

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

GREGSON H. PIGOTT, MD, MPH
Commissioner

TEMPORARY EVENT ANNUAL MOLLUSCAN SHELLFISH PERMIT REQUIREMENTS

For the purposes of this permit, “molluscan shellfish” means any edible species of fresh or frozen oysters, clams, mussels, and scallops or edible portions thereof, except when the scallop product consists only of the shucked adductor muscle.

- Permit is valid only at events with temporary food service regulated by Suffolk County
- Molluscan shellfish must be lawfully harvested from Long Island waters under the authority of the New York State Department of Environmental Conservation (NYSDEC). Recreationally harvested shellfish may not be designated for sale or service
- All shellstock must be clean and free of mud, broken shells, and other debris before transport to the event. All food preparation must be approved by the Department
- Storage/display on ice during service is permitted using Time as a Public Health Control (TPHC). Limit quantities of shellfish to what can be served in less than 4 hours. Shellfish must be stored in a self-draining ice table and adequately protected from contamination at all times
- Shellfish tags must be maintained on-site at the event and then retained for at least 90 days after the shellfish is served. Shellfish from one tagged container cannot be commingled with shellfish from another tagged container
- All tableware provided must be single-use
- A person with a valid food safety/food protection certificate issued by an authority approved by the Commissioner must be on site during all hours of operation
- For each location that is NOT part of an organized temporary event (such as a fair, feast or carnival), the “Temporary Food Service Shellfish Exclusive Event” form must be completed
- Food service must be conducted in compliance with the Standards of the Suffolk County Department of Health for the Administration of Section 760-1390 of Article 13 of the Suffolk County Sanitary Code (Temporary Food Service)

The following forms and documents must be submitted with a permit application:

1. Permit Application and Fee
2. A copy of a valid Food Safety/Food Protection Certificate(s)
3. Proof of Workers’ Compensation and Disability Insurance
4. Written Standard Operating Procedure for TPHC (required to be on-site at each event)

A copy of the permit must be posted in public view at all events. Permits are valid within a single calendar year (all permits expire in December), regardless of date of issue.



BUREAU OF PUBLIC HEALTH PROTECTION
360 Yaphank Avenue, Suite 2A, Yaphank NY 11980
(631) 852-5999 FAX (631) 852-5871

**SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES
TEMPORARY FOOD SERVICE ANNUAL MOLLUSCAN SHELLFISH PERMIT APPLICATION**

Annual Molluscan Shellfish Permit Fee	\$ 190.00	[] Classification Code
Payment may be made by check, money order, or VISA/MasterCard Checks or money orders must be made payable to: THE COMMISSIONER OF HEALTH SERVICES Credit card transactions are subject to processing fee		[/ /] Issue Date
IMPORTANT: Complete entire application. <i>Processing of your application may be delayed if it is incomplete or illegible.</i>		[/ /] Expiration Date
PLEASE PRINT USE BLACK INK ONLY		[FA] Facility I.D.
		Approved by _____

1. Name of Establishment (D/B/A): _____ **Owner's Name:** _____
 Street _____
 City _____ Zip Code: | | | | | Phone No. () -
 Email address: _____

2. Type of Ownership: Individual Corporation Non-Profit Partnership LLC

3. Owner/Corporation Name and Mailing Address:
 Name: _____
 Street: _____ Phone No. () -
 City: _____ State: _____ Zip Code: | | | | |
 NYS Department of Environmental Conservation License Type: _____ License #: _____

4. Layout/Set-up:
 a. Equipment used for transport: _____
All temperature controlled for safety (TCS) food must arrive at the event site at 41°F or below.
 b. Booth set-up:
 Type of ceiling/overhead protection: _____
 Type of flooring/ground cover: _____
 c. Describe on-site storage of shellfish: _____
Time as a Public Health Control (TPHC) begins as soon as product is removed from transport container or mechanical refrigeration (product temperature must be verified at 41°F or below before TPHC is implemented).
 d. Describe hand washing station set-up: _____
 e. Describe sneeze guard/other barrier: _____
 f. Equipment used on-site to prepare and serve shellfish: _____
 g. Describe the type of sanitizer to be used on-site: _____
 h. Water source for 3-compartment sink (when required): _____
A sanitary (3-compartment) sink will not be required at the temporary food service location as long as a sufficient number of cleaned, sanitized shucking knives are available and shucking is the only food preparation being conducted.

