

**CITY OF MARSHALL
CONSUMER HEALTH GROUP**
P.O. Box 698, Marshall, Texas 75671
(903) 935-4427 Fax (903) 935-4565

VENDOR PERMIT POLICY AT EVENTS

The **City of Marshall Consumer Health Group** is the governmental entity designated by the *Texas Department of State Health Services* to oversee and conduct the various health inspection services for the **City of Marshall and Harrison County**, Texas.

Vendors at the following events are inspected and issued a **Temporary Permit** for the length of that event at a **permit fee of \$25.00** which is collected by us. This permit fee is collected from **all vendors**, regardless of whether they are permitted in the City of Marshall or Harrison County. The event organizers likewise charge fees for lot locations which is entirely separate from our fee. (Permitted Harrison County **Caters** no inspection fee charged.)

The events are as follows:

- *Stagecoach Days*
- *Cinco de Mayo Festival*
- *Fire Ant Festival*
- *Western Days (Hallsville)*
- *Wonderland of Lights*
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- 7) **Non profit organizations exempt.** Food service establishments, the net earnings of which are used **in whole** for charity, church funds or public welfare, **shall meet all requirements of this order with the exception of the fee and permit.** However, written proof of such nonprofit status shall be provided to COMCHG prior to commencement of any operations. The inspection report posted at the site of operations will serve as documentation.

ARTICLE VII. TEMPORARY FOOD ESTABLISHMENTS

Secs. 13A-87. Requirements.

(a) *Generally:* A temporary food establishment shall comply with all provisions of this chapter which are applicable to its operation; provided, that the health authority may augment such requirements when needed to assure the service of safe food, may prohibit the sale of certain potentially hazardous food, and may modify specific requirements for physical facilities when in his opinion no imminent health hazard will result.

(b) *Reason:* Due to the nature, location and variety of conditions surrounding the operation of temporary food establishments, at fairs, carnivals and other transitory gatherings, it is frequently infeasible to provide certain physical facilities required for "permanent" establishments. In order to assure adequate protection of food served by temporary establishments which are unable to meet fully the requirements of this chapter, it may be necessary to restrict the types of food sold or the methods by which served, to modify some requirements for procedures and facilities, and to impose additional requirements.

(c) *Compliance:* This section shall be deemed to have been satisfied when the following requirements are met:

(1) *Unrestricted establishments:* For unrestricted food-service operations, a temporary food establishment shall meet fully the requirements of this chapter, as set forth in articles II through VI, which are applicable to its operation.

(2) *Restricted establishments:* When, in the opinion of the health authority, no imminent hazard to the public health will result, temporary food establishments which do not fully meet the requirements of articles II through VI of this chapter may be permitted to operate when food preparation and service are restricted and deviations from full compliance are covered by the additional or modified requirements, as set forth below:

a. The preparation of potentially hazardous food, such as cream-filled pastries, custards and similar products, and meat, poultry and fish in the form of salads or sandwiches, shall be prohibited; provided, that this prohibition shall not apply to hamburgers, frankfurters and other food which, prior to service, requires only limited preparation, such as seasoning and cooking; and provided further, that this prohibition shall not apply to any potentially hazardous food which is obtained in individual servings, is stored in approved facilities which maintain such food at safe temperatures, and is served directly in the individual, original container in which it was packaged at a commercial food establishment.

b. Ice which will be consumed, or which will come into contact with food, shall be obtained from an approved source and/or ice machines in chipped, crushed or cubed form. Such ice shall be obtained in closed containers of an approved type and shall be held therein until used.

c. Wet storage of potentially hazardous packaged food and beverage shall be prohibited; provided, that wet storage of pressurized containers of beverages may be permitted when:

1. The water contains at least fifty (50) ppm of available chlorine; and
2. The iced water is changed frequently enough to keep both the water and container clean.

ARTICLE VII. TEMPORARY FOOD ESTABLISHMENTS

- d. Food-contact surfaces of food-preparation equipment such as grills, stoves and worktables shall be protected from contamination by customers and dust. Where necessary, effective shields shall be provided.
- e. Equipment shall be installed in such a manner that the establishment can be kept clean and so that food will not become contaminated.
- f. An adequate supply of water for cleaning and hand washing shall be maintained in the establishment; and auxiliary heating facilities, capable of producing an ample supply of hot water for such purposes, shall be provided.
- g. Liquid waste which is not discharged into a sewerage system shall be disposed of in such a manner as not to create a public health hazard or nuisance condition.
- h. Adequate facilities shall be provided for employee hand washing. Such facilities may consist of a pan, water, soap and individual paper towels.
- i. Floors shall be of tight wood, asphalt or other cleanable material; provided, that the health authority may accept dirt or gravel-covered floors when graded to preclude the accumulation of liquids and covered with removable cleanable, wooden platforms or duckboards.
- j. Walls and ceilings shall be so constructed as to minimize the entrance of flies and dust. Temporary construction may be accepted. Ceilings may be of wood, canvas or other materials which protect the interior of the establishment from the elements; and walls may be of such materials or of 16-mesh screening or equivalent. When flies are prevalent, counter service openings shall either be equipped with self-closing, flytight doors, or the openings protected by effective fans. Where fans are used for this purpose, the size of the opening shall be so limited that the fans employed will effectively prevent the entrance of flies.
- k. Any other requirement deemed necessary by the health authority to protect the public health in view of the particular nature of the food establishment operation shall be met.

