

# Temporary Food Establishment Guide

Chesapeake Health Department



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### Introduction

This guide is intended to assist you in navigating the Chesapeake Health Department's requirements for temporary food establishments at special events. Whether you're planning to set up a food stall at a local festival, a community fair, or any other special event, understanding these requirements is key to a successful operation.

All the requirements outlined in this guide are based on the Virginia Food Regulations. These regulations are designed to ensure that food safety standards are maintained, protecting both vendors and consumers. By adhering to these guidelines, you can help ensure a safe food service operation at your event. The QR code provided below will direct you to the full Virginia Food Regulations.



[HTTPS://LAW.LIS.VIRGINIA.GOV/ADMINCODE/TITLE12/AGENCY5/CHAPTER421/](https://law.lis.virginia.gov/admincode/title12/agency5/chapter421/)

### What is a temporary food establishment?

Temporary food establishments are food establishments that operate temporarily at special events.

- Special events may include fairs, carnivals, circuses, multicultural celebrations, special interest fundraisers, food shows, and other temporary gatherings.
- They may operate indoor or outdoor for a period of no more than 14 consecutive days for a single event.



## Definitions

**Approved water supply:** a waterworks which has a valid waterworks operation permit from the department or a nonpublic water supply which is evaluated, tested, and if found in reasonable compliance with the construction standards of the Private Well Regulations (12 VAC 5-630) and the bacteriological water quality standards of the Virginia Waterworks Regulation (12 VAC 5-590), accepted and approved by the director or the director's designee.

**Consumer:** a person who is a member of the public, takes possession of food, is not functioning in the capacity of an operator of a food establishment or food processing plant, and does not offer the food for resale.

**Equipment:** an article that is used in the operation of a food establishment. "Equipment" includes items such as a freezer, grinder, hood, ice maker, meat block, mixer, oven, reach-in refrigerator, scale, sink, slicer, stove, table, temperature measuring device for ambient air, vending machine, or warewashing machine.

**Food-contact surface:** a surface of equipment or a utensil with which food normally comes into contact, or a surface of equipment or a utensil from which food may drain, drip, or splash into a food, or onto a surface normally in contact with food.

**Hazard:** a biological, chemical, or physical property that may cause an unacceptable consumer health risk.

**Packaged:** bottled, canned, cartoned, bagged, or wrapped, whether packaged in a food establishment or a food processing plant. Packaged does not include wrapped or placed in a carry-out container to protect the food during service or delivery to the consumer, by a food employee, upon consumer request.

**Permit:** a license issued by the department that authorizes a person to operate a food establishment.

**Ready-to-eat (RTE) food:** Food that:

1. Is in a form that is edible without additional preparation to achieve food safety;
2. Is a raw or partially cooked animal food and the consumer is advised; or
3. Is prepared in accordance with a variance.

"Ready-to-eat food" may receive additional preparation for palatability or aesthetic, epicurean, gastronomic, or culinary purposes.

"Ready-to-eat food" includes:

1. Raw animal food that is cooked or frozen;
2. Raw fruits and vegetables;
3. Fruits and vegetables that are cooked for hot holding;
4. All time/temperature control for safety food that is cooked to the temperature and time required and cooled;

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5. Plant food for which further washing, cooking, or other processing is not required for food safety, and from which rinds, peels, husks, or shells, if naturally present, are removed;
6. Substances derived from plants such as spices, seasonings, and sugar;
7. A bakery item such as bread, cakes, pies, fillings, or icing for which further cooking is not required for food safety;
8. The following products that are produced in accordance with USDA guidelines and that have received a lethality treatment for pathogens: dry, fermented sausages, such as dry salami or pepperoni; salt-cured meat and poultry products, such as prosciutto ham, country cured ham, and Parma ham; and dried meat and poultry products, such as jerky or beef sticks; and
9. Food manufactured as specified in 21 CFR Part 113.

