

Washington State Retail Food Code

Food Establishment Permit Exemption Criteria:

08305 Exempt from permit with approval.

- (1) The REGULATORY AUTHORITY may exempt a PERSON from the provisions of 08600(1) and 08300 of this chapter in order to operate without a FOOD ESTABLISHMENT PERMIT, if the PERSON meets the other provisions of this chapter, including not using any FOOD prepared in a residential kitchen or other facility that is not APPROVED, and the types of FOOD served are limited to those specified in subsection (4) of this section.
- (2) The PERSON requesting a PERMIT exemption under subsection (1) of this section shall submit a written application for an exemption on a form provided by the REGULATORY AUTHORITY at least 14 calendar days before providing FOOD service, or as otherwise required by the REGULATORY AUTHORITY.
- (3) The PERSON requesting a PERMIT exemption under subsection (1) of this section shall submit properly prepared plans and specifications of the FOOD service facilities and EQUIPMENT if the REGULATORY AUTHORITY requires it, based on a review of the application for an exemption submitted under subsection (2) of this section.
- (4) The PERSON requesting a PERMIT exemption under subsection (1) of this section shall limit FOOD handling to one or more of the following FOODS:
 - (a) Individual samples of nonTIME/TEMPERATURE CONTROL FOR SAFETY FOOD sliced fruits and vegetables;
 - (b) Popcorn and flavored popcorn prepared from commercially PACKAGED ingredients that are not TIME/TEMPERATURE CONTROL FOR SAFETY FOOD;
 - (c) Dried herbs and spices processed in an APPROVED facility;
 - (d) Crushed ice drinks containing only ingredients that are not TIME/TEMPERATURE CONTROL FOR SAFETY FOODS and dispensed from a self-contained machine that makes its own ice. Drinks with TIME/TEMPERATURE CONTROL FOR SAFETY FOOD, snow cones, and shaved ice are not included;
 - (e) Corn on the cob;
 - (f) Whole roasted peppers;
 - (g) Roasted nuts, roasted peanuts, and roasted candy-coated nuts;
 - (h) Chocolate-dipped ice cream bars prepared from pre-PACKAGED ice cream bars produced in a FOOD PROCESSING PLANT;
 - (i) Chocolate-dipped bananas prepared from bananas peeled and frozen in an APPROVED facility; and
 - (j) Cotton candy.