I. PURPOSE AND BACKGROUND:

From time to time, approved IUPUI student groups and others affiliated with the IUPUI campus participate in various events which involve the offering or sale of food to students, faculty, staff and the public. Due to the nature of food service, any food-related disease outbreak has the potential of affecting a large number of individuals with potentially severe consequences.

Public food service within the State of Indiana is regulated by the Food Protection Program of the Indiana State Department of Health (ISDH) and, as delegated by the ISDH, by local health jurisdictions. The commercial sale of food products at IUPUI is currently regulated by the Department of Food Safety of the Marion County Health Department (MCHD). The Department of Food Safety enforces an ordinance modeled after federal and state food protection regulations and is found in Chapter 8 of The Code of The Health and Hospital Corporation of Marion County, Indiana.

Fixed food service operations on the IUPUI campus are currently licensed by the MCHD and are inspected by the agency on a frequency appropriate for the nature of the food served. This policy is intended to provide guidance for events involving the sale or offering of food that are not currently licensed or sanctioned by the MCHD including but not limited to temporary food service such as those seen at community events and festivals or student fundraiser events involving the sale of food.

II. SCOPE:

This policy applies to all operational areas or property owned or operated by the University and to all staff, faculty, students and guests of the University community. This policy applies to events that are either open to the public or are otherwise not Internal Events, as defined herein, and where food service is planned.
III. **DEFINITIONS:**

**EHS:** IUPUI Office of Environmental Health & Safety.

**Event Open to the Public:** For purposes of this policy, an “event open to the public” is any event or function that:

- Is sponsored, organized or hosted by any group of University students, faculty or staff and is held on University property; or
- Is sponsored, organized or hosted by a non-University entity with expressed permission from an appropriate University entity to conduct the event on University property; and
- Either or both of the following apply:
  1. Is intended to be open to anyone without reference to affiliation with the University; or
  2. Is advertised as being open to the public in any media; and
- Includes a Temporary Food Establishment as defined by the MCHD and in section VII A of this policy or includes approved fundraisers involving the sale of food as defined in section VII B of this policy.

**Fundraiser:** An event organized by a University-recognized student or group which involves the sale of food; the proceeds of which are intended for the benefit of the organizing group.

**Fundraiser Advisory Committee:** The Fundraiser Advisory Committee (for the purpose of selling food) shall be comprised of the Director of Campus & Community Life, or his/her designee, and a representative of a recognized student organization as designated by the Undergraduate Student Government.

**Internal Event:** An event or function that occurs on university property which has not been advertised as being open to the public in any media where the attendees are limited to the group’s internal members.

**Potentially Hazardous Foods:** Foods that, in order to be safe, must be stored and displayed either at specified temperatures as established from time-to-time by applicable regulatory authorities (currently 41°F or below for cold foods and 135°F for hot foods).

**Provider:** The current on-campus contracted food service vendor or, as approved by the IUPUI Administrator of Food Contract Services, a caterer or other food service facility that is acting under the inspection authority of a federal, state, or local health department.

**Temporary Food Establishment:** “A food establishment that operates for a period of no more than fourteen (14) consecutive days in conjunction with a single event or celebration” as defined in Title 410 of the Indiana Administrative Code (IAC) 7-24-98 (October 13, 2004) (as enforced by the Indiana State Department of Health) and as referenced in Chapter 8 of The Code of The Health and Hospital Corporation or Marion County Indiana (as enforced by the Marion County Health Department).

**University:** Indiana University and properties thereof administered by IUPUI.
IV. EXCEPTIONS:

This policy does not apply to Internal Events which include most intradepartmental functions such as holiday pitch-in meals, “treat tables,” complimentary meals for a department’s faculty, prospective students or graduates, recognized student organization meetings, campus service projects with donated food and the like.

Event organizers not sure whether or how his policy applies to their event should contact EHS at 274-2005.

V. REGULATORY REFERENCE:

Food service at events open to the public must be in compliance with Chapter 8, Licensing Requirements and Standards for Retail Food Service and Food Sales Operations, including temporary events, of The Code of The Health and Hospital Corporation or Marion County, Indiana.

