

CAL POLY

Administration & Finance

Environmental Health & Safety

Campus Food Services Policy

1. Purpose

The purpose of this Campus Food Services Policy is to establish standards for food service on the campus. In order to ensure the safety and consistency of the products provided and service of those products, the University has elected to have an exclusive food service contract requiring:

- i. Food service on campus is to be in full compliance with State and County Health Department standards, the Alcoholic Beverage Control Commission, and other regulatory agencies.
- ii. Food service provider is responsible for operations, maintenance, and renovation of existing and construction of future food service facilities.
- iii. Food service provider indemnifies the University against any liability claims related to food service.
- iv. Food service provider has insurances as specified by the University.
- v. Food service provider ensures that the sale of any food products does not conflict with any negotiated contracts or agreements.

The University has elected to contract with the Cal Poly Corporation, a non-profit University auxiliary organization, to provide campus food services, minimizing the costs and maximizing the convenience to the students, staff, faculty and visitors.

2. Campus Departments and Student Organizations Service of Food

The University recognizes the role of food in the activities of campus departments and students organizations. In an effort to support campus departments and student organizations and to ensure the safety of food provided on campus, campus organizations shall adhere to "Event Rules." (See *Section 3*).

3. Event Rules

The following rules apply for any event by any individual, or group of, University students, faculty, or staff, or auxiliary employees (“Sponsor”) that sell or giveaway food on-campus and are considered exceptions to the Food Service Supplemental Operating Agreement between the Corporation and University. See “Section 11 Definitions and Examples” for detailed definitions of Public Event, Private Event, Food, Low Hazard Food, Potentially Hazardous Food, and Approved Licensed Food Processing Establishment.

- a. Public Events with ONLY Low Hazard Food Given Away or Sold
 - i. Established guidelines provided by Environmental Health & Safety must be followed.
 - ii. Food operation must be in compliance with law including the California Health & Safety Code.
 - iii. No Temporary Food Facility permit needed.
 - iv. No scheduled inspections by EH&S.
 - v. Foods must be purchased from Campus Dining or Campus Catering.¹
 - vi. Sponsor assumes liability and responsibility, including financial, for complying with policy and food service health and safety laws.
 - vii. No food prepared or stored at home is permitted.
- b. Public Events with Potentially Hazardous Food Given Away or Sold
 - i. Established guidelines provided by Environmental Health & Safety must be followed.
 - ii. Food operation must be in compliance with law including the California Health & Safety Code.
 - iii. Temporary Food Facility permit must be obtained and prominently displayed (*See Section 4 Food Permit Process*).
 - iv. EH&S inspects food service operation during activity and activity may be shut down if not in compliance.
 - v. Foods must be purchased from Campus Dining or Campus Catering; Campus Dining/Campus.¹ Catering is responsible for complying with policy and health and safety laws for food preparation.
 - vi. Sponsor assumes liability and responsibility, including financial, for complying with policy and food service health and safety laws.
 - vii. No food prepared or stored at home is permitted.
- c. Private Events with Low Hazard Food or Potentially Hazardous Food
 - i. Must qualify as Private Event (*See Section 11b for definition of Private Event*).
 - ii. Established guidelines provided by Environmental Health & Safety must be followed.
 - iii. No Temporary Food Facility permit needed.
 - iv. No scheduled inspections by EH&S.
 - v. The Sponsor and/or the participants assume liability in regards to the safety and wholesomeness of the food items provided and responsibility, including financial, for complying with policy and food service health and safety laws.

- vi. Food should be purchased from Campus Dining or Campus Catering, but may be provided by participants, or as purchased from an Approved Licensed Food Processing Establishment and paid for by collection of personal contributions or other group funds.¹
- vii. No food prepared or stored at home is permitted.
- d. Private Meetings
 - i. Snack foods or light refreshments that are commercially pre-packaged, such as chips, pretzels, cookies, canned or bottled soft drinks, and commercially produced donuts purchased from a retail market can be served (not sold) at private meetings.
- e. Campus Employees
 - i. Complimentary food items may be provided by campus employees for sharing with their coworkers in their department or office with the understanding that each employee is responsible for the wholesomeness of the food items he or she provides.
- f. Alcohol
 - i. The campus alcohol policy regulates the serving and sale of alcoholic beverages on campus.
- g. Exceptions
 - i. This policy does not preclude food prepared off-campus to be sold to individuals, and delivered to the campus (e.g., pizza delivery services) for individual consumption, vending machines that are placed and operated under contract with the University, packaged food sold for individual consumption through the Corporation's University Store, and food service at Orfalea Family & ASI Children's Center. All meal services provided to the children who are enrolled in the Children's Center are provided by employees of Associated Students, Inc. All food sales or service must be in compliance with food health and safety laws.

