



UPDATED: June 22, 2020

1. Temporary Food Establishments (TFEs) must meet the applicable requirements in the current New Mexico Public Health Order (PHO) and “All Together New Mexico - COVID SAFE PRACTICES for Individuals and Employers” (CSPs).
  - a. Current PHO can be found here: <https://cv.nmhealth.org/public-health-orders-and-executive-orders/>
  - b. Current CSPs can be found here: <https://cv.nmhealth.org/covid-safe-practices/>
    - i. NOTE: CSPs relating to TFEs include those for Restaurants, Retail, All Employers, Grocery Stores & Farmers’ Markets. Note: the 11/30/20 version of the applicable CSPs are attached at the end of this application.
2. TFEs must package all food served to customers in to-go containers/packages.
3. TFEs may not provide tables and/or chairs for on-site consumption of food/drink.
4. TFEs at Farmers’ Markets may not conduct cooking demos or offer food samples.
5. TFEs should utilize mobile ordering and curbside delivery whenever possible.

I hereby acknowledge that I have read and understand the requirements of the PHO, CSPs, and the provisional requirements outlined above, and I fully understand that non-compliance with these requirements may result in enforcement action by the New Mexico Environment Department and may nullify final approval.

Applicant or responsible representative(s) Signature/Title:	Date:
Applicant or responsible representative(s) Signature/Title:	Date:



Application Date: \_\_\_\_\_

Section 1 - Operator Information			
Name of owner/operator:			
Phone:		Cell:	
Mailing address:		City:	State: Zip:
Email:			
Name of on-site person-in-charge:			Phone:
<b>(Provide copy of food handler card or certified manager certificate)</b>			

Section 2 - Temporary Food Event Information					
Name of booth:			Address/Location:		
Name of event:			City:	State:	Zip:
Date(s) of event			Time(s) of event		
Start date:	End date:	Set-up time:	Open time:	Close time:	
Event organizer:			Organizer phone:		
Event location			Facility type		
Indoor event <input type="checkbox"/>	Outdoor event <input type="checkbox"/>	Booth <input type="checkbox"/>	Permanent building <input type="checkbox"/>	Mobile <input type="checkbox"/>	Push cart <input type="checkbox"/>

**For sections 3-10 (below) please refer to attached Chart 10-1 for TFE requirements**

Section 3 - Menu		
Menu item	Place of purchase	Prepared
		Prepared on-site at TFE <input type="checkbox"/> Prepared at other location** <input type="checkbox"/> Sold commercially prepackaged <input type="checkbox"/>
		Prepared on-site at TFE <input type="checkbox"/> Prepared at other location** <input type="checkbox"/> Sold commercially prepackaged <input type="checkbox"/>
		Prepared on-site at TFE <input type="checkbox"/> Prepared at other location** <input type="checkbox"/> Sold commercially prepackaged <input type="checkbox"/>
		Prepared on-site at TFE <input type="checkbox"/> Prepared at other location** <input type="checkbox"/> Sold commercially prepackaged <input type="checkbox"/>
		Prepared on-site at TFE <input type="checkbox"/> Prepared at other location** <input type="checkbox"/> Sold commercially prepackaged <input type="checkbox"/>
		Prepared on-site at TFE <input type="checkbox"/> Prepared at other location** <input type="checkbox"/> Sold commercially prepackaged <input type="checkbox"/>

**(Additional menu items may be attached to this application)**

<b>** Food menu item prepared at other locations complete the following</b>	
Name of establishment:	Type of establishment:
Permit holder name:	Establishment phone:
Permit #:	

**(Additional locations for preparation of food items may be attached to this application)**

Section 4 - Booth Construction		
Overhead covering:	Floor:	Walls:
<i>Example: Canopy</i>	<i>Asphalt</i>	<i>Screens with ability to cover solid</i>



Section 5 - Handwashing Set-up (Hand soap, paper towels and trashcan must be provided at all set-ups)			
Type of handwashing:	How will water be heated:	Bare hand contact eliminated by:	
Container with on/off spigot and catch bucket <input type="checkbox"/> Portable handwashing sink <input type="checkbox"/> Handwashing sink w/ hot & cold running water under pressure <input type="checkbox"/>	Auxiliary heating source (i.e. burner) <input type="checkbox"/> Water heater <input type="checkbox"/> Other <input type="checkbox"/>	<b>(check all that apply)</b>	
		Dispensing units <input type="checkbox"/>	Deli tissue <input type="checkbox"/>
		Utensils <input type="checkbox"/>	Gloves <input type="checkbox"/>
		Other:	

