



**pennsylvania**  
DEPARTMENT OF AGRICULTURE  
BUREAU OF FOOD SAFETY & LABORATORY SERVICES

# APPLICATION PACKET RETAIL FOOD FACILITIES

## MOBILE FOOD FACILITIES

*MFF Permanent Retail License OR Mobile TFS Temporary Retail License*

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**RETAIL FOOD FACILITY LICENSE APPLICATION AND PLAN REVIEW**  
**MOBILE FOOD FACILITIES AND MOBILE TEMPORARY FOOD SERVICE FACILITIES**

7 Pa. Code, Chapter 46, Food Code, the Rules and Regulations of the PA Department of Agriculture, are issued under the Retail Food Facility Safety Act (3 Pa. C.S.A. §§5701 - 5714) and require that properly prepared plans and specifications for construction, remodeling or alteration of a retail food facility must be submitted to and approved by the Department before food can be prepared, served and sold. PDA follows the most current version of the FDA Model Food Code as its regulations. The Retail Food Facility Safety Act also requires that "New" Proprietors, or Owners, of a Retail Food Facility apply for licensing as all licenses are non-transferable between proprietors.

**SECTION 1: COMPLETE AND MOVE TO SECTION 2**

**PURPOSE OF THE PLAN REVIEW**

**LICENSE TYPE:** Retail Food Facility – Mobile or Temporary Food Service

**New License**

- Permanent Retail Food Facility License (Annual)
- Temporary Retail Food Facility License (14 days ONLY)
- Change of ownership with no changes to the MFF/TFS\*
- Change of ownership with changes to the MFF/TFS\*

*\*MFF/TFS must have had a valid PA license in the past three months to apply for a change of ownership. Otherwise, you must apply for a new license.*

**SECTION 2: COMPLETE AND MOVE TO SECTION 3**

**FACILITY INFORMATION**

**NAME OF MOBILE FACILITY** (Common Public Name):

---

**ADDRESS OF MOBILE FACILITY:**

*Location where MFF is operation OR location where TFS facility is operating for 14 days (include name of event)*

---

Facility street number and name	City	State	Zip code
_____	_____	_____	_____
County	Township/Borough		
(_____) _____	(_____) _____		
Facility phone number	Facility fax number		
_____	_____		
Facility email address	Facility cell number or alternate phone number		

**MAILING ADDRESS** (if different than above):

Street number and name	City	State	Zip code
_____	_____	_____	_____

**RESPONSIBLE OFFICIAL AT THE FOOD FACILITY** (if not the owner):

Name	Title
_____	_____

**PROPRIETOR/OWNER TYPE:**  SOLE PROPRIETOR  CORPORATION  NON-PROFIT OR ASSOCIATION  
 PARTNERSHIP  LIMITED LIABILITY CO. (LLC) OR PARTNERSHIP (LLP)

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**LEGAL BUSINESS NAME** (if different than facility name):

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**LEGAL OWNER MAILING ADDRESS** (if different than above mailing address):

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Owner street number and name	City	State	Zip code
(_____) _____	(_____) _____	_____	_____
Owner phone number	Owner fax number	Owner e-mail address	

**FILL IN DETAILED INFORMATION FOR YOUR PROPRIETORSHIP ON PAGE 8 OF THIS APPLICATION.**

**SECTION 3: COMPLETE AND MOVE TO SECTION 4**

**FACILITY SERVICE INFORMATION**

**DAYS & TIMES OF OPERATION:** Check anticipated days and time the facility will be operational:

- |                                    |            |                                   |            |
|------------------------------------|------------|-----------------------------------|------------|
| <input type="checkbox"/> Monday    | Time _____ | <input type="checkbox"/> Friday   | Time _____ |
| <input type="checkbox"/> Tuesday   | Time _____ | <input type="checkbox"/> Saturday | Time _____ |
| <input type="checkbox"/> Wednesday | Time _____ | <input type="checkbox"/> Sunday   | Time _____ |
| <input type="checkbox"/> Thursday  | Time _____ |                                   |            |

