



**STATE OF TENNESSEE
DEPARTMENT OF HEALTH
SOUTH CENTRAL REGIONAL OFFICE
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Temporary Food Service Establishments**

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Food Service Establishment Rules

Temporary Food Service Section
CHAPTER 1200—23—1(13)

(13) Temporary Food Service

- (a) General. A temporary food service establishment shall comply with the requirements of these Rules, except as otherwise provided in this paragraph (13).
- (b) Ice. Ice that is consumed or that contacts food shall be obtained only in chipped, crushed, or cubed form and in single-use safe plastic or wet-strength paper bags filled and sealed at the point of manufacture. The ice shall be held in these bags until it is dispensed in a way that protects it from contamination.
- (c) Equipment.
 - 1. Equipment shall be located and installed in a way that prevents food contamination and that also facilitates cleaning the establishment.
 - 2. Food-contact surfaces of equipment shall be protected from contamination by consumers and other contaminating agents. Effective shields for such equipment shall be provided, as necessary, to prevent contamination.
- (d) Single-Service Articles. All temporary food service establishments without effective facilities for cleaning and sanitizing tableware shall provide only single-service articles for use by consumer.
- (e) Water. Enough potable water shall be available in the establishment for food preparation, for cleaning and sanitizing utensils and equipment, and for handwashing. A heating facility capable of producing enough hot water for these purposes shall be provided on the premises.
- (f) Wet Storage. Storage of packaged food in contact with water or undrained ice is prohibited. Wrapped sandwiches shall not be stored in direct contact with ice.
- (g) Waste. All sewage, including liquid waste, shall be disposed of according to law.
- (h) Handwashing. A convenient handwashing facility shall be available for employee handwashing. The minimum requirements shall be warm running water, soap, and individual paper towels.
- (i) Floors. Floors shall be constructed of concrete, asphalt, tight wood, or other similar cleanable material kept in good repair. Dirt or gravel, when graded to drain, may be used as subflooring when covered with clean, removable platforms or duckboards, or covered with wood chips, shavings, or other suitable materials effectively treated to control dust.
- (j) Walls and Ceilings of Food Preparation Areas.
 - 1. Ceilings shall be made of wood, canvas, or other material that protects the interior of the establishment from the weather. Walls and ceilings of food preparation areas shall be constructed in a way that prevents the entrance of insects. Doors to food preparation areas shall be solid or screened and shall be self-closing. Screening material used for walls, doors, or windows shall be at least 16 mesh to the inch.
 - 2. Counter-service openings shall not be larger than necessary for the particular operation conducted. These openings shall be provided with tight-fitting solid or screened doors or windows or shall be provided with fans installed and operated to restrict the entrance of flying insects. Counter-service openings shall be kept closed, except when in actual use.

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REQUIREMENTS FOR TEMPORARY ESTABLISHMENTS

GENERAL REQUIREMENTS

1. GENERAL

Temporary food service establishments shall comply with the requirements of the Tennessee Department of Health's Food Service Establishment Rules and Regulations except as otherwise provided in 1200-21-231-.02 (13).

Before a permit is issued, no violations of **critical** items shall exist.

DEFINITIONS

1. TEMPORARY FOOD ESTABLISHMENT-

- i. A food service establishment that operates at a fixed location for a period of time of not more than 14 consecutive days in conjunction with an organized event or celebration.

2. EXTENDED/SEASONAL EVENTS

- ii. Temporary event that is held on non-consecutive days, usually over several weekends. The "event" may appear to last several weeks but is never in operation over 14 *consecutive* days.
- iii. Shall be inspected after each separate set-up and issued separate temporary permits for each set-up. Examples include (but are not limited to) The Renaissance Fair (operates weekends only the month of May), Dancin' in the District (operates every Thursday throughout the summer), and Pumpkin Patch/Corn Maze and similar seasonal events that are on-going but do not exceed 14 consecutive days.

3. COMPETITIVE COOKING EVENTS-

- iv. Temporary food service establishments involved in competitive cooking competitions are not required to obtain a permit if all of the following conditions apply:
 1. All of the food is consumed only by the judges and team members of the event.
 2. Judges and team members are identified by t-shirts, badges, or by other easily recognizable methods.
 3. Prior to the event, a letter is submitted to and approved by the Field Office Manager.

4. FLOORS, WALLS, and CEILINGS (FOOD PREP AREAS)

Ceilings shall be made of wood, canvas, or other material that protects the interior of the establishment from the weather. Walls and ceilings shall be constructed in a way that prevents the entrance of insects. Doors to food prep areas shall be solid or screened and self-closing. Screening material used for walls, doors, or windows shall be in good repair and at least 16 mesh to the inch.

Establishments serving ONLY non-potentially hazardous foods (and the following potentially hazardous foods: hotdogs, frankfurters, and Polish or Italian sausages) are exempt from the protection requirement.

5. HANDWASHING

A convenient handwashing facility shall be available for employee handwashing. Handwashing facilities shall provide at least warm running water, soap, and individual paper towels.

Establishments which ONLY serve non-potentially hazardous foods may use hand-wipes in lieu of a handwashing facility.

