



FREQUENTLY ASKED QUESTIONS ABOUT NONPROFIT FOOD SERVICE EVENTS

Each year in Georgia, communities around the state have various events, programs, fairs, and festivals sponsored by nonprofit organizations involving food service. *Food vendors are not regulated by the local health department at these events.* The county or municipality may request the local health department conduct food safety inspections to ensure the provisions of the nonprofit law are being followed.

Q: What is considered a nonprofit food service?

A: '*Nonprofit food sales and food service*' means the temporary sale or service of food items by an organization at an event sponsored by a county, municipality, organization OR the temporary sale of food items by an organization if such sale is sponsored by a religious, charitable, or nonprofit corporation, including but not limited to churches, schools, clubs, lodges, or other such organizations.

Q: What is considered an “organization” for the purposes of a nonprofit food service?

A: '*Organization*' means an organization exempt from taxes under paragraph (1) of subsection (a) of Code Section 48-7-25 or under Section 501(d) or paragraphs (1) through (8) or paragraph (10) of Section 501(c) of the Internal Revenue Code, as that code is defined in Code Section 48-1-2.

Q: Are there any other types of food service or food sales operations that do not require a food service permit from the local health department?

A: Yes. The following types of operations *do not require* a food service permit from the local health department:

1. Establishments engaged in the boiling, bottling, and sale of sugar cane syrup or sorghum syrup within this state, provided that such bottles contain a label listing the producer's name and street address, all added ingredients, and the net weight or volume of the product;
2. Any outdoor recreation activity sponsored by the state, a county, a municipality, or any department or entity thereof, any outdoor or indoor (other than school cafeteria food service) public school function, or any outdoor private school function;
3. Any organization which is operating on its own property or on the property of a party that has provided written consent for the use of such property for such purpose and which is exempt from taxes under paragraph (1) of subsection (a) of Code Section 48-7-25 or under Section 501(d) or paragraphs (1) through (8) or paragraph (10) of Section 501(c) of the Internal Revenue Code for the purpose of operating a house or other residential structures where seriously ill or injured children and their families are provided temporary accommodations in proximity to

- their treatment hospitals and where food is prepared, served, transported, or stored by volunteer personnel;
4. Establishments for the preparation and serving of meals, lunches, short orders, sandwiches, frozen desserts, or other edible products if such preparation or serving is an authorized part of and occurs upon the site of an event which:
 - a. Is sponsored by a political subdivision of this state
 - b. Is held on the property of such sponsor or on the property of a party that has provided written consent for use of such property for such event and;
 - c. Lasts 120 hours or less; OR
 5. Nonprofit food sales and food service provided under a permit issued pursuant to Article 14 under O.C.G.A §26-2-391.

Q: If the local health department is not required to issue a permit for a nonprofit event, who is responsible for issuing a permit?

A: A county or municipality shall be authorized to issue permits for the operation of nonprofit food sales and food service at events sponsored by the county, municipality, or an organization. The event must be held on property belonging to the sponsoring county, municipality, or organization or on the property of a party that has provided consent for use of such property for such event.

Q: Is there a time limit on the event?

A: Yes. A permit shall be valid for:

1. A period of up to 120 consecutive hours and another permit shall not be issued to the organization holding such permit until five days have elapsed from the date of the expiration of the permit; OR
2. A continuous period of up to 12 weeks between May 15 and August 15 and four additional weeks during the calendar year, which may be composed of nonconsecutive periods, coinciding with holidays during which local school systems are not in session, provided that all food items are provided free of charge and the organization does not receive funding from the United States Department of Agriculture to operate a food program.

Q: Is there a cost for the permit?

A: No. However, the county or municipality may request that the local health department conduct a food safety inspection on its behalf. A reasonable, at cost fee may be charged to the vendor for the inspection.

Q: Are there any specific requirements for serving or selling food at a nonprofit event in Georgia?

A: Yes. All of the items listed below must be met in order to serve or sell food at a nonprofit event:

- No food that is prepared in a home kitchen can be served (unless someone has a cottage food license and they are serving food according to the requirements of that license). Food shall be from an approved source.
- At all times, including while being stored, prepared, displayed, served, or transported, food shall be protected from potential contamination, including dust, insects, rodents, unclean equipment and utensils, unnecessary handling, flooding, drainage, and overhead leakage or overhead drippage from condensation.
- Time/Temperature Control for Safety (TCS) foods shall be maintained at temperatures of either 41°F or below or 135°F or higher.
- The preparation of the following TCS foods is prohibited unless the organization has an established hazard control program: Pastries filled with cream or synthetic cream, custards or similar products; or salads containing meat, poultry, eggs, or fish.
- Suitable utensils, as needed for serving, must be provided to eliminate bare-hand contact with the cooked or ready-to-eat foods. All utensils and equipment shall be washed, rinsed, and sanitized periodically as necessary to prevent contamination or a buildup of food, using separate basins for washing, rinsing, and sanitizing. Disposable utensils may be utilized to meet such requirement.
- There must be a thin probe thermometer available to check food temperatures.
- Meat, poultry, seafood, and other animal products shall be cooked to at least the safe minimum cooking temperatures recommended by the United States Department of Agriculture. No raw or undercooked animal products shall be served.
- Frozen desserts shall only be produced using commercially pasteurized mixes or ingredients.
- Ice that is consumed or that comes in contact with food shall be from an approved source and protected from contamination until used. Ice used for cooling stored food shall not be used for human consumption.
- Food shall be served in an individual-meal type of container and handed to the customer. Food items shall not be transported for sale at any other location or sold, held, or reused at another event.
- A convenient handwashing facility shall be available for use by individuals preparing and serving food. This facility shall consist of, at least, warm running water, soap, and individual paper towels. Individuals who prepare or serve food shall not make bare-hand contact with ready-to-eat food. Individuals who have a known communicable or transmittable disease, as defined by the Department of Public Health for these purposes, shall not prepare or serve food at an event.
- Nothing in this Code section shall prohibit an organization from using an offsite kitchen to prepare food for an event permitted under this article, so long as the offsite

kitchen complies with the provisions of this Code section. (Ex: offsite kitchen would be something like church kitchen.)

Q: Are there any training resources available for those participating in charitable feeding programs?

A: Yes! State Food Safety company has created a [free online training module](#) for those engaged in charitable or disaster feeding. You can also contact your [local Environmental Health office](#) for Information on handling food safely at a nonprofit event.