Section 6 - Utensil Washing Set-up (Must wash with soap, rinse with water and sanitize all utensils/dishes)			
Method of utensil washing:	How will water be heated:	Type of sanitizer:	
3 Basins (i.e. bus tub) <input type="checkbox"/> 3 Compartment sink <input type="checkbox"/> 3 Compartment sink w/ hot & cold running water under pressure <input type="checkbox"/>	Auxiliary heating source (i.e. burner) <input type="checkbox"/> Water heater <input type="checkbox"/> Other:	Chlorine (bleach) <input type="checkbox"/> (select) (Concentration) ___ PPM Quaternary ammonia <input type="checkbox"/> ___ PPM Iodine <input type="checkbox"/> ___ PPM	
		<b>(Appropriate test-strips required)</b>	

Section 7 - Utility Supply and Disposal			
Water source	Waste water disposal	Power Supply	Trash disposal
<i>Example: City water</i>	<i>Wastewater containers provided by organizer</i>	<i>Generator</i>	<i>Dumpsters available</i>

Section 8 - Equipment (Use additional sheets if needed)		
Use:	Type:	Certification: (examples include: NSF, ETL)
Transportation to event hot/cold foods (Example: Insulated container, cooler, etc.)		
Cold holding (Example: Refrigeration, prep table, etc.)		
Hot holding (Example: Steam table, grill etc.)		
Cooking/ Re-heating (Example: Grill, stove, burners etc.)		
Food thermometers (Example: Metal Stem 0-220°F)		
Other		



<b>Section 9 - Food Preparation</b>						
<b>(Use additional sheets if needed)</b>						
<b>Food</b> <b>(List all menu items)</b>	<b>Thaw</b> <b>How?</b> <b>Where?</b>	<b>Cut/Wash</b> <b>Assemble</b> <b>Where?</b>	<b>Cold Holding</b> <b>How?</b> <b>Where?</b>	<b>Cook</b> <b>How?</b> <b>Where?</b>	<b>Hot Holding</b> <b>How?</b> <b>Where?</b>	<b>Reheating</b> <b>How?</b>
<i>EXAMPLE: Hamburgers</i>	<i>No thawing, cooked from frozen</i>	<i>None, using preformed patties</i>	<i>In cooler with ice below 41 °F</i>	<i>Patties are cooked on covered grill to 165°F</i>	<i>Burgers are placed in beef broth and held on covered grill at 135°F</i>	<i>Burgers that fall below 135°F reheated on grill to 165°F</i>



**Section 10 - TFE Floor Plan**

In the following space, provide a drawing of the TFE. Identify and describe all equipment including cooking and hot/cold holding equipment, handwashing facilities, worktables, dishwashing facilities, food and utensil storage, garbage containers, and customer service areas.

Example Floor Plan (view from top)	Draw your sketch here
	<p style="text-align: center;"><b>Draw your sketch here</b></p>

**STATEMENT:** I hereby certify that the above information is correct, and I fully understand that any deviation from the above without prior permission from the State of New Mexico Environment Department may nullify final approval. I agree to comply with **7.6.2 NMAC -- Food Service And Food Processing Regulations** and allow the regulatory authority access to the establishment and records.

Applicant or responsible representative(s) Signature/Title \_\_\_\_\_ Date \_\_\_\_\_

Applicant or responsible representative(s) Signature/Title \_\_\_\_\_ Date \_\_\_\_\_

**NMED use only**

Approved <input type="checkbox"/> Approved with conditions* <input type="checkbox"/> Denied** <input type="checkbox"/>	TFE category: Type 1 <input type="checkbox"/> Type 2 <input type="checkbox"/> Type 3 <input type="checkbox"/>	Date: _____ Permit #: _____ Permit fee required: Yes <input type="checkbox"/> No <input type="checkbox"/> Permit fee received: Yes <input type="checkbox"/> No <input type="checkbox"/>
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Signature/Title: \_\_\_\_\_ Date: \_\_\_\_\_

