

STANDARD ADMINISTRATIVE PROCEDURE

28.99.99.M0.01 Service of Food by Non-University Vendors

Approved December 21, 2010

Revised February 24, 2014

Next scheduled review: February 24, 2019

Standard Administrative Procedure Statement

Texas A&M University recognizes the public health and risk management interests inherent in the establishment of consistent standards, practices and processes governing the provision of food and beverage service by non-University vendors on University property or at University sponsored events. This University procedure defines the means by which University departments or student organizations may hire non-University food vendors to deliver or serve food and beverage to University groups, departments and/or the general public on University property, or during University sponsored events.

Official Procedure

1. GENERAL

- 1.1 This policy applies to food paid for through TAMU Procurement Cards, Financial Management Operations (FMO), Student Business Services (SBS), and donated food from an approved source that will be served to the public.
- 1.2 This procedure does not apply to purchases of food and beverage for personal consumption. The provisions of this procedure do not impact private tailgate parties, cook-outs, picnics, meetings, or potluck dinners that are not paid for through FMO or SBS, or are not open for consumption by the general public.
- 1.3 In any instance where a tailgate party, picnic, meeting, or potluck dinner organized by a University department or student group extends the service or sale of food to the general public, the individuals responsible for preparation of the food must obtain appropriate certifications from the Environmental Health and Safety Department and the Brazos County Health Department as specified in Section 4 of this procedure. Bake sales are exempt from the requirement to obtain Environmental Health and Safety and Brazos County Health Department approvals. The baked goods must be pre-portioned and wrapped (e.g., plastic wrap) prior to the event. This eliminates the need for a hand washing station and the need to clean and sanitize utensils at the site. It is also recommended that all of the baked goods should be labeled with product names and ingredients. This is helpful to individuals who may have food allergies or sensitivities. The food label

may be in the form of an attached label on the package, a placard, or as a recipe that is available to the consumer.

- 1.4 All food service operations on Texas A&M University property shall operate in accordance with the Texas Food Establishment Rules and shall comply with the food safety and sanitation standards set forth in University SAP 24.01.01.M4.02: Food Safety and Sanitation (<http://rules-saps.tamu.edu/PDFs/24.01.01.M4.02.pdf>).

2. LOCATION RESTRICTIONS

- 2.1 Only the Texas A&M University's dining vendor, Chartwells, may deliver, serve or cater food in dining areas of their facilities, dining halls, restaurants, food kiosks, snack bars, or banquet halls maintained by University Dining (For a complete list of restricted locations, go to http://dining.tamu.edu/facilities/complete_list.stm).
- 2.2 Food and non-alcoholic beverages may be served by approved vendors in University facilities or on University grounds not restricted for food or beverage service by Section 2.1 of this procedure, by the respective Dean (for buildings housing academic activities) or by the respective Vice President (for buildings housing non-academic activities). University provisions governing alcoholic beverages are published in University 34.99.99.M1: Alcoholic Beverages. All references to "beverage(s)" in this procedure are to non-alcoholic beverages.
- 2.3 Food delivery or catering services may be provided by non-University food vendors in outdoor locations on University grounds so long as:
 - 2.3.1 The event is sponsored by a group or department affiliated with Texas A&M University,
 - 2.3.2 The provision of food for the event does not interfere with University operations or academic activities, and
 - 2.3.3 The outdoor location is not adjacent to a Department of University Dining facility (For a complete list of restricted locations, go to http://dining.tamu.edu/facilities/complete_list.stm).
- 2.4 Persons or groups securing space for events are responsible for confirming that food or beverages may be served in the facility in which the event is scheduled and that any required Concessions Permits (through the office of Student Activities) have been obtained. - The event sponsor is responsible for obtaining access to the facility, securing it when the event has ended, ensuring that the location used is cleaned and returned to its pre-event condition, and repairing any damage occurring to University property in relation to the event. Costs associated with necessary cleaning or repairs resulting from a particular event shall be the responsibility of the department or student organization securing the space.

