

Chapter 12

Catering and Food Delivery

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12-1 Definitions

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12-101 Applicability and Listing of Terms

12-101.11 Interpretation and Listing of Terms

The following definitions shall apply in the interpretation and application of this Chapter.

12-102 Definitions

CATERING FOOD ESTABLISHMENT means an APPROVED FOOD ESTABLISHMENT that is serving or preparing FOOD at a location other than its PERMITTED location for a contracted FOOD service event. This also includes a place of business or organization that routinely contracts with a CATERING FOOD ESTABLISHMENT to provide FOOD items for individual sale to employees or members of that business, if the FOOD was prepared in a COMMISSARY and transported, displayed, handled and offered for sale as specified in these Regulations.

CATERING FOOD ESTABLISHMENT does not include:

- (A) FOOD ordered as take-out or delivery from the FOOD ESTABLISHMENT that prepared the FOOD, where the FOOD is given to the CONSUMER for self-service, including but not limited to pizza delivery or fried chicken delivery. FOOD delivered by a third-party FOOD DELIVERY SERVICE is not exempt from these Regulations.
- (B) FOOD that is brought from home and presented pot-luck style in a place of business for consumption by the employees of that business, without payment, as long as the business does not offer the FOOD to the public.
- (C) FOOD that is prepared and offered for free distribution to feed the needy, whether done by a charitable organization, a private citizen, citizen group, or a business.

EVENT LOCATION means an UNPERMITTED location that is not owned by the caterer where FOOD is distributed to guests at a contracted private event.

FOOD DELIVERY SERVICE means a business that picks up prepared FOOD from a PERMITTED FOOD ESTABLISHMENT including but not limited to a full-service restaurant for immediate delivery to the end user. The business solely transports the FOOD and is prohibited from preparing or handling open FOOD. This term does not include delivery drivers who work for the FOOD ESTABLISHMENT from which the FOOD originates or delivery of FOOD from retail grocery stores.

PERMANENT CATERING SUPPORT PANTRY/BANQUET SUPPORT PANTRY means a facility that is owned or leased by a caterer and serviced by, but remote from, the CATERING FOOD ESTABLISHMENT, for the purpose of conducting banquet service at the remote location, and that maintains at the remote location permanently installed FOOD service EQUIPMENT and or FOOD storage.

REMOTE SERVICE SITE means a PERMITTED location that is not owned by the caterer where FOOD items, provided by the caterer, are sold by the piece to individual CONSUMERS for a limited period of time in any one 24-hour period.

12-2 Plan Review

Subparts

- 12-201 Commissary Kitchen/Catering Kitchen/Banquet Kitchen**
- 12-202 Remote Service Site**
- 12-203 Permanent Catering Pantry/Banquet Support Pantry**

12-201 COMMISSARY Kitchen/Catering Kitchen/Banquet Kitchen

12-201.11 Plans

An applicant for a COMMISSARY Kitchen/Catering Kitchen/Banquet Kitchen shall submit to the HEALTH AUTHORITY properly prepared plans and specifications for review and approval, as specified in Chapter 4 of these Regulations.

12-202 REMOTE SERVICE SITE

12-202.11 Plans

An applicant for a REMOTE SERVICE SITE PERMIT shall submit to the HEALTH AUTHORITY properly prepared plans, and specifications for review and approval, as specified in Chapter 4 of these Regulations.

12-203 Permanent Catering Pantry/Banquet Support Pantry

12-203.11 Plans

An applicant for a PERMANENT CATERING SUPPORT PANTRY/BANQUET SUPPORT PANTRY permit shall submit to the HEALTH AUTHORITY properly prepared plans and specifications for review and approval, as specified in Chapter 4 of these Regulations.