**Sanitization:** the application of cumulative heat or chemicals on cleaned food-contact surfaces that, when evaluated for efficacy, is sufficient to yield a reduction of five logs, which is equal to a 99.999% reduction, of representative disease microorganisms of public health importance.

**Temporary food establishment:** a food establishment that operates for a period of no more than 14 consecutive days in conjunction with a single event or celebration.

**Time/temperature controlled for safety (TCS) food:** a food that requires time/temperature control for safety to limit pathogenic microorganism growth or toxin formation.

**Utensil:** a food-contact implement or container used in the storage, preparation, transportation, dispensing, sale, or service of food, such as kitchenware or tableware that is multiuse, single service, or single use; gloves used in contact with food; temperature sensing probes of food temperature measuring devices and probe-type price or identification tags used in contact with food.

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### Administration

Prior to operating at a special event in the City of Chesapeake, you must submit a complete application to the Chesapeake Health Department at least ten (10) calendar days prior to the date of the event. A complete application must include the following:

- Completed Temporary Food Establishment application
- Certified food manager certificate
- Drawing showing location of equipment
- Required fee (*\$40 once annually*)

### Permit

Temporary food establishment permits are issued as certificates and must be prominently displayed in public view during operation. Each permit is valid for 12 months and may be used at any temporary event within the Commonwealth of Virginia, as long as local requirements are met. Permits cannot be transferred to another person or business.

### Inspections

At your first event, you will receive a pre-operational inspection before you are allowed to begin operating. Once approved, you will receive a permit valid for 12 months. After that, your inspection frequency will be based on risk and may take place at any event you attend. However, you will not be required to wait for an inspection before you begin operating after you have received a permit.

### Certified Food Protection Manager

All food establishments in Virginia, including temporary food establishments, are required to employ at least one certified food protection manager. This person must have supervisory and management responsibility, and the authority to direct and control food preparation and service. The certificate must be obtained from an ANSI-accredited program. Online training and testing are available through State Food Safety and can be accessed using the QR code below.



