

# Department of Environmental Health (EH)

Denver's outdoor events attract over two million visitors annually and reflect the many cultures, traditions, and people that make up the Mile High City. The success of these events is based in part on the local vendors who return each year to participate. **Denver's Department of Environmental Health (EH)** works closely with vendors to ensure that the health of the public is protected at all times. You may be overwhelmed by the number of regulations governing your operation; keep in mind that all of the guidelines exist for a reason. The health and safety of your customers should be your top priority, and it is your responsibility to comply with local food code.

For additional information call (720) 913-1311 or visit [Denver Public Health Inspections](#)

## Selling Food at Outdoor Festivals

### Event Coordinators:

- Familiarize yourself with the regulations governing temporary restaurants.
- Provide a diagram and list of vendors to EH 15 days prior to the event.
- Ensure that all the temporary restaurants you allow to participate in your event have a Temporary Retail Food License that has been issued by the City and County of Denver.
- Provide adequate hand washing facilities at portalettes, and equip them with soap and drying devices.
- Ensure that power, dumpsters, and gray water disposal barrels are available in adequate supply and that all temporary food vendors operators know where to find them.
- Ensure that adequate power sources are available to support event vendors.
- Familiarize yourself with the available Environmental Health materials and forms.
- The Department of Environmental Health recommends that organizers supply diaper-changing stations equipped with a waste receptacle, sanitizing solution, and a separate hand-washing station. Diaper-changing stations should not be set up near food booths.

### Forms Event Coordinators provide to Food Vendors:

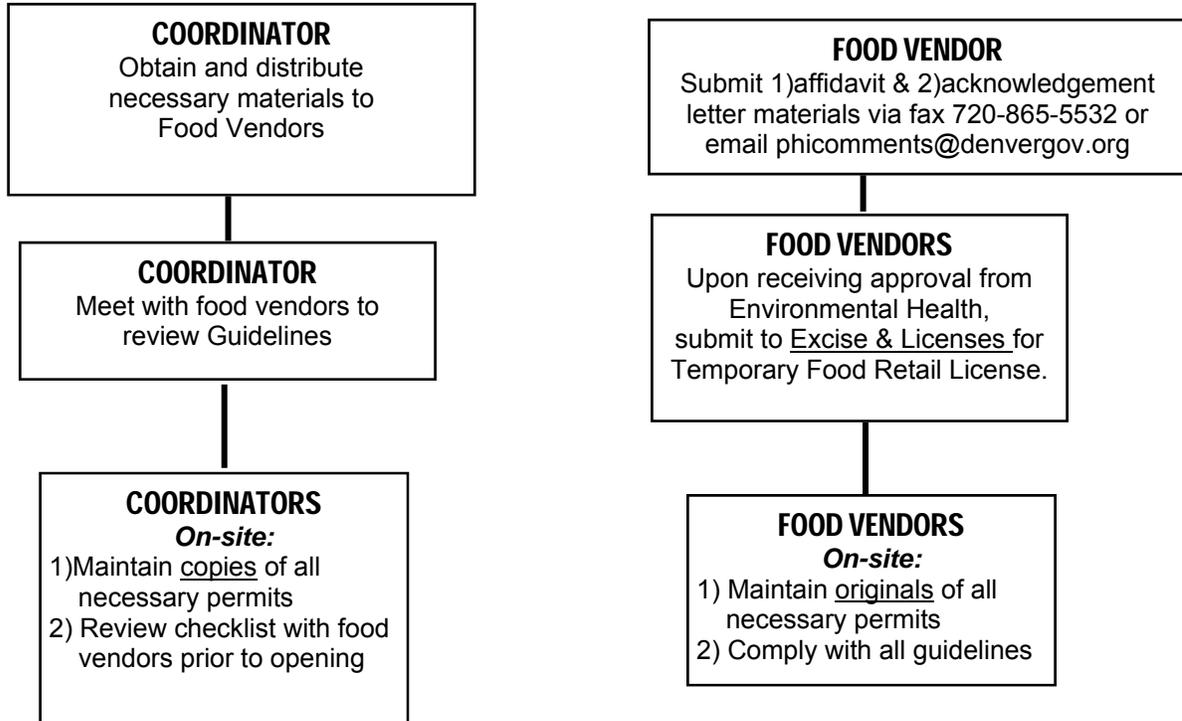
Forms and materials that event coordinators should distribute to Food Vendors, prior to a menu review, to ensure vendors may sell food at an outdoor event include:

