

APS FOOD VENDORS PERMITTING PROCESS

Frequently asked questions

Updated: December 12, 2006



Q: If I am selling or giving away food, snacks or beverages, or offering samples do I need a permit?

A: Yes, any and all food and beverages sales or the offering of samples are required to have an Environmental Health permit. You will need to apply for a certain type of permit depending on the activity planned and its duration, including food purchased from a commercial facility for resale. Booth set-up, food handling/safety and equipment requirements are listed in the table provided in the next page.

Q: Are there other permits that I need to apply for?

A: Yes, if you do not have your organization registered with the New Mexico Taxation Revenue Department and the City of Albuquerque (business registration). If you currently have a City of Albuquerque business registration you will need a copy of it, and proof of payment or receipt.

Q: What if the event is a fundraiser by a not-for-profit group?

A: The Environmental Health permitting process and fees still apply. The only difference will be that you will need a copy of your not-for-profit organization federal 501(C)(3) form with you when processing your Temporary Food Service Establishment permit, or any other food service permit. You will still need to obtain a City of Albuquerque business registration. However, there will no charge associated with the business registration.

Q: Can I sell or give away foods prepared at home?

A: Food prepared at home is NOT allowed to be sold to the public other than desserts for a bake sale. Only cakes/desserts that are not potentially hazardous and individually wrapped are allowed. Popcorn, sodas or ice cream can not be included in a Bake Sale permit.

Q: What type of permit should I request?

A: It depends on what is prepared, volume, duration and frequency.

Temporary Food Service Establishment Permit: If your event is one time, of short duration, and associated with an event. Example of events, Fall Carnival, Homecoming event, football, a sports fundraiser or any other will need to apply for and meet the requirements of a Temporary Food Service Establishment permit. Examples, History Fair, Homecoming, steak or spaghetti dinners, etc.

- If your fund-raising activities will last more than 14 consecutive calendar days, you may request to process a “Seasonal Temporary Food Permit”. You will have to meet the operational requirements of a permanent food-service establishment below. Also referenced on pages 5 and 6.

Snack Bar: If you are planning a snack bar, you will need to meet structural and operational requirements of a permanent food service facility. Please contact our office at 768-2638 for further information.

Push carts and Mobile Units: If you plan to operate a pushcart to sell commercially pre-packaged popcorn, pre-wrapped snacks, and bottled or canned drinks you must meet the requirements of a mobile-unit pushcart except for the requirements of a handwash sink, hot and cold water supply, waste water and fresh water tanks. The sale of frankfurters, hot dogs or unpackaged foods and drinks requires a handwash sink, hot and cold water supply, fresh and waste water tanks.

Bake Sales: Fundraisers who would like to sell cakes, cookies, brownies, breads and sweet-treats that are individually pre-wrapped can request this permit. Each type of baked good sold or given away for a donation will require a listing of ingredients to inform the public, and prevent a possible food allergy reaction. Popcorn, sodas and other drinks or foods are NOT allowed under a Bake Sale permit. There is no fee involved with a Bake Sale application. Applications can be faxed to you once you request them from CHPD at (505) 768-2638.

Food prepared in a classroom: Food that is prepared in class and is consumed by those preparing it, as part of a class activity and sales not open to the rest of the student body, does not require a permit. The food must be consumed immediately after preparation and all leftovers are to be discarded. If food is prepared in a classroom for sale or donation to individuals outside of the classroom, a food service establishment permit must be obtained.

Fundraising event outside of APS: School organizations having fundraising events off of APS property must obtain Temporary Food Service or bake sale permits. The Organizer shall secure written authorization for the use of the property, for the proposed activity and the duration of the event.

BAKE SALES:

Q: How often can I request a Bake Sale Permit?