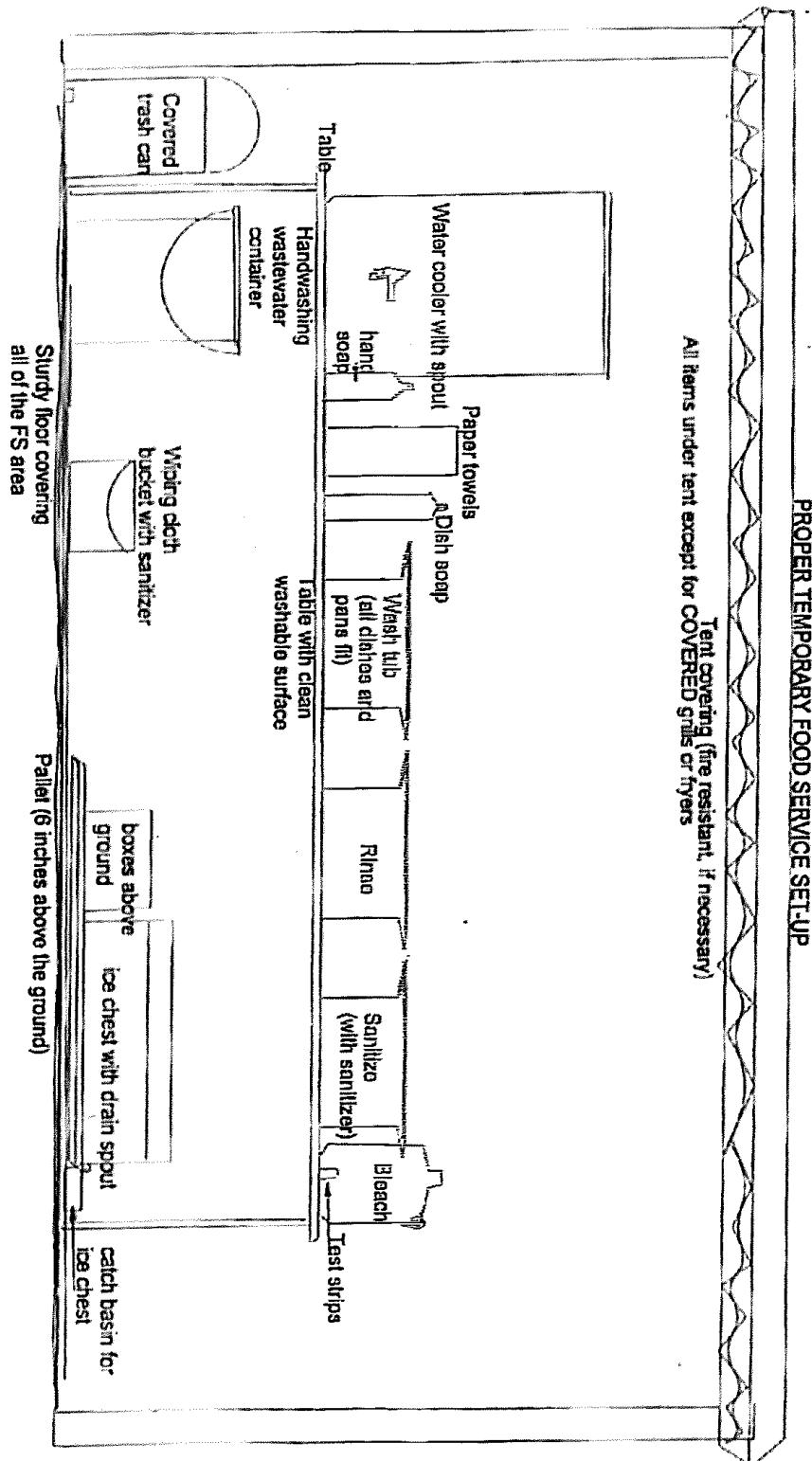
[HTTPS://CHESAPEAKE.STATEFOODSAFETY.COM/](https://chesapeake.statefoodsafety.com/)

You may be exempt from this requirement if you intend to restrict your menu to foods that only need cold-holding or reheating. Under this exemption, cooking raw animal products will not be permitted.

### Drawing

A drawing of your planned layout is required with your application so we can verify ahead of time that you will have all the required equipment. While this drawing should be clear and labeled, it does not need to be fancy. A simple sketch is preferred.

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**FIGURE 1: EXAMPLE OF A TEMPORARY FOOD ESTABLISHMENT LAYOUT**

## Requirements

### Structural

#### Overhead Protection

Overhead protection, such as a tent or canopy, is required for temporary food establishments to protect food from contamination.

Flame retardant overhead protection may be required for cooking that generates airborne grease. We recommend contacting the Community Risk Reduction (CRR) Division of the Chesapeake Fire Department at 757-382-2489 for further information regarding Statewide Fire Code requirements.

#### Ground Protection

Ground protection is required to control dust and prevent food contamination. Acceptable surfaces include concrete or asphalt. When operating on dirt, grass, or gravel, the ground must be covered with a tarp, mats, or other approved material.

## Equipment

### Hand Washing

All temporary food establishments must have a hand washing station. The station should be equipped with:

- Clean, potable water with a free-flowing spout
- Container to collect used water
- Hand soap
- Paper towels
- Trash can

