

## 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:* Sunday Streets/ Livable City  
Name of Non-Profit Association/Organization

Mailing Address: 333 Hayes Street, Suite 202

City: San Francisco State: CA Zip: 94124

Phone: (415) 344-0489 Fax: \_\_\_\_\_

Tax ID Number: 94-3350910 Tax Exempt Status: 501(c)3

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 SFPDH 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: \_\_\_\_\_