

## **Nevada Administrative Code Chapter 446**

### **Temporary Events Regulations**

NAC 446.630. Applicable requirements; location of operation. NAC 446.630 is hereby amended to read as follows:

1. A temporary food establishment must comply with all the requirements of this chapter which are applicable to its operation.
2. If, in the opinion of the health authority, a substantial health hazard will not result, temporary food establishments which do not fully comply with all the requirements of this chapter may operate when the preparation and service of food are restricted and deviations from full compliance are covered by the requirements set forth in this chapter.
3. A temporary food establishment may only be operated at a fair, carnival, circus, public exhibition, celebration or similar transitory gathering.
4. The location from which a temporary food establishment is operated must be approved by the health authority.
5. All potentially hazardous food (time/temperature control for safety food) prepared off-site for service at a temporary food establishment must be prepared at an approved food establishment.

NAC 446.631 Permit to operate

1. It is unlawful for any person to operate a temporary food establishment unless the health authority has issued a valid permit.
2. The permit issued pursuant to this section is not transferable from person to person or from place to place.
3. The health authority may impose additional requirements to protect against potential health hazards related to the operation of such food establishments.
4. Operators may be required to provide documentation which proves that food to be served at a temporary food establishment was obtained from an approved source.

NAC 446.633. Exemptions from the provisions of this chapter

The health authority may exempt a temporary food establishment from the provisions of this chapter if the health authority determines that the particular food which is sold, offered or displayed for sale or served at the establishment does not constitute a potential or actual hazard to the public health. The health authority may compile a list of beverages and foods that it determines do not constitute a potential or actual hazard to the public health. The list may include, without limitation:

1. Bottled water and canned soft drinks.
2. Coffee or tea, or both, with powdered nondairy creamer or ultra-pasteurized dairy creamer packaged in individual servings. This subsection does not include beverages such as lattes and espresso that are mixed with a dairy product by the vendor during preparation.
3. Commercially prepared acidic beverages, including, without limitation, orange juice, lemonade and other similar beverages that are served from the original, properly labeled container without the addition of ice or other regulated food products.
4. Draft beer and other alcoholic beverages that are served without the addition of ice or potentially hazardous food (time/temperature control for safety food).
5. Foods from an approved source prepared for a "cook-off" or judging contest in which food is not provided to the general public.
6. Hermetically sealed and unopened containers of non-potentially hazardous beverages which do not require refrigeration.
7. Hot chocolate prepared without the use of potentially hazardous food (time/temperature control for safety food) or reconstituted dairy products.
8. Nonpotentially hazardous prepackaged baked goods, with proper labeling, from an approved source and requiring no on-site preparation.
9. Nonpotentially hazardous and unopened prepackaged food from an approved source with proper labeling, including, without limitation, honey, jerked meats, potato chips, popcorn and other similar foods.
10. Produce sold from a produce stand at which no food preparation, breaching of produce or product sampling is performed.

11. Commercially prepared, prepackaged and unopened individual ice cream containers and ice cream bars that are appropriately labeled as to ingredients and manufacturer.
12. Shelled or unshelled nuts, including flavored nuts for sample or sale, unless the nuts are processed at the event site.
13. Food supplements that are offered for sample or sale without the addition of regulated food items. Such food supplements include, but are not limited to, vitamins, minerals, protein powder mixes, energy drinks and herbal mixtures, provided that they are from an approved source.

NAC 446.635 Preparation and service of potentially hazardous food (time/temperature control for safety food).  
NAC 446.635 is hereby amended to read as follows: Potentially hazardous foods (time/temperature control for safety foods):

1. Which require cooking must be cooked to heat all parts of the food to a temperature as specified in this chapter.
2. Which require limited preparation may be prepared or served at a temporary food establishment only if the health authority has approved the foods before their preparation and service.
3. Served at a temporary food establishment must be prepared and served in the same day and must not be saved for service on any following day.
4. Prepared or stored in a private home must not be served in a temporary food establishment.

NAC 446.637. Labeling of ready-to-eat food

Potentially hazardous food (time/temperature control for safety food) that is prepared in an approved food establishment or food processing establishment in a ready-to-eat form and packaged in a container for refrigeration must be marked with a label by the manufacturer to indicate the date by which the food must be sold, served or frozen.

NAC 446.640 Ice

1. Ice which is intended for human consumption or which will come in contact with food or be used as a source of refrigeration must be obtained from an approved source.
2. Ice intended for use in beverages must be manufactured in a chipped, crushed or cubed form.
3. The ice must be obtained in plastic bags which are designed for a single use and are filled and sealed at the point of manufacture. The ice must remain in the bag until dispensed in a way that protects it from contamination.
4. Unpackaged foods may not be stored in direct contact with undrained ice.

