



California Retail Food Code non-Food Facility

[Ch 2. section 113789 \(C\) \[\(3\)&\(4\)\]](#)

In order to obtain a waiver, provide the following items to SFDPH at least 14 days prior to the event:

1. Proof of 501 (c)(3) status from IRS or reasoning as to why your event is to be considered private (if private, skip #3)
2. Completed Non-Profit Sponsor Declaration Form
3. Completed For-Profit TFF Declaration Forms
4. Event information such as name, date, and location
5. List of Food Vendors
6. Mailing address for the waiver

Food sales or giveaways do not fall under the California Retail Food Code if:

A.

1. The booth is operated by a nonprofit organization.
AND
2. The event does not exceed three days in a 90-day period
AND
3. The event is limited to members and guests of the nonprofit organization.

OR

B.

1. The booth is operated by a for-profit entity (on behalf of a nonprofit organization) which receives no monetary benefit.
AND
2. The booth is operated at an event that does not exceed three days in a 90-day period.

Food sales or giveaways are subject to California Retail Food Code if:

- A. The temporary food facility is operated for more than three days in a 90-day period.

OR

- B. The event is open to the general public (and the vendor is not exempt under (B) above).



Declaration of Non-Profit Sponsor

This form is to be completed by the Sponsor/Organizer who represents the non-profit organization receiving benefit from the temporary event. Collect the For-Profit Declaration from each participating business/concessionaire who is donating all proceeds, food and beverage, and labor to the non-profit organization and provide to SFDPH when applying for a waiver.

This form is to certify: _____
Name of Non-Profit Association/Organization

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Tax ID Number: _____ Tax Exempt Status: _____

Business Registration #: _____ State Board of Equalization #: _____

receives benefit from: _____

Name of For-Profit TFF(s)

intending to distribute food/beverages at: _____
Name of Temporary Event

located at: _____ San Francisco, CA
Location of Temporary Event

on: _____
Date(s) of Temporary Event (not to exceed 3 days in 90-day period)

As the event Sponsor/Organizer, it is my understanding that all food and beverage distribution at this event will receive no monetary benefit and those For-Profit TFF(s) will donate all proceeds, donate all labor, and donate all food to the Non-Profit Sponsor. Based on the special status of this event, food distributions will be exempt from obtaining a SFDPH Permit. I recognize my part in ensuring food safety at the event by organizing the site appropriately, distributing [food safety requirements](#) and [checklist](#), ensuring a potable water source, providing an approved waste system, and if necessary, obtaining fire safety approvals. I have read and understood my responsibilities as the sponsor/organizer and declare all of the above as true and correct.

Applicant Signature: _____ Date: _____

Printed Name: _____



Declaration of For-Profit Temporary Food Facility (TFF)

This form is to be completed by the business donating all food, beverage, labor, and proceeds to the Non-Profit Sponsor. Submit this declaration to the sponsor/organizer representing the benefiting Non-Profit association or organization.

This form is to certify

_____ Name of For-Profit Temporary Food Facility (TFF)

Business Address: _____

City: _____ State: _____ Zip: _____

Phone #: _____ Fax: _____

Business Registration #: _____ State Board of Equalization #: _____

Requests an exemption from the California Retail Food Code, under provisions of Section 113789 (c),

to distribute food at:

_____ Name of Temporary Event

_____ Date

located at:

_____ San Francisco, CA

_____ Location of Temporary Event

for the benefit of:

_____ Name of Non-Profit Association/Organization

As the For-Profit TFF, I will donate all proceeds, donate all labor, and donate all food to the Non-Profit Sponsor. I will receive no monetary benefit other than that resulting from the recognition for participating at the event. Based on the special status of this event, food distributions will be exempt from obtaining a SFDPH Permit. I recognize my part in ensuring food safety at the event and have received the [food safety requirements](#) and [checklist](#). I have read and understood my responsibilities and declare all of the above as true and correct.

TFF Signature: _____ Date: _____

Printed Name: _____