



Food operations that do not need permits

Foods exempt from the food code and not considered as a food service establishment

Some types of food service operations that are regulated by other agencies or that present minimal risk to causing foodborne illness do not need to obtain a permit. Even so, it is still important to follow safe food handling practices like washing your hands and storing the food in a safe place.

- An establishment that offers only nonpotentially hazardous, non ready-to-eat, minimally cut, unprocessed fruits and vegetables
- A food processing plant or other establishment for activities regulated by the Washington State Department of Agriculture or the U.S. Department of Agriculture
- An establishment that offers only nonpotentially hazardous, ready-to-eat foods produced in a licensed food establishment or food processing plant (such as premixed soda pop, powdered creamer, pretzels, cookies, doughnuts, cake, or meat jerky) that are served without direct hand contact, with limited portioning, directly onto or into sanitary single-use articles or single-service articles from the original package
- An establishment that offers only nonpotentially hazardous hot beverages (such as coffee, hot tea, or hot apple cider) served directly into sanitary single-service articles
- An establishment that offers only dry, nonpotentially hazardous, non ready-to-eat foods (such as dry beans, dry grains, in-shell nuts, coffee beans, tea leaves, or herbs for tea)
- An establishment that offers only prepackaged frozen confections produced in a licensed food establishment or food processing plant
- A residential kitchen in a private home or other location, if only foods that are nonpotentially hazardous baked goods are prepared and wrapped in a sanitary manner for sale or service by a nonprofit organization for religious, charitable, or educational purposes, and if the consumer is informed by a clearly visible placard at the sales or service location that the foods are prepared in a kitchen that is not inspected by a regulatory authority
- A location where foods are prepared in a residential kitchen as noted above and are sold or offered for human consumption
- A kitchen in a private home operated as a family day care provider as defined in RCW 74.15.020(1)(f) or an adult family home as defined in RCW 70.128.010, used only to prepare food for residents and other people whom the operation is licensed to provide care
- A private home that receives catered or home-delivered food
- A private home or other location used for a private event
- A donor kitchen or a location used for a potluck

List of food exempt from permit and plan review

There are ten food items below that may be served without a permit, provided that you submit an application for exemption from permit and

you follow the food safety requirements. Exemption from permit and plan review does NOT mean exemption from the Washington State Food Code.

- **[Application for exemption from permit \(%
7e/media/health/publichealth/documents/foodsafety/2013ApplicationExemptionFro
\(PDF\)](#)**
- Commercially made caramel apples
- Cotton candy
- Machine crushed ice drinks with non-potentially hazardous ingredients (e.g. slurpies, icees, slushies)
- Corn on the cob with butter
- Individual samples of sliced non-potentially hazardous fruits and vegetables
- Popcorn and flavored popcorn with butter and/or shake on toppings
- Roasted nuts and roasted candy coated nuts
- Deep fried pork skins prepared from pork skins rendered at a food processing plant
- Whole roasted peppers for immediate service
- Dried herbs/spices, including bulk and/or packaging processed in an approved facility

Note - Machine crushed ice drinks are those prepared (mixed, frozen, and dispensed) completely within self-enclosed machines after a premix has been added. This eliminates any potential hand contact with the product.

Bake sales

Nonprofit organizations may offer homemade, nonpotentially hazardous baked items for religious, charitable, or educational purposes; provided that the baked items are prepared and wrapped in a sanitary manner and the consumer is informed by a clearly visible placard at the sales or service location that the foods are prepared in a kitchen that is not inspected by a regulatory authority. Acceptable bake sale items include cookies, muffins, double crust fruit pies and bread. **Foods such as pumpkin pie, custards, and whipped cream toppings are not allowed.**

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Public Health – Seattle & King County
RISK LEVELS AND PERMIT CLASSIFICATIONS
Effective July 18, 2005

The following information is provided to assist you in determining what food permit to apply for and obtain. Permits are now based on risk levels determined by type of food and preparation steps. The more complex the menu and preparation of foods, the higher the risk level, which in turn relates to more frequent inspection of your establishment. This information will help you determine your risk level and permit classification when you are filling out your application for a permit.

