



## DEPARTMENT OF ENVIRONMENTAL HEALTH County of Riverside

INFORMATIONAL BULLETIN NO. 48-95-DES

DISTRICT ENVIRONMENTAL SERVICES

### LIMITED RETAIL SALES OF NONPERISHABLE, PREPACKAGED FOOD FROM A PRIVATE HOME

The California Retail Food Code (Cal Code), Section 114285 (b)(1) allows for limited retail sales and handling of foods from a private residence. This was intended to allow small businesses that use a limited amount of prepackaged foods for their businesses (i.e. gift basket assembly) to operate out of an individual's home. The cities within the County of Riverside and the unincorporated areas of the County have zoning restrictions, which additionally limit the size and type of businesses allowed to operate in private homes. Make sure you contact the appropriate agency to ensure your home meets zoning requirements for this type of operation. Additionally, these types of retail food operations must register with our Department prior to operating. While no permit fee will be assessed, this registration process will allow our Department to monitor compliance with this law. To be eligible to do this in the County of Riverside, you must comply with all the following items.

#### Eligibility Requirements

- A. Only nonperishable, prepackaged food may be sold or given away from a private home.
- B. All food must be from an approved source.
- C. All food must remain in a prepackaged state at all times.
- D. A resident of the private home must be the operator of the food handling business.
- E. The private home where the operation takes place must be the primary resident of the individual receiving the exemption.
- F. The food shall be stored in safe and sanitary manner in the home:
  - Maintain food storage room in clean condition and good repair.
  - Store all chemicals and toxins away from room where food is stored.
  - Maintain food storage room free of vermin (insects and rodents).
  - Store all food away from plumbing.
  - Store all food up off of the floor.
  - Maintain all personal items, pets and pet related items separate from food storage room.
- G. An operator's request for an exemption from regulation must be submitted and approved by this Department prior to storing any food in the home.

#### Registering as a Private Home Food Retailer

- A. An individual shall submit a written proposal to this Department for review and approval. The proposal must include the following for the person requesting the exemption:
  - Name
  - Address
  - Phone number
  - Copy of the City Business License

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- Detailed list of the food for sale or as a give-away and its source
  - Description of how the food is packaged
  - Description of how and where food is stored at the home
  - Description of how food will be transported to the private home and how it will be sold/dispensed to the public.
- B. In addition to the written proposal, a signed declaration (Attachment 1) shall be submitted to this Department along with the proposal. **By signing the declaration you agree that all food sold or given away is nonperishable, prepackaged, from an approved source and is handled in a safe and sanitary manner.**
- C. **The proposal and declaration shall be reviewed by this Department.** A written response shall be issued informing the individual of the approval or denial of their request for the exemption. All paperwork should be forwarded to:

County of Riverside Department of Environmental Health  
P.O. Box 7909  
Riverside, CA 92513-7909  
Attention: Private Home Food Handler Registration

**Definitions**

- A. **Approved Source** –means a food source from a producer, manufacturer, distributor, or food facility that is acceptable to this Department based on a determination of conformity with applicable laws or current public health principles and practices, and generally recognized industry standards that protect public health
- B. **Food** – is defined as a raw, cooked, or processed edible substance, ice, beverage, an ingredient used or intended for use or for sale in whole or in part for human consumption, and chewing gum.
- C. **Food Preparation** – is defined as packaging, processing, assembling, portioning, or any operation that changes the form, flavor, or consistency of food, but does not include the trimming of produce.
- D. **Nonperishable Food** – is food that is not potentially hazardous, and will not spoil, become rancid, or develop objectionable odors if stored at ambient (normal room) temperatures.
- Examples of food that are considered nonperishable are: soda, coffee beans, ground coffee, candy, chips, cookies, bottled water, crackers, cereals, and other food that has been bagged, bottled or canned to provide a long shelf life at ambient temperatures.
  - Examples of foods that are considered perishable are: raw or cooked meats, dairy products, cooked fruits and vegetables, eggs, sliced melon, cut tomatoes.

- E. **Prepackaged Food** – means any properly labeled processed food, prepackaged to prevent any direct human contact with the food product upon distribution from the manufacturer, and prepared at an approved source.
- F. **Private Home** – a single family dwelling unit, apartment, condominium, townhouse, or mobile home which contains living facilities, including but not limited to provisions for sleeping, eating, cooking and sanitation.
- G. **Private Home Food Retailer** – a term the Department of Environmental Health has developed to identify those business exempted from regulation.

#### **Enforcement Provisions**

- A. Limited retail sales of prepackaged, nonperishable food out of private homes are exempted from regulation and will not be inspected on a routine basis. Investigations will be conducted on a complaint basis only to ensure public health and safety.
- B. This Department shall investigate and take appropriate legal action against all private home food handling operations that are not deemed to be exempted from regulation.

For additional information please call the area office nearest to you or visit the Department website at [www.rivcoeh.org](http://www.rivcoeh.org)

\*Document available in an alternate format upon request



County of Riverside  
**DEPARTMENT OF ENVIRONMENTAL HEALTH**

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**DECLARATION**

**PRIVATE HOME FOOD RETAILER EXEMPTION REQUEST**

This declaration is to affirm that I, \_\_\_\_\_,  
(Name of Individual Requesting Exemption)

would like to register with the Department of Environmental Health as a Private Home Food Retailer in that I will be handling, giving, and/or selling nonperishable, prepackaged foods at my private home located at:

\_\_\_\_\_  
(Street, Address)

\_\_\_\_\_  
(City, Zip Code)

I certify that I will handle **only nonperishable prepackaged foods** that come from approved sources and that I will store and handle these foods in a safe and sanitary manner. I understand the County of Riverside Department of Environmental Health will not be inspecting my private home food handling operation, and therefore, will not be insuring that the food is handled and dispensed in a safe and sanitary manner. I understand that in the event that Riverside County Department of Environmental Health does receive a complaint regarding my private home retail business that I am to allow them access to my home in order to investigate the complaint.

Name: \_\_\_\_\_  
(Please Print)

Phone: (\_\_\_\_\_) \_\_\_\_\_ Email: \_\_\_\_\_

CA Driver's License #: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

OFFICE USE ONLY:	
Approved by:	Date:
Comments:	

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