(Ord. No. O-76-20, § G, 9-9-76)

- Thermometers will be needed for Potentially Hazardous Foods.
- ALL PHF must be held at 135° or more (hot) or 41° or below (cold hold)
- No Bare hand Contact on ready to eat items. Unless pre-pkg or wrapped.

CITY OF MARSHALL CONSUMER HEALTH GROUP TEMPORARY FOOD SERVICE ESTABLISHMENT PERMIT REQUIREMENTS AND COMPLIANCE GUIDELINES

PERMIT REQUIRED: Each temporary food service establishment shall pay for a food permit issued by the City of Marshall Consumer Health Group, unless operating as a 501(C) non-profit organization exemption under the Internal Revenue Code; or religious organizations meeting the definition of "church" under the Internal Revenue Code, 170(b) (1)(A)(1).

FOOD PREPARATION: Food shall be obtained from approved sources and be in sound condition. **Food shall be prepared only in permitted or licensed establishments.** The U.S. Public Health Service recommends that meat and poultry products be cooked to the following *minimum internal temperatures*: *poultry – 165 degrees Fahrenheit (°F), ground meats – 155° F, pork – 155°F, and other meats – 145°F.* **Potentially hazardous foods** (i.e. foods which consist in whole or in part of milk or milk products, eggs, meat and seafood) shall be held at 41°F or lower, or at 135°F or above. **Equipment adequate to cook and maintain foods at the required temperatures shall be provided. A properly scaled, metal stem-type thermometer shall be used to monitor the proper internal cooking and holding temperatures of** potentially hazardous foods. **Packaged foods shall not** be stored in contact with water or undrained ice.

EQUIPMENT: food, utensils, and single service articles shall be protected from contamination during storage, preparation, display, and service. Utensils, including ice scoops, shall be provided to minimize handling of foods. Food contact surfaces shall be easily cleanable; and washed, rinsed, and sanitized as necessary. Three suitably sized basins, detergent, and sanitizer shall be provided for cleaning equipment and utensils.

PERSONAL HYGIENE: Personnel shall maintain a high degree of personal cleanliness and conform to good hygienic practices. They shall be free of infections which can transmit **FOOD BORNE ILLNESS**. Hands shall be washed as often as needed during food preparation. A handwash sink or container of water with a spigot, a catch basin, soap, and sanitary towels shall be provided for handwashing. Use of tobacco or eating food in preparation and serving areas is prohibited.

WATER: A sufficient supply of potable water shall be provided to prepare food and to clean hands, equipment, and utensils.

TOILET FACILITIES AND WASTE DISPOSAL: Conveniently located toilet facilities shall be provided. All sewage and wastewater shall be disposed of through a sewage system according to law. Adequate, covered containers for refuse and garbage shall be provided.

BOOTH CONSTRUCTION: Booths shall be constructed with barriers to protect the food and control access. Subflooring shall be graded to drain, and dust shall be controlled. Floors shall be constructed of concrete, asphalt, tight wood, tarps, outdoor carpet or other cleanable material **approved** by the health authority. Ceilings over food preparation areas shall be constructed of wood, canvas, or other materials to protect against the weather. Pests (flies, roaches, or rodents) shall be controlled. No animals allowed in the Food Establishment area. Doors, walls, screening, and other measures may be required when necessary to restrict the entrance of flying insects and/or animals.

ADVISORY: Section 229.170 of the Rules on Food Service Sanitation provides that "The regulatory authority may impose additional requirements to protect against health hazards related to the conduct of the temporary food service establishment may prohibit the sale of some or all potentially hazardous , foods, and when no health hazard will result, may waive or modify requirements of these rules." Failure to comply with these requirements may result in the immediate suspension of the permit and the assessment of penalties as provided by the Texas Health and Safety Code, Chapter 437.

PREVENTING FOODBORNE ILLNESS IS A RESPONSIBILITY SHARED BY ALL INDIVIDUALS INVOLVED IN FOOD PRODUCTION, DISTRIBUTION, AND PREPARATION. IF YOU HAVE QUESTIONS OR NEED FURTHER ASSISTANCE, PLEASE CONTACT THE CITY OF MARSHALL CONSUMER HEALTH GROUP, 117 EAST BOWIE, MARSHALL, TX 75670 - PHONE #903-935-4427/FAX #903-935-4565.

Baked Goods:

Non-potentially hazardous items, which may include cookies, cakes, etc. may be prepared at home for sale at the event but must be labeled with ingredients for allergy purposes. They must also have "not inspected by the Health Department" on the label.

Items such as burgers, hot dogs, potato salad, etc. must be cooked and prepared on site at the event, as they are potentially hazardous.

For questions please contact Christine Gross, Consumer Health Group Inspector at 903-935-4427 or gross.christine@marshalltexas.net

She will be at the event to inspect and issue permits.