

Cherokee County Environmental Health
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The North Carolina “Rules Governing the Food Protection and Sanitation of Food Establishments” (15A NCAC 18A .2600) requires food vendors (temporary food establishments) at festivals and special events to obtain a **Permit to Operate** from the local health department before starting operation. A temporary food establishment (TFE) is defined in section .2651(20) of the rules as, “those food or drink establishments which operate for a period of time not to exceed 21 days in one location, affiliated with and endorsed by a transitory fair, carnival, circus, festival, or public exhibition. Domestic yard sales and businesses such as auctions, flea markets, or farmer’s markets are not eligible for a temporary food establishment permit. A food vendor operating as temporary food establishment must comply with all requirements as specified in Rules .2665 through .2669 of the “Rules Governing the “Food Protection and Sanitation of Food Establishments”.

As set forth in the NC General Statutes 130A-248(d), permit fees for TFE’s are \$ 75.00 per event. **The fee, a completed TFE application and checklist must be submitted to the Cherokee County Health Department no less than 15 days prior to the event.**

Some food vendors may be exempt from obtaining a permit to operate. The following are situations in which the food vendor would not be subject to a TFE permit from the Health Department:

-Food service operators serving only dip ice cream, popcorn, candy apples, snow cones, cotton candy, funnel cakes, soft pretzels, pre-packaged items such as chips, peanuts, candy bars, pickles, bottled or canned drinks, and some bakery items (cakes, brownies, bread, fruit pies- see comment below referencing the NC Dept. of Agriculture and Consumer Services and baked goods*).

-Food service operations portioning out non-hazardous beverages only (coffee, tea, lemonade) in single-service containers; and

-Food service operators that are non-profit, or are exempt from federal income taxes or food establishments associated with political committees.

*Although local health departments do not regulate the sale of baked goods, vendors selling these types of products will need to contact the NC Department of Agriculture and Consumer Services in Raleigh (919-733-7366) for possible permits or licenses that may be required.

Foods that *are* regulated are those foods considered potentially hazardous which include foods of animal or plant origin that are either raw or cooked. Examples of regulated foods are hamburgers, hotdogs, cooked meat products, and sliced or cut melons. **NOTE: Temporary Food Establishments are not permitted to prepare and serve salads such as potato, chicken, ham, crab, etc. and cream-filled pastries and pies.**

If you are unsure as to whether a certain food item you wish to sell will require a permit or not, please contact the Cherokee County Environmental Health Department (828-835-3853) and ask for Kim McClain or Sara Smith for assistance.

Temporary Food Service Permit Application

Event Information:

Event Name and Location: _____

Event Coordinator (name/address/phone) _____

Event Dates: Beginning __/__/__ Time: _____ Ending __/__/__ Time: _____

Vendor Information:

Organization/Business Name: _____

Contact Name: _____ Phone:(__) _____ Cell: (__) _____

Address: _____ Fax: _____

City _____ State _____ Zip _____

SET UP DATE __/__/__ SET UP TIME __/__/__ Hours of Operation _____

Temporary Food Establishment Commissary Location (for off-site preparation):

Menu: _____

List **Approved Source for foods (receipts required) _____