NAC 446.645 Equipment and Utensils

1. Equipment must be located and installed in a way that prevents the contamination of food and that also facilitates cleaning.
2. Surfaces of equipment which come in contact with food must be protected from contamination by customers or other contaminating agents. If necessary, effective shields must be used.
3. If facilities for cleaning and sanitizing tableware are not effective, only single-service articles may be used.

NAC 446.637 Temperature measuring devices

1. Temperature measuring devices appropriate to the food establishment operation must be used for monitoring the temperatures of potentially hazardous food (time/temperature control for safety food).
2. A thermocouple or metal stem thermometer must be provided to check the internal temperatures of potentially hazardous food (time/temperature control for safety food). Food temperature measuring devices that are scaled only in Fahrenheit must be accurate to plus or minus 2°F (plus or minus 1°C) in the intended range of use.
3. Each refrigeration unit must have a numerically scaled thermometer accurate to plus or minus 2°F (plus or minus 1°C) to measure the air temperature of the unit.

NAC 446.650 Handwashing Stations; Potable Water for Food Preparation; Containment of Wastewater

1. Each permit holder must have a handwashing station approved by the health authority. The handwashing station must be accessible and available for food handlers and employees at all times.
2. A handwashing station must be in the immediate vicinity of food preparation or warewashing areas.
3. The number of handwashing sinks will be determined by the health authority.

4. Handwashing sinks must be adequately serviced, stocked and maintained and must include the following:
  - a. An adequate amount of running, potable water from an approved source;
  - b. Pump soap; and
  - c. Individual paper towels, accessible and available for food handlers and other employees at all times.
5. The health authority may impose additional handwashing requirements based upon menu considerations and the risk to the public health.
6. An adequate supply of potable water from an approved source must be used to prepare food and operate the business.
7. Unless a waiver has been granted by the health authority, a temporary food establishment without hot and cold running water must provide a container with a spigot or other apparatus that will dispense water without continuous manual contact, holding a minimum of 5 gallons (18.94 liters) of water for the purpose of handwashing.
8. Wastewater generated must empty into a spill-proof container.

NAC 446.651 Disposal of waste water

1. Wastewater, including water from warewashing and food preparation activities, must be emptied and flushed into a sanitary sewer that has been approved by the health authority.
2. The tank must be emptied at least daily or as often as is necessary to prevent overflowing, the development of odors or the attraction of vermin.
3. Hoses used to drain or flush wastewater must be permanently and distinctly labeled for such use, used for no other purpose and stored in a manner that protects them from contamination.

NAC 446.652 Disposal of grease and cooking oil waste

1. Grease and waste cooking oil must be disposed of in a manner approved by the health authority. Disposal of grease or waste cooking oil to the sanitary sewer system or storm drain system is prohibited. Wastewater must not be dumped into containers dedicated to grease and waste cooking oil.
2. Disposal of grease or waste cooking oil on the ground is prohibited.

NAC 446.653 Disposal and storage of solid waste

1. All solid waste generated at a temporary food establishment must be stored in and disposed of in leak-proof containers. Solid waste must be collected and dumpsters must be emptied as often as necessary to prevent an excessive accumulation of solid waste.
2. Putrescible waste must be disposed of frequently enough to prevent odors and attraction for vermin.

NAC 446.655 Floors, ceilings, doors and screening material.

1. If required by the health authority, floors must be constructed of concrete, asphalt, tightly fitted wood or other similar cleanable material and must be kept in good repair. Dirt or gravel, when graded to drain, may be used as subflooring if it is covered with clean, removable platforms or duckboards.
2. Ceilings must be made of wood, canvas or other material that protects the interior of the establishment from the weather. The walls and ceilings of areas used for preparing food must be constructed so that insects are not present.
3. Ceiling canopies or covers over food preparation areas must be capable of protecting food storage areas, food preparation areas and warewashing areas from bird droppings or other sources of environmental contamination.
4. If required by the health authority, doors must be solid or screened and must close automatically.
5. Screening material used for walls, doors or windows must be at least 16 mesh to the inch.

NAC 446.656 Access limited to permit holder or employees.

1. Food preparation must be limited to areas inaccessible to the public to protect food from contamination.
2. The placement of heating or cooking equipment must be in an area inaccessible to the public.
3. Food preparation areas, food storage areas and warewashing areas must be made
4. inaccessible from public access by the use of partitions, planters, walls or similar means.
5. Children are not allowed in the food preparation or food service areas of a temporary food establishment.

