



A Tradition of Stewardship  
A Commitment to Service

## Food Sampling and Demonstration Requirements

The following requirements are found in the California Retail Food Code (Cal Code), excerpt from the California Health and Safety Code, Division 104, Part 7, Chapter 1 and have been compiled to ensure safe food samples are provided to the public. If you are planning to prepare and distribute food samples to customers at a permitted food facility in Napa County, a written sampling plan based upon the following requirements must be submitted to the Division of Environmental Health for review and approval. Additionally, a minor plan check fee is required at the time of submittal. According to Cal Code Section 114381, "A permit shall be valid only for the person, location, type of food sales, or distribution activity..." Facilities that provide samples or allow food demonstrations on its premises without prior approval are operating outside of the limits of their permits.

Once the sampling plan is approved, the facility's permit to operate will be modified to include sampling or a new permit for this activity will be issued. Sampling can begin after you receive written approval from this department. The sampling procedures utilized in your food facility are subject to inspection during routine facility inspections, and any violations of sampling procedures observed during facility inspections will be documented and points deducted. A copy of the approved written sampling plan must be maintained onsite and presented to the enforcement officer upon request. We encourage collaboration between the sampler(s) and the certified food handler and/or the person in charge (PIC) at the facility to ensure safe sample preparation and distribution.

1. All food must be pure, free from adulteration and obtained from approved sources. Produce must be washed.
2. Food intended for sampling, utensils, equipment and single-use articles (toothpicks, paper cups, etc) shall not be stored in a private home.
3. Food related and utensil related equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (NSF, ETL, etc.).
4. Hands must be washed prior to preparing samples and whenever hands become contaminated in accordance with Cal Code Section 113953.3. Gloves cannot be worn in place of hand washing. Bare hand contact with ready-to-eat food is not permitted without an approved bare hand contact plan.
5. All food preparation, including packaging, processing, assembling, portioning, or any operation that changes the form, flavor, or consistency of food must be conducted in an approved food preparation area only; the sales floor and private homes are not approved food preparation areas. Only facilities

with a valid health permit and an adequate sampling plan approved by this department will be granted approval for sampling.

6. All utensils and food contact surfaces used in the preparation or distribution of samples must be washed, rinsed and sanitized in accordance with Cal Code, Chapter 5 beginning with Section 114097. Food contact surfaces must be washed, rinsed and sanitized every 4 hours or as needed to prevent cross-contamination.
7. Samples displayed for customer self-service must be protected from contamination at all times by use of a sneeze guard, proper cover or other approved method. Customer self-service operations must be monitored by the PIC.
8. Proper food dispensing utensils shall be provided to distribute the samples to minimize contact by the customer, i.e. toothpicks, tongs, etc.