A: Bake sale permits are limited to not-for-profit organizations to raise funds at sporadic or occasional events. Only home baked or commercially prepared baked goods made with non-potentially hazardous frostings and filling are allowed. Examples are breads, cakes, muffins, brownies and cookies. Popcorn and candy bars cannot be sold at a bake sale. All items should have a label listing name of the product and ingredients. Ingredient lists can be attached to the packages or ingredients may be listed on a sign near the foods.

Q: Why do I have to list the ingredients on baked goods prepared for a bake sale?

A: Listing ingredients can be a matter of life and death to your customers. Food allergies and special dietary restrictions due to medical conditions make this extremely critical information for consumers.

Q: Why do I have to individually wrap the baked goods?

A: HANDS ARE THE MOST COMMON VEHICLE FOR DDISEASE TRANSMISSION. When you wrap each packet or unit of baked goods, it helps to prevent the transmission of food borne diseases. Use clean utensils or disposable gloves, when wrapping or handling ready to eat foods like baked goods.

Q: Can EHD grant a bake sale permits for multiple days a week for the duration of the school year?

A: No. When an organization is involved in selling food to the public on a regular basis, the organization must operate at a permanent location and meet structural, equipment and operational requirements to receive an annual permit.

Note: For further information about permanent facilities permit, contact Albuquerque Environmental Health Department, Consumer Health Protection Division at (505) 768-2638.

TEMPORARY FOOD SERVICE ESTABLISHMENTS:

Q: How often can I obtain a temporary food service establishment permit?

A: A temporary food service permit request has to be associated with an event. Most events happen once or twice a year.

Q: Before I pay for a temporary food service establishment what other documents do I need?

A: A form is filled out providing information about the menu, location, equipment and procedures to be used. This form is reviewed to help ensure the event can be done safely. The fee is \$15 per Temporary Food Vendor Permit Application and a \$35 City Business Registration is required. **All food intended for sale or donated under a Temporary Food Vendor Permit must be prepared in the booth on the day of the event. NO advance preparation is allowed.**

If your organization is a not-for-profit organization, provide proof of the Federal Taxation and Revenue 501(C)(3) form to exempt the fee for the Albuquerque Business Registration. Otherwise, you will need to provide proof of payment of a currently valid City Business Registration and the NM Taxation and Revenue registration.

Q: Since the funds are for APS sanctioned organizations can my fundraising organization use APS not-for-profit status?

A: **No.** This question was asked many times. After consulting with APS Administration Offices, we were informed that legally APS not-for-profit status cannot be used by other organizations.

Q: What does it take to register my organization or not-for profit organization with the City Treasury's Office?

A: Call City Treasury prior to registering your organization to make sure you have all the appropriate paperwork at time of registration. You will need to have a copy of your New Mexico Taxation and Revenue business identification number and registration with you. The City of Albuquerque Treasury office number is (505) 924-3377. For a not-for-profit status, have with you the copy of the Federal 501(C)(3) form.

If you have not registered your business or organization with the New Mexico Taxation and Revenue please call them directly at (505) 841-6200.

Without this information, the Environmental Health Department cannot approve the application or receive payment for it. The permit request will be denied.

Q: What if I want to have fundraising sales more than once per month, what kind of permit can I apply for?

A: For year-round operations at schools frequently requested are listed below. Guiding criteria are: type of food sold, food preparation complexity, equipment and where it would be sold.

- (1) **Mobile Unit Push Cart** for the year-round sale of commercially prepackaged non-potentially hazardous foods such as popcorn, snacks, sodas, muffins, breads, desserts or hot dog sales. Current fee is \$30 plus a City Business Registration (\$35) renewed annually. A commissary is required to service the unit daily.
- (2) **A “Retail Food Service Establishment”** (snack bar) where snacks and food can be prepared and sold. This permit requires the operator to meet structural, equipment and operational requirements. First year of operation permit fee is \$100; thereafter, up to \$400 based on 2/10 of 1% annual gross sales.
- (3) **A “Food Service Establishment”** (snack bar) where snacks and food can be prepared and sold. This permit requires the operator to meet structural, equipment and operational requirements. First year of operation permit fee is \$100; thereafter, up to \$400 based on 2/10 of 1% annual gross sales. There are other permit subcategories with this “Food Service Establishment category. You can call to inquire at (505) 768-2638.
- (4) **A “Mobile Unit Restaurant”**. This is a vehicle mounted food service facility with a 3-compartment sink, a hand wash sink, fresh potable water supply, hot and cold water on demand, gray water storage tank 15% bigger than the fresh potable water tank. Depending on menu, requirements may include steam tables, stoves, hoods, and thermometers, to name a few. Annual fee is \$50, required inspection prior to renewal.

