



Environmental Health Division
800 S. Victoria Ave., Ventura CA 93009-1730
TELEPHONE: 805/654-2813 or FAX: 805/654-2480
vcrma.org/divisions/environmental-health

SUBJECT: Procedures for Exemption of For-Profit Entities Giving or Selling Food for the Benefit of a Nonprofit Association

The California Retail Food Code (Cal Code), Section 113789, exempts from permitting for-profit entities that donate food to a nonprofit association under specific circumstances. Specifically, this section exempts from regulation:

“...A for-profit entity that gives or sells food at an event that occurs not more than three days in a 90-day period for the benefit of a nonprofit association, if the for-profit entity receives no monetary benefit, other than that resulting from recognition from participating in an event.”

Attached are documents to be completed by the for-profit entities requesting exemption, and documents to be completed by the nonprofit association receiving the benefit. Both sets of documents must be received in order to be considered for exemption.

By requesting that the for-profit entities providing food and beverages be exempt, the event would not be considered a Community Event as defined by the Cal Code. All of the food and beverage given away or sold at your event will be provided by the nonprofit entities that are requesting exemption.

These documents must be filled out completely and submitted to the Environmental Health Division (EHD) by the nonprofit association sponsoring the event at least 30 days prior to the event in order to be considered for exemption. If the EHD determines that the event is exempt from permitting, EHD will not be conducting inspections of the food and beverage vendors operating at this event. Accordingly, this Division recommends that you obtain the guidance of a professional Environmental Health Specialist or other inspection service to help ensure healthful, sanitary and safe conditions for members of the public attending the event. EHD will contact you if any questions arise regarding the documents submitted.

- **DOCUMENT TO BE COMPLETED BY THE FOR-PROFIT ENTITY & SUBMITTED BY THE SPONSORING NONPROFIT ASSOCIATION**

Attachment 1

A sworn declaration by an owner, partner, general manager, or corporate officer of all for-profit entities that are requesting exemption from Cal Code requirements based on Section 113789.

- **DOCUMENTS TO BE COMPLETED & SUBMITTED BY THE SPONSORING NONPROFIT ASSOCIATION AT LEAST 30 DAYS PRIOR TO THE EVENT**

A copy of the advertising flyer with the details of the event.
Sworn declarations from all of the participating for-profit entities (Attachment 1)

Attachment 2

A sample of a letter to be typed on the letterhead of the nonprofit association that is organizing the event and receiving the benefit from the for-profit entity(ies).

ATTACHMENT 1

DECLARATION
OF FOR-PROFIT ENTITY

This Declaration is to affirm that _____
(Name of for-profit entity)

is requesting an exemption from permit requirements for food facilities under the provisions of Section 113789(c)(4) of the California Retail Food Code, which allows the above named for-profit entity to give or sell food and/or beverages at an event that occurs not more than three days in a 90-day period for the benefit of the nonprofit association listed below.

(Name of Event)

(Address or Location)

(City, Zip code)

Date(s) of Event _____

For the benefit of _____
(Name of Sponsoring Nonprofit Association)

I certify that the above is true and correct to the best of my knowledge and belief. I further certify under penalty of perjury that the above named for-profit entity **will receive no monetary benefit** other than that resulting from recognition for participating in the event. I understand that I may not sell or take orders for any food or beverage product at this event for which I receive compensation.

Name _____ Phone () _____

Address _____

City _____ Zip _____

Signed _____ Title _____

On _____, _____ At _____

ATTACHMENT 2

SPONSORING NON-PROFIT ASSOCIATION DECLARATION

(TO BE COMPLETED ON NONPROFIT ASSOCIATION LETTERHEAD)

Date: _____

County of Ventura
Resource Management Agency
Environmental Health Division
800 S. Victoria Ave.
Ventura, CA 93009-1730

To:

This is to advise you that _____
will be sponsoring and receiving the benefit from the following for-profit entities which
will be giving or selling food and/or beverages at:

(Name of Event)

(Address or Location)

(City and Zip Code)

On _____
(Date(s) of Event)

List all for-profit entities giving or selling food and/or beverages and for which a
declaration is included: _____

The for-profit entities will receive no monetary benefit other than that resulting from recognition
for participating in the event. Furthermore, we understand that the Environmental Health
Division will not be conducting inspections of these exempted for-profit entities. A copy of a
document showing our nonprofit status is attached to this letter.

Sincerely,

(Name)

(Phone number)

(Title)

(Date)