

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 checked="" type="checkbox"/> 1ST OFFENSE SAFETY VIOLATION \$100 (PE 0090)	<input type="checkbox"/> OTHER, 1 ST , 2 ND , OR 3 RD (CIRCUMSTANCES)
<input checked="" type="checkbox"/> 2nd OFFENSE SAFETY VIOLATION \$500 (PE 0091)	<small>NOTE, PENALTIES FOR 2ND, 3RD, OR SUBSEQUENT OFFENSES ARE ASSESSED WHEN THEY OCCUR WITHIN 12 MONTHS OF THE PREVIOUS OFFENSE.</small>
<input checked="" type="checkbox"/> 3RD OFFENSE SAFETY VIOLATION \$1000 (PE 0092)	

Administrative Fine must be paid to the Environmental Health Bureau within 30 days. Late payment will result in a 1% monthly interest (compounded monthly) from the due date, excluding penalties. If the violation continues, a higher administrative fine will be assessed, subject to the same penalty terms (MCC, § 1.22.100).

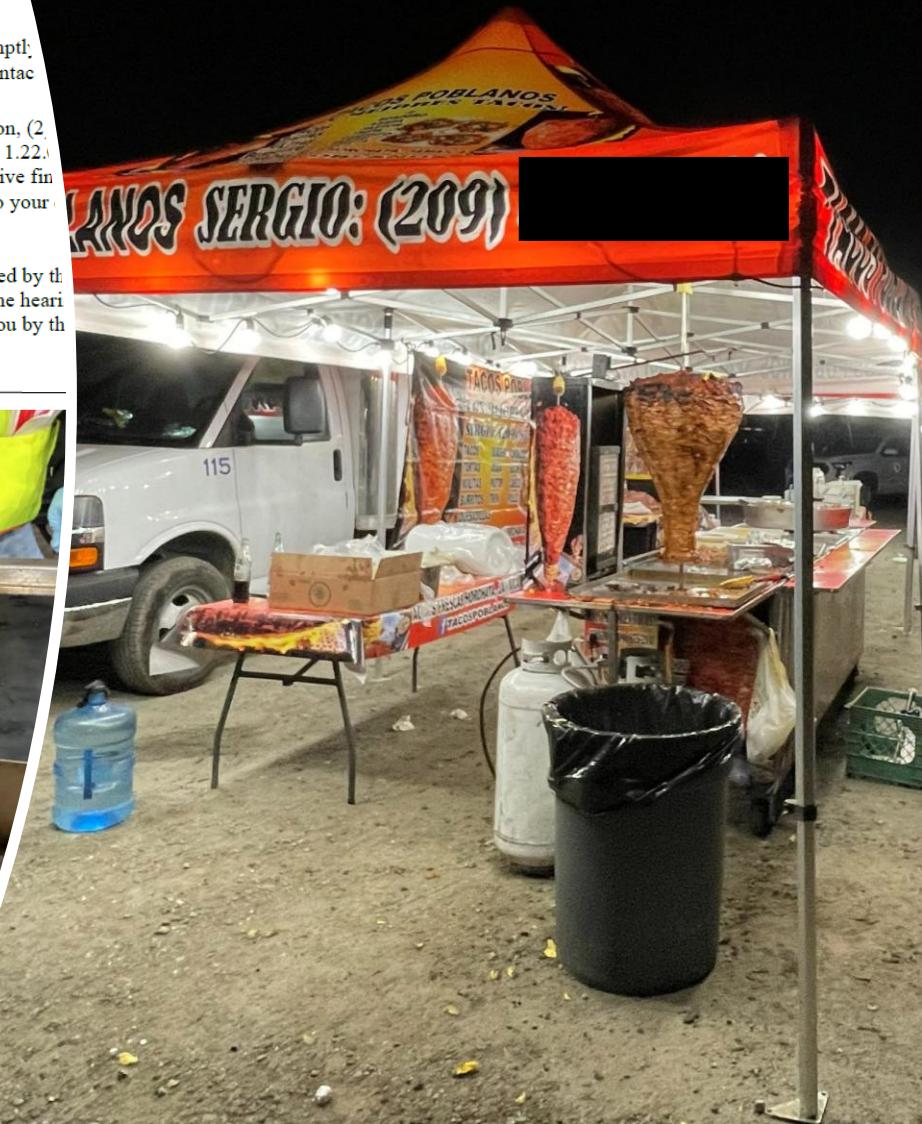
Make payment within 30 days to: Monterey County Environmental Health Bureau, 1270 N. Main Street, Salinas CA 93906

HEARINGS AND HEARING RIGHTS

Failure to discontinue the code violation(s) listed in this Administrative Citation. Willful failure to promptly correct a violation that is a safety hazard to the public 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.

