

Henrico Health Department

Requirements for Vendors that Provide Samples of Food to the Public

Food served to the public is regulated under the VA Food Regulations (12 VAC 5-421). This document highlights specific areas of concern when food samples are offered to the public and does not supersede or replace the requirements set forth in the VA Food Regulations. The regulations can be found at:

<http://www.vdh.state.va.us/EnvironmentalHealth/FOOD/Regulations/documents/2009/2010%20Food%20Regulations%20Final%20with%20TOC.pdf> and information on Temporary Event regulations can be found at: <http://www.co.henrico.va.us/health/environmental-health/temporary-foodservice-permit/>

Permits

Anyone who serves or provides a sample of food or drink that is not in the original commercial package when served must obtain a permit from the health department. Application for permit must be received by the health department at least 10 days before the event opens.

Inspections will be conducted by the health department before the permit is issued. **Late applications will not be accepted by the inspector at the event.** The permit must be posted where visible to the public before beginning operations.

“Food” means a raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption.

General Requirements

All workers are expected to wash their hands in one of the following ways:

- a. Workers that cut, mix, cook or otherwise prepare food shall wash hands with soap under running water. A handwash station must be set up in the prep area. Specific requirements will depend on the type of foods you are preparing.
- b. Chemically treated towlettes made for handwashing may be allowed if preapproved by the health department during the application process.

Workers may not conduct any activities that may contaminate their hands (eat, drink, smoke, use phone, handle money, etc) while working with food. Workers may drink from a closed beverage container with a straw while working if they drink in a manner that doesn't contaminate food or food contact areas and the drink is properly stored between uses.

All food handlers shall wear clean, washable garments and hair restraints. Hands of the operators shall be free of cuts, sores and bandages and shall be kept clean at all times. Workers must be knowledgeable of the foodborne illness risks factors associated with the foods they will be offering and demonstrate adequate means of controlling those risk factors.

The food worker shall use tongs, spatulas, gloves or other suitable utensils to avoid bare hand contact with ready-to-eat food. All utensils and equipment must be food grade and cleaned and sanitized as specified in the food regulations.

All foods must be prepared onsite or in an approved inspected facility.

All food containers and wares must be washed, rinsed, sanitized with an approved sanitizer and air dried after use/before reuse. Hot and cold running water under pressure will be required for dishwashing if any raw animal foods are used.

Food for sampling by customers shall not be offered from a common bowl, container or tray where the customer's hands could come in contact with the food on display. **Offering food from an unprotected tray or plate will not be allowed.** All food, except packaged, wrapped or bottled foods, must be protected at all times from customer contamination, flies, dust and dirt. Food shall not be exposed or left unattended at any time. No food or food product shall be stored within six inches of the floor. Racks, shelves or pallets shall be supplied when needed.

A trash receptacle must be provided for the consumer to dispose of garbage from sampling products.

If you plan to cook raw meats or poultry you must get approval from the Health Department before the event.

TCS food (food that requires time or temperature control to limit growth of pathogenic microorganisms) offered hot shall be maintained at a temperature of 135° F or greater at all times. TCS food offered cold shall be maintained at a temperature of 41°F or lower. You must have a food thermometer and monitor the temperature of the food.

Definitions of terms used in this document can be found in the VA Food Regulations as can more specific information on the requirements.

If you have questions about the permitting or operation of your food service establishment/sampling process, please contact us at: HenricoEH@vdh.virginia.gov or call 804-501-4529 before the event begins.