\*Conditions of approval:

\*\*Reasons for denial:



Chart 10-1

	Type 1	Type 2	Type 3
Menu	-unpackaged non-TCS*** -commercially processed packaged TCS*** in original package (receive-store-hold)	-no cook (receive-store-minimum prep*-hold-serve) -same day prep (receive-store-minimum prep*-cook-hold-serve) -reheat commercially processed (receive-store-reheat-hold-serve)	-complex food prep (receive-store-prep-cook-cool-reheat-hot hold-serve) OR serving highly susceptible population
Handwashing	gravity fed <= 4 hrs. - insulated container or auxiliary heating source > 4 hrs. - auxiliary heating source	same as Type 1	hot & cold running water under pressure
3-Compartment Sink	unpackaged non-TCS <= 4 hrs. - 3-comp or extra utensils > 4 hrs. - 3-comp required packaged TCS: not required	same as Type 1 unpackaged non-TCS	3-comp required w/ hot & cold running water under pressure
Refrigeration	unpackaged non-TCS: not required packaged TCS: <= 1 day - insulated ice chest w/drain ice 2-3 days - mechanical equipment > 3 days - mechanical ANSI equipment only	same as Type 1 packaged TCS	mechanical ANSI equipment only
Cold holding (e.g., prep table, display case)	unpackaged non-TCS: not required packaged TCS: -ice bath -2-3 days - mechanical equipment recommended - > 3 days - mechanical ANSI equipment recommended	same as Type 1 packaged TCS	same as Type 1 packaged TCS
Hot holding	not allowed	covered non-ANSI equipment allowed**	covered ANSI equipment only
Cooking/reheating	not allowed	covered non-ANSI equipment allowed**	covered ANSI equipment only
Flooring	grass; smooth, durable, easily cleanable such as: concrete, machine-laid asphalt, Sealed wood, tile, impermeable tarp	<= 2 days - same as Type 1 > 2 days - same as Type 1, no grass	<= 3 days - same as Type 1, no grass > 3 days - constructed flooring
Walls	unpackaged non-TCS <= 3 days - no sides, ability to cover solid > 3 days - 3.5 side screening, ability to cover solid packaged TCS: not required	<= 1 day - no sides, ability to cover solid 1 to 3 days - 3.5 side screening, ability to cover solid > 3 days - complete enclosure w/approved opening	complete enclosure w/approved opening
Training	as required by regulatory authority	as required by regulatory authority	Certified food protection manager required

\*Minimum preparation includes activities such as: slicing/cutting fruits and vegetables, opening commercially PACKAGED TIME/TEMPERATURE CONTROL FOR SAFETY FOOD, and seasoning TIME/TEMPERATURE CONTROL FOR SAFETY FOOD. Minimum preparation does not include activities such as: cutting, slicing, or forming raw MEAT, POULTRY, or FISH; assembly of complex menu items.

\*\*Chafing dishes may be allowed for events of 4 hours or less. Insulated ice chests and slow cookers are not allowed for hot holding. Slow cookers are not allowed for heating, cooking, or reheating.

\*\*\* "TCS" means "Time/Temperature Control for Safety Food". See definition on page 21 of the Retail Food Field Guide for details.

# COVID-SAFE PRACTICES FOR ALL EMPLOYERS

Our business leaders have shown great determination and leadership in the face of the extraordinary hardship caused by COVID-19. As the economy reopens, we are asking for your help to ensure all New Mexicans—your customers, employees, and families—take precautions to remain safe when entering a place of business. Please help us set the highest standards for living with COVID-19 by enacting these requirements and additional best practices.

