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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF AGRICULTURE
AND RURAL DEVELOPMENT

JAMIE CLOVER ADAMS
DIRECTOR

DATE: February 24, 2015

TO: All Local Health Departments
Attn: Medical Director / Health Officer / Director of Environmental Health
Michigan Department of Agriculture and Rural Development
Attn: Food and Dairy Division Managers

FROM: Kevin Besey, Director
Food and Dairy Division

Kevin Besey

SUBJECT: Cooking Demonstrations Licensing Guidance

Cooking Demonstration Licensing Guidance

Cooking demonstrations are conducted for a variety of educational reasons. As a significant public health tool, to help reduce obesity, the use of cooking demonstrations helps teach individuals how to safely cook healthy foods. To help reduce confusion on acceptable operation and licensing of these events, please use the following guidance.

Classroom demonstration for teaching registered students in a course:

- License exempt, since it is not open to the public.

Demonstrations in a licensed food establishment:

- Covered under existing establishment license; or
- License separately with a fixed or temporary license, if existing establishment will not cover operation under their license.

Demonstrations with food prepared in a licensed food establishment but served with no further preparation at remote serving sites:

No additional license required if the following are met:

- Licensed establishment prepares, transports, and serves the food, or agrees for another demonstration business or organization to operate under their license. When another organization works under an existing license, the licensee must assure that staff understand how to operate in a kitchen according to the Food Law and assures that a knowledgeable Person-In-Charge is on-site during operation.

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- Food is prepared in licensed kitchen and then transported to serving site. Remote site operations are restricted to those allowed by Remote Site Service memo of February 19, 2010, titled “Food Service Establishment, Remote Site Service, MFL 4105(3).”
- Any remote site food preparation that exceeds memo exemptions, is for demonstration purposes only, and not served to the public.
- When another organization works under an existing license, they must be able to provide a written agreement to the regulatory authority, upon request, with the licensed establishment indicating their acceptance that the organization is operating under their food establishment license.

Demonstrations with food preparation and service at a temporary unlicensed site:

- Temporary Food Service License.
- Mobile Food Service License or Special Transitory Food Unit (STFU) License (a temporary food service that is licensed to operate throughout the state). See “MDARD Model Guidance for Multiple Temporary Food Establishments” for more information.
 - Local health issued, since the event is predominately food service. Any local health department may perform the plan review and recommend issuance of the license.
 - Menu may vary per event, but must at least indicate the type and scope of food preparation and menu items (i.e. typical sample menus, foods prepared are TCS, non-TCS, whether operations involve cooking, cooling, hot holding, reheating, etc., or not).
 - STFUs may operate from a licensed base kitchen as part of their license.

Farmers Markets:

- MDARD will issue licenses for cooking demonstrations conducted by farmers markets, since markets are predominately retail. During evaluations, MDARD inspectors will also be evaluating numerous retail related items at the market for compliance including:
 - General Site: water, sewage, pest, and drainage status.
 - Food samples being offered by vendors complies with MDARD sampling guidance and Food Law.
 - Retail vendors operating under a base license extension are in compliance.
 - Retail vendors requiring a temporary license are licensed, as needed.
 - License exempt vendors are in compliance (i.e. cottage food).
 - Food service vendors requiring a temporary license are referred to local health department.

cc: Sarah Jones, MFF
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Rick Dethlefsen, MDARD