VI. REQUIREMENT FOR ALL EVENTS INVOLVING THE OFFERING OR SALE OF FOOD:

All events involving the offering or sale of food outside the confines of currently-licensed food service operations on campus (e.g. food provided throughout the University Place Hotel and Conference Center as part of a conference) must be registered as a special event on the IUPUI Special Events website at: http://www.iupui.edu/outreach/planning/oems/ unless the event meets the definition of being an Internal Event as defined within Sections III and IV of this policy.

VII. REQUIREMENTS FOR GENERAL EVENTS ON CAMPUS INVOLVING THE SERVICE OF FOOD:

In order to plan an Event Open to the Public, organizers have two options under current state and local health codes. Event organizers may either:

A. Use the IUPUI-approved on-campus contracted food service vendor (Provider) for the event at a food service location currently licensed by the MCHD (Appendix D).

or

B. Obtain a Special Events Permit from the Marion County Health Department.

Other event considerations include:

• Food service outside physical locations on campus currently licensed by the MCHD requires licensure as a Temporary Food Establishment by the MCHD. (e.g. the sale of grill items in the courtyard in front of or adjacent to the Student Activity Center).
• For events outside a food service location on campus currently licensed by the MCHD, participants may use the IUPUI-approved on-campus contracted food service vendor or, as defined within the IUPUI Food Service Exclusivity Policy (Appendix C), another Provider capable of meeting the Temporary Food Establishment requirements of the MCHD.

• It is the responsibility of the Provider to meet the Temporary Food Establishment licensing requirements of the MCHD and to obtain such licensure prior to the event. [Currently, the fee for a Temporary Food Establishment license through the Marion County Health Department is $40.00 and must be paid in cash or by money order charge (an additional $3.00) and is the responsibility of the event organizer unless otherwise agreed upon with the Provider].

• Foodservice involving Potentially Hazardous Foods must be overseen by a Certified Food Handler as defined by the ISDH.

• No event may be held without prior licensure.

• The MCHD requires that application for a Temporary Food Establishment be submitted to the agency thirty (30) days prior to the scheduled event. Additional guidance can be found at: http://www.mchd.com/fdevents.htm

• Event organizers are required to submit an IUPUI Special Events Application available at the following link: http://www.iupui.edu/outreach/planning/oems/ at least 14 (fourteen) days prior to the event.

• Following approval by the Special Events Advisory Committee, the event is required to purchase all foods from the Provider unless special exception has been obtained. In the event that the organizer plans to serve both foods provided by a licensed caterer and prepackaged, individual wrapped food/beverages (not considered as Potentially Hazardous Foods), the prepackaged food/beverage may be purchased from any licensed retail source.

• The service of all prepackaged food and beverages must be in accordance with current University-approved service contracts or agreements (Appendix B).

• In the event it is discovered that the Provider is not in compliance with appropriate regulatory requirements, the organizer of the event may be required to contract with another Provider.

• The service of home-prepared food on campus is strictly prohibited at events unless covered by this policy.
VIII. REQUIREMENTS FOR STUDENT FUNDRAISERS INVOLVING THE SALE OF FOOD:

A. FUNDRAISER REQUIREMENTS FOR ESTABLISHED CIVIC FRATERNAL VETERAN OR CHARITABLE IRS 501 TAX EXEMPT ORGANIZATIONS:

Recognized groups within the University community organized for civic, fraternal, veteran or charitable purposes which have established Section 501 “Tax Exempt” status under the provisions of United States Internal Revenue Service (IRS) codes are eligible to host fundraising events involving the sale of food under relaxed regulatory oversight provided that:

1. the food is prepared exclusively by members of the organization, and
2. the sale of which is for the benefit of the hosting organization, and
3. the organization conducts no more than 15 individual fundraiser events per calendar year.

To qualify, a student organization must be formally recognized by the IUPUI campus, must have an established 501 tax exempt status with the IRS and possess documentation from the IRS confirming tax exempt status. (Belief that the organization qualifies for tax exempt classification without formally establishing such status does not satisfy this requirement).

