



PROGRAM:	RETAIL FOOD
EFFECTIVE REGULATION:	<i>Colorado Retail Food Establishment Rules and Regulations, July 1, 2013</i>
<b>INTERPRETIVE MEMO NO. 16-05</b>	
DATE:	November 16, 2016
SUBJECT:	Allowed Cuts of Whole Produce Items by Temporary Retail Food Establishments at Temporary Events

Chapter 10 of The *Colorado Retail Food Establishment Rules and Regulations* applies to Temporary Retail Food Establishments. Section 10-102 B of the regulations states:

“All slicing, chopping, peeling, dicing, shredding and washing of produce shall be done at the commissary.”

Prior to 2013 there was no prohibition in the regulation for cutting of produce onsite at temporary events. Since the regulation revision in 2013 there have been multiple approved variances for vendors using a single cut on-site for various produce items, including: potatoes, lemons, limes, oranges and apples. In these cases the following justifications have been given for allowing this practice:

- Pre-cutting the produce item(s) at the commissary prior to transport and service would adversely affect the quality of the items and the economic viability of the business.
- The produce item(s) are better protected in a whole state just prior to service, rather than the exposure of open pre-cut produce at an event.
- The use of a one cut method is consistent with the purpose and intent of the regulations.
- There is no significant public health risk with allowing a single cut of produce on site.

Therefore, the Department approves the use of an on-site cut of non-potentially hazardous whole produce items for a single order intended for immediate consumption provided that the produce is pre-washed at an approved commissary.

25-4-1601 C.R.S. provides CDPHE’s authority for the uniform statewide administration, implementation, interpretation, and enforcement of *The Colorado Retail Food Establishment Rules and Regulations*. This interpretive memo is issued in accordance with this authority and CDPHE expects its contents to be implemented uniformly.

All previous interpretive memoranda issued pertaining to this subject are hereby superseded as of the effective date above.

Jeff Lawrence, Director  
Division of Environmental Health and Sustainability