Q: If I decide to operate year round where can my snack bar or retail facility be located in the school?

A: One of the easiest and least expensive ways to open a business is to share facilities. Several organizations can join forces and resources and operate out of one snack bar, using the space at different times or on different days. Each organization is required to have its own permit. To operate in an APS facility you will need to provide proof of permission, in writing, from APS before a permit is issued.

If you have further questions or you need to request application forms, please call the Albuquerque Environmental Health Department, Consumer Health Protection Division at (505) 768-2638, Monday thru Friday, from 8 a.m. to 5 p.m., or call “311”.

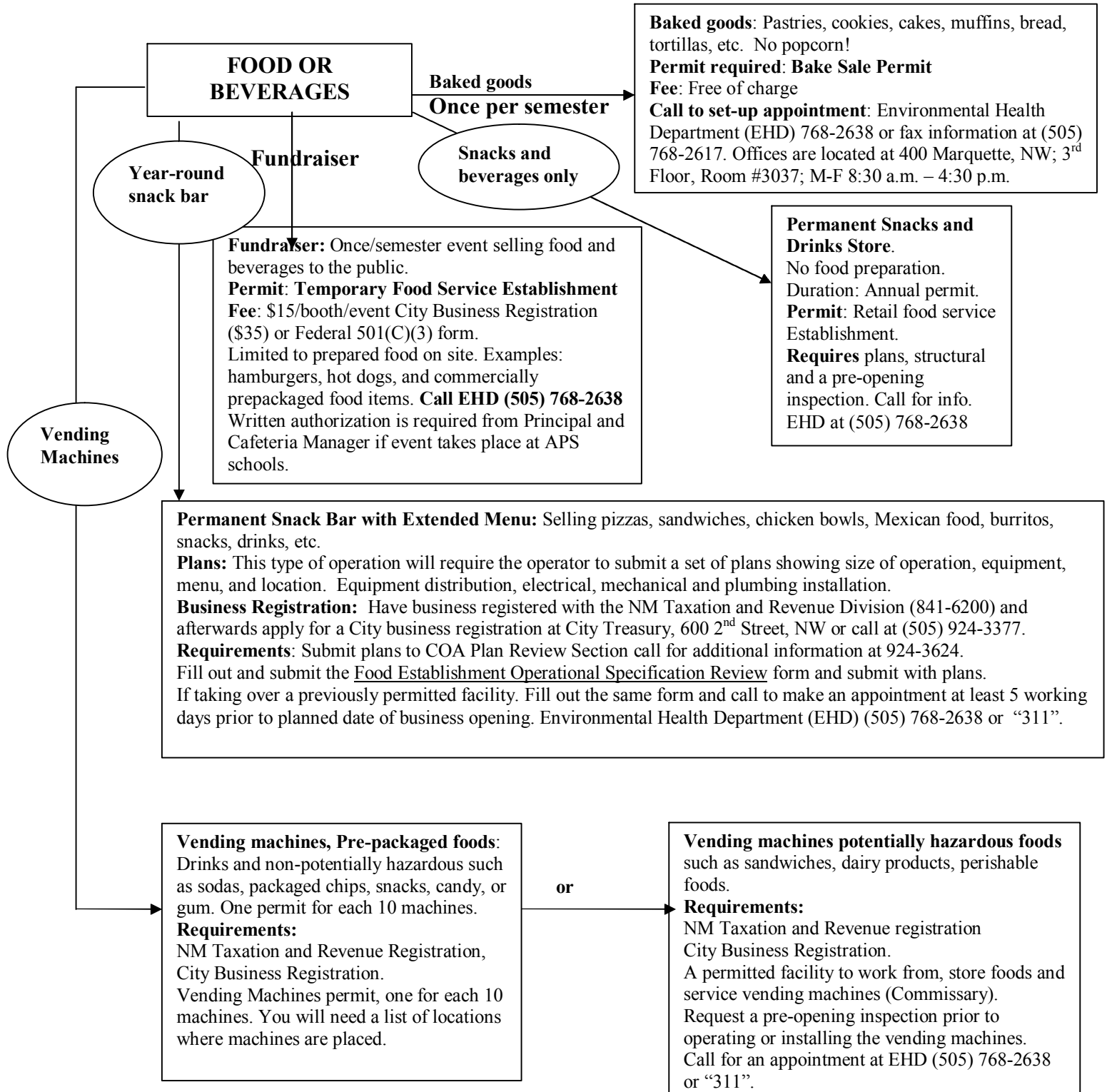
Summary of requirements by type of permit:**General Operation Requirements**

