



CABINET FOR HEALTH AND FAMILY SERVICES
DEPARTMENT FOR PUBLIC HEALTH
Division of Public Health Protection and Safety

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Policy Statement Restricted Foods

The Division of Public Health Protection and Safety—Food Safety Branch has had a policy regarding restricted food service since 1994. This policy allows for a restricted menu of foods to be prepared and served in structures or units with limited fixture requirements. Entities operating under the “Restricted Foods” permit may be mobile or stationary. There are no time restrictions regarding the length of operation for a restricted food concession.

Foods allowed under the “Restricted Foods” permit include the following: flavored ice, shaved ice, snow cones with commercially mixed and packaged flavorings, pork rinds, kettle corn, roasted nuts without the shell, nacho cheese and chips, cotton candy, and pre-cooked, commercially processed hot dogs, frankfurters, and similar meats (such as bratwurst and Italian sausage) that are either grilled, steamed or boiled on-site. An entity operating with a “Restricted Foods” permit may also market pre-packaged sandwiches, pre-packaged ice cream, popsicles, and shelf-stable pre-packaged baked goods, provided they are obtained from an approved source.

These limited processed foods requiring minimal preparation may be prepared under the following conditions: If public water is available, then fixed plumbing shall be provided in accordance with applicable Kentucky Division of Plumbing, KRS 318.130, requirements for food service operations. If public water is not available, then a restricted food service operation may operate with amended, temporary sanitary facilities.

Amended, temporary sanitary facilities for Restricted Foods include the following:

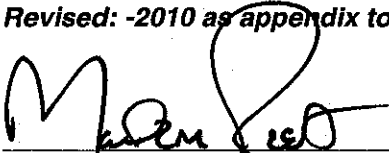
- Availability of an adequate amount of stored potable water.
- Tubs, buckets or similar containers (for washing, rinsing, and sanitizing equipment) large enough to completely immerse the largest item used in the “restricted” food operation.
- Adequate facilities for hand washing. This can include a container of potable water (with sufficient capacity to last throughout the day’s activities) maintained at a temperature of 100 degrees F, equipped with a spigot or turn-spout, and a catch bucket to collect waste water.



- Conveniently located permanent or portable toilet facilities, with conveniently located hand washing facilities available for food unit personnel.
- The restricted food concession shall provide adequate cold and hot storage for food products and safe storage areas for the storage of dry food and single service articles.
- Restricted concessions shall be constructed or located in such a way that food and utensils are protected from potential contamination, including insects, dust, debris, etc.

The following low risk foods would not require permitting but would require hand washing facilities: plain popcorn popped in a heated, closed environment that is served with no bare-hand contact; plain roasted or steamed nuts in the shell; and carbonated beverages dispensed from protected equipment. Simple coffees made from a coffee maker and dispensed in single-service cups along with pre-packaged sugar and creamers are also exempt from permitting under this policy.

Revised: -2010 as appendix to 902 KAR 45:005


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