Charitable groups, regardless of annual revenue, are required to provide documentation from the IRS to the IUPUI Office of Environmental Health & Safety upon request confirming tax exempt status under current IRS codes.

This provision allows also for the resale of food prepared in a licensed, commercial kitchen (e.g. pizza from a neighboring pizza establishment).

Any qualifying group interested in hosting a fundraiser involving the sale of food is to contact the Office of Environmental Health and Safety at least 21 (twenty one) days prior to the scheduled event for additional guidance (274-2005 or http://ehs.iupui.edu/ehs/request.asp).

Fundraisers for 501(c)(3) tax exempt organizations may only be held on designated fundraiser dates as described within this policy.

B. ALL OTHER STUDENT FUNDRAISER INVOLVING THE SALE OF FOOD:

All other food fundraisers involving the sale of food are specifically regulated by the Marion County Health Department.

Food served at Fundraisers is to be limited to commercially-prepared, precooked pizza.

The Director of Campus & Community Life or his/her designee in consultation with appropriate recognized student organizations shall designate 14 specific dates throughout the calendar year (7 per semester) at which time approved fundraising activities may be prescheduled. An
additional date may be made available on a first-come, first-served basis as decided by the Fundraiser Advisory Committee. Fundraiser dates pre-established for the Spring semester on which no fundraiser event is held may, at the discretion of the Fundraiser Advisory Committee, be carried over to following academic session or semester provided that no more than 15 days of fundraising events are conducted during a calendar year.

The Director of Campus & Community Life or their designee shall prepare and maintain a calendar of campus student-sponsored fundraising events. The calendar will be made available on-line or distributed to interested campus parties or departments including but not limited to the IUPUI Department of Environmental Health and Safety the Administrator of Food Contract Services and the Director of Purchasing.

In order to plan an Event Open to the Public that involves the sale of food as part of a Fundraiser that is in compliance with this policy, food service arrangements must be made by the organizer in the following manner:

- Obtain a Special Events Permit from the Marion County Health Department. **The MCHD requires that application for a Temporary Food Establishment be submitted to the agency thirty (30) days prior to the scheduled event.** Additional guidance can be found at: [http://www.mchd.com/fdevents.htm](http://www.mchd.com/fdevents.htm)

- It is the responsibility of the event organizer to meet the Temporary Food Establishment licensing requirements of the MCHD and to obtain such licensure prior to the event. Sponsors of the event are required to pay the MCHD license fee. [Currently, the fee for a Temporary Food Establishment license through the Marion County Health Department is $40.00 and must be paid in cash or by money order charge (an additional $3.00) and is the responsibility of the event organizer unless otherwise agreed upon with the Provider].

- **Submit a Special Events Application available at the following link:** [http://www.iupui.edu/outreach/planning/oems/](http://www.iupui.edu/outreach/planning/oems/) **at least 14 (fourteen) days prior to the event.** Notification through the IUPUI Special Events Website is required for all fundraisers involving the sale of food.

- Food service at Fundraiser events must be in strict compliance with the regulations of the Indiana State Department of Health and the Marion County Health Department and in accordance with Appendix A of this policy. Event organizers must acknowledge their commitment to abide by the provisions of Appendix A by submitting a signed copy of the Appendix to EHS at least 48-hours prior to the scheduled event. An electronic version of Appendix A for electronic signature is available at the following website: [http://ehs.iupui.edu/ehs/](http://ehs.iupui.edu/ehs/). It is the responsibility of the event organizer to ensure that copies of Appendix A are distributed to event participants prior to the event and to solicit their commitment to abide by the provisions thereof.
IX. **FOOD OFFERED AS A COURTESY**

Per an agreement between the Indiana State Department of Health, the Marion County Health Department and the University, events at which a limited selection of food is offered to event participants as a courtesy (without a charge or donation) will not require licensure by the MCHD as a Temporary Food Establishment. The event will be overseen directly by the University under the provisions of this policy.