## Required

- Limit operations to remote work to the greatest extent possible.
- Arrange workplace to provide for 6 feet of distance between individuals wherever possible.
- Close common areas where personnel are likely to congregate wherever possible or modify them to minimize contact.
- Provide for all meetings to take place remotely whenever possible.
- Ensure all employees have face coverings or masks and wear them in the workplace at all times when in the presence of others, except when eating or drinking, or unless otherwise advised by a health care provider.
- Train all employees on daily cleaning and disinfecting protocol, hygiene, and respiratory etiquette (e.g., covering coughs).
- Make handwashing, sanitizer, and other hygiene support available to employees.  
**Note:** the use of gloves is not a substitute for frequent handwashing.
- Screen employees before they enter the workplace each day (verbally or with a written form or text-based or other app). Send employees home who are experiencing the following COVID-19 symptoms related to COVID-19 and direct them to obtain free testing through the [Department of Health](#).
  - Fever
  - Sore throat
  - Chills
  - Cough
  - Headache
  - Repeated shaking with chills
  - Shortness of breath
  - Muscle pain
  - Loss of taste or smell



# COVID-SAFE PRACTICES FOR ALL EMPLOYERS

- Prohibit employees with known close contact to a person who is lab-confirmed to have COVID-19 to return to work until authorized by the Department of Health.
- Minimize non-essential travel. Adhere to CDC guidelines and state orders regarding isolation following out-of-state travel.
- Adhere to all [CDC](#) and [OSHA](#) guidelines.

## Best Practices

- Develop a COVID-19 communication plan and provide a forum for answering employee questions and addressing concerns.
- Appoint a COVID-Safe Practice leader or team to enact safe practices in the workplace.
- Review employee leave policies and modify as needed to ensure compliance with the [Families First Coronavirus Response Act](#).
- Consider assigning vulnerable workers duties that minimize their contact with customers and other employees (e.g., managing inventory rather than working as a cashier, managing administrative needs through telework).
- To support contact tracing, offer all customers who visit the establishment with the opportunity to record their name and phone number or email address, along with the date and time of their visit, and retain such records for no less than four weeks from the date of collection.
- Follow all heating, ventilation and air conditioning (HVAC) preventative maintenance as required by the manufacturer on prescribed schedules. When possible, consult with an HVAC engineer to improve ventilation and minimize the potential for worker exposure.

## Additional Resources

- Occupational Safety and Health Administration (OSHA): [Guidance on Preparing Workplaces for COVID-19](#)
- CDC: [Guidelines for Cleaning and Disinfection Community Facilities](#)
- Environmental Protection Agency (EPA): [List N: Disinfectants for Use Against SARS-CoV-2](#)
- [CDC Print Resources in multiple languages](#)
- [CDC Frequently Asked Questions](#)
- [CDC General Business FAQ](#)
- [COVID-19 Emergency Supply Collaborative](#)





# COVID-SAFE PRACTICES: RETAIL

Retail establishments providing essential goods and services have remained open in limited capacities during the public health emergency, requiring their courageous employees to be on the front lines. We've learned important lessons below from these businesses and employees on how to keep safe while servicing customers, which are embodied in the requirements and best practices below.

## Required

- Adhere to Required COVID-Safe Practices for All Employers (p. 9).
- Adhere to maximum occupancy limits per the State's Public Health Order.
- Utilize signs, stanchions and/or floor decals to support 6-foot social distancing, including one-way aisle traffic and separate entry/exit wherever possible.
- Utilize signage to communicate occupancy limits and encourage customers to wear face coverings.
- Maintain a schedule of stringent daily cleaning and sanitizing.
- Once every two hours (or more frequently), clean and disinfect high-touch items such as doors, fitting rooms and credit card terminals.
- Establish safety protocols to allow for contactless curbside pickup and home delivery wherever possible.

## Best Practices

- Employ a greeter to communicate safety restrictions and protocols.
- Install large plexiglass sneeze guards at cash registers wherever possible.
- Arrange for contactless payment and receipt options to the greatest extent possible.
- Screen employees and customers with a no-contact thermometer; individuals with a temperature reading above 100.4°F should be denied entry.
- Offer face coverings and gloves to customers.
- Provide alternative shopping times to vulnerable individuals at higher risk of severe illness.



# COVID-SAFE PRACTICES: RESTAURANTS

Before COVID-19, restaurants and food service employees kept our restaurants clean and food safe for customers. They are doing the same now, *plus* enhanced work practices recommended by the Food and Drug Administration and the Centers for Disease Control and Prevention.

When permitted by the State's Public Health Order, restaurants will be allowed to offer dine-in service under the following requirements.

