TEMPORARY RETAIL FOOD ESTABLISHMENT REQUIREMENT DECISION TREE

START HERE

Are you operating under the **Cottage Food Act**, selling pre-packaged non-potentially hazardous foods or selling whole, uncut produce?  

NO → Are you participating in a ticketed event?  

NO → Are you serving potentially hazardous foods and/or scooping ice?  

NO → Is food pre-packaged?  

YES → LICENSE: Required  

   HAND WASHING STATION: Required, if food handling/sampling  

   IN-PLACE SANITIZER: Required, if food handling/sampling  

NO → LICENSE: Required  

   HAND WASHING STATION: Required  

   IN-PLACE SANITIZER: Required  

YES → Go back to beginning  

YES → LICENSE: Not Required  

   HAND WASHING STATION: Recommended, if sampling  

   IN-PLACE SANITIZER: Recommended, if sampling  

ARE YOU PROVIDING SAMPLES?  

YES → LICENSE: Required  

   HAND WASHING STATION: Required  

   IN-PLACE SANITIZER: Required  

NO → LICENSE: Required  

   HAND WASHING STATION: Required  

   IN-PLACE SANITIZER: Required  

NOTE: Mobile retail food establishments cannot operate under a temporary license and must obtain a mobile retail food establishment license. During the busy season, obtaining a new mobile retail food establishment license may take up to 6 weeks.

*We strongly recommend emailing affidavit for approval to phispecialevents@denvergov.org

HOW TO OBTAIN A LICENSE
1. Complete an [Affidavit of Commissary](#) and the [Temporary Event Acknowledgment Letter](#) and have approved by DDPHE*
2. Take completed documents to the Department of Excise and Licenses or complete online
3. Pay for license
4. Provide event coordinator a copy of your license and bring a copy of the license to each event in which you participate

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DEFINITIONS

Potentially Hazardous Foods: require time/temperature (41°F and below or 135°F and above) control for safety to limit pathogenic microorganism growth or toxin formation. This includes food such as raw or cooked animal product, cooked vegetables, foods that consists of raw seed sprouts, cut melons, cut leafy greens (anything past the harvest cut), cut tomatoes or mixtures of cut tomatoes, such as pico de gallo, and fresh herb-in-oil mixtures.

Pre-packaged: means a food that is packaged and does not require any food handling prior to sale/sample to customer. This could include, but is not limited to, boxes, bags, containers, etc.

Food handling/sampling: includes, but is not limited to, processing, assembling, portioning, or any operation that changes the form, flavor, or consistency of food as well as ice scooping.

In-Place Sanitizer: used to wipe food contact surfaces, such as tables. An in-place sanitizer is a solution that shall be mixed and ready to use upon opening the temporary booth. Common in-place sanitizers are Chlorine (50-200 ppm) and Quaternary Ammonium (150-400 ppm). NOTE: This is NOT hand sanitizer.

Ticketed event: the guest must pay an admission fee to attend and the majority of the event is based on the sampling of food, such as a taco festival, beer and food festival, or a chicken festival.

DENVER PUBLIC HEALTH & ENVIRONMENT

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