Request for Hearing: You may request a hearing within 30 days of service to contest: (1) the existence of a violation, (2) the gravity of the violation, (3) the time allowed for correction, or (4) the reasonableness of administrative costs. (MCC, § 1.22.200). A hearing on an administrative citation before the Hearing Officer shall be scheduled unless the administrative fine is paid in full, or a financial hardship waiver has been filed. Contact the Enforcement Official assigned to your case.

Administrative Hearings: When food and/or equipment has been impounded, an administrative hearing will be scheduled by the Environmental Health Bureau (EHB) within 30 days of this notice (Health & Safety Code, § 114393). Failure to participate in the hearing will result in the loss of the food and/or equipment. Additional fines, penalties, fees, and costs may be imposed on you by the Environmental Health Bureau (EHB) (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 Heath 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

Questions?

Armando O. Gonzalez, REHS
Environmental Health Specialist IV
Consumer Protection Supervisor
Environmental Health Bureau

Extra Slides Below

Environmental Health Permits for Street Vendors

HEALTH DEPARTMENT FEES		
Article I.E - Environmental Health, Effective July 1, 2025		
PE Number	Description	FY25-26 Article I.E.
Mobile Food Facilities (Mobile Food Facilities in accordance with H&S Code Section 113831):		
4088	e. Compact Mobile Food Push Cart Operation (limited to pre-packaged, non-potentially hazardous food, no food preparation)	\$305.00
4108	f. Compact Mobile Food Operation (limited food preparation)	\$561.00
4108	j. Mobile Food Limited Food Preparation (Tamales, Corn, Hot Dogs, etc.)	\$561.00
4112	k. Mobile Food Preparation Units	\$1,187.00
4113	Catering Operation	\$697.00
4114	Host Facility includes a brewery, winery, commercial building, or another approved location	\$697.00
4115	Microenterprise Home Kitchen (MEHKO)	\$623.00
4116	Produce Stands (Produce and Eggs Only)	\$677.00
Temporary Food Facilities (in conjunction with swap meets/community events):		
a. 1-3 Days		
4146	1.) 1-3 days (For Profit) 2 hours	\$477.00
4149	2.) 1-3 days (Non-Profit) after 4 events in a fiscal year	\$333.00
b. 4-7 days		
4147	1.) 4-7 days (For Profit)	\$577.00
4150	2.) 4-7 days (Non-Profit) after 4 events in a fiscal year	\$422.00
4158	c. Temporary Food Facility with Food Preparation Annual Permit	\$1,010.00
d. Temporary Food Facility offering only nonperishable prepackaged food, beverages or whole uncut produce in swap meets, flea markets or community events:		
4159	1.) Per Event	\$122.00
4160	2.) Annual Permit	\$459.00
Cottage Food Operations (Government Code 51035, Health and Safety Code sections 114365 & 114365.6).		
4163	a. Cottage Food Operation A	\$245.00
4164	b. Cottage Food Operation B	\$459.00

- **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
- Mushroom Poisoning – Salinas, CA New Years Eve 12/31/2024
 - Three individuals hospitalized after suffering from acute hepatotoxicity due to severe mushroom poisoning after cooking with mushrooms they had purchased from a truck vendor in a supermarket parking lot in East Salinas
 - Victims suffered from gastrointestinal (GI) symptoms such as nausea, vomiting, diarrhea and stomach pain
 - Acute Hepatotoxicity may cause liver failure, potential need for liver transplant and in a worst case scenario, death
- 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

EHB Regulatory Responsibilities (Cal Retail Code):

