

Unpermitted Food Vendors

Board Report

Monterey County Health Department, Environmental Health Bureau
February 03, 2026

Board Guidance

- a. Provide an update on the Environmental Health Bureau current response to complaints related to unpermitted food vendors operating in unincorporated Monterey County.
- b. Request coordinated enforcement resources from the Monterey County Sheriff's Office, local law enforcement agencies, the District Attorney's Office, and Monterey County Code Enforcement.

Unpermitted Food Vendors

- Unpermitted food vendors are operators who are selling/peddling food on a cart, truck, trailers, tables, or under a tent **WITH OUT** a Valid Health permit from the Department of Environmental Health. (Health and Safety Code 114387. Permit required; penalties)
- Focus on unpermitted Pop-Up Taco Vendors in unincorporated Monterey County



Exception to Street Food Vendors

- Senate Bill 972 - effect January 1, 2023, decriminalizes sidewalk food vending.
 - Does not apply to full preparation vendors (ex: Taco Vendors)
- Vendors selling only prepackaged non-potentially hazardous foods and whole, uncut produce from a display area less than 25 square feet are typically exempt from needing a Health Permit (114368.1. Permitting)
- **Food type:** Only prepackaged non-potentially hazardous foods (like sealed snacks, bottled drinks) and whole, uncut produce (apples, oranges) are allowed under this exemption.
- **Display size:** The selling area must be 25 square feet or less.
- **No food preparation:** This exemption usually does not allow for any food preparation like cutting, slicing, or cooking.
- Does not except from compiling with city or county codes related to zoning, right of way, etc

Monterey County Environmental Health

- To protect and serve the consumers of Monterey County by ensuring food safety, preventing food misbranding, adulteration, and reducing the risk of foodborne illness through education and the issuance of health permits.
- EHB initially focused on food safety education and training, encouraging operators to obtain the required health permits. As noncompliance persisted, the Bureau has escalated enforcement efforts, which now include:
 - Issuing administrative citations
 - Impounding food and food-related equipment
 - Impounding vehicles, with assistance from the DOA

Unpermitted Food Vendor Complaints Fiscal Year 2024-2025

7/1/2024 – 1/06/2026

- 223 complaints specific to unpermitted vendors
 - Salinas area – 72
 - Pajaro – 38
 - Castroville – 30
 - South County Area - 27

EHB respond to unpermitted food vendor complaints on weekly basis.

Due to safety concerns, EHB responds to unpermitted taco vendor activities after hours with law enforcement assistance

Environmental Health (EHB) Response Limitations

- Safety concerns without law enforcement presence
- Post-inspection safety risks
- Limited enforcement authority
- Staffing limitations
- Enforcement scope limitations

Impounded Equipment and Administrative Hearings

- Administrative Citation
- Equipment Impoundment Procedure
- Administrative Hearings
- EHB has conducted seven administrative hearings to date

ADMINISTRATIVE FINES

<input type="checkbox"/> 1st OFFENSE SAFETY VIOLATION \$100 (PE 0090)	<input type="checkbox"/> OTHER, 1 ST , 2 ND , OR 3 RD (CIRC)
<input type="checkbox"/> 2nd OFFENSE SAFETY VIOLATION \$500 (PE 0091)	NOTE, PENALTIES FOR 2 ND , 3 RD , OR SUBSEQU
<input type="checkbox"/> 3rd OFFENSE SAFETY VIOLATION \$1000 (PE 0092)	WHEN THEY OCCUR WITHIN 12 MONTHS OF TH.

Administrative Fine must be paid to the Environmental Health Bureau within 30 days. Late payment will accrue monthly interest (compounded monthly) from the due date, excluding penalties. If the violation continues, an additional fine will be assessed, subject to the same penalty terms (MCC, § 1.22.100).

Submit payment within 30 days to: Monterey County Environmental Health Bureau, 1270 N. Salinas CA 93906

RIGHTS AND HEARING RIGHTS

Required to discontinue the code violation(s) listed in this Administrative Citation. Willful failure to promptly correct a violation is unlawful and constitutes a misdemeanor (MCC, § 1.22.200). To seek department-level resolution, contact the Environmental Health Bureau (EHB) at the phone number on this notice.

Requesting: You may request a hearing within 30 days of service to contest: (1) the existence of a violation, (2) the amount of the fine, (3) the time allowed for correction, or (4) the reasonableness of administrative costs. (MCC, § 1.22.060). A hearing must be requested in writing. An administrative citation before the Hearing Officer shall be scheduled unless the administrative fine is paid in full, a financial hardship waiver has been filed, or a financial hardship waiver has been filed. Contact the Enforcement Official assigned to your violation for more information.

Impoundment: When food and/or equipment has been impounded, an administrative hearing will be scheduled by the Hearing Officer within 30 days of this notice (Health & Safety Code, § 114393). Failure to participate in the hearing will result in the forfeiture of the food and/or equipment. Additional fines, penalties, fees, and costs may be imposed on you by the Hearing Officer (MCC, § 1.22.060).