**TYPE OF MOBILE UNIT:**

- Type 1 – Commercially packaged non-TCS foods
- Type 2 – Commercially packaged TCS-foods
- Type 3 – Non-complex food preparation
- Type 4 – Complex food preparation

**LOCATION WHERE MFF/TFS UNIT WILL BE PARKED/STORED WHEN NOT IN USE:**

- Same as Owner Mailing Address
- Same as MFF/TFS
- Other: \_\_\_\_\_  
Street Address City State Zip Code

**LOCATION WHERE FOOD IS PREPARED AND/OR STORED AND/OR WHERE EQUIPMENT IS CLEANED AND SANITIZED (I.E. COMMISSARY):**

- Same as Owner Mailing Address
- Same as MFF/TFS
- Other: \_\_\_\_\_  
Street Address City State Zip Code

**AT THIS LOCATION:** Check ALL that apply:

- Store food (freezers, refrigerators, dry storage)
- Prepare food
- Clean and sanitize equipment
- All food is stored and prepared in our fully equipped MFF/Mobile TFS unit at this address
- All equipment is cleaned and sanitized on our fully equipped MFF/Mobile TFS unit at this address

**EMPLOYEE INFORMATION:**

Anticipated # of employees/volunteers, including owner \_\_\_\_\_



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**SECTION 5: COMPLETE AND MOVE TO SECTION 6**

**OTHER CODES**

**SALES TAX:** Select one:

- A license to collect sales tax has been obtained or applied for. For information on applying for a sales tax license, contact the Pennsylvania Department of Revenue at (717) 787-8201. A copy of the sales tax license or proof of application is required with this application.
  
- According to the PA Department of Revenue rules and regulations, I have determined that my business is exempt from collection of sales tax.

I certify the facility is compliant with the above requirements and all applicable supporting documentation is attached.

**Applicant Signature:** \_\_\_\_\_

**SECTION 6: COMPLETE AND MOVE TO SECTION 7**

**FACILITY FLOOR PLAN & PROPOSED MENU**

All facilities must **SUBMIT** copies of:

- Proposed menu
- Facility floor plan/layout including location of all food service equipment
- Listing of all food service equipment including manufacture’s names and model numbers where applicable (i.e. cooking, hot and cold holding equipment)
- Handwashing facilities
- Dishwashing facilities
- Work tables
- Food storage (location and size)
- Single-service, single-use article storage (location and size)
- Hot water unit (size and type)
- Power source
- Potable water holding tank (location and capacity)
- Waste water holding tank (location and size – must be 15% greater than potable water)
- Garbage disposal (type and location)
- Surface or finish coat material of floors, walls and ceilings (even if temporary)
- Lighting type (if an enclosed MFF/Mobile TFS unit)
- Overhead protection or ceiling
- Windows, doors, screens, overhead tents, side wall screening as applicable

Information can be included in the form of a drawing, images, or combination. Plans may be hand drawn, but must be to approximate scale, neat and legible. Plans will **NOT** be returned. If all information is not supplied, approval will be delayed, and your application may not be approved.

*For MFF / Mobile TFS units utilizing a commissary or shared food facility, the floor plans and information above must be provided for the commissary in addition to the actual MFF / Mobile TFS unit itself. If only a portion of a shared kitchen is used, you only need to provide information on the portion of that shared kitchen you are using. You will most likely need to obtain this information from the owner or operator of the shared kitchen.*

I have attached the appropriate documents related to the facility with this application.

**Applicant Signature:** \_\_\_\_\_









**RETAIL FOOD FACILITY LICENSE APPLICATION AND PLAN REVIEW  
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**FDA Food Code Mobile Food Facility Matrix  
(Appendix II)**

This table is a plan review and inspectional guide for mobile food facilities based on the mobile unit's menu and operation. Mobile can include pushcarts, catering vehicles, stick stand tent type units, lunch trucks or any other movable unit.