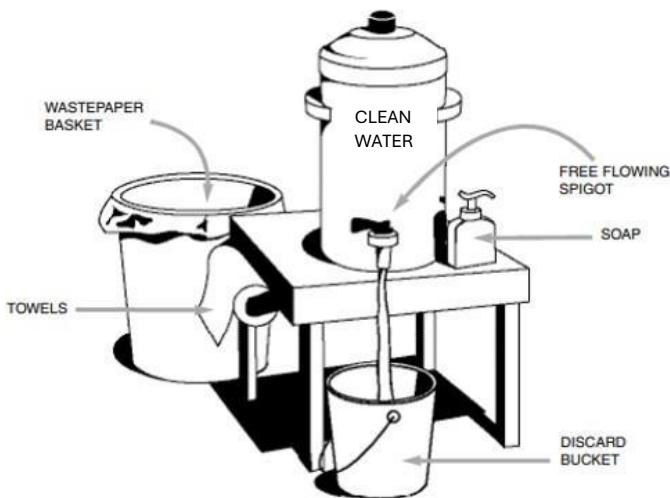


FIGURE 2: EXAMPLE OF A PORTABLE HAND WASHING STATION

### Dish Washing

A three-compartment sink set-

up is required for washing dishes or equipment at temporary events. The set-up should include:

1. Wash basin with dish detergent
2. Rinse basin with clean water
3. Sanitize basin with a sanitizing solution.
  - An approved sanitizer, such as bleach or quaternary ammonium, must be used to sanitize food contact surfaces after washing. Use test strips that are made for the sanitizer that you are using. The test strips will ensure that the sanitizer has been mixed according to the manufacturer's directions.

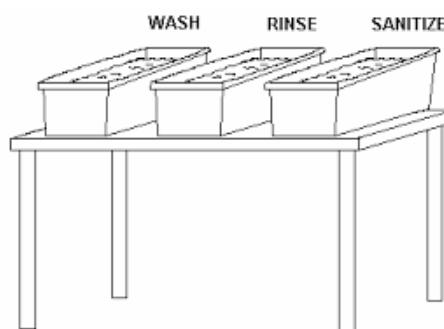


FIGURE 3: EXAMPLE OF A DISH WASHING SET-UP

## Water and Waste

### Water Supply

An adequate supply of potable water must be available on site for cooking, hand washing, dish washing, and drinking. Water must be collected from an approved water system with food-grade hoses and storage containers. An approved water system may be public or private, and must be pre-approved by the health department.

### Wastewater Disposal

Liquid waste must be disposed of in an approved sewage system. Wastewater and grease may not be dumped onto the ground surface, into waterways, or into storm drains.

### Garbage

Garbage, trash and refuse must be stored in enclosed containers and properly disposed of during and after the event.

## Food Safety

### Source

- Food products must be obtained from sources that comply with the law.
- All food must be prepared on-site. No home prepared food will be allowed.
- All food products must be wholesome and free from spoilage, microorganisms, toxic chemicals, and any other harmful substances that could pose health risks.
- Food products must be prepared, stored, handled, or displayed in a manner that ensures safety for consumption.
- All meat and poultry must come from USDA or other acceptable government regulated approved sources.
- Ice must be made from potable water.

### Food Temperatures

A food thermometer is required for monitoring temperatures of food.

Regular calibration of the thermometer is recommended to ensure accurate food temperature measurements.



### Cooking

Food must be cooked to at least the minimum temperatures and times specified below, unless a consumer advisory is provided.

Internal Cooking Temperature Specifications for Raw Animal Foods	
Raw Animal Foods	Internal Cooking Temperature/Time
<ul style="list-style-type: none"><li>• Raw eggs cooked for immediate service</li><li>• Fish, except as listed below</li><li>• Intact meat</li><li>• Commercially raised game animals and game animals under a voluntary inspection</li><li>• Fish, Pork, and Meat not otherwise specified in this chart</li></ul>	145°F (63°C) for 15 seconds