## Required

- Adhere to Required COVID-Safe Practices for All Employers (p. 9).
- Adhere to Required COVID-Safe Practices for Retail Establishments (p. 11).
- Discontinue service stations that require customers to congregate in certain areas or use common utensils/dispensers, including salad bars, buffets and beverage and coffee stations.
- Comply with state Public Health Order limitations on bar and counter seating and non-seated service; and, if otherwise permitted, ensure that six feet or more distance is maintained between customers.
- Establishments that serve alcohol must adhere to required closing time, if applicable, for per the Public Health Order.
- Reservations and private events may not exceed the mass gathering definition and limit per the Public Health Order.
- Ensure patrons are seated at all times. Activities that require standing and congregating are prohibited, including gaming areas, sports and recreational activities, dance floors, bar games, karaoke, and other such activities.
- Live performances may not be ticketed events. Performers must wear masks at all times and maintain social distancing from other performers and patrons. Patrons must remain seated. Live performances do not include karaoke, which is prohibited.
- Employees that handle items used or provided by customers must properly wash their hands or change gloves before serving another customer (e.g. tableware, cutlery, glasses, credit cards, cash, pens, etc.).
- Discontinue allowing pets, excluding service animals, inside the establishment, onto patios, into stores or other such areas.
- Clean and sanitize reusable items such as menus and condiment containers left on tables after each use. If items cannot be cleaned and sanitized after each use, offer single-use items.



# COVID-SAFE PRACTICES: RESTAURANTS

- To support contact tracing, provide all customers who visit the establishment the opportunity to record their name and phone number or email address, along with the date and time of their visit, and retain such records for no less than four weeks from the date of collection.

## Additional Requirements for Outdoor Dining Modifications

- Expansions of outdoor service areas must be approved by the appropriate local government agency. If service includes a liquor licensed premises, complete an application for approval through the Alcohol and Beverages Control (ABC) Division, which can be found on their [website](http://rld.state.nm.us/abc) (rld.state.nm.us/abc).
- The area must be open on at least three sides when in use for outdoor dining. Tent sidewalls may be added for security when the facility is not in use.
- Tents may be utilized if approved by the appropriate local government agency.
- Opening a garage door or all windows does not constitute an outdoor dining area.
- Per the Fire Code, open flame or other devices emitting flame, fire or heat or any flammable or combustible liquids, gas, charcoal or other cooking device or any other unapproved devices shall not be permitted inside or located within 20 feet of the tent or membrane structures while open to the public unless approved by the relevant Fire Code Official.

## Additional Requirements for Indoor Dining

In order to operate indoor dine-in service, restaurants must adhere to the following additional measures:

- Become New Mexico Safe Certified in Restaurants. To enroll in the program, please visit: [nmsafecertified.org](http://nmsafecertified.org). Employees must be retrained within 3 calendar days of any changes to COVID-Safe Practices.
- Maintain contact tracing records for no less than 21 calendar days by recording the date and time, name(s), phone number(s) and email address(es) of all customers who dine on premises (indoor and outdoor). This information must be made available upon the request of the NM Department of Health.
- Screen all employees before they enter the workplace and send employees home who are experiencing COVID symptoms. Allow and coordinate with the New Mexico Department of Health and/or the New Mexico National Guard to test symptomatic employees.



## COVID-SAFE PRACTICES: RESTAURANTS

- Screen all customers as they enter the premises utilizing a COVID questionnaire outlined below (verbally or with a written form). Customers who report COVID symptoms or answer affirmatively to any of the following questions should be denied service. Restaurants are not required to retain health screening information.
  - Have you been directly exposed to someone under investigation for, or with a confirmed case of, COVID-19 in the past 14 days?
  - Have you experienced any of the following symptoms today, unrelated to a chronic and/or pre-existing condition? (select all that apply)
    - » Fever (100.4 degrees or greater)
    - » Cough (unrelated to seasonal allergies or asthma)
    - » Shortness of Breath (unrelated to seasonal allergies or asthma)
    - » Loss of taste or smell
    - » GI symptoms (vomit, nausea or diarrhea) (unrelated to a chronic condition)
    - » Chills
    - » Shaking chills, otherwise known as rigors
    - » Headache
    - » Muscle pain
    - » Sore throat
    - » Fatigue
    - » Congestion or runny nose (unrelated to seasonal allergies)
    - » None
  - Have you been contacted by the NM Department of Health and/or placed under self-quarantine for COVID-19 for any reason?
  - Have you tested positive for COVID-19 in the past 14 days?
  - Have you traveled to another state or country in the past 14 days?
  - Have any members of your household traveled to another state or country in the past 14 days?
  - Have you, or a member of your household, traveled by sea (Domestic or International) within the past 14 days?