To use the table, read down the columns based on the menu and operation in use. For example, if only prepackaged potentially hazardous food (time/temperature control for safety food) is served, then requirements listed in the **Potentially Hazardous (TCS food) Menu - Prepackaged** column apply. Likewise, if only food that is not potentially hazardous (time/temperature control for safety food) is prepared on board, then requirements listed in the **Not Potentially Hazardous Menu (TCS) - Food Preparation** column apply. Note that if a mobile food facility has available for sale to the consumer both prepackaged potentially hazardous food (time/temperature control for safety food) and potentially hazardous food (time/temperature control for safety food) prepared on board, then the more stringent requirements of the **Potentially Hazardous (TCS) Menu - Food Preparation** column apply.

**This is not an all-inclusive list of requirements, it is important to remember that mobile units are subject to all Food Code provisions that apply to food facilities.**

The decision to require a commissary or servicing area should be based on the menu, type of operation, and availability of on-board or on-site equipment.

FDA Food Code Mobile Food Establishment Matrix			
Food Code	Potentially Hazardous Food (TCS food) Menu		Not Potentially Hazardous Food (TCS Food) Menu
Areas/Chapter	Food Preparation	Prepackaged	Food Preparation
<b>Personnel</b>	Applicable Sections of Parts 2-2 - 2-4 5-203.11 (C)	Applicable Sections of Parts 2-2 - 2-4 5-203.11 (C)	Applicable Sections of Parts 2-2 - 2-4 5-203.11 (C)
<b>Food</b>	3-101.11 3-201.11-.16 3-202.16; Applicable Sections of Part 3-3; 3-501.16 3-501.18(A)	3-101.11 3-201.11-.16 3-303.12(A) 3-501.16 3-305.11; 3-305.12 (Applicable to Service Area or Commissary)	3-101.11; 3-201.11 3-202.16; Applicable Sections of Part 3-3
<b>Temperature Requirements</b>	3-202.11; Applicable Sections of Parts 3-4 & 3-5	3-202.11 3-501.16	NONE
<b>Equipment Requirements</b>	Applicable Sections of Parts 4-1 - 4-9 and 5-5	Applicable Sections of Parts 4-1 - 4- 2; 4-6 and 5- 5	Applicable Sections of Parts 4-1 - 4-2; 4-5 - 4- 6 and 5-5
<b>Water &amp; Sewage</b>	5-104.12 5-203.11(A) & (C) Part 5-3; 5-401.11 5-402.13-.15	5-104.12 5-203.11(A) & (C) Part 5-3; 5-401.11 5-402.13 -.15	5-104.12 5-203.11(A) & (C) Part 5-3; 5-401.11 5-402.13-.15
<b>Physical Facility</b>	6-101.11; 6-201.11 6-102.11(A) & (B) 6-202.15; 6-501.11 6-501.12; 6-501.111	6-101.11 6-102.11(A) & (B) 6-202.15 6-501.111	6-101.11; 6-201.11 6-102.11(A) & (B) 6-202.15; 6-501.11 6-501.12; 6-501.111
<b>Toxic Materials</b>	Applicable Sections of Chapter 7	Applicable Sections of Chapter 7	Applicable Sections of Chapter 7
<b>Servicing</b>	6-202.18 / As necessary to comply with the Food Code	6-202.18 / As necessary to comply with the Food Code	6-202.18 / As necessary to comply with the Food Code
<b>Compliance &amp; Enforcement</b>	Applicable Sections of 7 Pa Code, Chapter 46	Applicable Sections of 7 Pa Code, Chapter 46	Applicable Sections of 7 Pa Code, Chapter 46

## **RETAIL FOOD FACILITY LICENSE APPLICATION AND PLAN REVIEW** **MOBILE FOOD FACILITIES AND MOBILE TEMPORARY FOOD SERVICE FACILITIES**

The popularity of mobile food operations has increased in recent years. They vary in size and complexity, from large modular units to pushcarts. While they frequently operate at temporary food events, such as festivals or fairs, many seek to be permitted as year-round or seasonal food facilities. This guidance document is designed to address the process for approval, and the unique support service requirements that need to be met in order to obtain year-round or seasonal approval as a mobile food operation (MFF) or to obtain approval for mobile temporary food service (Mobile-TFS) operation of <14 days (typically at events). The one unique characteristic of these mobile units is that they are not situated in a fixed location with permanent water and sewage connections but remain mobile and transitory by design.

