

How to Obtain a Food Peddler License

A business license must be obtained prior to peddling food. Failure to do so may result in a court summons

Licensing Steps:

1. Complete an [affidavit of commissary](#).
 - i. **Note:** You, the vendor, completes the top section and the commissary operator completes the middle section. If you are operating out of your own restaurant, then you would complete both sections.
2. Bring the following items to Public Health Investigations for review at 101 W. Colfax, Suite 800, Denver, CO 80202:
 - a. Completed affidavit of commissary
 - i. **Note:** The bottom section will be approved by Public Health Investigations during review
 - b. An example of the label you plan to adhere to each individual item of food*
 - c. A valid I.D. or Driver's License
 - d. Transport container used for food storage while peddling food*
3. Bring the following items to the Department of Excise and Licenses to obtain your food peddler license at 201 W Colfax, 2nd Floor:
 - a. Completed affidavit of commissary that has been approved by Public Health Investigations
 - b. [Food Peddler Application](#)
 - c. [Peddler Guidelines](#)
 - d. [Criminal History Form](#)
 - e. [Affidavit of Lawful Presence](#)
 - f. [Valid State or Federally Issues ID](#)
 - g. [Character Reference \(2 letters of reference\)](#)
 - h. Licensing fee (see [fees tab](#) for applicable fees)

For additional questions please visit: www.Denvergov.org/businesslicensing or call 720-913-1311.

*See page 2 for additional guidance

Public Health Investigations Requirements

Affidavit of Commissary is the letter giving you permission to prepare your food in an approved facility. A commissary kitchen or licensed retail food establishment may act as your commissary. The commissary is a commercial location and is where all food shall be stored and prepared. ***You may not store or prepare any food inside your home.*** All commissaries are verified prior to approval. If your commissary cannot be verified, you may be required to obtain a new commissary which will cause delays in obtaining your peddler license. You can find a list of commonly used commissaries [here](#).

Food Label(s) is/are used to identify each individual prepared food item the peddler intends to sell. Each label shall include the following:

- 1) An identity statement (common name of the food)
- 2) A list of ingredients
Note: It is recommended that you also include any allergens on the label such as nuts or eggs
- 3) The company name with address (where product is produced)
- 4) The net weight of the product

Sample Label:

<p>Bean Burrito</p> <p>Net Wt. 6 oz.</p> <p>Ingredients: Tortillas, beans, cheese, onion, and spices</p> <p>John Doe's Burritos 1234 Main St. Denver, CO 12345</p>

Transport Container is the piece of equipment that will be used to maintain the food at proper temperature (hot foods at 135°F or above and cold foods at 41°F or below). The equipment must be of commercial design.

Note: most picnic type coolers and foam containers are ***not*** approved.

Example container:



Applicable Health Regulations

Peddlers shall be in compliance with Chapter 11 of the regulations as well as with all other applicable sections of the Denver Retail Food Establishment Rules and Regulations.

- 1) All food must be prepared at the approved commissary, pre-wrapped and labeled. A private home or garage is not to be used for preparing or storing food or food related items. (11.3.A)
- 2) Food must be heated to the proper temperature before putting into the approved transport container. (3.504.A)
- 3) All items must be properly labeled before leaving the commissary or restaurant. See the sample above. (3.701.D)
- 4) Food must be held at the following temperatures: (3.501.A)
 - Hot food ---- 135°F or above
 - Cold food ----41°F or below
 - Frozen Food ---- 32°F or below
- 5) Peddlers must keep moving; a peddler shall only stop to make a sale
- 6) The peddler is required to display, at all times, the peddler I.D. from the Dept. of Excise and Licenses around their neck

Other rules and regulations are enforced by the Department of Excise and Licenses and other applicable agencies