

CHAPTER 2. DEFINITIONS

SECTION 113789

1. **Food Facility**

- a. "Food facility" means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level, including, but not limited to, the following:
1. An operation where food is consumed on or off the premises, regardless of whether there is a charge for the food.
 2. Any place used in conjunction with the operations described in this subdivision, including, but not limited to, storage facilities for food-related utensils, equipment, and materials.
- b. "Food facility" includes permanent and nonpermanent food facilities, including, but not limited to, the following:
1. Public and private school cafeterias.
 2. Restricted food service facilities.
 3. Licensed health care facilities.
 4. Commissaries.
 5. Mobile food facilities.
 6. Mobile support units.
 7. Temporary food facilities.
 8. Vending machines.
 9. Certified farmers' markets, for purposes of permitting and enforcement pursuant to Section 114370.
 10. Farm stands, for purposes of permitting and enforcement pursuant to Section 114375.
- c. "Food facility" does not include any of the following:
1. A cooperative arrangement wherein no permanent facilities are used for storing or handling food.
 2. A private home.
 3. A church, private club, or other nonprofit association that gives or sells food to its members and guests, and not to the general public, at an event that occurs not more than three days in any 90-day period.
 4. A for-profit entity that gives or sells food at an event that occurs not more than three days in a 90-day period for the benefit of a nonprofit association, if the for-profit entity receives no monetary benefit, other than that resulting from recognition from participating in an event.
 5. Premises set aside for wine tasting, as that term is used in Section 23356.1 of the Business and Professions Code and in the regulations adopted pursuant to that section, that comply with section 118375, regardless of whether there is a charge for the wine tasting, if no other beverage, except for bottles of wine and prepackaged nonpotentially hazardous beverages, is offered for sale for onsite consumption and no food, except for crackers, is served.
 6. Premises operated by a producer, selling or offering for sale only whole produce grown by the producer, or shell eggs, or both, provided the sales are conducted on premises controlled by the producer.
 7. A commercial food processing plant as defined in Section 111955.
 8. A child day care facility, as defined in Section 1596.750.
 9. A community care facility, as defined in Section 1502.
 10. A residential care facility for the elderly, as defined in Section 1569.2.
 11. A residential care facility for the chronically ill, which has the same meaning as a residential care facility, as defined in Section 1568.01.