- **Food in good condition/ safe and unadulterated** – All food shall be from an approved source, and shall be produced, prepared, compounded, packed, transported, kept for sale, and served so as to be pure, free from adulteration and spoilage (CHSC 113967, 113976, 114021)
- **Food from Approved Sources** - Compliance with food law FOOD shall be obtained from sources that comply with all applicable LAWs. (CHSC 113735, 114021)
- **Permits, fees, and posting:** A Food facility shall not be open for business with out a valid Health Permit. (CHSC 114381)
- **Hands clean/properly washed** – Employees are required to wash their hands before handling food, during food preparation when necessary, and after using the toilet or anytime when contamination may result (CHSC 113952).
- **Toilet and handwashing Facilities** – A Food Facility shall be operated within 200 feet travel distance of an APPROVED and readily available toilet and handwashing facility, or as otherwise approved by the enforcement agency to ensure that restrooms facilities are available to facility employees. (CHSC 114315).
- **Food Contact Surface/Utensils Washing** – All food contact surfaces of utensils and equipment shall be cleaned and sanitized at the required frequencies. All food facilities handling open food shall be equipped with a ware washing sink with dish soap and sanitizer unless otherwise approved (CHSC 113984e, 114095, 114097, 114099).
- **Food preparation area, protection from contamination** - All food shall be thawed, washed, sliced, and cooled, within an approved fully enclosed food facility. (CHSC 113984f)

Regulatory Responsibilities-

Housing and Community Development and Law Enforcement

- Signage / outdoor advertising displays
- MFF are subject to the County's noise ordinance regulations (Title 10.060.030) the operation of machinery shall not exceed 70 dBA.
- County's noise ordinance regulations prohibit any loud or unreasonable sound any day of the week from 9:00pm-7:00am the following morning.
- Non-food debris / refuse buildup
- Public nuisance regulations
- Traffic / parking
- MCC prohibits selling from parked vehicles or structures (12.08.040; 12.75.020 Violation and Infraction.

Community Equity and Empowerment:

- Environmental Health Department is committed to ensuring Community Equity and Empowerment by providing food safety education and assisting with obtaining necessary permits to reduce the risk of food borne illness
- Reconciling equity and empowerment while addressing the issue of illegal vendors is a delicate balancing act. It requires a strategy that upholds the law while understanding and addressing the root causes that drive individuals to engage in illegal vending
 1. Understand the Socioeconomic Context
 2. Provide Education and Resources
 3. Create Pathways to Legitimacy
 4. Ensure Fair Enforcement
 5. Engage the Community
 6. Foster Economic Opportunities
 7. Promote Public Awareness

VIOLATIONS OBSERVED		
Code Section	Description of Observed Violation(s)	Corrective Action
Monterey County Code (MCC), § 10.04.020	<input type="checkbox"/> NO VALID COUNTY OF MONTEREY HEALTH PERMIT	Cease and desist all food preparation and sales immediately. Food preparation and sales to the public were observed without a valid health permit. The food operator must cease operations, pack up all food and equipment, and vacate the premises immediately.
CALIFORNIA RETAIL FOOD CODE (Health & Safety Code, § 113700, et. seq.)		
§ 113953	<input type="checkbox"/> LACK OF APPROVED HAND WASHING STATION	
§ 114217	<input type="checkbox"/> LACK OF POTABLE WATER	
§ 114303	<input type="checkbox"/> CONTAMINATION OF FOOD	
§ 113996	<input type="checkbox"/> FOOD TEMPERATURE VIOLATION	
§ 114021	<input type="checkbox"/> FOOD FROM AN UNAPPROVED SOURCE	
§ 114075, 114368	<input type="checkbox"/> EQUIPMENT IS SOILED	
§ 114313, 114314	<input type="checkbox"/> IMPROPER / LACK OF WAREWASHING	
§ 114130	<input type="checkbox"/> EQUIPMENT LACKS ANSI SANITATION MARKINGS	
§ 114130	<input type="checkbox"/> EQUIPMENT IN POOR CONDITION	
	<input type="checkbox"/> OTHER:	<input type="checkbox"/> Food and/or food equipment has been impounded under Health & Safety Code, § 114393. All impounded food and/or food equipment is documented using a Voluntary Condemnation & Destruction Form. Perishable food will be discarded within 24 hours to prevent foul odors and/or vector harborage.