

UCR Environmental Health and Safety Due Process Protocol for Addressing Unapproved Food Vendors

This protocol is intended to address food vendors who do not immediately comply with CDPH California Retail Food Code ([CalCode](#)), UCOP and campus policies and procedures. These steps align with local Riverside City Code Enforcement and the Riverside County Department of Environmental Health and are carried out by the Registered Environmental Health Specialist (REHS) within EH&S as part of our MOU with the Riverside County Department of Public Health.

Steps to Addressing Unapproved Food Vendors on Campus:

1. Warning
 - a. Educate + verbal warning + direct vendor to immediately cease operation
 - b. Educate + issue letter of warning + direct vendor to immediately cease operation
 - i. (based on level of risk*) Educate + issue letter of warning + instruct vendor to immediately cease operation
 - ii. (based on level of risk*) Educate + issue letter of warning + instruct vendor to immediately cease operation
2. Notice of Violation (NOV)+ schedule meeting + include warning of fine + instruct vendor to immediately cease operation
3. NOV + citation (includes fine) + instruct vendor to immediately cease operation
4. NOV + citation (includes increased fine) + confiscation of food

***Level of Risk**-Number of warnings should be based on level of established public health risk protocols from current County and City food permitting standards

Public Health Risk Level	Number of Written Warnings*
Pre-packaged foods	3
Open, potentially hazardous foods (food requiring time or temperature control to limit microorganism growth or toxin formation)	2
Imminent health hazard (improper food temperatures, no hot water, rodent/pest infestation)	1

Statute of Limitations:

To the extent permitted by law. Generally, on campus administrative actions will escalate as noted above, regardless of the length of time between interactions. If the same vendor continues to come to campus, the campus will continue through the escalation steps, and will not restart from the beginning.

Procedures:

Each day (this is supported by Section [114397](#)) a vendor arrives and sets up on campus property where the REHS has jurisdiction to enforce Cal Code, the REHS will take immediate action.

1. Warning- Educate the vendor by providing materials that include UCR and County/City policy and procedures in English and/or Spanish, if appropriate (or other languages as needed)
 - a. Number of warnings issued will be based on level of risk as defined above
 - b. At each interaction, the vendor will be directed to cease operations immediately– the EH&S REHS remains on site until operations ceases (no longer sell/distribute food and beverages).
 - i. If operations do not cease, EH&S REHS will document, with photos, in written warning and if vendor returns the next day, EH&S REHS will proceed to the next escalation step.
 - c. Provide written warnings to document educational process.
 - i. On-site – issue warning with Proof of Service by Personal Delivery
 - ii. Mail – mail warning letter to owner with Proof of Service by U.S. Mail, if an owner or purveyor is identified
2. Vendor receives a Notice of Violation (NOV) and is requested to appear for a meeting. The vendor/owner is to come to campus or meet via Zoom during a scheduled time to discuss with EH&S and an interpreter, if needed, the materials provided and the NOV, and review the potential for fines if the vendor continues to violate UC and campus policies and procedures.
3. Vendor receives citation issued by EH&S REHS, which will include a fine.

Current UCR EH&S fine schedule (see California Health and Safety Code § 114094)

 - First violation - \$50
 - Second violation - \$100
 - Third violation - \$250
4. Vendor receives an increased fine amount and EH&S may impound food.

Example:

Interaction: Prepackaged	Actions		Interaction: Open, potentially hazardous foods	Actions
1.	Educate + verbal warning + instruct vendor to immediately cease operation		1.	Educate + verbal warning + instruct vendor to immediately cease operation
2.	Educate + issue letter of warning + instruct vendor to immediately cease operation		2.	Educate + issue letter of warning + instruct vendor to immediately cease operation
3.	Educate + issue letter of warning + instruct vendor to immediately cease operation		3.	Educate + issue letter of warning + instruct vendor to immediately cease operation
4.	Educate + issue letter of warning + instruct vendor to		4.	Notice of Violation (NOV)+ schedule meeting + include

	immediately cease operation		warning of fine + instruct vendor to immediately cease operation
5.	Notice of Violation (NOV)+ schedule meeting + include warning of fine + instruct vendor to immediately cease operation	5.	NOV + citation (includes fine) + instruct vendor to immediately cease operation
6.	NOV + citation (includes fine) + instruct vendor to immediately cease operation	6.	NOV + citation (includes increased fine) + confiscation of food
7.	NOV + citation (includes increased fine) + confiscation of food		

Resources:

[California Retail Food Code](#) – California Health and Safety Code, Division 104 -Environmental Health, Part 7 – California Retail Food Code, Sections 113700-114437

[UCR Information Packet for Food Vendors \(English/Spanish\)](#)