6. FOOD PROTECTION

Food shall be protected from contamination during preparation, display, and service. *Each operation will be evaluated to determine if the proposed method of protection is adequate.* Appropriate screening of food preparation areas is the most common method of food protection for areas of extensive food preparation. In operations where there is limited or restricted food preparation, lids, covers, etc. may be acceptable.

7. SINGLE-SERVICE ARTICLES

All temporary food service establishments without effective facilities for cleaning and sanitizing tableware shall provide only single-service articles for use by the consumer.

8. WAREWASHING

Three adequately sized bins or buckets are allowable for washing, rinsing, and sanitizing of utensils in a permitted temporary food establishment as approved by the environmental health specialist.

9. WATER SUPPLY

Enough potable water shall be available in the establishment for food preparation, for cleaning and sanitizing utensils and equipment, and for handwashing. The temporary food establishment shall provide a method of heating enough hot water for these purposes. Where potable water is obtained from a spigot, a food-grade hose shall be used.

10. WASTEWATER DISPOSAL

The wastewater tank must be emptied into an approved sanitary sewer at the end of each day of operation.

11. SOLID WASTE

Solid waste/trash shall be contained in durable, easily cleanable, insect-proof containers that do not leak nor absorb liquids.

12. LEFTOVER FOODS

At the end of each day of operation, all potentially hazardous food that is held hot must be rapidly cooled to below 41° F within 4 hours. The cooling device must be located within a permitted food establishment. If this is not possible, then the food must be discarded.

13. FOOD SUPPLIES

All food items must be purchased from an approved, permitted food service establishment or supplier.

14. RESTROOMS

Restrooms are required to be available, though warm water for handwashing can be provided in the establishment. Portable restrooms are acceptable.

15. ADMINISTRATION

A food service establishment inspection report shall be completed on each temporary food service establishment. The inspection report shall contain, at a minimum, the owner, the establishment name, location, city, date, violations, and score. Inspections are not to be entered into the computer system in the same manner as regular inspections. Continue to account for time in the same manner as you always have. Retain inspection reports for ninety (90) days after the temporary event.

Frequently Asked Questions
Temporary Food Service

Permitting

1. **Item #3 - Are we to require the floors to meet the requirements before a permit can be issued?**
 - In temporary food service establishments, permitting is not withheld due to violations of non-critical items.

2. **Item #4 - Doors to food prep areas shall be solid or screened and self-closing. Are we eliminating tents with zippers, Velcro® etc.?**
 - Tents with zippers and or Velcro® used to keep the entrance-ways protected are acceptable in temporary food service operations, provided they are kept closed when not in use and maintained in good repair.

3. **Item #4 – Some funnel cake mix is hazardous and some is not. The hazardous mix is kept 41° or less. Will we require the vendors using hazardous mix to be screened?**
 - See answer to Question 5.

4. **When do potatoes need to be screened? Baked vs. fried.**
 - See answer to Question 5.

5. **Is screening always required at temporary food establishments that serve potentially hazardous foods?**
 - Food shall be protected from contamination during preparation, display, and service. *Each operation will be evaluated to determine if the proposed method of protection is adequate.* Appropriate screening of food preparation areas is the most common method of food protection for areas of extensive food preparation. In operations where there is limited or restricted food preparation, lids, covers, etc. may be acceptable.

Inspections

1. **Regarding the cooling of leftover food that was held hot. It states “the device must be located within a permitted food establishment.” Should we include the word “permanent,” since an approved temporary establishment is considered a permitted food establishment?**
 - It is important for the environmental health specialist to ask about how the food will be prepared, stored, and handled and recommend safe food handling practices. In a temporary food service situation, it is generally safer to discard any leftovers rather than attempt to cool and re-heat leftover potentially hazardous foods.
 - As long as the equipment is capable of adequately cooling cooked foods it is acceptable for the cooling unit to be located in the permitted temporary establishment.

- Item #14 would be marked in this situation.

Enforcement

3. What is the procedure if an operator fails to comply with a closure order?

- Contact your supervisor and or manager. A warrant can be sworn out against an operator who fails to comply with a closure order.

4. What do we do if we permit a temporary booth and it is in compliance, but then go back and the door is open or screening is down? Can we have a form letter to close on the spot?

- “In accordance with T.C.A. 68-14-318, in the case of temporary food service establishments, all violations shall be corrected within twenty-four (24) hours. If violations are not corrected within twenty-four (24) hours, the establishment shall immediately cease food service operation until authorized to resume by the local health officer or his duly authorized representative.”
- Please note that the rules and regulations specify a correction time of 24 hours on all violations in temporary food units, so do not attempt to suspend a temporary permit until the operator has had 24 hours to correct the violation. However, explain to the operator that the violation must be corrected as soon as possible.
- Food shall be protected from contamination during preparation, display, and service. *Each operation will be evaluated to determine if the proposed method of protection is adequate.* Appropriate screening of food preparation areas is the most common method of food protection for areas of extensive food preparation. In operations where there is limited or restricted food preparation, lids, covers, etc. may be acceptable.

General

1. Which copies of new permits go to the operator, and which do we keep?

- **Permit-** We keep the original permit to send to the Central Office. Give the operator either of the permit copies.
- **Receipt-** Give the operator the original receipt.

If you have questions about these guidelines, please contact Lee Mathis in the public health office in Hickman County at 931-729-3516 Ext. 112 or lee.mathis@tn.gov.