12-3 Food Protection

Subparts

- 12-301 Food Protection**
- 12-302 Food Packaging**
- 12-303 Food Transportation**
- 12-304 Food Delivery**
- 12-305 Food Service**

12-301 FOOD Protection

12-301.11 Protection

All FOOD stored, prepared, displayed, served, or sold by a CATERING FOOD ESTABLISHMENT, or transported from such establishments, shall be protected against temperature abuse, vermin, and any other source of CONTAMINATION.

12-302 FOOD Packaging

12-302.11 Commercially PACKAGED FOOD in Individual Packages

- (A) FOOD purchased by a CATERING FOOD ESTABLISHMENT, that is PRE-PACKAGED for individual sale or use, including but not limited to potato chips, cookies, JUICE boxes, or half-pints of milk shall remain in the individual packaging for delivery to the CONSUMER. Re-packaging or re-labeling of PRE-PACKAGED FOOD for individual use is prohibited. A CATERING FOOD ESTABLISHMENT shall not re-package FOOD labeled for individual use.
- (B) Commercially PACKAGED bulk FOOD, including but not limited to large bags of potato chips or cookies, may be divided into portions only if part of a meal and all FOOD handling requirements are met.
- (C) Individual sale of BEVERAGES shall be in PRE-PACKAGED containers. If the BEVERAGE is offered as part of a contracted meal service, the BEVERAGE may be served by FOOD HANDLERS from bulk containers.

12-302.12 FOOD Labeling

FOOD offered for individual sale over the counter, including but not limited to sandwiches, cookies, bagels, or donuts shall be individually wrapped in FOOD-GRADE material or placed in an APPROVED FOOD container. If sold at a remote self-service counter, all PACKAGED FOOD shall be labeled as specified in Chapter 3-602.11 of these Regulations.

12-303 FOOD Transportation

12-303.11 EQUIPMENT

- (A) All EQUIPMENT used in FOOD transport shall maintain required temperature of FOOD items for the entire time the FOOD is in transit.
- (B) All EQUIPMENT shall meet the specified requirements of Chapter 4-201.11 of these Regulations, and shall be maintained in good repair.
- (C) All cold holding EQUIPMENT shall maintain required FOOD temperatures at 41°F±2°, or below, while the FOOD is in the VEHICLE awaiting transport and during transportation to the final destination.

- (D) All hot holding EQUIPMENT shall maintain required FOOD temperatures at 135°F±2°, or above, while the FOOD is in the VEHICLE awaiting transport and during transportation to the final destination.
- (E) All clean and sanitized TABLEWARE, UTENSILS, and LINEN shall be covered, stored, and transported in an APPROVED manner to protect the items from CONTAMINATION.

12-303.12 Transportation VEHICLES

The HEALTH AUTHORITY shall have access to any VEHICLE utilized by a CATERING FOOD ESTABLISHMENT to ensure that:

- (A) The VEHICLE used for transportation is constructed, equipped, and maintained in a manner that protects all FOOD, EQUIPMENT, UTENSILS, TABLEWARE, and LINEN from CONTAMINATION.
- (B) The VEHICLE is maintained clean, free of trash, FOOD debris, spills, insects, or any other source of CONTAMINATION to the FOOD or EQUIPMENT.
- (C) Any chemical substances, transported in the same VEHICLE as food, are properly and securely segregated from the FOOD and FOOD service EQUIPMENT.
- (D) Soiled TABLEWARE, UTENSILS, and LINEN shall be properly and securely segregated from FOOD and clean EQUIPMENT during transport to prevent CROSS-CONTAMINATION.
- (E) Unauthorized access to, or tampering with, FOOD, packages, and other items in the VEHICLE is prevented.

