



# Orange County Environmental Health & Code Compliance

11475-C FM 1442; Orange, Texas 77630  
409-745-1463 Environmental@co.orange.tx.us

## Rules For TEMPORARY Food Establishments

1. TEMPERATURES: Cold foods shall be held at 41 degrees or below.  
Hot foods shall be held at 135 degrees or above.  
(These are not cooking temperatures- only holding temperatures)

All internal food temperatures need to be taken with a stem type product thermometer and must be calibrated to make sure it is accurate.

To calibrate the thermometer:

**COLD TEMPERATURE:** Put the thermometer into a cup of ice water. Allow the needle on the thermometer to stop moving and it should read 32 degrees. If it does not read 32 degrees, use a pair of pliers to hold the nut at the back of the dial where it attaches to the stem. Turn the nut until the needle rests at 32 degrees.

**HOT TEMPERATURE:** Hold the thermometer in a pan of boiling water. BE CAREFUL NOT TO BURN YOURSELF!! You may want to use tongs or other utensils to hold the thermometer. The thermometer should be 212 degrees. Adjust if you need to, again being careful not to burn yourself.

2. ALL EMPLOYEES IN THE BOOTH MUST WASH THEIR HANDS: Hand washing is critical for serving safe food. Hands should be washed with warm water and plenty of soap. Anyone with a cut or sore on their hands must wash and then bandage the cut. No one with an infected cut may make bare hand contact with ready to eat foods. Plastic gloves shall be used to handle ready-to-eat foods, and is not a substitute for hand washing. Alcohol based hand sanitizers may be used, but again, they are not a substitute for hand washing. Also make sure there is an adequate supply of disposable paper towels. No false fingernails or excessive jewelry are permitted on food handlers hands.

**Remember that hand washing is the most important personal task of the food handler!**

3. GENERAL FOOD HANDLER PRACTICES: There is no eating, smoking or tobacco use of any type permitted in the food booth. People who are not working in the booth are not allowed to be inside as well as small children when food preparation is underway.

All workers must wear hair restraints such as a cap, hairnet or scarf. Long hair must also be pulled back. Excessive jewelry is not permitted nor can flip flop sandals be worn by the food worker.

4. GENERAL BOOTH REQUIREMENTS:

- There must be a cover over the booth if it is located outside. Material such as plywood covering the ground if located outside and not on a hard surface such as concrete.
- Trash must be kept in closed containers and be disposed of in a dumpster or other appropriate container during and after the event.
- Serving utensils must be kept in the food or stored in a clean covered container.

- Only single service dishes and utensils may be provided to the customer. The single service items, such as plates, bowls and plastic ware, must be stored off the floor.
- All condiments must be offered in single service packets or in a closed automatic dispenser.
- You must have three tubs available for cleaning pots, pans and utensils throughout the event.

1. One tub is used for washing and is filled with warm, soapy water.
2. The second tub is filled with clean water for rinsing.
3. The third tub is filled with water and about 2 tablespoons of bleach or sanitizer.

- Wastewater must be disposed of in a sanitary sewer or a dump site provided by the festival. You may not throw wastewater onto the ground.

**5. APPROVED SOURCE:** All foods sold at a temporary event shall be cooked onsite except for Cottage Foods. Effective September 1, 2025, Texas Senate Bill 541 allows cottage food operators to sell food that is prepared from one's home. Labeling and other requirements need to be met to fall under the Cottage Food Law

(<https://www.dshs.texas.gov/retail-food-establishments/texas-cottage-food-production>)

Allowable foods now include any foods, **except for the following:**

- Meat, meat products, poultry, or poultry products;
- Seafood, including seafood products, fish, fish products, shellfish, and shellfish products;
- Ice or ice products, including shaved ice, ice cream, frozen custard, popsicles, and gelato;
- Low-acid canned goods;
- Products containing cannabidiol (CBD) or tetrahydrocannabinol (THC); or
- Raw milk and raw milk products

An individual who operates a cottage food production must successfully complete a basic food safety education or training program for food handlers.

**6. Applying for a Temporary Permit:** To obtain a Temporary Food Vendor Permit, you must contact the Orange County Environmental Health and Code Compliance Department 1 week ( 7 days) before your event. As part of the permitting process, you are required to complete a short training session covering all permit requirements. This training is valid for 1 year and is mandatory for all temporary food vendors. If you cannot attend a scheduled training session, you must contact our office in advance to arrange a suitable time and date for your training. Failure to attend this training means a permit will not be issued and you will not be able to sell at the event.

**7. PERMIT TO OPERATE:** The Orange County Environmental Health & Code Compliance Department will have inspectors at the festivals during the set-up time. A temporary permit will be issued to each booth after the inspection, if it meets all requirements. All permit fees will be charged to the event and not to each booth.