

OFFICE USE ONLY

DATE	SR#	PE CODE	FEE	ASSIGNED TO
		2024	Permit application \$207 Annual Fee \$555	

The California Retail Food Code (CalCode) requires a food business operator to obtain an Alameda County Environmental Health Department (ACEHD) permit to operate an Online Food Sales Operation (**OFSO**) within Alameda County. To begin the permitting process, complete this application and return by mail or in person to ACEHD, 1131 Harbor Bay Parkway Alameda, CA 94502 along with a check for the OFSO application fee of \$207.

Your EHD district inspector will contact you to schedule an appointment at the proposed commercial kitchen to ensure compliance with CALCODE requirements and to complete the application review process. Once the **OFSO** application is approved, a facility permit application must be completed, and payment of the permit fee will be due.

If you plan to construct or remodel a facility rather than rent kitchen space, plan submittal is required. Please refer to this link: <http://www.acgov.org/aceh/food/requirementsfoodfacilityplans.pdf>. Incomplete applications will expire six (6) months from the initial submission date.

ONLINE FOOD SALES OPERATOR NAME		BUSINESS PHONE		CELL PHONE	
ONLINE FOOD SALES OPERATOR EMAIL ADDRESS				ALT PHONE	
MAILING ADDRESS		CITY		STATE	ZIP
ONLINE FOOD SALES OPERATOR BUSINESS NAME			WEBSITE		
BUSINESS ADDRESS		CITY		STATE	ZIP
OFSO PERSON IN CHARGE NAME AND PHONE					

The following information will assist you in completing this application. Along with a completed application, please include the following required documents:

- ☐ Standard Operating Procedures (SOP's) and Records Template (See item "E" page3)
- ☐ Professional Food Manager Certificate and Food Handler Cards
- ☐ Menu, Business Card and other marketing tools
- ☐ Specification sheets of equipment used to store, prepare, and transport food at required temperatures.

Please refer to CALCODE definitions starting on page 5 of this application.

Standard Operating Procedures (SOP's)

Please develop your SOP's in this section. You may add additional pages if needed. SOP's must include information that addresses the following.

1) Describe the manner in which food will be prepared, packaged, and transported to the consumer.

2) Describe how Potentially Hazardous Food (PHF) Items will be transported/delivered directly to the consumer. Explain procedures that will prevent contamination and temperature abuse of the food. Transportation of food to the consumer must be done in a vehicle that meets the requirements of Section 113982. (See definitions page 5).

3) Describe how temperatures of potentially hazardous food will be maintained in accordance with Section 113996 (see definitions page 6).

Please read and initial to confirm agreement with the following CalCode requirements:

- _____ A. All food and equipment shall be stored and prepared only at the permitted permanent food facility/Commercial Kitchen (see definitions page 5). An Online Food Sales Operation may not store or prepare any food or equipment at home. Provide a completed Part D located in this application.

_____ B. An Online Food Sales Operation shall not cater events or sell food at a host facility. **Sales transactions must begin and end Online.**

_____ C. Equipment food-contact surfaces and utensils shall be used, cleaned, sanitized and stored at the commercial kitchen.

_____ D. Food Prepackaged in a food facility shall bear a label that complies with the labeling requirements prescribed in California Retail Food Code Section 114089.

_____ E. An Online Food Sales Operation shall maintain records for Ninety (90) days after production. The Online Food Sales Operation shall provide those records to the enforcement agency upon request with all the following information:

- Menu items
- Customer name, address, email address, and phone number
- Indicate whether food was delivered to a customer by the operator or by a third party delivery company.
- Departure and arrival food temperatures and if needed, corrective action taken

_____ F. The Person In Charge (PIC) (see definition page 5) on behalf of the Online Food Sales Operation shall be at the commercial kitchen during operating hours and ensure each of the following:

- Protection of the food from contamination during preparation, packaging and transportation.
- Discards any PHFs (see definitions page 5) not delivered that were subject to temperature abuse.
- Discards any food that has become contaminated or is suspected of being contaminated. during preparation, packaging, hot and /or cold holding and transportation.
- Have adequate knowledge of major food allergens, foods identified as major food allergens, and the symptoms that a major food allergen could cause in a sensitive individual who has an allergic reaction!
- Ensure that all food handlers are in good health and free of any gastrointestinal symptoms or illness (see definition page 6)
- An inspection by an enforcement officer may be performed during normal business hours at the commercial kitchen.
- During inspection any violations resulting in imminent health hazards may result in closure of the operation.

I/We will comply with the requirements of a Online Food Sales Operation. If there are any changes to my Standard Operating Procedures or other information, I will contact the Alameda County Environmental Health Department for approval prior to the change.

Applicant Signature _____ Date _____

EHS Signature _____ Date _____

COMMISSARY/COMMERCIAL KITCHEN AGREEMENT

ALAMEDA COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

PART D

Section 1: Pursuant to California Retail Food Code, I will notify Alameda County Environmental Health Department upon termination of this agreement or if the operator voluntarily ceases using this facility

Commissary / Commercial Kitchen Name

Permitted Owner Name

Street Address

City & Zip Code

Cell Phone#

Alternate Phone#

I, (Facility Owner/Manager) _____

agree to provide the following services to _____

SERVICES PLEASE CIRCLE YES OR NO:

