

Temporary Event & Temporary Food Establishments (TFE) FAQs

What is a Temporary Event?

A temporary event is considered a coordinated activity or gathering that is seasonal in nature and is less than 14 consecutive days. These events may operate at a fixed location such as a farmers market or at various locations, including but not limited to festivals, community fairs, carnivals, bazaars, sporting events, and other public gatherings. These events may take place under conditions where limited resources may be available (water, electricity, waste disposal) and these situations must be considered when applying for a permit to participate.

An event is often not established for personal monetary gain, as it is often associated with a non-profit organization, political subdivision or other entity supporting a community gathering for the participation of the public. Events may be established by a business, but the event should be coordinated with the health department in advance to determine eligibility and compliance with state and local code. An activity or gathering at a business location that is announced, advertised and planned is considered an event. A private or public happening that is advertised and includes ticket sales to the public is considered an event.

What is NOT a Temporary Event?

- A self-declared event.
- Pop-up events that are not preplanned, with no coordination with the locality
- A fish fry, hot dog stand or other food sold at the local auto parts store or other business parking lot, unless it is a “grand opening” or other special event *sponsored by the business*.
- A fundraising event, unless it is *sponsored by a non-profit organization or church* (supporting documentation of the non-profit or church designation may be requested to confirm eligibility).
- Yard sales

Coordinators Planning and Packages

If you are a business or community organization planning an event, please review the PDSSHD Coordinator Package to determine the eligibility of the event and actions necessary to hold the event. Event planners should consult with the locality’s zoning and business departments and the local health department prior to finalizing an event. There may be local restrictions on events, pop-ups, mobile food units (food trucks), electric,

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water usage, sewage disposal or other activities in the city, town or county that could adversely affect your event plans.

These packages should be submitted on a monthly basis for businesses that have weekly food vendors at their facility. This will allow the tracking of events, numbers of food vendors, number of attendees and allow for proper inspection of food vendors.

What is a Temporary Food Establishment?

A temporary food establishment (TFE) is a food establishment that operates for a period of no more than 14 consecutive days in conjunction with a single event or celebration.

Section 12VAC5-421-3670 of the Virginia Food Regulations requires that an applicant seeking to operate a temporary food establishment shall submit an application for a permit at least 10 calendar days before the date planned for opening the temporary food establishment.

To review the requirements to obtain a TFE permit, please review the TFE Guidelines provided [HERE](#). Permit applicants must fully comply with the Virginia Food Regulations and are subject to inspections during the permit period. If the inspector determines the TFE is in violation of the Food Regulations, all violations shall be corrected immediately or within a maximum of 24 hours or the permit shall be suspended. The establishment shall immediately cease food service operations until authorized to resume by the inspector.

An application for a Temporary Food Establishment can be accessed on our websites or [CLICK HERE](#). All applicants and food handlers must present a professional attitude to the public and local officials. Disrespect, vulgarity or other inappropriate language or action by the permit holder or their employees or volunteers will not be tolerated. In the event such issues are encountered, the TFE permit will be immediately suspended.

For questions regarding TFEs, please contact us at (EMAIL ADDRESS).

How long is my TFE Permit valid?

All first time applicants will receive a permit valid for the duration of the event. If the event is one day, the permit will expire at the end of the event day. If the event duration is 3 days, the permit will expire at the end of the third day.

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Repeat applicants will receive a permit valid for the duration of the event, unless they are associated with repeat events, such as a farmers market or recurring business events (race tracks, brewery, winery, etc.). Only if the applicant is in good standing and has a history of excellent compliance with the Food Regulations will they receive an extended permit expiration date. Permits may be issued for an extended period of the vendor is listed on a coordinators package that has a date further than the initial date being applied for.

TFEs associated with coordinated events associated with a racetrack, brewery, winery or other business should be identified in Coordinator Packages submitted to the local health department by the sponsoring organization or business. The expiration date of the permit will depend on the status of the TFE and the risk category of the foods prepared.

Risk Category 1 foods may include pre-packaged ice cream, shaved ice, kettle corn, cotton candy, etc.

Risk Category 2 food may include tuna salad, coleslaw, hotdogs, BBQ, pre-cooked hamburgers or sausages, pre-wrapped sandwiches or pizza.

Risk Category 3 food may include cooked foods from raw ingredients, food that requires hot or cold holding, partially cooked foods, etc.

What do I do with my TFE Permit?

A TFE Permit must be posted where it can be easily seen by the public.

TFE Permits are not transferable from person to person.

How much does a TFE permit cost?

The permit fee is \$40. This fee is valid from the time the permit is issued until December 31st. If you pay a fee in May and participate in another event in November, your fee will transfer. You will need to apply for each event, but you will only pay the fee once per year.

Organizations under §35.1-25 and 35.1-26 of the Code of Virginia are exempt from TFE fees, even if they are participating in a non-exempt temporary event.

An individual who prepares and serves food in only one temporary event per year located within the locality in which they reside is exempt from an application fee.

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

Yes, unless you are an exempt organization holding your own event. What this means is you meet the criteria in the Code of Virginia, section 35.1-25 as being exempt and you are the sponsor of said event. (see next question for more clarification)

What is an exempt organization?

Churches, fraternal or school organizations, 501C3 organizations, volunteer fire departments & rescue squads are exempt. These organizations can hold occasional dinners, bazaars & other fund-raisers of one or two days duration at which food can be prepared in the homes of the members or in the kitchen of the organization & offered for sale to the public.

Do these organizations require a permit if they are not the sponsor of the event?

Yes, they would need to apply for a temporary food permit & meet the requirements just like any other food vendor at the event.

Is there a fee associated with the permit?

Yes, there is a \$40 permit fee. This fee is submitted with the first application that you submit. You need to save your receipt to show with future applications so that you will not have to pay the fee again in that calendar year. This fee is valid from January 1 to December 31 each year.

Does a mobile unit need a permit to participate in an event?

No, a yearly permitted mobile unit is not required to obtain a temporary event permit. Their yearly permit allows them to operate anywhere in the state. We always recommend that they contact the Health Dept in the area they plan on visiting to notify the local EHS that they will be coming to their jurisdiction. Most Health Dept will ask for them to send a copy of their yearly permit (sticker).

How does the Health Department know about upcoming events?

There is an event coordinator application that is required and should be submitted to the Health Department at least 30 days ahead of any scheduled event.

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Can I set up in a parking lot & sell my food?

No. We do not issue temporary food permits except in conjunction with an event.

I have heard that there are some areas of Southside that do not require any food vendors to have a food permit from the Health Department. Can you explain why that is?

Several governing bodies in the Southside Health District have passed local ordinances exempting events that happen in their locality. The Code of Virginia, section 35.1-26 allows governing bodies to pass such ordinances. The towns of Clarksville, Chase City & Boydton have passed ordinances, as well as the County of Brunswick. Please contact the Health Dept in Mecklenburg or Brunswick for further clarification on these prior to submitting an application in any of those areas.

Is the temporary food establishment required to meet the Certified Food Protection Manager mandate within the Virginia Food Regulations?

Yes, unless the TFE meets the exemptions detailed in 12VAC5-421-55B they are required to have at least one Certified Food Protection Manager with supervisory or managerial responsibilities to obtain a permit to operate.