



### Permit Exemptions

**Even though permits are not required for the scenarios below, it is important to follow safe food handling practices like washing your hands, maintaining proper food temperatures, and storing food in a safe place.**

#### Food Service operations that do not require permits:

1. An establishment that offers only commercially pre-packaged food or drinks that are non-time/temperature control for safety (TCS) foods.
2. Promotional sampling of commercially pre-packaged food or drinks that are non-TCS foods.
3. Those registered with the Cottage Food Program and serve or vend food directly to the consumer that has been prepared in a private home in compliance with A.R.S. § 36-136(I)(4)(g). The final consumer of the product served or vended shall receive a copy of the required package label in accordance with A.R.S. § 36-136(I)(4)(g). This includes food prepared by the food establishment that incorporates products prepared in compliance with A.R.S. § 36-136(I)(4)(g).
4. A produce stand that only offers whole, uncut fresh fruits and vegetables.
5. The producers of food products in their natural state on agricultural lands, farms and gardens and in compliance with Arizona Revised Statutes Title 3, Chapter 3, Article 7.

#### Food Products include:

- Every product of the soil in its natural or manufactured state
  - Beef and beef products.
  - Swine and pork products.
  - Fowls and poultry products.
  - Eggs and egg products.
  - Milk and milk products.
  - Lamb and sheep products.
6. Served at a noncommercial social event such as a potluck.
  7. Prepared or served at an employee-conducted function that lasts less than four hours and is not regularly scheduled, such as an employee recognition, an employee fund-raising, or an employee social event.

## Permit Exemptions (cont)

8. Offered at a child care facility and limited to commercially prepackaged food that is not time/temperature control for safety foods and whole fruits and vegetables that are washed and cut onsite for immediate consumption.
9. Demonstration culinary cooking schools and home economics classes accredited by the appropriate entity such as an educational institution and all food is prepared and consumed by the student in training. Food may not be purchased by the school or stored on premises.
10. A school or business that demonstrates the preparation of food but does not offer samples to the public for consumption.
11. A demonstration cooking class in which the public purchases, prepares and/or cooks and consumes their food.
12. A home cooking school in which food and/or meals are served at a non-commercial social event, employee conducted function, or prepared at a home cooking school. No more than one meal per day shall be served to no more than fifteen students. The students shall be informed by a statement contained in a published advertisement, mailed brochure and placard posted at the cooking school's registration that the food is prepared in a kitchen that is not regulated and inspected by the Department or by a local health authority.
13. A kitchen in a private home if only food that is not time/temperature control for safety food, is prepared for sale or service at a function such as a religious or charitable organization's bake sale if the consumer is informed by a clearly visible placard at the sales or service location that the food is prepared in a kitchen that is not subject to regulation and inspection by the regulatory authority.
14. A kitchen in a private home, such as a small family day-care provider; or a bed-and-breakfast operation that prepares and offers food to guests if the home is owner occupied, the number of available guest bedrooms does not exceed 6, breakfast is the only meal offered, the number of guests served does not exceed 18, and the consumer is informed by statements contained in published advertisements, mailed brochures, and placards posted at the registration area that the food is prepared in a kitchen that is not regulated and inspected by the regulatory authority.
15. A private home that receives catered or home-delivered food.
16. A "Chef for Hire" at a private residence for a private, non-advertised event where fees are paid by the responsible party for this service. Fees cannot be collected from the attendees of the event.
17. No permit is required for commercial beverage sampling/sales when:
  - Pouring non-TCS drinks including, but not limited to, beer, wine, soda, or juice from a commercial container (e.g. bottle, keg, can, or beer truck) into a disposable cup;
  - Providing non-TCS drinks in a can or bottle (commercial container) even if the lid or top has been opened for the customer.

Note: A permit will be required from the Department if ice, cut fruit or garnishes including, but not limited to, lemon and lime wedges, cut vegetables, cut jalapeno, and mint are added to the drink, or reusable cups are used.

## Permitting FAQs

- **Are food permits required for private events?**

If the food is being provided by members of an organization/group and served to the members of the organization/group, no permits are required. This is similar to a potluck and corresponds to exemption #6 above.

- **What are permitting requirements for competition food events, tasting events or promotional events where food is either given away or where the booths have no point of sales at the individual service areas?**

If the product being sampled is non-time/temperature control for safety foods, no permit is required (see #2 above).

If the products being sampled are time/temperature control for safety foods, permits are required:

The coordinator of the event is responsible for obtaining permits and ensuring all tasting booths are properly equipped and set up before workers handle open foods/beverages.

- **What does time/temperature control for safety (TCS) food mean?**

Time/temperature control for safety food means any food (or beverage) item that requires time/temperature control for safety to limit pathogenic microorganism growth or toxin formation.

Some examples of TCS foods are:

- Meat, Poultry, Fish
- Shellfish and Crustaceans
- Eggs
- Milk and dairy products
- Heat-treated plant food (cooked rice, beans, or vegetables)
- Raw seed sprouts
- Tofu and soy protein foods
- Untreated garlic and oil mixtures
- Custards, puddings, cakes with custard fillings, meringues, cheese cakes, pumpkin, cream or custard pies and other desserts containing ingredients of animal origin, should be assumed to be potentially hazardous

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