4. Temporary Food Facility Permit Process

- a. Any Public Event of Potentially Hazardous Food (sales or giveaways) must complete an Application for Health Permit, Temporary Food Facility.
- b. Complete Application
 - i. Student Groups: Submit an ASI e-plan. Complete an application and provide to EH&S.
 - ii. Non-Student Groups (including departments, faculty, staff, individual students and off-campus individuals or groups): Submit a Facilities and Event Request Form. Complete an application and provide to the EH&S.
- c. All applications should be sent to EH&S via e-mail (environmental-health-safety@calpoly.edu), assuring that the application is received two weeks before the scheduled event if possible.
- d. EH&S notifies the submitting party of approval when issuing the temporary food permit to be displayed on the day of the event. It will also be noted in Resource 25.
- e. EH&S provides inspector to monitor event.
 - i. The inspector will provide guidance on sanitation and safe food handling during inspections.

- ii. Situations which present an immediate threat to public health and safety will result in immediate termination of food activities.
- iii. Violations are documented by EH&S and transmitted to the appropriate campus authority.

5. Food Donations

If an organization wishes to use donated food or beverages, a Campus Catering “Request for Donation” form must be completed with sufficient lead time to determine if the item(s) meets acceptable specifications. The product would have to be transferred directly to Campus Catering, and meet safety and health standards as set by Campus Catering. Money donated to purchase food, or a discounted price for food products, are not considered a Food Donation.

6. Outside Locations for Public Events

University Commons is the designated outside area for public events of food sales/giveaways. Designated University Commons include the UU Plaza, Dexter Lawn and the Theater Lawn. The scheduling of events outside the University Commons area may be authorized and requires prior approval of the University President or designee through the Resource 25 process.

7. Off-Campus Caterers

All food and beverages served on-campus must be provided through Campus Dining or Campus Catering (with any requests made to Campus Catering) unless Campus Catering determines that it is unable to provide the requested service thereby it may issue a written waiver. Off-campus caterers are generally not permitted access to University controlled space. Such restricted access includes events where remuneration for the catering services is to occur, as well as events where no monies will be exchanged, such as a sponsored event.

If Corporation waives its right and responsibility to provide food and service for an event, which is expected to be rare, to protect public health and limit liability the University requires that any food provider be approved for the event by EH&S by providing sufficient proof of a valid permit issued by the health authority in the community where the business is located, adherence to food safety standards, compliance with all health and safety laws, proof of sufficient insurance per the University’s requirements, and indemnification of the University. Contracts for these services should go through the Strategic Business Services office (See *Section 9 Liability*).

8. Exclusive Contract for Beverages: Soda and Bottled Water

The University has an exclusive contract with Coke that is administered by the Corporation. Under this contract, non-Coke products are generally not authorized to be given away or sold on campus. This exclusivity precludes sampling, promotions for, and distribution of non-Coke soft drinks, sports drinks, juice or juice based products, ready to drink coffee, water and ready to drink tea. Private Events are encouraged to comply with this University agreement.

9. Liability

Hosting and/or serving of food on campus and at University events include the responsibility for managing risks related to the provision and service of food products. The Corporation and groups that provide or serve food must indemnify the University and provide insurance to protect the University from claims related to food and/or service at an event.

University Divisions, Colleges, Departments, and Programs are responsible for the campus liability deductible as stated in the Campus Administrative Policy for each claim.

Organizations or groups, see list below, who provide and/or serve food at an event (either Public or Private) must provide indemnification and insurance to protect the University from claims related to the food provided and/or served by the organization. The Sponsor and the advisors of a group and/or event will be responsible for a group's adherence to the rules in this policy, and for University's insurance and indemnification requirements, depending on the form of the group, as below:

- a. Organizations contractually-related to the University
 - i. Responsible for indemnification and insurance as stated in CSU Executive Order 849 Campus Facilities and Property Lease (i.e. Corporation, ASI, Alumni Association, Conferences, and License users of campus facilities, etc.).
- b. Organizations non-contractually related to the University
 - i. Responsible for indemnification and insurance consistent with CSU Executive Order 849 Campus Facilities and Property Lease (i.e. clubs, Greeks, ethnic Greeks, multicultural organizations and other entities).
- c. Organization unrelated to the University
 - i. Must arrange for use of campus facilities through Conference Services or Continuing Education. Conference Services will ensure the appropriate indemnification is given and insurance provided in accordance with Executive Order 849 Campus Facilities and Property lease.

It is highly recommended that Special Event insurance be considered for Public Events.