5. Food Safety Certification:
 Certificate number: _____ Issuing agency: _____ Certificate issue date: _____
Submit copy of certificate with application.
Suffolk County requires recertification every three years regardless of expiration stated on certificate.

Suffolk County Food Manager's Course:
<https://www.suffolkcountyny.gov/Departments/Health-Services/Public-Health-Protection/Food-Managers-Course>

6. Required Insurance Information:

NYS Workers Compensation Law requires that applicants submit proof of possession of Workers' Compensation and Disability Insurance coverage or an approved waiver (Form CE-200) if coverage is not provided. Contact the New York State Workers Compensation Board for requirements and applicability at 1-866-805-3630 or online at <http://www.wcb.ny.gov/>.

The following forms **must** be provided:

1. Workers' Compensation – Form C-105.2 **OR** Form U-26.3 **OR** Form SI-12 **OR** Form GSI-105.2
2. Disability Benefits – Form DB-120.1 **OR** Form DB-155

7. Menu:

Any menu items requiring preparation prior to arrival at the event must be prepared in a facility permitted or approved by Suffolk County Department of Health Services. Home prepared foods are strictly prohibited.

Menu advisory/disclosure statement, *“Consuming raw shellfish may increase your risk of foodborne illness, especially if you have certain medical conditions”*, must be posted in public view if shellfish are served raw/undercooked. Food allergy warning, *“Before placing your order, please inform your server if a person in your party has a food allergy,”* must be printed on all menus/menu boards.

Shellfish tags must be on-site at each event and retained for at least 90 days after the shellfish are served. Shellfish from one tagged container cannot be commingled with shellfish from another tagged container. Writing the date and time(s) of service on each tag is recommended.

List of Items to be Served	Description of Food Service	Name and Address of Food Source
<i>e.g., Oysters</i>	<i>Shucked on-site and served raw</i>	<i>1234 Main Street, Anywhere, NY 12345</i>
1.		
2.		
3.		
4.		
5.		

8. Temporary Food Service at Single Vendor, Shellfish Exclusive, Events:

Number of events not associated with a single celebration or event, such as a fair or festival: _____
 Completion of the “Temporary Food Service Shellfish Exclusive Events” form (page 3) for *each* location is required and must be submitted with this application.

I hereby certify that information provided in this document is true. I understand that I am obligated to comply with the food safety requirements as stated herein as well as applicable provisions of the New York State and Suffolk County Sanitary Codes. The applicant hereby authorizes officials of the Suffolk County Department of Health Services to inspect any and all premises at any time and take samples of food therefrom for laboratory testing. Additionally, I fully understand that any deviation from the conditions stated herein without prior permission from the Department may result in legal action and/or closure of the food service operation.

Owner of Establishment*: _____

Owner’s Signature: _____

Title: _____ Date: _____

*If the establishment is owned and operated by a corporation, this application must be signed by a corporate officer.

<u>FOR OFFICE USE ONLY</u>



**TEMPORARY FOOD SERVICE PERMIT
SHELLFISH EXCLUSIVE EVENTS**

**SUFFOLK COUNTY
DEPARTMENT OF HEALTH SERVICES
BUREAU OF PUBLIC HEALTH PROTECTION**

When temporary food service is not conducted at an organized event (*food service is conducted in a location such as a winery or brewery, but is not part of a single celebration or event*) the applicant is responsible for providing and maintaining sanitary requirements that generally fall under purview of the "Temporary Event Organizer."

The following must be completed for each location where shellfish will be served to the public:

Location of Food Service	Dates of Food Service*	Location Address	Town

*Temporary food service may not exceed 14 continuous days.

Hours of Operation:

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Start Time	AM	AM	AM	AM	AM	AM	AM
	PM	PM	PM	PM	PM	PM	PM
Stop Time	AM	AM	AM	AM	AM	AM	AM
	PM	PM	PM	PM	PM	PM	PM

Source of water supply: **Well Water** (attach water analysis) **Public Water** (attach water bill) **None** (No potable water)

Toilet facilities for food handlers:

Toilet facilities must have suitable hand sinks, an adequate supply of warm or tempered running water, soap and single service towels and must be within 300 feet of the food vending facility.