12-303.13 FOOD Temperature Requirements During Transportation

- (A) Immediately prior to transport all PHF (TCS) temperatures shall be taken and recorded on a log to ensure that the FOOD is placed in the VEHICLE at temperatures as specified in Chapter 3-401 through 3-403 of these Regulations. The log shall be made available to the HEALTH AUTHORITY upon request.
- (B) FOOD provided for transport by a FOOD DELIVERY SERVICE for immediate delivery to the customer, shall be temperature checked by the CATERING FOOD ESTABLISHMENT prior to transport. At no time shall the driver or any other employee of the FOOD delivery VEHICLE have direct contact with the FOOD during transport.
- (C) Upon arrival at the event or catering location the PERSON IN CHARGE shall take and record on a log the temperatures of all PHF (TCS). This does not apply to FOOD DELIVERY SERVICES.
- (D) FOOD that is not within the required temperature range at delivery, as required by these Regulations, shall be consumed or discarded within four hours. If rethermalization or cooling EQUIPMENT is available, FOOD shall be reheated or cooled as specified in these Regulations.

12-304 FOOD DELIVERY

12-304.11 Service

A FOOD DELIVERY SERVICE shall ensure that:

- (A) Its employees shall only pick up and deliver PACKAGED FOOD TO A REMOTE SERVICE SITE from a PERMITTED FOOD ESTABLISHMENT.
- (B) Before transportation the employee shall ensure that:
 - (1) The FOOD is loaded in a manner that prevents excessive shifting within the VEHICLE.
 - (2) The FOOD is strategically loaded to minimize heat exchange between hot and cold FOOD.
 - (3) The FOOD is properly stored and segregated to protect it from any source of CONTAMINATION.
- (C) During and upon delivery, the employee shall ensure that all hot and cold holding EQUIPMENT is kept clean, sanitized, and in good repair.
- (D) Upon delivery the employee shall not participate in the set-up or service unless they possess a valid FOOD HANDLER HEALTH CARD.

12-305 FOOD Service

12-305.11 FOOD Set-up and Service at a REMOTE SERVICE SITE or at an EVENT LOCATION

A CATERING FOOD ESTABLISHMENT shall ensure that FOOD is delivered to a REMOTE SERVICE SITE EVENT or to an EVENT LOCATION at required temperatures and is protected from CONTAMINATION.

- (A) All FOOD items shall be stored at least 6" above the floor or ground during temporary storage, set-up, and service.
- (B) Adequate HAND WASHING SINKS shall be provided at the REMOTE SERVICE SITE or at an EVENT LOCATION where open FOOD preparation and/or dish-up are occurring.
 - (1) One or more self-contained or permanently plumbed HAND WASHING SINKS with hot and cold water service under pressure shall be provided. A self-contained HAND WASHING SINK shall meet NSF/ANSI or equivalent standards, and be capable of containing at least 5 gallons of potable water, 2.5 gallons of hot water, and 7.5 gallons of waste water.
 - (2) Liquid hand soap in a pump dispenser, as well as single-use paper towels dispensed in a sanitary manner, shall be available at the HAND WASHING SINK.

- (3) Waste water from the HAND WASHING SINK shall drain into a designated container designed to prevent splash or overflow. The waste water container shall be emptied as needed into a sanitary sewer.
- (4) A waste receptacle shall be located near the HAND WASHING SINK for disposal of paper towels.
- (5) Hand sanitizers and single-service gloves may be used, but are not a substitute for hand washing.
- (C) The PERSON IN CHARGE of FOOD service during the event shall ensure that:
 - (1) FOOD that is not within the required temperature range at service, as specified by these Regulations, shall be consumed or discarded within four hours.
 - (2) All hot and cold holding EQUIPMENT continues to function as designed during the FOOD service period.
 - (3) Minimal bare hand contact with READY-TO-EAT FOOD occurs. Where bare hand contact is unavoidable, a HAND WASHING SINK shall be located in the immediate FOOD preparation area and shall be used by the employees.
- (D) UTENSILS used to serve catered FOOD shall:
 - (1) Meet the requirements of Chapter 4-201.11 of these Regulations and be maintained in good repair.
 - (2) Be stored in the FOOD with the handle extended out of the FOOD, on a clean surface, or in a clean container.
 - (3) Be replaced every four hours or sooner if observed to be mishandled by the guest, dropped, or otherwise contaminated during the serving process.