- Temporary Restaurant Application for License Approval
- Affidavit of Commissary
- Temporary Acknowledgement letter

### Food Vendors

- Visit the Department of Environmental Health, Public Health Inspection Division located on the 2nd floor at 200 W. 14th Ave to conduct a menu review. It is recommended that you schedule an appointment in advance by calling 311 or (720) 913-1311. During the menu review, you will fill out application paperwork and submit it to an Environmental Health representative for review and approval. After the paperwork has been approved, you will take it to the Department of Excise and Licenses located on the 2nd floor at the Wellington Webb Building at 201 W. Colfax Ave, and they will issue the licenses.
- If your commissary kitchen is outside the City and County of Denver, bring a copy of the establishment's current Retail Food License to the menu review and a completed Affidavit of Commissary, which must be completed by you the licensee in conjunction with the commissary operator.
- Obtain a Temporary Retail Food License from Excise & Licenses.
- Follow all applicable rules and regulations during the event.

# Obtaining a Temporary Retail Food License (TRFL)



One-on-one meetings between event coordinators and a representative of the Department of Environmental Health are available upon request. Please contact the Department by calling 311 or (720) 913-1311 and request an event coordinator meeting. This is not required, but it may be helpful to resolve questions about event coordinator responsibilities, the licensing process for temporary restaurants and food regulations governing outdoor events open to the public.

# Department of Environmental Health

## Commonly asked questions...

### **What is a retail food establishment (also known as a temporary restaurant)?**

A temporary retail food establishment, also known as a temporary restaurant, refers to a retail food establishment, that is not intended to be permanent and that operates at a fixed location for a period of time of not more than 14 consecutive days in conjunction with a single event or celebration.

### **Do I need a special license to operate a temporary retail food establishment?**

A temporary retail food establishment license is required to sell any **potentially hazardous foods (PHFs)**, or non-potentially hazardous food that are not pre-packaged. PHFs include hamburgers, hot dogs, chicken, deviled eggs, refried beans, cooked rice, cut melons, and ice. A license is not required to sell only pre-packaged non-potentially hazardous foods. *If you are in doubt whether the items you plan to sell are potentially hazardous, always ask!*

### **What about participating in charitable events?**

Some charitable functions do not require licensing or inspection. Not-for-profit or charitable organizations that hold a legal non profit status and that are principally headquartered in Denver may prepare, serve and sell food/ beverage in conjunction with a special event or celebration. The activity must be for that event or celebration. Events may not exceed a total of 52 days in a calendar year. The charitable organization must be principally located in the City and County of Denver.

### **How do participants in a charity event acquire a no-fee license?**

If you are participating in a special event and all the proceeds will go to a charitable organization, the Department of Excise and Licenses may issue a no-fee license that is good for the day(s) of the event. The vendor must bring a letter to the Department of Excise & Licenses from the event organizer that states that all proceeds are being donated to a non-profit organization.

### **Are any vendors exempt from Denver Excise and Licenses regulations?**

The following are not subject to Denver Excise and Licenses regulations :

- Establishments preparing and serving only hot coffee, hot tea, instant hot beverages-popcorn with no added ingredients other than salt and butter– non-potentially hazardous doughnuts or pastries obtained from sources complying with all laws related to food and food labeling.
- Establishments that handle only non-potentially hazardous pre-packaged food.
- Sellers that offer only uncut fresh fruit and vegetables.
- Operations that supply only pre-packaged, non-potentially hazardous food, drinks in bottles, chewing gum, or salted nuts in the natural protective coating.
- Non-profit or charitable organizations, with a proof of non-profit status, that prepare, serve or sell food/ beverage in conjunction with an event or celebration if such an activity does not exceed the duration of the event or celebration or a maximum of 52 days within a calendar year and that the nonprofit or charitable organization is principally located in the City and County of Denver.