10. Violations by an Organization/Department

Any violation of University policy will be referred to the appropriate authority. The appropriate authority will suspend food service privileges of a University Group for Public Events and Private Events until the administration violation review is complete. Depending on the severity of the offense, the appropriate authority may in its sole discretion determine what sanction to impose, if any, and is not bound by the below sanction schedule which is only meant to serve as a general guideline. The following sanctions to be considered are:

- a. 1st offense – warning
- b. 2nd offense – loss of opportunity to serve or sell food at any event for 4 weeks

- c. 3rd offense – loss of opportunity to serve or sell food at any event food for 10 weeks
- d. Any future offenses – loss of opportunity serve or sell food at any event for one year

11. Definitions and Examples

a. Public Event

- i. A “Public Event” is any event or function sponsored, organized, or hosted by any individual, or group of, University, students, faculty, or staff, or auxiliary employees (“Sponsor”) that is held on University property and either:
 - 1. Is advertised in any media (including newsletters, emails, and posters, personal invitations verbal or written) as open to the public or individuals not a member of the Sponsor
OR
 - 2. Is intended to be open to anyone without a specific affiliation to the Sponsor, and/or is held open to the public (easy to walk in and pick up food)
- ii. The “Public” includes the community in the city or county, as well as campus community who are not specifically employed or affiliated with the sponsoring organization, spouses and families of the Sponsor, alumni, and persons not employees of the Sponsor (or the University), business representatives, and non-employees.
- iii. Examples: fundraisers and recruiting events; weekly seminars open to the campus at large; and open house, etc.

b. Private Event

- i. As a public institution, all events at the University are generally considered public. However, the nature of the event and number of participants from the University community may make the event private. Generally, the University defines a “Private Event” as any event or function sponsored, organized, or hosted by any individual, or group of, University, students, faculty, or staff, or auxiliary employees held on University property that:
 - 1. Is open only as an internal event limited to a finite known University group who have a like interest that makes them mutually identify with each other as a group, and which is identifiable as a specific entity in the perception of others (i.e. office staff, chess club)
AND
 - 2. Is not open to or advertised to the general public
AND
 - 3. Does not invite individuals outside the group to attend, such as spouses, alumni, or community members, or potential recruits or donors
AND
 - 4. Does not provide food to anyone outside the internal group.

- ii. The Sponsor and/or the participants assume liability in regards to the safety and wholesomeness of the food items provided and responsibility for complying with policy and food service health and safety laws.
- iii. Examples: Private Events include meetings and social events of a department, a club, a governing board, organizational officers, staff, residence hall floor groups, or a class.

12. Food

Food is any raw or processed substance in solid or liquid form, ice, beverage, including water and ice, or ingredients intended to be used as nourishment, drink, confection or condiment for human consumption.

13. Low Hazard Foods

- a. "Low Hazard Foods" include food items that
 - i. Do not require a holding temperature of heat or refrigeration to retard spoilage within a normal serving time
 - ii. Are commercially packaged by an Approved Licensed Food Processing Establishment
 - iii. Are to be dispensed in the original container, preferably hermetically sealed containers, (or fruits sold in the natural form and washed before serving)
 - iv. Are individually wrapped or contained
- b. These Low Hazard Foods must not require any additional handling including spooning, scooping, or serving more than one person from the same container. The Low Hazard Foods are nonperishable such that this food does not support the rapid and progressive growth of infectious or toxigenic microorganisms that may cause food infections or food intoxications, including botulism, and that do not show signs of spoiling, becoming rancid or developing objectionable odors during storage at ambient temperatures.
- c. Examples: Low Hazard Foods include snack foods or light refreshments such as chips, pretzels, cookies, crackers, donuts, or candy, or canned or bottled soft drinks.

14. Potentially Hazardous Foods

- a. "Potentially Hazardous Foods" are foods that
 - i. Must be stored and displayed refrigerated (41°F or below for cold foods such as custards, mayonnaise-based foods, and the like)

OR

 - ii. Must be stored and displayed heated (135°F for cooked meats, casseroles, hot side dishes and the like)

- b. This includes food of animal origin that is raw or heat-treated, and food of plant origin that is heat-treated or consists of raw seed sprouts; cut melons; and garlic and oil mixtures. Potentially Hazardous Foods are perishable such that this food or ingredient, natural or synthetic, is in a form capable of supporting the growth of infectious or toxigenic microorganisms, including botulism. Cookies, cakes and pastries containing a cream cheese-, milk-, or egg-based filling or other substantially milk-, cream- or egg-based fillings will be considered Potentially Hazardous Food.
- c. Examples: Deli trays, cheese or meat sandwiches, custards, raw or cooked hamburger and hot dogs, barbecue pork and chicken, macaroni salad, ice cream, salads, seafood or shellfish, any home baked goods (including cookies and cakes), etc.

15. Food Prepared or Stored in a Private Residence

- a. Food prepared or stored at home is prohibited from being sold or given away at Public and Private Events on-campus events.

16. Approved Licensed Food Processing Establishment

- a. An “Approved Licensed Food Processing Establishment” includes wholesale or retail sources that are permitted by the health authority in the community where the business is located, and where food is prepared by persons, and processed and stored by methods that effectively prevent microbial growth, contamination, or adulteration. This includes most restaurants, delis, bakeries, grocery stores, and Campus Dining and Campus Catering; this does not include off-campus caterers.

17. Sponsor

- a. Any individual, or group of, University, students, faculty, or staff, or auxiliary employees.

¹ Campus Catering will provide sale price-competitive pricing for the most popular items purchased from its grocery/takeout menu. Sale prices will be reviewed by Campus Catering weekly from the four main retail food establishments in the area.