Number of flush toilets: _____ Number of hand washing sinks: _____

Location of toilet facilities: _____ Distance from food vendors: _____

Location of three compartment sink for utensil washing (if required based on menu or length of event): _____

Will on-site mechanical refrigeration be available at the vending site?:

Yes, describe and list location: _____

No. Time as a Public Health Control (TPHC) begins as soon as product is removed from transport container or mechanical refrigeration (product temperature must be verified at 41°F or below before TPHC is implemented).

Will electrical power be required at the event?: Yes No If yes, describe type and source: _____

Will the event feature live animals? (i.e., petting zoos, pony rides, livestock): Yes No

Type (i.e., Petting Zoo)	Name of Company	Address	Permit #	Contact Person	Phone #

If animals are on site, these areas must be remote from any and all potable water and food operations, including the storage of food, single service items, utensils, and equipment.

I hereby certify that information provided in this document is true. I understand that I am obligated to comply with the food safety requirements as stated herein as well as applicable provisions of the New York State and Suffolk County Sanitary Codes. The applicant hereby authorizes officials of the Suffolk County Department of Health Services to inspect any and all premises at any time and take samples of food therefrom for laboratory testing. Additionally, I fully understand that any deviation from the conditions stated herein without prior permission from the Department may result in legal action and/or closure of the food service operation.

Owner's Signature: _____

Date: _____

GUIDANCE FOR SHUCKING SHELLFISH IN TEMPORARY FOOD SERVICE

This document is intended to provide assistance with Suffolk County Sanitary Code compliance for shucking and serving raw shellfish (hard clams and oysters) in a “stick joint” at temporary food service operations. A stick joint is an event booth that is not fully enclosed and lacks a running hot and cold water supply, approved sewage disposal system, approved utensil washing facilities, etc. These stands do not provide an environment comparable to a permanent food establishment. Suffolk County Department of Health Services (SCDHS) regulates food service in Suffolk County; serving shellfish to the public requires a permit from the Department.

- Hard clams and oysters are foods that require temperature control for safety, and must be stored at or below 41°F.
- Storage/display on ice during service is permitted using Time as a Public Health Control (TPHC), which allows shellfish to be stored without mechanical refrigeration for up to 4 hours. Store/display on ice only what can be served in less than 4 hours.
- A sanitary (3-compartment) sink is not required at the temporary food service location (booth), as long as a sufficient number of cleaned, sanitized shucking knives are available if in-use utensils become soiled.
- All shellstock must be clean and free of mud, broken shells and other debris before transport to the event.
- A handwashing station must be provided at the point of service, i.e., in the temporary food service booth (see attached).
- Hard clams and oysters are ready-to-eat foods. Edible parts of clams and oysters may NOT be contacted with bare hands. Using single-use gloves to prevent bare-hand contact is recommended.
- All ice on which shellstock is stored/displayed must be in self-draining containers.
- Shellfish tags must be retained for at least 90 days after the shellfish are served. Shellfish from more than one tagged container cannot be commingled with shellfish from another tagged container. Writing the date and time(s) of service on each tag is recommended.
- If other menu items are served in addition to raw shellfish shucked on site, effective means of preventing contamination from the shellfish shucking operation must be provided, and must be approved in advance by SCDHS.
- An adequate consumer advisory informing patrons of the increased risk of illness from consuming raw or undercooked shellfish must be prominently posted (see attached).
- All tableware must be single-use (disposable).
- Condiments, such as cocktail sauce, must be provided and dispensed from closed containers, or packaged individually. All condiments must be obtained/prepared in a facility that holds a valid permit or license from an agency that regulates food/food service (a local health department or NYS Dept. of Agriculture & Markets).
- At all times, the shellfish shucking operation must comply with Article 13 of the Sanitary Code (the “Food Code”).

