require that you have certain facilities like hand-washing, or cold and/or hot holding equipment. Foods that require facilities for hand-washing only are those unwrapped but at low risk for causing foodborne illness, such as cotton candy and roasted nuts. Hand-washing facilities in your booth means having warm water, soap, and paper towels. You may use a picnic jug with a spigot and a bucket underneath to catch the wastewater. In addition to hand-washing, higher risk foods, like hot dogs, do require the booth plan be reviewed and a "plan review" fee paid, but a permit is not required.

In order to prevent foodborne illness, we need to be certain that hands will be washed, and foods will be kept hot and/or cold enough. Whether you need a permit or not, we will visit your booth, and are required to close your operation if the safe food regulations are not being followed.

Q. I want to sell packaged dairy products like cheese and yogurt. What do I need to do?

A. You will need a temporary permit, and a way to keep the products below 41° F.

Q. I am thinking of fixing foods like salads, ribs, and maybe egg rolls. I'll make them at the market. Can I do that?

A. To prepare and cook foods at the market, you will need a permit. The more extensive the preparation, the more safe food handling facilities you will need. Public Health will limit the amount of cooking you do if we determine there is a too great a risk for foodborne illness. Any preparation must be done in a licensed kitchen before coming to the market. If you buy supplies ahead, you must store them in an approved kitchen, not at home. We do not allow any home made foods. Any food left at the end of the day must be thrown away. Ask the market coordinator for a permit application.

Q. Are there other things I need to know?

A. *If you are selling (or giving away) food that needs a permit, you need to get your application into Public Health at least 14 days before you plan to begin operating. You will have to pay a late fee if the application is received within 14 days of operation. However, be advised that if you get your application in after the 14 day limit, and/or the foods are considered high risk, you may not be given the permit on your time schedule. The Health Department needs adequate time to work with you to assure that safe food handling processes are in place.*
*If you are selling unwrapped foods, you will need a Food Worker Card. This card is needed whether or not you need a permit for your booth. To get your card you need to take a short class and pass a written test. For more information on where, when and how to get your Food Worker Card, call the **Hotline (206) 296-4791.***

