



# COLORADO

Department of Public  
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

PROGRAM:	RETAIL FOOD
EFFECTIVE REGULATION:	<i>Colorado Retail Food Establishment Rules and Regulations, July 1, 2013</i>
<b>INTERPRETIVE MEMO NO.:</b>	<b>17-02</b>
DATE:	May 15, 2017
SUBJECT:	Licensing Chili Roasters

A chili roaster is an outdoor operation that roasts whole chilies, places them in bags and sells directly to consumers. Based on regulation and state law and depending on the business model utilized, chili-roasting operations may meet the definition of a retail food establishment. If licensed, these businesses may fit one of two licensing categories, a “limited” retail food establishment or a “restaurant” retail food establishment, which of these categories depends on their operation.

When determining how, or if, to license chili-roasting operations, the following basic operational elements should be taken into consideration:

- Chilies must be free of debris. Cleaning can be done prior to operation set-up if the chilies are stored protected from contamination, or by washing with potable water before or during the roasting of chilies.
- A handwashing station shall be provided and have an approved method for capturing wastewater. A temporary event handwashing station would be adequate.
- Additional oversight and/or equipment may be necessary if an operator chooses to do more than roast chilies and provide them immediately to the consumer. This includes, but is not limited to cooling, hot holding, preparation in advance or adding other ingredients to the finished product.

The following licensing categories should be considered:

- No license - Operators that sell fresh, uncut produce and offer roasting as a service after the sale.
- “Limited” license - Operators that pre-roast chilies for same day service.
- “Mobile” license - Operators that roast product for same day service and/or produce will be cooled and/or frozen for sale at a later date.

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All previous interpretive memoranda issued pertaining to this subject are hereby superseded as of the effective date above.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