12-4 Post Event Breakdown

Subpart

12-401 Post Event

12-402 Clean-Up

12-401 Post Event

12-401.11 Breakdown

- (A) Open or PHF (TCS) not consumed at a REMOTE SERVICE SITE or at an EVENT LOCATION shall not be utilized by the caterer for any subsequent events unless the FOOD was held at required temperatures and protected from CONTAMINATION at all times.
- (B) Any non-PHF (TCS) PRE-PACKAGED SINGLE-USE ARTICLES including but not limited to cans or bottles of soda, individually apportioned CONDIMENTS, and similar items may be retained for re-use.
- (C) All soiled UTENSILS, EQUIPMENT, TABLEWARE, and LINEN shall be returned to the COMMISSARY at the completion of the catered event for cleaning, sanitizing, and storage.
- (D) All FOOD, waste, trash, and debris shall be discarded in an APPROVED manner.

12-402 Clean-Up

12-402.11 Cleaning Supplies and Other Chemical Substances

Unless otherwise pre-arranged with the host of the event, the caterer shall provide cleaning supplies for clean-up leaving the event site in a clean and sanitary condition,

12-402.12 Cleaning Supplies and Other Chemical Substances During Transport

During transport, all cleaning supplies including but not limited to hand soap, detergent, sanitizing agents, brooms, mops, wiping cloths, buckets, etc., shall be properly segregated to protect re-useable items from CONTAMINATION.

12-5 Commissary

Subpart

12-501 Commissary

12-501 COMMISSARY

12-501.11 Functions

EQUIPMENT, UTENSILS, TABLEWARE, and LINEN returned to the COMMISSARY shall:

- (A) Be cleaned, sanitized, air-dried, and properly stored as specified in Chapter 4-4 and 4-5 of these Regulations.
- (B) Have all solid waste generated during catering and clean-up operations disposed of in an APPROVED container for solid waste. Garbage shall be picked up with a frequency to prevent accumulation of putrescible garbage and other waste that may cause a public health HAZARD.
- (C) Have all liquid waste disposed into a sanitary sewer through a grease trap if required. Waste water is not allowed to be disposed of into the storm drain, onto the asphalt, or other areas around the COMMISSARY.

12-6 Personnel

Subparts

12-601 Health Card

12-602 Hygienic Practices

12-601 HEALTH CARD

12-601.11 FOOD HANDLER HEALTH CARD

Any employee of a CATERING FOOD ESTABLISHMENT engaged in handling, storing, transporting, preparing, manufacturing, serving, or selling open FOOD, or who comes in contact with eating or cooking UTENSILS, or other EQUIPMENT used in the handling, preparation, manufacture, service, or sale of FOOD shall possess a valid FOOD HANDLER HEALTH CARD issued by the HEALTH AUTHORITY.

12-602 Hygienic Practices

12-602.11 Hand Washing

The caterer shall ensure that FOOD HANDLERS wash their hands:

- (A) Before beginning, and after ending, their shifts.
- (B) After using the toilet.
- (C) After smoking, eating, or drinking.
- (D) After handling raw FOOD.
- (E) Before and after loading and unloading FOOD and FOOD service EQUIPMENT from their VEHICLES.
- (F) Before and after setting up FOOD service lines.
- (G) Before serving FOOD during table service.
- (H) After retrieving soiled TABLEWARE in the bussing process.
- (I) Before any contact with FOOD, FOOD service EQUIPMENT, or other items.
- (J) After any other activity in which their hands become soiled or otherwise contaminated as specified in Chapter 2 of these Regulations.

12-602.12 Hair Restraint

FOOD HANDLERS who prepare or serve FOOD shall restrain their hair as specified in Chapter 2-402.11 of these Regulations.

12-602.13 Tobacco Use

FOOD HANDLERS shall not use tobacco in any form while engaged in preparation and service of FOOD.