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Responsible University Office:
Business Services

Responsible University Administrator:
Vice Chancellor of Business and Finance

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Sale and Distribution of Food Policy

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Scope

This policy applies to food distribute and sales of all University Organizations of the University of Nebraska at Kearney (University) located on and off campus.

Policy Statement

This policy will provide procedures for the service, distribution, and sale of food by University Organizations. This policy also explains guidelines for the planning and preparation of food by various individuals and businesses related to the food sales and distribution.

Reason for Policy

The University strives to provide a safe environment for students, faculty, staff, and campus visitors. Due to the various risks associated with food products, including contamination and allergic reactions, the practice of food distribution

and sales needs to be regulated. This policy will provide guidelines in order to mitigate risk associated with this activity.

Procedures

Only the events and activities of University Organizations classified as Fundraisers are permitted to sell and/or advertise the sale of food at the University. No student, faculty, staff, or campus visitor may sell food products for personal profit or the profit of another individual or business.

Prior to all Fundraisers, the event and its respective location(s) must be submitted and approved through Events and Reservations and Student Engagement for student organizations. University Organization representatives must be present throughout the entire event and are responsible for the clean-up and removal of all items besides those provided through Events and Reservations.

The University permits the sale and/or distribution of prepared food by University Organizations under one of the following scenarios:

1. **Food prepared by the Dining Services Provider**
The University is contracted with the Dining Services Provider to provide exclusive food service and catering on campus. The Dining Services Provider will follow all applicable food preparation and safety standards and the University Organization will continue to follow these standards through the duration of its event including but not limited to retention of internal food temperatures (140 degrees Fahrenheit for hot foods and 41 degrees Fahrenheit for cold foods). Contractual exceptions exist for the exclusivity requirement including the ability for University Organizations to sell commercially packaged food or Beverage Vendor items and operations pertaining to Brewed Awakening. Any other exceptions not stated within this policy shall be reviewed and approved by Business Services prior to the event.
2. **Food prepared by Brewed Awakening**
Brewed Awakening will follow all applicable food preparation and safety standards and the University Organization will continue to follow these standards through the duration of its event.
3. **Food prepared under the supervision of the Dining Services Provider**
The Dining Services Provider is permitted to supervise University Organizations in the preparation of food in University facilities. Under this supervision, the University Organization will be required to follow all applicable rules and regulations of the Dining Services Provider related to food preparation and facility safety. It will be the responsibility of the University Organization to coordinate with the Dining Services Provider at least three weeks prior to the requested date of food preparation to

determine the availability of facilities and Dining Services Provider supervision. The University Organization will be responsible for complying with all food safety standards throughout the event. If food is intended to be distributed in individual portions, it should be properly separated and packaged with proper labels of ingredients and possible allergens.

4. **Food purchased and served by a commercial caterer**

This scenario is restricted based on contractual regulations with the Dining Services Provider and must reviewed and receive approval from Business Services prior to the event. If approved, the commercial caterer must be able to provide a copy of its catering license, insurance with limits of not less than one million dollars per occurrence and three million dollars general aggregate, and a list of foods being served with ingredients and possible allergens upon request. The University Organization and the commercial caterer will be responsible for complying with all food preparation and safety standards.

5. **Food purchased or donated by a restaurant**

The restaurant must be compliant with all State of Nebraska requirements and applicable inspections and have insurance with limits of not less than one million dollars per occurrence and three million dollars general aggregate. The restaurant will also provide a list of all food and its ingredients upon delivery or pickup by the University Organization. Once delivered or picked up, the University Organization will be responsible for complying with all food safety standards throughout the event. All food from the restaurant must be served within four hours following the completion of the initial cooking at the restaurant.

6. **Commercially packaged food**

These food items must be able to be sold individually and will need to have all ingredients listed on the item's packaging.