Risk Level 1 - This risk level is assigned to a permit that allows limited preparation steps of potentially hazardous foods, such as hot dogs, and includes sectioning of melons, heating of individually pre-packaged ready-to-eat foods for immediate service without opening of the package, and preparation of espresso and/or blended drinks. It also includes cold holding of commercially pre-packaged ready-to-eat foods, such as sandwiches, without opening of the package. Risk 1 does not include hot holding of food. Mobile cart operations with espresso are included in this risk category as are mobile trucks with frozen foods or meat. These types of operations are inspected once a year.

Risk Level 2 - This risk level is assigned to a permit that allows food processing steps such as receiving, storing, preparing, cold holding, and serving potentially hazardous foods. It does not include hot holding of food. It includes limited preparation steps, such as baking bread, frying donuts, and grilling or toasting sandwiches for immediate service. Examples of this type of operation include on-site baking, making smoothies with raw ingredients (fruit, eggs, etc.), opening ready to eat prepackaged foods for heating or service, cooking waffle cones or cake mixes. Grocery stores with pre-packaged raw meat, poultry, or seafood are also included. These operations receive one routine inspection and one educational visit each year with the exception of schools which receive two routine inspections.

Risk Level 3 - This risk level is assigned to a permit that allows operations with complex food preparation steps, including thawing, cutting, cooking, cooling, cold holding, reheating, hot holding, and serving of potentially hazardous foods. It includes all operations that provide cooking or hot holding of foods, including meat and seafood markets and mobile trucks. These operations receive two routine inspections and one educational visit each year.

Permit Classification (PE) numbers are listed on the back of the application form and, depending on your level of risk, your classification number will be determined accordingly. General Food Service categories (formerly Restaurants, Food Processors and Taverns) are based upon seating and the risk level involved. Classifications are also listed for bakery operations, caterers, grocery stores, meat/fish markets, bed and breakfast operations, schools, non-profit organizations, etc. Each of these categories has a risk level of 1, 2, or 3 attached to it based upon the type of food service provided.

Note - Owners of small grocery stores with no more than 2 checkout stands and no more than 12 seats shall only have a single permit and pay a single fee in the highest applicable risk category (i.e. a deli with a separate meat market).

Please feel free to contact your local district Environmental Health Office for assistance in determining your permit classification and risk level.

2012 LIMITED TEMPORARY FOOD SERVICE ESTABLISHMENTS

- **Bacon strips**, USDA cooked, crisp
- **Canned whip cream**, Redi Whip, Cool Whip
- **Caramel apples**, dipped at event (commercially prepared caramel apples are exempt)
- **Cheesecake**, with non-potentially hazardous toppings
- **Chocolate dipped fruit**, fruit washed prior to dipping, no melon
- **Chocolate dipped ice cream bars/fruit bars**, dipped in booth, commercially prepared single service bars.
- **Cookies, pretzels**, baked on-site from commercially prepared, frozen dough
- **Corn dogs**, commercially prepared or hand dipped from commercial prepared mix
- **Demonstrations, (small portions for sampling)** excludes raw milk, raw oysters, melons and demos that use raw meat, poultry or fish
- **Donuts, elephant ears, funnel cakes, churros**, from commercial mixes/dough, non-potentially hazardous fillings, toppings, condiments
- **Espresso coffee and blended espresso drinks**, blenders and utensils cleaned or changed every 2 hours
- **Fish**, commercially caught, processed in a state or federal facility, packaged, frozen
- **Fruit pies, fruit turnovers, fruit dumplings**, single portion, baked on site, premade in a commercial facility with non potentially hazardous fillings, or toppings
- **Green salad**, commercially prepared bag of salad and commercially packaged single service shelf stable salad dressings
- **Hot dogs, sausages and tofu dogs**, USDA, fully cooked
- **Ice cream, gelato, dippin'dots**, scooped at the event or in the commissary (not soft serve)
- **Iced drinks**, that are not exempt including; Italian sodas with milk, Thai iced tea with condensed/evaporated milk, Bubble tea or Horchata
- **Lemonade and juices**, fresh squeezed/prepared citrus beverages but not fresh pressed apple cider (consumer advisory required)
- **Meat**, slaughtered in a USDA facility, packaged, frozen
- **Nachos**, made with commercially canned cheese sauce
- **Cold Packaged foods**, held at 41° F or below, labeled and processed in a facility under appropriate permit, including but not limited to; pasta, hummus, sauces, cheese, or single service milk and yogurt. Packaged, raw meat, poultry or fish is not included.
- **Pancakes, waffles**, made from commercial mixes, non-potentially hazardous fillings, toppings, condiments
- **Peanut butter and jelly sandwiches**
- **Pepperoni and cheese pizzas**, commercially made, cooked, pre-sliced and boxed
- **Poultry**, packaged in a USDA or WSDA facility, frozen
- **Root beer floats**
- **Sno cones, shaved ice**
- **Strawberry (or other berry) shortcake**, commercially prepared ingredients
- **Twinkies, commercially prepared nonhazardous snack cakes and candy bars**, deep fried

