

SAN JOSE CONVENTION CENTER & CULTURAL FACILITIES

TSJ EVENTS DEPARTMENT

FOOD AND BEVERAGE SAMPLE SERVICE POLICY

Team San Jose and its affiliate, TSJ Events, LLC, have the exclusive right to provide, deliver, serve, and sell all food and beverages, and to deliver and control all food and beverage services, throughout each of the San Jose Convention Center and Cultural Facilities. The exclusive rights of Team San Jose and its affiliate include, without limitation, the delivery and sale of all concessions and novelties, and all alcoholic and non-alcoholic beverages.

The exclusive rights of Team San Jose may be waived by Team San Jose, in its sole discretion, in the case of a trade/exhibit show or convention the principal purpose of which is to promote food and/or beverage products, services, or equipment, and that is not open to the general public (an "F&B Function").

In the case of an F&B Function, exhibitors may exhibit only that merchandise which they normally serve or produce in the ordinary course of their business, and may only distribute samples of such quantities of food and beverage products that are reasonable in relation to the purpose of promoting the products. Food and/or beverage product or service exhibitors at F&B Functions may distribute free food samples of less than **one** ounce each, and free non-alcoholic beverage samples of less than **three** ounces each, in the contracted areas only. **NO ALCOHOLIC BEVERAGES MAY BE DISTRIBUTED UNDER ANY CIRCUMSTANCE.**

In order to avoid any violation of the food and beverage sample restrictions, exact descriptions of the food and/or beverage sample types and portion sizes must be submitted to the TSJ Events Department on the approved form, and the exhibitor must obtain prior written approval thereof prior to the opening of an event.

Any exception to the standard food and beverage sample criteria described above requires a minimum of 2 months prior written approval.

Notwithstanding any prior approval of the delivery of food and/or beverage samples in the exhibit halls, exhibitors and show managers are not permitted to provide, deliver, or serve food or beverages (non-alcoholic or alcoholic) within any of the in the hospitality or backstage areas of the San Jose Convention and Cultural Facilities. In no event may an exhibitor or show manager provide or deliver food or beverage products or services that compete with food and/or beverage services provided by the TSJ Events Department.

If an exhibitor requires food to be cooked or heated at one or more of their exhibits or booths, the exhibitor must contact the TSJ Events Department to make appropriate arrangements for the use and placement of the requested equipment. Notwithstanding the foregoing, the kitchen and service areas may not be utilized for food or beverage sample preparation without the advance written approval of the TSJ Events Department, which approval may be granted or withheld in its sole discretion, and may be subject to union labor requirements and/or restrictions.

Any exhibitors dispensing food and/or beverage products must obtain all appropriate permits from, and pay all appropriate fees to, the Santa Clara County Health Department not less than three weeks prior to event. Information regarding permits and fees can be obtained by calling (408) 918-3400 or at www.ehinfo.org. Exhibitors will also be fully responsible for any and all damages and liabilities arising from the preparation, delivery and/or consumption of their products, and must agree in advance to hold the City of San Jose and Team San Jose harmless from any such damages and/or liabilities. The approval of any food or beverage sample for delivery at the San Jose Convention and Cultural Facilities shall not constitute approval of the product or the delivery thereof, and neither Team San Jose nor its affiliates assume any liability that may result from the consumption of food and/or beverage products provided by person other than Team San Jose.

**BOOTH SAMPLE
WAIVER AUTHORIZATION FORM**

In order to obtain a waiver of the food and beverage delivery restrictions set forth in the FOOD AND BEVERAGE SERVICE POLICY, it is necessary to complete and submit a Booth Sample Waiver Authorization Form and to obtain prior written approval of Team San Jose. Please complete and submit the following information for authorization to deliver samples of food and/or beverages at the San Jose Convention and Cultural Facilities. Signature and Name of Authorized Signer is required in order to process request.

BOOTH SAMPLING CRITERIA - FOOD & NON-ALCOHOLIC BEVERAGES:

- Exhibitor must be the manufacturer or manufacturer's representative of the product to be sampled.
- Product must be germane to the show/event.
- Samples are restricted to: (a) Food – 1 oz portion, and (b) Beverage (Non-alcoholic) - 3 oz fluid portion

Products(s) you wish to distribute _____

Size of portion _____

Methods of preparing (i.e. how cooked, If applicable) _____

(No open flames will be permitted. *The SJCC Fire Marshall must address special cooking requirements.*)

In consideration of granting a waiver of the food and beverage service restrictions, the undersigned Exhibitor hereby waives, and agrees to indemnify, defend, and hold Team San Jose, the City San Jose, and their respective officers, directors, and agents (collectively the "Indemnitees"), harmless from, any and all liabilities, claims, damages, costs and fees (including attorneys' fees) that may be suffered or incurred by the Indemnitees and arising from the preparation, presentation, delivery or consumption of the food and/or beverage products provided by Exhibitor.

Exhibitor Information (to be completed by Exhibitor):

Company: _____

Address: _____

Phone: _____

On-Site Contact: _____

Event Name: _____

Event Dates: _____

Booth #: _____

Signature: _____

Name of Authorized Signer: _____

Please Fax Back to:

San Jose Convention Center

TSJ Events Department

**408 S. Almaden Blvd.
San Jose, CA 95110**

Fax : 408-277-3535

Approved:

TSJ Events Manager/F&B Department

Date _____