



## Environmental Health Division

### Guidance Sheet for Food Establishments

### Fund Raising Events That Involve Prepared Food

The Environmental Health Division of the Jackson County Health Department would like to ensure Licensed Food Establishments which utilize prepared food items as a primary means for charitable fundraising are conducting these events in compliance with Michigan's Food Law (Act 92 of 2000, as amended). To that end, the following information is being provided to help guide individuals and businesses considering a fund raising event for charitable reasons.

#### Guidance for Licensed For-Profit Facilities

The FDA 2009 Food Code, section 3-201.11(B) states: "Food prepared in a private home may not be used or offered for human consumption in a food establishment."

There may be instances where home prepared food is proposed or intended to be a part of a fund raising event in a licensed food establishment that is open to the general public. As the owner of the license, the food establishment must be cognizant that this practice is not compliant with the Food Law and is not allowable.

What is allowed under the law for fund raising events involving prepared food items:

- A. If all food offered for sale at a fund raising event in a Licensed Food Establishment has been purchased from an approved source, prepared and served in that Licensed Food Establishment according to Standard Operating Procedures on record, then compliance with the Food Law has been met.
- B. If some or all of the food that is offered for sale as a function of the fund raising event is bought and prepared in a facility other than the Licensed Food Establishment where the fund raising event is being conducted, then the following criteria is required for compliance with the Food Law:
  - 1. All ingredients of the food items for sale have been purchased from a documented approved source
  - 2. All food items for sale have been prepared in a current Licensed Food Establishment
  - 3. All food has been prepared, held, and transported in accordance with provisions of the Food Law
- C. Multiple Licensed Facilities can participate in the fund raising event at one Licensed Facility site. The offsite participating facilities may provide food as long as the Criteria in B. above are followed.
- D. A Licensed For-profit Facility may provide food to a Non-profit licensed facility fund raiser as long as the criteria in B. above are followed.

#### Guidance for Licensed Non-Profit Facilities

Rules that apply to licensed food service facilities operated by Non-profits may differ from those for other For-profit licensed facilities. Contact the Health Department for any questions or further information about the rules that apply to Non-profit operated facilities.