### **How can out-of-town vendors acquire a license?**

Food vendors who reside more than 50 miles away must contact the Department of Environmental Health well in advance of the event. The out-of-town vendor is responsible for completing the temporary retail food establishment paperwork and licensing processes and will need to supply a copy of their commissary's current license (if it is outside the City and County of Denver). Out-of-town vendors are also responsible for coming to the Department in person to pick up paperwork and bring it to the Department of Excise and License. For more information about coordinating out-of-town application, please contact us by calling 311 or (720)913-1311.

## Commonly asked questions...

### **What is a commissary?**

A commissary is a licensed, inspected commercial kitchen that is used for storage, preparation, and ware-washing. In accordance with state liquor laws, many liquor licensed kitchens cannot serve as commissaries. If you want to use a liquor licensed facility (for which you are not the primary licensee) as a commissary, you will need to obtain approval from the Department of Excise & Licenses. The only exception to this rule is if you own a retail food establishment that has a liquor license, and you are participating in an event on behalf of that establishment. Although your commissary kitchen does not need to be in the City and County of Denver, it should be within 30 miles of the event so that you can conduct ware-washing, store food, and store equipment at the end of each day of an event.

**Absolutely no food storage, food preparation, or ware-washing may be conducted in your home or in any other non-commercial kitchen.** Failure to comply may result in fines and/or court summons.

### **What is the purpose of on site inspections?**

The Department of Environmental Health will visit your event to monitor the status of food vendors complying with the required guidelines. Inspectors may visit each day of a multi-day event to insure continued compliance. Failure to comply with food safety guidelines that impact public health may result in disposal of food, closure of booth issuing of a ticket or other enforcement action.

### **What is the cost of the license? How long is it good for?**

License fees are paid upon obtaining a temporary retail food license from Excise and Licenses. The cost of the license is \$100 paid to the Manage of Finance and is valid for one year from date of issue. There is also a \$10 per day charge for each event you participate in with a maximum of \$50 per event.

### **Do push carts and mobile food units need to be licensed?**

Event organizers may invite persons with a valid City of Denver mobile retail , or stand-up retail food license to participate in an event. Mobile Food Units must have all of the food handling activities contained within the unit at the event.

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**Notes:**

# Quick Tips for Temporary Food Vendors

All vendors should review the Temporary Retail Food Establishment Guidelines  
The following list is not comprehensive.

**Event Coordinators:** Provide this information to all of your vendors.

- **New hot water requirement.** Hand washing stations shall have a minimum of 90 degree water provided for hand washing.
- **Train ALL on-site staff.**
- **Be prepared for inspection.** You must have licenses and permits on site.  
Without a license on site you can be shut down.
- **No extensive food preparation is allowed on site.**  
Slicing, dicing, chopping, processing, proportioning, or mixing of foods is prohibited on site, and must be prepared at the commissary.
- **All foods must come from an approved source** and be prepared and stored in a licensed local commissary kitchen.
- **Each booth must have an approved hand-washing station** with 90 degree water, soap and paper towels. The hand-washing station must be set-up facing the inside of the booth and must be easily accessible. It must be used during all periods of food preparation and service. It must be set-up before any food is handled. Gloves and/or hand-sanitizers or wipes are not a substitute for hand-washing. Catch any and all wastewater and dispose of it in appropriate barrels provided by event or return to your commissary.
- **An approved sanitizer solution** – chlorine or quaternary ammonia- must be set-up and used. Necessary sanitizer test strips to determine that the sanitizer is at the proper concentration must be provided.
- **No smoking, eating or drinking in booth.** Drinks are allowed if they are properly covered and are not stored on or near food contact surfaces.
- **Food must be protected.** Vendors must provide overhead protection (canopy) and all food (including ice) and single service items must be stored off the ground.
- **Hot food must be heated to and held** at 135 ° F or greater and maintained at that temperature in order to kill or limit the growth of disease causing bacteria.
- **Sterno is NOT an acceptable heat source for outdoor events.**
- **Cold food** must be held at 41° F or less in order to prevent growth of bacteria.
- **Booths selling hot and/or cold foods must have a thermometer** on site capable of measuring hot and cold food temperatures, and must be calibrated to read 32 degrees F in ice water
- **Counters and tables must have washable surfaces.**
- **Sick employees may not work in any food service capacity.**
- **If cooking on site, it is recommended that carpet scraps** be placed under all grease producing equipment and an absorbent material (kitty litter or additional carpet scraps) be used to clean up grease spills.
- **Complete all contracting agreements with event in advance.**
- **It is recommended that the event organizer have a copy of each vendor's license.**  
*Do not take the vendor's original license,* they are required to have it in their booth.
- **If burgers are sold, frozen burger patties are recommended.**
- **Turkey legs must be pre-cooked.**
- **Diaper Changing Stations:** The Department of Environmental Health recommends that organizers supply diaper-changing stations equipped with a waste receptacle, sanitizing solution, and a separate hand washing station. Diaper-changing stations should not be set up near the food booths.
- **Gray Water:** Catch any and all wastewater and dispose of it in appropriate barrels provided by event. No wastewater or other liquids except melted ice may be discharged to storm sewers or onto greenery/lawns.
- **Trash:** 30-gallon steel trash cans with plastic liners and tight-fitting covers are recommended for trash.
- **Electricity:** Make certain that adequate power sources are available to support event vendors.
- **Hand-washing at Portolettes:** Portolettes need to have hand-washing stations located near them and must be provided with soap and paper towels.

