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HEALTH AND SAFETY CODE - HSC

DIVISION 104. ENVIRONMENTAL HEALTH [106500 - 119406] (Division 104 added by Stats. 1995, Ch. 415, Sec. 6.)

PART 7. CALIFORNIA RETAIL FOOD CODE [113700 - 114437] (Part 7 repealed and added by Stats. 2006, Ch. 23, Sec. 2.)

CHAPTER 10.1. Catering Operations and Host Facilities [114328 - 114328.1] (Chapter 10.1 added by Stats. 2018, Ch. 493, Sec. 9.)

114328. (a) A catering operation shall meet the applicable requirements in Chapters 1 (commencing with Section 113700) to 8 (commencing with Section 114250), inclusive, and Chapter 13 (commencing with Section 114380), unless specifically exempted from any of those provisions. For purposes of this chapter, a catering operation refers to a permanent food facility approved for offsite food service activities.

(b) A catering operation shall operate from a permitted food facility that is capable of supporting the proposed food service activity to be conducted, and the type of food that is to be prepared offsite or served.

(c) Prior to conducting catering operations, the catering operation shall submit to the enforcement agency written standard operating procedures that include all of the following information:

(1) The manner in which food will be transported to and from the permanent food facility and the offsite food service location or host facility and procedures to prevent contamination of the food.

(2) The type of food that is to be prepared or served, and the extent of limited food preparation, as defined in Section 113818, that is to be conducted at an offsite food service event.

(3) The manner in which potentially hazardous food will be maintained in accordance with Section 113996.

(4) Procedures, methods, and schedules for cleaning utensils, equipment, and structures, and for the disposal of refuse.

(5) The manner in which hands will be washed to ensure compliance with Section 113953.

(d) Food shall be transported in a vehicle that meets the requirements of Section 113982.

(e) A catering operation may conduct limited food preparation, as defined in Section 113818, at an offsite location when approved by the enforcement agency.

(f) All food, prior to offsite food service, shall be stored and prepared at the permanent food facility.

(g) While operating offsite, the catering operation shall provide the name of the facility, city, state, ZIP Code, and the name of the operator to any consumer or enforcement agency upon request.

(h) A catering operation shall maintain records for all offsite food service activities for 90 days after each event. The catering operation shall provide those records to the enforcement agency upon request and shall include all of the following information:

(1) Location, date, and time of offsite food service activity.

(2) Customer name and contact information, including address, email address, and phone number.

(3) Whether food was delivered to a customer or served to a guest at a catered function or host facility.

(4) Departure and arrival food temperature logs for transportation, and corrective action taken if the food arrived out of temperature.

(5) Complete menu of food provided.

(i) A catering operation shall ensure that it has access to potable water at any offsite function, or shall bring an adequate supply of potable water with it to that function.

(j) For offsite food service where a catering operation is serving the food, the person in charge on behalf of the catering operation shall ensure that basic food safety is maintained at all times, including, but not limited to, all of the following:

(1) Protecting the food from contamination during service.

(2) Providing overhead protection over all food handling areas.

(3) Providing utensils for individual use and eliminating the use of community dipping containers where consumers could dip a utensil or a food item they have already placed in their mouth.

(4) Preventing consumers' used plates or utensils from returning to the self-service display.

(5) Replacing utensils that become contaminated with clean and sanitized utensils.

(6) Ensuring open or potentially hazardous foods not consumed or sold by the catering operation are discarded, unless the food was held at required temperatures and protected from contamination at all times.

(7) Discarding any food that has become contaminated or is suspected of becoming contaminated, or that is presumed unsafe because temperatures were not maintained as required by Section 113996.

(k) Utensils used to serve food shall meet all of the following conditions:

(1) Meet the requirements of Chapter 6 (commencing with Section 114130).

(2) Be stored in the food with the handle extended out of the food, on a clean surface, or in a clean container.

(3) Be replaced every four hours or sooner if observed to be mishandled by the guest, dropped, or otherwise contaminated during the serving process.

(l) Notwithstanding Section 113953, adequate handwashing facilities shall be provided at the offsite food service event.

(m) Approved toilet and handwashing facilities shall be available within 200 feet of the offsite food service operation or as approved by the enforcement agency.

(n) All garbage and refuse generated during offsite food service activities and cleanup operations shall be disposed of in a manner approved by the enforcement agency.

(o) All liquid waste shall be disposed of through the approved plumbing system in a manner approved by the enforcement agency.

(p) A catering operation shall not store any food, beverages, equipment, utensils, or food items in a private home when not conducting offsite catering activities.

(q) The enforcement agency may establish additional structural or operational requirements, or both, based on the proposed facility method of operation and as necessary to ensure compliance with the requirements of this chapter.

(Added by Stats. 2018, Ch. 493, Sec. 9. (AB 2524) Effective January 1, 2019.)

114328.1. (a) A host facility shall meet the applicable requirements in Chapter 1 (commencing with Section 113700), Chapter 2 (commencing with Section 113728), all general food safety requirements described in Chapter 4 (commencing with Section 113980), Chapter 6 (commencing with Section 114130), and Sections 114049, 114250, 114266, 114381, 114387, 114390, 114393, 114395, 114397, 114399, 114405, 114407, 114409, 114411, and 114413.

(b) In addition to any permit required of a permanent food facility or a catering operation, a permit shall be obtained by the person responsible for operating the host facility.

(c) A permit application shall be submitted to the enforcement agency pursuant to Article 1 (commencing with Section 114380) of Chapter 13. The plan review process shall include all of the following:

(1) Submission of a site plan that indicates the location of the food service operation, handwashing sinks and restrooms, refuse containers, and waste water disposal facilities.

(2) Specifications of equipment that will be provided by the host facility to support the catering operation.

(3) Standard operating procedures that include all of the following information:

(A) Procedures, methods, and schedules for cleaning equipment and structures, and for the disposal of refuse.

(B) How potentially hazardous food will be maintained in accordance with Section 113996.

(4) A list of catering operations that will be supported by the host facility with proposed menus.

(5) The enforcement agency may establish additional structural or operational requirements, or both, based on the proposed facility method of operation to ensure the sanitary operation of a host facility.

(d) A host facility may support a catering operation for up to four hours in any one 12-hour period, unless otherwise approved by the enforcement agency.

(e) All food, soiled utensils, equipment, tableware, and linen shall be returned to the catering operation for cleaning, sanitizing, and storage.

(f) Approved toilet and handwashing facilities shall be available within 200 feet in travel distance of the food service operation.

(g) All garbage and refuse shall be stored and disposed of in a manner approved by the enforcement agency.

(Added by Stats. 2018, Ch. 493, Sec. 9. (AB 2524) Effective January 1, 2019.)