



July 15, 2019

**RE: CHANGES TO SOUTHERN NEVADA HEALTH DISTRICT POLICY REGARDING THE PERMITTING OF FOOD SALES ON SCHOOL GROUNDS**

Dear School Administrator:

The Southern Nevada Health District (SNHD) has made changes to its policy for the permitting and enforcement of food sales on school grounds as it relates to Nevada Revised Statutes Chapter 446, Nevada Administrative Code Chapter 446 and the SNHD Regulations Governing the Sanitation of Food Establishments.

The revised and current copy of the policy can be found here: <https://www.southernnevadahealthdistrict.org/permits-and-regulations/schools-plan-review/comprehensive-policy-for-the-service-of-foods-within-clark-county-public-private-and-charter-schools/>. This policy is subject to change without notice. If you plan on changing your food service operations at your school, please review the most current version of the policy to ensure compliance and **contact your health inspector prior to implementing changes**.

This letter highlights two changes in the policy that will affect many schools in Clark County. The first is how SNHD will regulate food sales during the school day. The second highlight is how SNHD will regulate food sales during events held after the school day.

**Sales of food during the school day:**

In the past, SNHD has required a permit for on campus sales of foods that have the potential to cause foodborne illness if not prepared, stored or served properly (e.g., teriyaki bowls, fruit smoothies, etc.). Effective July 1, 2019, SNHD will no longer require a health permit for the sale of these types of foods if the following conditions are met:

- The food must be obtained from a permitted establishment and sold on campus.
- The food must be marked with the time that is four hours past the time the food left temperature control (hot holding or refrigeration) at the permitted establishment.
- The school must maintain documentation of what food is being sold (attached is a sample log that can be used for documentation).
- No food may be offered for sale after the time marked on the food (no more than four hours after leaving temperature control (hot holding or refrigeration) at the permitted establishment).

- After the sales of food has ended, all remaining food must be destroyed, even if the time marked on the food has not yet passed. No food may be held to be served at a later time.
- The school must designate a responsible staff member to maintain adequate documentation of the foods being sold on campus.
- During each instance of food sales, the following information must be entered into a log: date of food sales, name of food establishment providing the food, address of food establishment, type of food being sold, and the latest time that the food can be sold. Attached for your convenience is a log that you can use.

If a school does not maintain a log of food sales, and SNHD staff find evidence that food sales are occurring on school grounds, it will be noted as a violation in the school facility inspection report. During the first instance of non-compliance, SNHD staff will provide education on how to comply. Future instances will result in assessment of closure fees and discontinuation of food sales.

**Food sales conducted during events after the school day:**

During the 2018-2019 school year SNHD staff surveyed concession stands at Clark County and observed numerous violations and unsafe conditions. This resulted in a change in the policy clarifying when SNHD will require a permit for a concession stand. **Any stand that sells food that has the potential to cause foodborne illness if not prepared, stored or served properly will need a permit.** A permit will be required for the concession stand if it sells foods that are prepared in the stand (e.g., hotdogs, hamburgers, popcorn, nacho cheese sauce, etc.), foods that must be held under temperature control (e.g., ice cream bars, deli sandwiches, cut fresh fruit, etc.) or unpackaged foods (e.g., bulk chips, bulk popcorn, soft drink dispensers, ice for consumption, etc.). A permit is not required if the sales are limited to foods or drinks that are prepackaged and shelf stable (e.g., packaged candy, chips, soft drinks in cans, etc.).

During routine inspections, SNHD staff will survey the concession stands to determine if they are being operated in compliance with the policy. If SNHD staff find evidence that the stand is not in compliance with SNHD regulations, SNHD staff will provide education on how to comply. Any future instances of concession stands found to be operating not in compliance with the regulations will result in closure of the stand and assessment of fees.

If you have any questions regarding the sales of food on Clark County school grounds, please contact the Special Programs Office at 702 759 0677.

Sincerely,



Mark Bergtholdt, MPH, REHS  
Environmental Health Supervisor