NAC 446.657 Production of food and condiments

1. All food must be protected from customer handling, coughing, sneezing or other contamination by wrapping, the use of food shields or other effective barriers, including, without limitation, containers that can be closed, covered or otherwise protected.
2. Condiments must be dispensed in single-service packaging, in pump-style dispensers or in protected squeeze bottles, shakers or similar dispensers which prevent contamination of the food items by food handlers, patrons, insects or other sources.

NAC 446.658 Approval of location; factors for consideration

1. The health authority shall consider whether to approve the location of a temporary food establishment based on factors including, without limitation:
  - a. Existing or potential sources of contamination;
  - b. The ability of the food establishment to protect food;
  - c. The presence of birds, insects and vermin; and
  - d. Overhanging trees, wires or other overhead impediments.
2. A temporary food establishment must not be located down gradient of runoff in a drainage zone such that nonsewered toilets or animal pens present a risk to the public health.
3. A temporary food establishment must not be used during inclement weather, dust storms, floods and infestations of insects or vermin, or under any other circumstances in which the protection of food cannot be ensured.

NAC 446.659 Food cooking, holding and service equipment

1. All food holding, service and cooking equipment must be clean, in good repair, able to maintain food at approved temperatures and in such condition as to present no risk to the public health. All equipment used in a temporary food establishment is subject to approval by the health authority.
2. Chafing dishes or similar types of equipment, which are not heated electrically, are prohibited for use at outdoor temporary food establishments.
3. Steam tables, bainmaries, warmers, crockpots or other slow-cookers must not be used for the reheating of potentially hazardous food (time/temperature control for safety food).
4. Cooling or reheating, or both, of potentially hazardous food (time/temperature control for safety food) is prohibited, unless approved in advance by the health authority.
5. Adequate power must be supplied to a temporary food establishment that requires electrical or mechanical means to hold food products at approved temperatures. A contingency plan may be required by the health authority for the recovery and safe storage of food if electrical power is lost during a special event.

NAC 446.661. Thawing potentially hazardous food (time/temperature control for safety food)

1. Frozen potentially hazardous food (time/temperature control for safety food) must be thawed for use in temporary food establishment operations using one of the following methods:
  - a. In a refrigerated unit which can maintain a temperature of 41°F (5°C) or below;
  - b. In an insulated container with enough ice to maintain 41°F (5°C). The food must remain covered during the thawing process so as not to allow direct contact with the ice and uneven thawing from external heat sources such as nearby cooking equipment or sunlight; or
  - c. In a permitted food establishment, under potable, running water with a temperature of 70°F (21°C) or below, and with sufficient velocity to agitate and float off loose food particles into the overflow.
2. Defrosting potentially hazardous food (time/temperature control for safety food) in standing water or in a warewashing or handwashing sink is strictly prohibited.

NAC 446.662. Wet storage of canned beverages; requirements

Wet storage of canned or bottled beverage containers is acceptable when the water contains at least 10 mg/l of available chlorine and the water is changed frequently to keep it clean. Without the approved level of sanitizer, self-

*service to the general public is prohibited. Liquid wastewater from the wet storage of canned or bottled beverages must be disposed of in a manner that does not create a nuisance or hazard to the public health.*

*NAC 446.663 Utensils and equipment cleaning and sanitizing frequency*

- 1. Food service utensils and tableware must be washed, rinsed and sanitized as needed following each day of operation, or an adequate supply of clean and sanitary utensils must be available for daily operation.*
- 2. Cutting boards and utensils used to cut, slice or prepare potentially hazardous food (time/temperature control for safety food) must be washed, rinsed and sanitized every 2 hours. If facilities are not available to accomplish this, additional cleaned and sanitized cutting boards and utensils must be on site for use.*

*NAC 446.664 Ventilation and fire protection*

*Local regulations must govern ventilation and fire protection requirements.*

*NAC 446.666 Lighting*

*Adequate lighting by artificial or natural means must be provided. A minimum of 35 foot-candles of artificial light must be provided after dusk in all food-preparation, food- service or warewashing areas. Lighting above food-preparation or food-service areas must be shielded.*

*NAC 446.667 Storage of personal items*

*Personal clothing or belongings must be stored at a designated place away from the food-preparation, food-service or warewashing areas.*

*NAC 446.669 Poisonous or toxic materials; storage and use*

*Poisonous or toxic materials must be properly labeled and stored so they do not contaminate food, equipment, utensils, and single-service and single-use articles. Only such chemicals necessary for the food service operation may be present.*