3. REQUIREMENTS FOR NON-UNIVERSITY COMMERCIAL FOOD VENDORS

- 3.1 Persons or groups securing food or beverage for an event are responsible for confirming the eligibility of a non-University food vendor to serve food or beverages on the Texas A&M University campus. Vendors must be permitted by the Brazos County Health Department. The delivery or service of food and/or beverages by unauthorized providers is prohibited.
- 3.2 Persons or groups using a non-University commercial food vendor that delivers food or provides catering service for Texas A&M University affiliated departments or student organizations are responsible for:
 - a. submitting the required Environmental Health and Safety (EHS) Food Distribution Form at <https://ehsd.tamu.edu/Pages/FoodSafety.aspx>,
 - b. notifying EHS as far in advance as possible but not less than 4 hours prior to service of any changes to the event (The minimum 4 hour EHS notification requirement is for non-University food vendors. Event organizers are still expected to complete event planning and approval processes within applicable administrative timeframes.),
 - c. assuming responsibility for food clean-up and trash removal in connection with service of food,
 - d. assuming responsibility to reimburse University departments or groups for damages caused by the vendor to University property,
 - e. securing appropriate University permits for parking, and
 - f. complying with University parking regulations and paying fines resulting from parking violations.
- 3.3 A non-University commercial food vendor must provide service in such a way that there are no additional costs to Texas A&M University beyond the purchase price for the food and catering services. Incidental use of University facilities by non-University food vendors must be avoided. Delivery or catering services clean-up and trash removal must be fully carried out by the persons or groups hosting the event such that no additional custodial or maintenance support is necessary to return the facility to its pre-event condition.
- 3.4 Food and beverage service may not be provided in areas where sanitation problems or pest infestation have not been mitigated (Example: Under treed areas with concentrated bird populations). Under no circumstances will food be dispensed in the Billy Pickard Pedestrian Passageway under Wellborn Road.
- 3.5 In addition to the TAMU Environmental Health and Safety Food Distribution Form, a commercial food vendor must have a retail food permit issued by the Brazos County Health Department. If a commercial food vendor is based in a county outside the jurisdiction of the Brazos County Health Department, the food vendor must obtain a Temporary Retail Food Permit or other required authorizations by the Brazos County Health Department (or for events outside of

Brazos County, the relevant health authority) when serving food to the public. EHS will not approve the Food Distribution Form if the vendor is not properly permitted.

- 3.6 Non-University food vendors who are authorized to serve food on University property may only gain access to University locations during events sponsored or authorized by Texas A&M University departments, groups or organizations. Non-University food vendors may only serve food in the scheduled location specific to the event for which the vendor was hired.

4. REQUIREMENTS FOR NON-COMMERCIAL NON-UNIVERSITY FOOD VENDORS

- 4.1 When preparing and serving food to the public on the University campus or at a University sponsored event, a non-commercial non-University food vendor (Example: cooks for First Yell, Parents' Weekend, etc.) must obtain a Temporary Retail Food Permit issued by the Brazos County Health Department, in addition to the EHS Food Distribution Form. A Temporary Retail Food Permit issued by the Brazos County Health Department, and the Food Distribution Form issued by Texas A&M University are valid ONLY for the event's location and date identified on the approved forms.
- 4.2 Application to the Brazos County Health Department for temporary food permits must be submitted at least 72 hours prior to the start of the event. TAMU Environmental Health and Safety requires submission of a Food Distribution Form seven working days prior to the start of the event.

5. WAIVER OF UNIVERSITY LIABILITY

- 5.1 Each non-University commercial food vendor that delivers or serves food or beverages on University property or at University sponsored events MUST, as a condition of receipt of the University's authorization, agree to indemnify, hold harmless and release the University from all liability associated with the operations and services of the non-University food vendor.
- 5.2 Each non-University commercial food vendor that requests authorization to serve food or beverages on University property or at University sponsored events MUST secure the required liability insurance policy(ies), and if requested, provide proof of liability insurance by way of submission of a Certificate of Insurance.

6. AUTHORITY OF THE UNIVERSITY

- 6.1 As a condition of serving food on the Texas A&M University campus, a non-University food vendor agrees to allow a representative of the Brazos County Health Department and/or University Environmental Health and Safety to review, inspect and/or evaluate the operations of the non-University food vendor's on-campus food preparation or service location.

- 6.2 Non-University food vendor on-campus food preparation or service location inspections may include, but are not limited to:
- a. operation, condition and maintenance of facilities,
 - b. food preparation and content,
 - c. methods of service,
 - d. safety and sanitation,
 - e. condition of equipment, and
 - f. employee food handling certification.
- 6.3 Representatives designated by the University as indicated in Section 6.1 are also authorized by the University to direct any non-University food vendor to leave University premises.
7. **AUTHORITY AND RESPONSIBILITY OF ENVIRONMENTAL HEALTH AND SAFETY**
- 7.1 Texas A&M University Environmental Health and Safety (EHS) is responsible for the review and approval of EHS Food Distribution Forms.
- 7.2 EHS is authorized by the provisions of this procedure to shut-down non-University food vendor operations on campus or at University sponsored events when:
- disregard of safe food handling practices are found during the preparation or service of food,
 - any practices or conditions are found to be a potential threat to public health, or
 - multiple offenses to the provisions of University Rules and SAPs are found.
- 7.3 EHS, along with the Brazos County Health Department, if deemed in the interest of public health and safety will condemn and/or embargo food items or prohibit the sale of such items.

Related Statutes, Policies, or Requirements

[University SAP 24.01.01.M4.02](#)

Contact Office

For clarification or interpretation, please contact Environmental Health and Safety.

OFFICE OF RESPONSIBILITY: [Environmental Health and Safety](#)