Commercially prepared means food prepared under permit in a commercial kitchen site or food processing plant approved by the United States Department of Agriculture (USDA), Food and Drug Administration (FDA), Washington State Department of Agriculture (WSDA) and/ or Public Health Seattle and King County.

Application for exemption from permit

This application is based on WAC 246-215 (Rules and Regulations of the State Board of Health for Food Service)

Office use only:

Approved

Denied

Expires _____

Food items that may be exempted from permit:

- **Popcorn** (including kettle corn)
- **Cotton candy**
- **Dried herbs and spices** (if processed in an approved facility)
- **Machine-crushed ice drinks** (premix is frozen and dispensed completely within a self enclosed machine like, icees, slushies or slurpies)
- **Corn on the cob** (prepared for immediate service with butter, shake on spices or commercial mayonnaise in squeeze bottle only)
- **Whole roasted peppers** (if roasted for immediate service)
- **Roasted nuts, roasted peanuts** (including candy-coated)
- **Caramel apples** (commercially made)
- **Fruits and vegetables for sampling** (if used for individual samples of nonpotentially hazardous produce)

Applicant Name _____

Daytime Contact Phone _____

Business Name _____

Email _____

Mailing Address _____

City, State, Zip _____

Food Items, check all that apply:

- | | |
|---|---|
| <input type="checkbox"/> Popcorn | <input type="checkbox"/> Roasted nuts |
| <input type="checkbox"/> Cotton candy | <input type="checkbox"/> Commercially made caramel apples |
| <input type="checkbox"/> Herbs and spices | <input type="checkbox"/> Fruit and vegetable samples |
| <input type="checkbox"/> Machine crushed ice drinks | <input type="checkbox"/> Whole peppers |
| <input type="checkbox"/> Corn on the cob | |

Food Safety Requirements:

All food safety rules must be followed or the exemption will no longer be valid. Read the statements below and mark Yes (Y), No (N), or Not Applicable (N/A).

Y N N/A

- | | | | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1. At least one person will have a Washington State Food Worker Card. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2. Food workers will not work if they are sick. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 3. A handwash station will be provided in the work space. Either a plumbed sink or an insulated container with a spigot that can lock in an open position – capacity 5 gallons or more filled with warm water and a bucket to collect waste water. Pump handsoap and paper towels must be provided. Hands will be washed as needed. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 4. Water, ice and food will be from approved sources. Homemade food or home storage of food, utensils or equipment is not allowed. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 5. No bare hand contact with ready-to-eat foods. Use barriers like utensils, bakery papers or gloves (which must be changed when contaminated, ripped, or after changing tasks). |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 6. Employees will have accessible restrooms with hot water for handwash. All employees must wash their hands after using the restroom and again when they return to the work space. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 7. Food, ice and single-service products will be stored off the ground and away from sources of contamination. Use food-grade containers for food storage and transport. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 8. Provide an adequate number of clean utensils or a plumbed three compartment sink for dishwashing. All utensils will be washed in hot, soapy water, rinsed in clean water, sanitized, and <i>air dried</i> before use. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 9. Dishwashing, storage and any limited preparation will occur at an approved facility/commissary. Name _____ |

A copy of this approved exemption application must be at the site of operation.

Signature of Applicant _____

Date _____

Signature of Regulatory Authority _____

Date _____

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