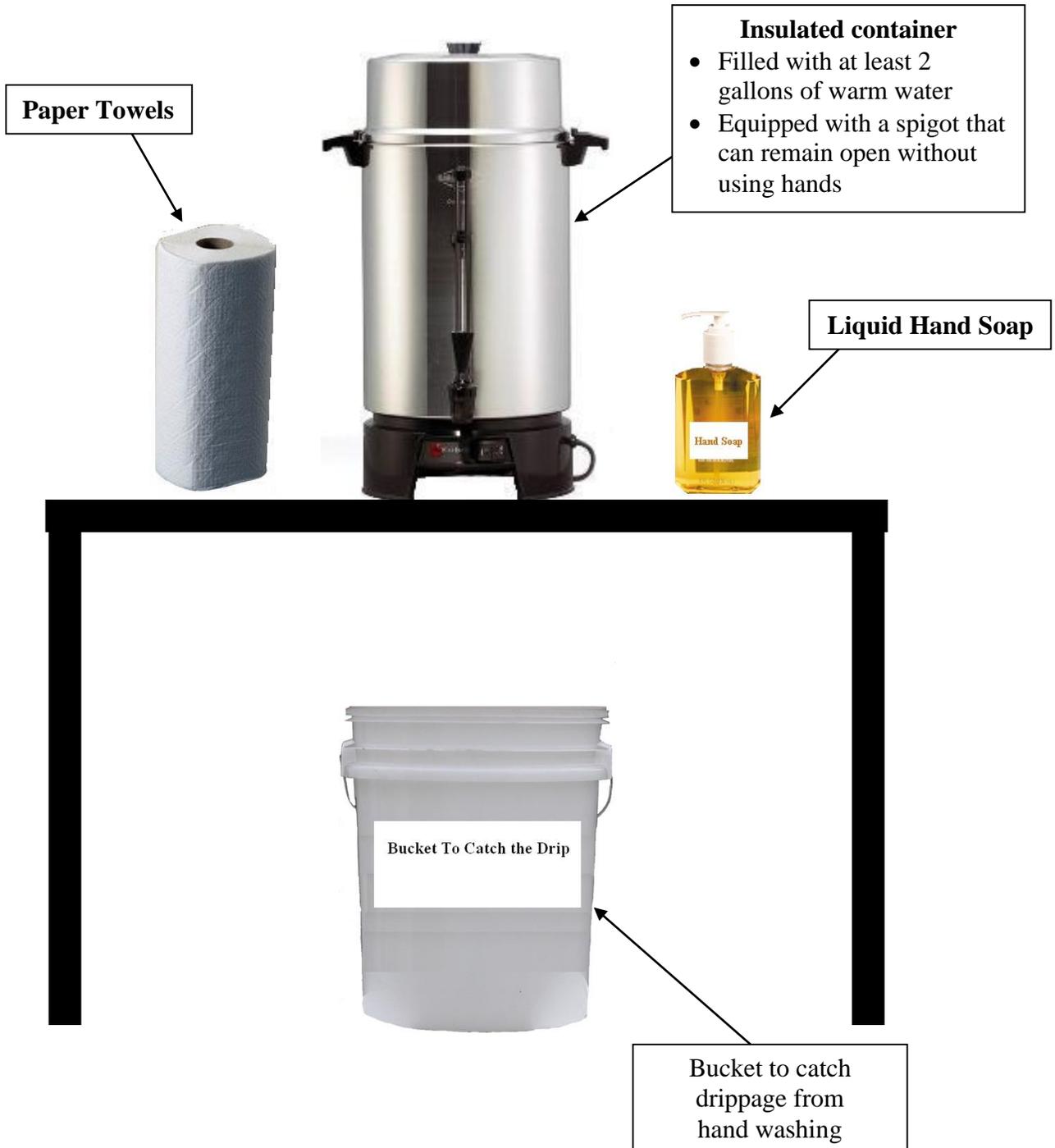
For further information on temporary food service, and applications and forms, visit

<https://www.suffolkcountyny.gov/Departments/Health-Services/Public-Health-Protection/Food-Protection>



SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES
BUREAU OF PUBLIC HEALTH PROTECTION
360 Yaphank Avenue, Suite 2A, Yaphank NY 11980
(631) 852-5999 FAX (631) 852-5871

Hand Wash Station for a Temporary Event Booth



CONSUMER ADVISORY
Suffolk County Sanitary Code, Article 13, Section 760-1333.9

“When food of animal origin is served raw or not cooked to temperatures prescribed by this Article, the consumer is to be notified by brochures, deli case or menu advisories, label statements, table tents, placards, or other effective written means of the significantly increased risk associated with certain especially vulnerable consumers eating such foods in raw or undercooked form;”

- If raw shellfish are the only foods served, sanitary code compliance is met by posting a readily visible notice that includes the following text:

“Consuming raw shellfish may increase your risk of foodborne illness, especially if you have certain medical conditions.”