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<ul style="list-style-type: none"> <li>• Ratites (Ostrich, Rhea and Emu)</li> <li>• Non-intact meat</li> <li>• Raw eggs not intended for immediate service</li> <li>• Comminuted fish and commercially raised game animals, and game animals under a voluntary inspection program</li> </ul>	145°F (63°C) for 3 minutes, 150°F (66°C) for 1 minute, 155°F (68°C) for 17 seconds, <b>OR</b> 158°F (70°C) for < 1 second (instantaneous)
<ul style="list-style-type: none"> <li>• Poultry</li> <li>• Baluts</li> <li>• Stuffed fish; stuffed meat; stuffed pasta; stuffed poultry; stuffed ratites; or stuffing containing fish, meat, poultry, or ratites</li> <li>• Wild game animals</li> </ul>	165°F (74°C) for <1 second (instantaneous)
• Food cooked in a microwave oven	Rotated or stirred throughout cooking for even distribution of heat, covered to retain surface moisture, 165°F (74°C) in all parts of the food, and held covered for 2 minutes after cooking.
• Commercially packaged food	Follow manufacturer's cooking instructions before use in ready to eat foods or offered in unpackaged form for human consumption.
• Plant foods cooked for hot holding including fruits, vegetables, grains	135°F (57°C)

### Holding

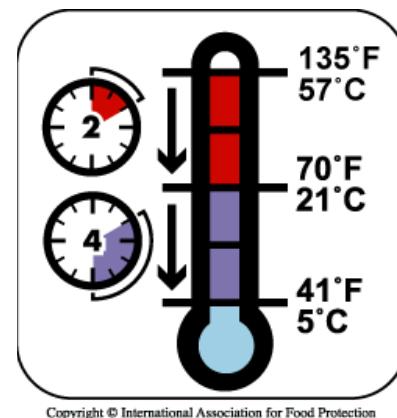
- Hot holding TCS food must be maintained at 135°F or higher.
- Cold holding TCS food must be maintained at 41°F or below.
- Food must be transported to event in a manner that protects food from contamination and maintains safe temperatures of food.

### Cooling

- Cooked TCS food must be cooled from 135° F to 70° F within 2 hours; and from 135°F to 41° F within a total of 6 hours or less.
- TCS food must be cooled within 4 hours to 41°F (5°C) or less if prepared from ingredients at ambient temperature.

### Reheating for Hot Holding

- TCS food that is cooked, cooled, and reheated for hot holding must be rapidly reheated so that all parts of the food reach a temperature of at least 165° F for 15 seconds within 2 hours or less.
- Commercially processed and packaged foods shall be reheated to 135°F within 2 hours or less for hot holding.



## Thawing

The following methods may be used to thaw frozen food:

- Under refrigeration that maintains the food temperature at 41°F (5°C) or less
- Submerged under cool running water no greater than 70°F (21°C)
- Cooking food from frozen state

## Cleaning Food Contact Surfaces

### Equipment

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
- If in-use with TCS food, cleaned throughout the day at least every 4 hours
- At any time during the operation when contamination may have occurred

### Surfaces

Surfaces may be sanitized using a labeled spray bottle of sanitizer or clean wiping cloths stored in a sanitizing bucket. Wiping cloths used for wiping food spills must be stored in a sanitizing solution.

## Personal Hygiene

- Maintain a high degree of personal cleanliness and conform to good hygienic practices during all working periods. This includes having clean outer garments, aprons and effective hair restraints.
- Do not eat (including chewing gum) or use any tobacco products in the food preparation and service areas. An employee may drink from a closed beverage container if the container is handled to prevent contamination.
- Do not touch exposed, ready-to-eat food with bare hands. Use suitable utensils such as deli paper, spatulas, tongs, single-use gloves or dispensing equipment.
- Employees with communicable diseases which can be transmitted through food must be excluded and/or restricted from food activities.
- Employees who have a lesion containing pus such as a boil or infected wound that is open or draining on their hands or arms must have it properly bandaged and covered with an impermeable bandage if on the arms or an impermeable cover such as a glove and finger cot if it is on the wrists or hands.

## Food Protection

- Protect your food from cross contamination by separating raw animal foods from ready-to-eat foods and separating raw animal foods from each other.
- All food products, food equipment, and single service items (plates, cups, and tableware) must be stored six (6) inches off the ground. Plastic bread pallets and empty boxes may be used for this purpose.
- Precautions are to be taken to minimize contamination of food by patrons during the preparation, cooking, and display process.