

The State Fair of West Virginia Food Concessions Policies and Requirements

At the State Fair of West Virginia, we take pride in the level of quality food concessions/operators available on the fairgrounds during the annual State Fair of West Virginia and year-round events. With quality in mind, below is a list of qualifications that are required for all food concessionaires to adhere to before and after being accepted as a food concessionaire.

Definitions:

- **Mobile Food Unit (MFU):** An enclosed trailer or similarly enclosed mobile vehicle that is transported from site to site via wheels for the purpose of dispensing food to the public.
- **Stick Stand:** A temporary food establishment in which food preparation is conducted that is designed to be assembled at the start of an event and disassembled after an event. Walls must be metal or a painted, paintable surface and have a floor constructed of a smooth, durable and easily cleanable material. Roofs may be metal or a tent top. If a tent top is being used, they must be of a high quality and not a standard retail grade pop-up tent. All tents must meet criteria required by the National Fire Protection Association. This requires that all tents have either a label affixed to it indicating the tent material is flame-resistant or paperwork indicating material has been treated with a flame retardant. This information must be presented upon request. If using a tent top, it must not be visible to the public. Tent tops should be covered by walls displaying items for sale or the name of the concession stand.
- **Tent Stand:** A temporary food establishment in which food preparation is conducted underneath a tent that is made of canvas, vinyl or similar material that is supported by poles and designed to be assembled at the start of an event and disassembled after an event.
- **Temporary Food Establishment:** An operation that runs at a fixed location for a period of time, not more than 14 consecutive days in conjunction with a single event or celebration, such as a Fair, Festival, Carnival, Circus, Regatta or similar transitory gathering.
- **Smoker:** Enclosed outdoor cooking equipment with a tight-fitting door or lid that maintains a lower cooking temperature and/or produces smoke to flavor food items.

Policies:

Temporary and/or year-round food establishments must be able to meet the minimum standards for safe food production as outlined in these policies.

1. Permanent food establishments and/or MFU's are preferred, however exceptions can be made depending on the operation.
2. Tent stands are **not** permitted at the State Fair of West Virginia, anyone planning to utilize a "tent stand" as a sole means of creating a temporary food establishment will not be considered for food concessions.

3. "Stick Stands" constructed to serve freshly made food and beverages such as lemonade are acceptable, however they must meet the requirements outlined in the definitions above.
4. Each MFU must obtain a temporary or year-round food permit health department. Under no circumstances may two MFUs operate under one permit.
5. Permitted mobile food units may utilize a "tent" to establish a secondary area to prep non-potentially hazardous food items provided the tent is enclosed, adequately screened, adequately lighted, has a temporary hand wash station and three-compartment sink, and a floor constructed of a smooth, durable, and easily cleanable material. Examples include a stand/tent to prep food items that will then be cooked and served from within the permitted temporary food establishment.
6. Under no circumstances shall food be cooked or served outside the temporary food establishment except as defined in the following exemptions:
 - Food items that will be cooked in a smoker that meets the definition outlined on Page 1. Food items shall be immediately placed in the enclosed cooking equipment once removed from the temporary food establishment or outdoor cooler and immediately returned to the interior of the temporary food establishment unit once the cooking process has been completed. Examples of this include a meat smoker with a hinged, tightly fitting lid that remains closed for most of the cooking process.
 - Equipment that is determined by the health department to present a safety hazard or considerable burden to use inside the mobile food unit provided the permittee documents steps that will be taken to control food safety risk factors and constructs an enclosure around the equipment that properly protects food items, meets all applicable fire marshal safety rules, and has been approved by the health department.
 - All proposed outdoor cooking will be evaluated on an individual basis by the health department.
7. All permitted units must follow applicable fire marshal safety rules. Please note any tents used as a secondary food prep area in accordance with the above described policies must be NFPA approved for fire resistance if a source of ignition is present.
8. Food establishments shall ensure that all employees are smoking or vaping in the designated employee smoking areas present on the fairground.
9. Policies are guidelines for our standards and expectations, all establishments must adhere to Health Department rules and regulations.