The sign attached meets the consumer advisory requirement, if printed on 8 ½” x 11” stock and posted in a 10 ft. x 10 ft. booth.



SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES
BUREAU OF PUBLIC HEALTH PROTECTION
360 Yaphank Avenue, Suite 2A, Yaphank NY 11980
(631) 852-5999 FAX (631) 852-5871

**CONSUMING RAW
SHELLFISH MAY INCREASE
YOUR RISK OF FOODBORNE
ILLNESS, ESPECIALLY IF
YOU HAVE CERTAIN
MEDICAL CONDITIONS**



SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES
BUREAU OF PUBLIC HEALTH PROTECTION
360 Yaphank Avenue, Suite 2A, Yaphank NY 11980
(631) 852-5999 FAX (631) 852-5871



Time as a Public Health Control (TPHC) Guidance Document

Suffolk County Sanitary Code, Article 13, Section 760-1330.6

Holding temperatures required by the sanitary code for temperature-controlled for safety (TCS) foods limit the growth of organisms that are risk factors for foodborne illness. However, TCS foods may be held without temperature control for a short period of time using Time as a Public Health Control (TPHC). When using TPHC, TCS foods must be discarded no more than **4 hours** from the time that the food is removed from temperature control.

TPHC can be used for:

- Ready-to-eat TCS foods displayed or held for service
- A “working supply” of TCS food held without temperature control prior to cooking and serving

When using TPHC:

- Each food container or package must be clearly marked to indicate the exact time that is 4 hours past the point in time when the food is removed from temperature control
- TPHC may NOT be used for more than four hours
- Food held without temperature control for more than 4 hours or in improperly marked or unmarked containers must be discarded. Food held using TPHC may NOT be returned to temperature control after 4 hours

Written standard operating procedures (SOPs) for TPHC must be maintained in the food establishment, and be available for review upon request. Use the worksheet on page 2 to create a written TPHC procedure for your establishment.

Written SOPs for TPHC must include:

- Name of each food
- Temperature recording of each food when it is removed from temperature control
- When and how each food will be marked with a specific time to show that it will be discarded after 4 hours
- How food is discarded when either the containers are unmarked or the 4 hour time limit has expired.

A sample TPHC log that you can adapt for your own use is shown on page 3

Time as a Public Health Control (TPHC)

WRITTEN PROCEDURE (attach additional pages if needed)

DBA Name:	Date:
Address:	City/Zip:
Person-in-Charge:	Phone:
1. NAME specific foods. <u>Example</u> : sushi rice, shredded mozzarella, chicken parm pizza	
2. DESCRIBE when the foods will be marked with disposal time. <u>Example</u> : when sushi rice is made, or shredded cheese/chicken parm pizza is removed from oven or refrigerator	
3. DESCRIBE how the temperature of each food will be measured and recorded when TPHC begins. <u>Example</u> : using dial thermometer, recorded on attached temperature/time log	
4. INDICATE how each identified food will be marked to show disposal time. <u>Example</u> : time sticker on container of sushi rice, labeled timer for shredded mozzarella, holding chart for pizza	
5. DESCRIBE how each food will be discarded after 4 hours, or if the TPHC procedure is not followed. <u>Example</u> : discard time recorded on attached temperature/time log	

CHECK all boxes to indicate that you understand the requirements for using TPHC:

- I understand that I must limit the use of Time as a Public Health Control to 4 hours or less once any TCS food is removed from temperature control, and that all food listed in these procedures must be discarded after four hours.
- I understand that once I begin use of TPHC for a specific food, I cannot return the food to temperature control, and it must be discarded.
- I understand that any food in unmarked or improperly marked containers must be discarded.
- I will keep these written procedures available for review at my establishment by a representative of the Commissioner.
- I will follow this written procedure when using TPHC and will update the procedure if I change my practices.

I understand that failure to comply with Suffolk County Sanitary Code section 760-1330.6 and this written procedure may result in formal enforcement action.

I am using these written procedures because I would like to utilize Time as a Public Health Control (TPHC) in my establishment for the itemized temperature-controlled for safety (TCS) foods. This document describes the Standard Operating Procedure (SOP) I will use.

(SIGNATURE)

PERSON-IN-CHARGE