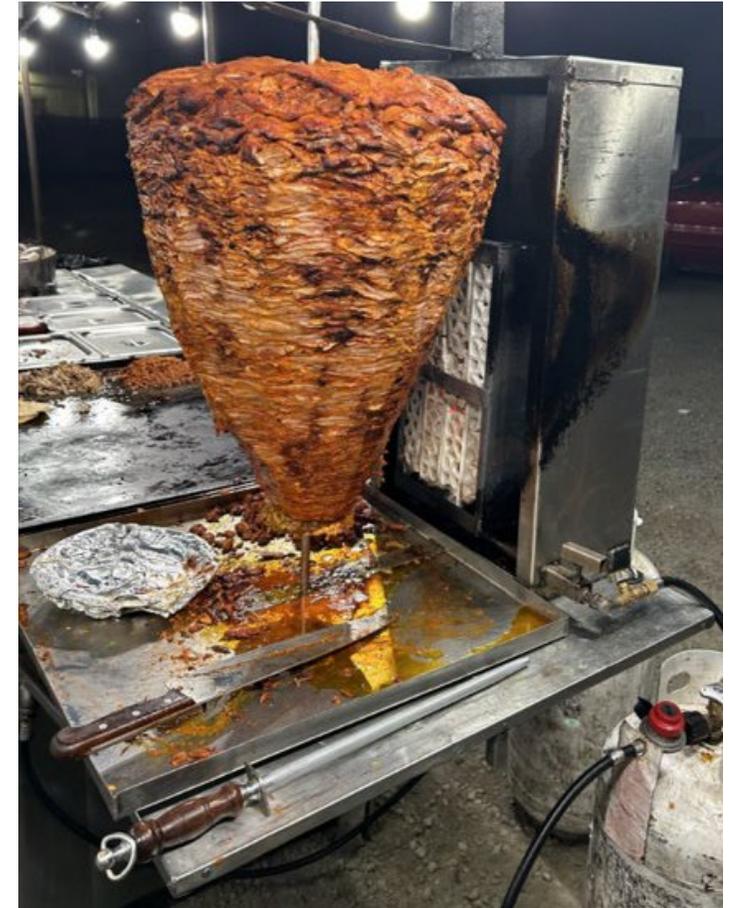


Health Risk Associated with Unpermitted Food Vendors



Complaint: CM025-00237

499 Salinas Rd, Pajaro CA 95076



Complaint: CM025-00559

Jolon Rd Off Highway 101, King City CA



499 Salinas Rd, Pajaro/Royal Oaks

- 499 Salinas Rd, Royal Oaks, CA 95076
- Numerous food vendors set up Wednesday – Sunday after hours
- Other vendors (non-food) also selling merchandise
- EHB have contacted Union Pacific Railroad Police for assistance with fencing
- Installing fencing, concrete blocks (K-rails/Jersey barriers) or trenching the dirt to deter vendors from setting up at this location



Environmental Health Permits for Street Vendors

- No current Health Permit available for pop-up taco vendors under California Retail Food Code due to lack of essential facilities such as restrooms, handwashing stations, and other food safety requirements

Available Options

- Mobile Food Facility (MFF) Permit
- Compact Mobile Food Operation (CMFO)
 - non-motorized cart
- Farmers Market Permit
- Special Events Permit
- Microenterprise Home Kitchen Operations (MEHKO)
- Cottage Food Permit

Food Borne Illness

- **Environmental Health Bureau has not received reports of Food Borne Illness related to these taco vendors**
 - Reports of food borne illness have been reported in Mariposa County, Arizona
 - 17 sick with Diarrhea and vomiting
- The Center of Disease Control (CDC) estimates that each year roughly 1 in 6 Americans (or 48 million people) get sick, 128,000 are hospitalized, and 3,000 die of foodborne diseases

Collaboration – EHB, HCD, Law Enforcement

- Environmental Health is requesting assistance and resources from
 - Monterey County Sheriffs Office
 - Local Law Enforcement Agencies
 - Monterey County District Attorneys office
 - HCD Code Enforcement
 - Union Pacific Railroad Police

- A Collaboration will allow for increased enforcement to
 - Inspector Safety
 - Request operator identification to issue citations
 - Run License Plate Numbers
 - Impound Food and Equipment (HSC 113812, 114393)
 - Impound vehicles under Vehicle Code §22655.5
 - Fencing along 499 Salinas Rd, Royal Oaks

CASE STUDY : City Of Salinas – Unpermitted Food Vendor Task Force

- City of Salinas developed task force of 6 retired police officers dedicated to enforcing unpermitted food vendors after hours
 - Task Force began 7/1/2024 with first operation being Salinas Rodeo Event
 - \$250,000 applied to task force enforcement
- Complaints have significantly dropped inside Salinas city limits
- The current unpermitted food vendors have since left city of Salinas and began operating in un-incorporated Monterey County
- Merced County Environmental Health recently received Board of Supervisors approval for two dedicated staff positions to support the unpermitted food vendor task force.

Recommendations

1. Enforcement Team Funding

- General Fund allocation to support two EHS III positions and District Attorney support

2. Enforcement Strategies

- EHB recommends law enforcement impound vehicles operated by unpermitted food vendors under Vehicle Code 22655.5
- EHB can provide cross-training for law enforcement – How to Spot Unpermitted Food Vendor
 - No visible health permit
 - Operating roadside or in parking lots
 - No handwashing facilities
 - No refrigeration

3. High-Activity Location - 499 Salinas Road, Pajaro/Royal Oaks, CA

- Site Deterrence Recommendations - Install fencing, concrete barriers (K-rails/Jersey barriers), or trench the dirt surface to prevent vendor setup

Questions?

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Environmental Health Bureau

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