# Event Coordinators

## Planning the Event:

- Become familiar with the regulations governing temporary restaurants.
- Forms and materials that may be distributed by event coordinators to food vendors in advance of their visit to Environmental Health include:
  - Temporary Restaurant License Application
  - Affidavit of Commissary
  - Temporary Retail Food Establishment Guidelines
- Plan for disposal of garbage: adequate containers/dumpsters and gray water barrels are available and that all temporary restaurant operators know where to find them.
- Plan for recycling and composting needs. Contact Pollution Prevention Partners and Waste Management to determine needs.
- Provide adequate hand-washing facilities and equip them with soap and drying devices at portolettes.
- It is recommended that organizers supply diaper-changing station equipped with a waste receptacle, sanitizing solution and a separate hand-washing station. Diaper-changing stations should not be near food booths.
- One-on-one meetings between event coordinators and a representative of the Department of Environmental Health are available upon request. Please contact the Department by calling 311 or (720)913-1311 and request an event coordinator meeting. This is not required but it may be helpful to resolve questions about event coordinator responsibilities, the licensing process for temporary restaurants and food regulations governing outdoor events open to the public.

## Two Weeks Before the Event:

- Ensure that all the vendors selling food in your event have obtained a temporary restaurant license that has been issued by the City and County of Denver.
- Provide an event diagram and list of food vendors to the Department of Environmental Health prior to the event.
- Ensure that adequate power sources are available to support the needs of event vendors' equipment.
- Ensure that adequate toilet facilities will be provided.
- Ensure that adequate hand-washing facilities will be provided and will be equipped/maintained with soap and drying devices at port-o-lets

**Contacts:** Department of Environmental Health - call 311 or (720) 913-1311

# Department of Environmental Health (EH)

## On-Site Check List for Event Coordinators

The Department of Environmental Health has compiled the following checklist for event coordinators to use prior to the opening of the event on a daily basis to check that food vendors are in compliance. You are not required to use this checklist; however, it is recommended that you use this tool to identify and correct food safety issues in advance of the Environmental Health Inspection.

### Food Vendor

Before any food handling is conducted, the following items must be completed:

1. \_\_\_ Current City of Denver Temporary Restaurant License is posted in a conspicuous location.
2. \_\_\_ Original copy of license must be available on site.
3. \_\_\_ Hand washing station, with minimum of 90 degree water, is set up in a convenient, accessible location inside the booth and is equipped with soap & drying devices. A hand washing station must still be set up in the booth even if there are hand washing stations provided nearby by the event organizer.
4. \_\_\_ Sanitizing solution is available.
5. \_\_\_ Food thermometer is available.
6. \_\_\_ Test strips for sanitizing solution are available.
7. \_\_\_ If you are preparing grease-producing foods, you must have absorbent material (e.g. used carpeting) beneath your grease-producing equipment.
8. \_\_\_ Ensure that booth is equipped with adequate power to operate equipment.
9. \_\_\_ Tell vendor where wastewater barrels and trash receptacles are located; inform vendor where they can get fresh water.

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