Facilities to prepare or package food ☐ YES ☐ NO

Toilet & handwashing facilities ☐ YES ☐ NO

Waste tank/sewage disposal ☐ YES ☐ NO

Garbage disposal ☐ YES ☐ NO

Potable (drinkable) water supply ☐ YES ☐ NO

Electrical hook-up ☐ YES ☐ NO

Equipment/utensil storage ☐ YES ☐ NO

Warewash facility (i.e. 3 compartment sink) ☐ YES ☐ NO

Dry food storage ☐ YES ☐ NO

Waste grease removal ☐ YES ☐ NO

Chemical storage ☐ YES ☐ NO

Overnight parking (MFPU) ☐ YES ☐ NO

Enclosed overnight parking (carts) ☐ YES ☐ NO

Refrigeration/frozen food storage ☐ YES ☐ NO

Supply food product – i.e. ice, meats ☐ YES ☐ NO

Any "NO" answers must be explained below. Additional Commissary agreements may be required:

Authorized Signer _____

Date _____ Phone _____

REHS Signature _____

Date _____ Phone _____

Comments:

Definitions:

Online Food Sales Operation: An operation permitted for Food preparation in a commercial kitchen with no onsite retailing or dining, and the food is provided directly to consumers via delivery by the food facility operator, or by third-party delivery services with sales transactions that begin and end online.

Commercial Kitchen: A fully equipped permitted food preparation facility, approved by the local enforcement agency to support offsite retail operations, such as catering, PFR, wholesale, temporary food, mobile food facilities, online sales operations, etc.

113982. Food transportation

(a) Except as specified in subdivision (b), FOOD shall be transported in a manner that meets the following requirements:

(1) The interior floor, sides, and top of the FOOD holding area shall be constructed of a SMOOTH, washable, impervious material capable of withstanding frequent cleaning.

(2) The FOOD holding area shall be constructed and operated so that no liquid wastes can drain onto any street, sidewalk, or PREMISES.

(3) Except as provided in subdivision (a) of Section 113996, POTENTIALLY HAZARDOUS FOOD shall be maintained at the required holding temperatures.

(b)

(1) READY-TO-EAT FOOD delivered through a THIRD-PARTY FOOD DELIVERY PLATFORM shall be transported in a manner that meets all of the following requirements:

(A) The interior floor, sides, and top of the FOOD holding area shall be clean and capable of withstanding frequent cleaning.

(B) READY-TO-EAT FOOD shall be protected from contamination in accordance with Section 113980.

(C) The FOOD shall be maintained at holding temperature necessary to prevent spoilage.

(2) All bags or containers in which READY-TO-EAT FOODS are being transported or delivered from a FOOD FACILITY to a customer through a THIRD-PARTY FOOD DELIVERY PLATFORM shall be closed by the FOOD FACILITY with a tamper-evident method prior to the FOOD deliverer, who transports and delivers READY-TO-EAT FOOD for the THIRD-PARTY FOOD DELIVERY PLATFORM, taking possession of the READY-TO-EAT FOOD.

(3) ENFORCEMENT OFFICERS may recover from a THIRD-PARTY FOOD DELIVERY PLATFORM reasonable costs that are associated with the enforcement of this section against FOOD deliverers who transport and deliver READY-TO-EAT FOOD for the THIRD-PARTY FOOD DELIVERY PLATFORM.

(c)

(1) This section shall not apply to the transportation of prepackaged nonPOTENTIALLY HAZARDOUS FOODS.

(2) Paragraph (2) of subdivision (b) shall not apply to FOOD transported as part of a CHARITABLE FEEDING PROGRAM or FOOD being donated to a FOOD BANK, as defined in Section 113783.

113856. Person in charge

"PERSON IN CHARGE" means the individual present at a FOOD FACILITY who is responsible for the operation of the FOOD FACILITY.

113871. Potentially hazardous food

(a) "POTENTIALLY HAZARDOUS FOOD" means a FOOD that requires time or temperature control to limit pathogenic micro-organism growth or toxin formation.

113996. Hot and cold holding, potentially hazardous food

(a) Except during preparation, cooking, cooling, transportation to or from a RETAIL FOOD FACILITY for a period of less than 30 minutes, or when time is used as the public health control as specified under Section 114000, or as otherwise provided in this section, POTENTIALLY HAZARDOUS FOOD shall be maintained at or above 135°F, or at or below 41°F.

(b) Roasts cooked to a temperature and for a time specified in subdivision (b) of Section 114004 may be held at a temperature of 130°F or above.

(c) The following FOODs may be held at or below 45°F:

(1) Raw shell EGGS.

(2) Unshucked live MOLLUSCAN SHELLFISH.

(3) Pasteurized milk and pasteurized milk products in original, SEALED containers.

(4) POTENTIALLY HAZARDOUS FOODs held for dispensing in VENDING MACHINES.

(5) POTENTIALLY HAZARDOUS FOODs held for sampling at a CERTIFIED FARMERS' MARKET.

(6) POTENTIALLY HAZARDOUS FOODs held during transportation.

(d) POTENTIALLY HAZARDOUS FOODs held for dispensing in serving lines and salad bars may be maintained above 41°F, but not above 45°F, during periods not to exceed 12 hours in any 24-hour period only if the unused portions are disposed of at or before the end of this 24-hour period. For purposes of this subdivision, a display case shall not be deemed to be a serving line.

113733. Acute gastrointestinal illness

"ACUTE GASTROINTESTINAL ILLNESS" means a short duration illness most often characterized by either of the following, which are known to be commonly associated with the agents most likely to be transmitted from infected FOOD EMPLOYEES through contamination of FOOD:

(a) Diarrhea, either alone or in conjunction with other gastrointestinal symptoms, such as vomiting, fever, or abdominal cramps.

(b) Vomiting in conjunction with either diarrhea or two other gastrointestinal symptoms, such as fever or abdominal cramps.