Requirement	Other items to meet requirements
Hand wash station	Soap, paper towels, and handwash sign. Potable water supply.
Calibrated thermometer	Long metal stem thermometer 0-220°F.
Ready-to-eat foods	Do not touch. Use utensils or gloves!
Personal Hygiene	Hair restraints. No eating or drinking in food booth.
Permit	Environmental Health Permit at least one week prior to event.

Requirements by Type of Permit

Type of permit	Cost	Requirements
Bake Sale	No charge	Individually pre-wrapped and display a list of ingredients for each type of cake, cookies, muffins, etc. NO cream fillings.
Mobile push cart	\$30/ea.	Name of business on unit, address and phone number
	Annual permit.	Food examples: commercially prepackaged snacks and drinks, popcorn, candy bars, frankfurters, and hot dogs.
		Hot holding element with energy source. Hot foods at 140°F
		Cold holding unit to keep food at 45°F or below.
		Potable water and gray water storage tank.
		Commissary and service area required to report daily for servicing unit and storing food.
Snack Bar or Food Service Establishment	\$100 to \$400/yr.	Hand-sink with hot & cold running water under pressure.
	Annual Permit.	Commercial equipment for refrigeration, food hot holding, cooking, reheating (i.e. warmers, refrigerators, and stoves).
		Dry storage and shelving to store food 4" off the floor.
		3-comp sink to wash, rinse and sanitize utensils & equipment.
		Service sink available to rinse mop.
		Sanitizer and test strip to check concentration of sanitizing solution. Wiping rags stored in sanitizing solution.
		Menu example: pizzas, subs, sandwiches, burritos, snacks, drinks and candy.
Temporary Food-service Establishment	\$15/event Not to exceed 14 days	Menu limited to commercially prepackaged foods and snacks, hamburgers and hot dogs. Other menu items require a commissary such as, APS cafeteria or a permitted food service establishment.
		Tent with 3-walls and a ceiling.
		Floor covered with asphalt or tarp, linoleum (no carpets).
		Gravity fed handwash station, soap, and paper towels.
		Wiping rags stored in sanitizing solution; bleach @ 100ppm.
		Chemical test strip to check sanitizing solution concentration.
		Refrigeration if cold holding or serving cold food.
		Warmers that can reach up to 400°F for hot holding food.
		Food guards to protect food from contamination.
		All drinks shall be stored at a designated break area, covered and with a straw. No sport-drink containers.
		Hair restraints: All individuals in booth shall have their hair away from face and held back.

I decided what food I am selling, giving away or sampling, what do I need?



Note: This is an abbreviated piece of information. Each operation is unique and based on the type of food you are planning to serve or the duration of the event you are planning, other type of permits may apply. Operational and structural requirements may change.