This document is intended to assist in understanding the operation of a Mobile Food Facility and provide licensing paperwork. It does not establish regulatory requirements and the recommendations contained herein are not intended to supplant, or otherwise serve as, the rules and regulations applicable to food facilities in a given Federal, State, local, or tribal jurisdiction.

### **DEFINITIONS**

The following definitions may be referenced along with the definition of a Food Facility as defined in the Food Code.

**Mobile Food Facility (MFF)** A movable retail food facility, such as a stand, vehicle, cart, basket, box or similar structure, from which food is stored, prepared, processed, distributed or sold and the facility and that physically locates at one site or location for no more than 14 consecutive days, in one calendar year, regardless of whether or not the facility operates continuously during that time period. A MFF designation indicates that the mobile food facility is not licensed as a temporary retail food facility under The Retail Food Facility Safety Act §5703(g)(2).

**Permanent Food Facility (PFF)** means a retail food facility operating in a permanently constructed structure permitted and operated for the purpose of storing, preparing, serving, packaging, or otherwise handling food at the retail level. Permanent Food Facility does not include Mobile Food Facility, or a facility licensed as a Temporary Food Service Facility (TFS) under The Retail Food Facility Safety Act §5703(g)(2).

**Temporary Food Service Facility (TFS)** means a retail food facility which is a mobile food facility OR a physically permanent retail food facility AND is issued a temporary retail food facility license under The Retail Food Facility Safety Act §5703(g)(2). (Facility operates no more than 14 calendar days per year or operates at a fair, festival or other event of no more than 14 days.) This application packet addresses Mobile-TFS facilities. Those TFS facilities which are non-mobile, such as churches, stationary BBQ pits, and similar, are addressed in the application packet for "Temporary License – Non Mobile" Facilities.

**Commissary** means an operating base location to which a mobile food facility or transportation vehicle returns regularly for such things as vehicle and equipment cleaning, discharging liquid or solid wastes, refilling water tanks and ice bins, and boarding food. A commissary may not be a residential personal use kitchen and must be separate from private residential use areas.

**Time/Temperature Control for Safety Food (TCS)** means a food that requires temperature controls to limit pathogenic microorganism growth or toxin growth. Refer to the FDA Food Code for the complete definition.

### **TYPES OF MOBILE FOOD FACILITIES**

#### **MFF or TFS Type 1**

- Only non-TCS food that is prepackaged.
- No preparation or assembly is required
- Only bottled or canned drinks, no fountains or other dispensers
- Exempt from license fees

*Examples: chips, canned soda, cookies, candy*

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**MFF or TFS Type 2**

- Commercially processed packaged food in its original package (Receive-Store-Hold).

*Examples of food offered: Packaged ice cream, single serving size packaged snacks, packaged milk, packaged frozen meats.*

**MFF or TFS Type 3**

- Unpackaged food.
- Food Preparation with no cook step (Store-Prepare-Serve).
- Preparation for same day service (Store-Prepare-Cook-Serve).
- Reheating of a commercially processed food item (Store-Reheat-Hold-Serve).
- Based on the Department may be required to return to a Commissary and may operate in conjunction with a Permanent Food Facility that may or may not have a Commissary on-site.

*Examples of food offered: Hot dogs, grilled sandwiches, salads, shaved ice, kettle corn, nut roasting*

**MFF or TFS Type 4**

- Complex food preparation (Store-Prepare-Cook-Cool-Reheat-Hot Hold-Serve).
- Includes food that must be prepared pursuant to a Hazard Analysis Critical Control Point (HACCP) Plan or Variance.
- Based on the Department may be required to return to a Commissary and may operate in conjunction with a Permanent Food Facility that may or may not have a Commissary on-site.