7. **Food prepared by individuals for the purposes of a Bake Sale**

Bake Sales will be permitted for non-perishable items with the following restrictions:

- a. All food must be individually wrapped;
- b. Items must be displayed and stored off of the floor/ground and must be covered at all times;
- c. Items must be non-perishable and not potentially hazardous including items that contain meat, poultry, fish, or uncooked or partially cooked eggs (such as mayonnaise, custard, quiche);
- d. All ingredients must be listed on each item along with all allergens, including but not limited to milk, eggs, peanuts, tree nuts, fish, shellfish, gluten, soy, wheat, and nut oils, being acknowledged;
- e. If food allergens are contained in the item or if the item was prepared in conjunction with other foods that contain allergens, warnings must be provided to all potential customers;

- f. Items must be prepared with ingredients purchased from commercial sources;
- g. Customary home sanitation practices should be observed throughout all food preparation and handling;
- h. All items must be individually labeled with the following at a minimum:
 - [Food description]
 - [Price]
 - [List of ingredients]
 - [Allergen warning, if applicable]
 - [Disclaimer stating item was prepared in a non-commercial setting and was not inspected by the Department of State Health Services or the local health department];
- i. Spoiled/expired food products or materials not for human consumption or where intent is to cause bodily harm to the consumer will not be permitted; and,
- j. University Organizations and individuals conducting the Bake Sale and preparing food items will hold the University harmless in the event of any legal action resulting from the Bake Sale.

If a University Organization or its individual members do not follow the regulations and guidelines listed in this policy, their event can be immediately cancelled or shut down and disciplinary action may occur for the University Organization and/or its individual members. In addition, all Fundraisers will not be allowed and will be cancelled if they conflict with any contractual agreements of the University.

University Organizations will be permitted to distribute free food under the same conditions and guidelines stated in this policy. Non-University organizations and vendors may distribute free food at a University-approved event but shall be limited to food which is commercially packaged or prepared by licensed caterers or restaurants, the Dining Services Provider, or Brewed Awakening.

Definitions

Bake Sale: a sale of food prepared by individuals outside of a commercial setting

Beverage Vendor: University of Nebraska at Kearney's exclusive beverage provider, Bottling Group, LLC (Pepsi)

Brewed Awakening: a student-operated coffee shop and catering organization under the supervision of the College of Business and Technology and located in West Center

Dining Services Provider: University of Nebraska at Kearney's exclusive food service provider, Sodexo America, LLC

Events and Reservations: office within the Facilities department responsible for the location and set-up arrangements and approvals for all campus events

Fundraisers: events held by University Organizations with a focus on raising money for a specific cause, group, or organizations with all proceeds going to the stated cause, group, or organization; money cannot directly benefit any individual(s) unless approved by the Dean of Student Affairs; this does not enable University Organization or its individual members to ask for monetary donations

Student Engagement: department within the Division of Student Affairs responsible for the oversight of recognized student organizations of the University

University Organization: a student organization recognized by Student Government, academic organization recognized by Academic Affairs or any other established organization recognized by Business and Finance; this does not include outside organizations or groups

Additional Contacts

<i>Subject</i>	<i>Contact</i>	<i>Phone</i>	<i>Email</i>
Business Services	Michael Christen	308-865-8448	christenmt2@unk.edu
Brewed Awakening	Stacy Darveau	308-865-8342	darveausl@unk.edu
Dining Services Provider	Eran Harrison	308-865-8418	eran.harrison@sodexo.com
Events and Reservations	Betsy Warren	308-865-8692	warrenbn@unk.edu
Student Engagement	Rena Zimmer	308-865-8393	zimmerrl@unk.edu

Forms

[Room/Table Request Form](#)

Related Information

[Use of University Facilities and Grounds Policy](#)

[Posting Materials on University Property Policy](#)

Solicitation Policy (still to be completed)

History

Updated to reflect both the sale and distribution of food on campus. (*March 6, 2024*)

This is a new policy. (*August 1, 2020*)