In order to qualify, the following criteria must be met:

- The event must be approved by the University.
- The host must either be a recognized student group or an established operating unit of the University.
- The food must be offered without charge, donation-in-return or any other form of monetary compensation.

The food must be limited to one or more of the following:

- Chips and pretzels and dip (i.e. cheese, marinara and other dips that are pre-manufactured).
- Commercially-prepared baked goods (doughnuts, rolls, cookies and cake).
- Commercially-prepared pizza.
- Cotton candy.
- Hot dogs with simple condiments (i.e., ketchup, mustard, relish).
- Popcorn, kettle corn, and caramel corn.
- Soft drinks, coffee, juice, milk, ice and shaved ice products (slushies).
- Whole fruits and vegetables or fruits and cut fruits vegetables purchased from a licensed food establishment such as supermarket.

In order to plan an event where food is to be offered as a courtesy, arrangements must be made by the organizer in the following manner:

- Submit a Special Events Application available at the following link: [http://www.iupui.edu/outreach/planning/oems/](http://www.iupui.edu/outreach/planning/oems/) **at least 14 (fourteen) days prior to the event.**

- Food service at the event must be in accordance with Appendix A of this policy. Event organizers must acknowledge their commitment to abide by the provisions of Appendix A by submitting a signed copy of the Appendix to EHS at least 48-hours prior to the scheduled event. An electronic version of Appendix A for electronic signature is available at the following website: [http://ehs.iupui.edu/ehs/](http://ehs.iupui.edu/ehs/). It is the responsibility of the event organizer to ensure that copies of Appendix A are distributed to event participants prior to the event and to solicit their commitment to abide by the provisions thereof.

- The serving of home-prepared food is prohibited.
• All equipment utilized in the service of food under this section (e.g., popcorn, cotton candy, shaved ice machines and serving utensils) must be cleaned and sanitized according to the manufacturer’s guidelines between uses.

• Temporary handwashing facilities are to be provided at the point of service for any event involving hotdogs which are assembled on-site by event volunteers. Examples of temporary handwashing facilities can be found at: http://www.mchd.com/pdf/fdpfaq.pdf

X. OTHER EVENT CONSIDERATIONS:

Appendix A:

In an effort to provide for the highest level of protection against the outbreak of foodborne illnesses on campus, EHS is afforded the right to request a signed copy of Appendix A of this policy for any campus event offering open food regardless of the event classification.

Expenses to Be Paid Through IUPUI Office of Purchasing Services (Purchasing):

Other than purchases of items that are prepackaged in individual servings which are not considered as Potentially Hazardous Foods, Purchasing will not approve a purchase or requisition order for expenditures associated with an Event Open to the Public unless the organizer has used a Provider that has also been approved by Purchasing as being qualified to do business with the University. This includes the provision of required tax and insurance documentation, proven capability to provide the desired product or service, and other appropriate factors. Purchasing develops and maintains a current inventory of responsible and reliable vendors.

Location Requirements:

Event organizers, including recognized student organizations, are required to schedule an appropriate location to hold the Fundraiser with the appropriate Building Coordinator for where the event is to be held. All other events must be approved by the Special Events Advisory Committee.

XI. ENFORCEMENT

Enforcement of this policy is delegated to the IUPUI Office of Environmental Health and Safety. EHS will utilize an educational approach in addressing issues or concerns arising from the application of this policy, will work in conjunction with affected parties and may utilize the appropriate regulatory authorities as a resource as necessary. The IUPUI Office of Environmental Health and Safety is empowered to halt any unauthorized event or any event found not to be in substantial compliance with the provisions of this policy.
XII. REFERENCES

Title 410 of the Indiana Administrative Code (IAC) 7-24, Retail Food Establishment Sanitation Requirements as enforced by the Indiana State Department of Health. (http://www.in.gov/isdh/21062.htm)

Chapter 8 of The Code of The Health and Hospital Corporation or Marion County, Indiana. (http://www.hhcorp.org/brd_code.htm)

Additional guidelines on IUPUI Special Events can be found at: http://www.adfi.iupui.edu/specialevent/se_form.asp or by calling 274-2642.