# COVID-SAFE PRACTICES: RESTAURANTS

## Best Practices

- Consider accepting customers on a reservation-only basis.
- When scheduling staff to cover shifts, consider additional breaks to provide for frequent handwashing, more frequent and longer time frames to sanitize equipment, etc.
- Provide single-use items such as plates, cutlery, and napkins to customers and do not leave them in common areas or on tables for self-service.
- Install large plexiglass sneeze guards at cash registers wherever possible.
- Arrange for contactless payment and receipt options to the greatest extent possible.
- Screen employees and customers with a no-contact thermometer; individuals with a temperature reading above 100.4°F should be denied entry.

## Additional Resources

- Food and Drug Administration: [Best Practices for Retail Food Stores, Restaurants, and Food Pick-Up/Delivery Services During the COVID-19 Pandemic](#)
- [New Mexico Food Establishment Reopening Checklist](#)
- [New Mexico Food Program](#)
- [New Mexico Restaurant Association](#)



# COVID-SAFE PRACTICES: GROCERY STORES & FARMERS' MARKETS

Before COVID-19, grocery store and farmers' market employees kept these establishments clean and food safe for customers. They are doing the same now, *plus* enhanced work practices recommended by the Food and Drug Administration and the Centers for Disease Control.

## Required

- Adhere to Required COVID-Safe Practices for All Employers (p. 9).
- Adhere to Required COVID-Safe Practices for Retail Establishments (p. 11).
- Adhere to maximum occupancy limits per the State's Public Health Order.
- If food service is provided onsite, adhere to COVID-Safe Practices for Restaurants (p. 12)
- Discontinue service stations that require customers to congregate in certain areas or use common utensils/dispensers, including food samples, bulk bins, beverage stations, etc.
- Prohibit the refilling of customer-supplied, reusable containers (e.g. coffee cups and water bottles).
- Require customers who bring reusable bags to bag their own purchases.
- Clean and sanitize equipment, including pallet jacks, ladders and supply carts, between each use.
- For deliveries:
  - Temporarily suspend truck drivers from entering the sales floor unless as a customer or to use the restroom.
  - Arrange for contactless signatures for deliveries.
  - Expand store delivery times to spread out deliveries and prevent overcrowding.
  - Vendors required to enter the business must follow employee protocols for personal protective equipment and social distancing.

## Additional Requirements for Farmers' Markets

- Farmers, vendors, market staff and volunteers must wear food grade gloves, with frequent changes between customers or when they become soiled or contaminated.



# COVID-SAFE PRACTICES FOR GROCERY STORES & FARMERS' MARKETS

- Increase the numbers of hand-washing stations available within the market, along with signage to encourage customers to frequently wash their hands.
- Require farmers to bring hand-washing supplies and hand sanitizers, for frequent use within their own booth space.
- Restrict customers from touching any produce or products until after they have purchased.
- Configure stands so that customers will request products and staff will bag produce.
- Suspend cooking demonstrations and sampling.
- Suspend social programs and remove seating areas that promote customers to congregate in the market.

## Best Practices

- To the maximum extent possible, pre-package produce and other such products to avoid excess handling by customers and employees.
- When scheduling staff to cover shifts, consider additional breaks to provide for frequent handwashing, more frequent and longer time frames to sanitize equipment, etc.
- Install large plexiglass sneeze guards at cash registers wherever possible.
- Arrange for contactless payment and receipt options to the greatest extent possible.
- Screen employees and customers with a no-contact thermometer; individuals with a temperature reading above 100.4°F should be denied entry.

## Additional Resources

- Food and Drug Administration (FDA): [Best Practices for Retail Food Stores, Restaurants, and Food Pick-Up/Delivery Services During the COVID-19 Pandemic](#)
- [New Mexico Food Program](#)