*Examples of food offered: full menu (i.e. Kitchen on wheels)*

**SUBMITTING AND REVIEWING MOBILE FOOD FACILITY PLANS**

No person, firm, or corporation should be allowed to operate a mobile food facility (MFF or TFS) where food or beverages are served to the public without a license from the Department. **Allow 4 – 6 weeks for processing.**

Operators seeking approval for a MFF or Mobile-TFS unit must submit a set of drawings or plans for review consistent with the criteria provided in the FDA Food Code. The plans and specifications for a MFF or Mobile-TFS unit should include all the information necessary, such as outlined in this document, to demonstrate conformance with, and an understanding of, food safety provisions within the Food Code. **If a commissary is used in conjunction with a MFF or Mobile-TFS unit, all information regarding the commissary must also be included in the Floor Plans.** The Department may determine that a variance and/or a HACCP plan is necessary based on the type of proposed operation, proposed menu items or proposed equipment, or may restrict the menu based upon the limitations of the MFF or Mobile-TFS unit – the same as for any other food facility operation. Prior to issuing a license for a MFF or Mobile-TFS unit, the Department is responsible for performing a pre-operational plan review (application review) and one or more pre-operational inspection/licensing inspections.

**COMMISSARY**

The Department may require that a MFF or Mobile-TFS unit operate in conjunction with a commissary. A commissary must be operated in compliance with the Food Code and applicable regulations and *must be included in the application and plan review of the facility.*

The commissary shall be a fixed facility – not a temporary facility, nor a mobile type facility. It may also not be a personal home, although a commissary may be located on a residential property if approved by the local municipality. The commissary may provide a variety of services to the MFF or Mobile-TFS unit such as: storage and preparation facilities for food products (including refrigeration and cooking facilities); the supply of potable water; the availability of adequate plumbing and waste disposal; storage and cleaning facilities for equipment and utensils; storage and maintenance of other supplies; and personnel resources. The commissary must be of such size and scope as to accommodate its own operation, as well as those of the MFF or Mobile-TFS unit.

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The commissary can be as simple as a storage location for packaged food or as complex as a licensed catering kitchen; depending upon the type of Mobile Food Facilities it is providing a service to.

If the MFF is used at a fair, carnival or other event where it does not or cannot return to the commissary the MFF must comply with the requirements of a self-sufficient Retail Food Facility at the event. More information can be found in the “Mobile Food Facilities Operation Guide.” For Mobile-TFS units used at a fair, carnival or other event see the “Temporary Food Facilities Pre-Operation Guide” for more information.

If the MFF or Mobile TFS unit is sharing a facility with another food facility owner (i.e. incubator kitchen, restaurant, grocery store, fire hall kitchen, or church kitchen) a copy of that facility’s current license and a Shared Facility Agreement (Appendix 3) must be submitted to the Department with the application.

A MFF or Mobile-TFS unit may not need to function with a commissary if it is capable of storing and preparing all foods in the licensed unit and not in any other location. This would include all necessary equipment to wash, rinse and sanitize all food equipment properly. In many cases a push cart will need a commissary as they are typically designed with minimal or smaller equipment than necessary for adequate warewashing of all equipment.

**STRUCTURAL REQUIREMENTS FOR MOBILE FOOD FACILITIES**  
**(MFF and Mobile-TFS)**

**PREMISES**

**1. OVERHEAD PROTECTION**

- a. Each individual piece of cooking and hot and cold holding equipment must be separately covered (cooker top, lidded holding compartment, etc.) or the structure of the MFF or Mobile TFS must have overhead protection (ceiling) (§§ 6-202.16; 6-201.12A; 3-305.11). Examples of acceptable overhead protection are roofs or other permanent structures, canopies, awnings, or attached umbrellas for units such as pushcarts. Overhead protection may not always be suitable for use over frying or grilling operations that generate airborne grease. State/local fire codes may dictate specific limitations.
- b. For MFF or Mobile-TFS Type 3 and 4 units that have self-service components, additional protection of individual food dispensing containers that are located beneath an awning or similar structure may be necessary (§ 3-306.12). Examples would be lidded dispensing containers and sneeze guards.

**2. WALLS**

- a. For self-contained MFF or Mobile-TFS units, walls are required to protect against the elements, wind-blown dust and debris, insects or other sources that may contaminate food, food-contact surfaces, equipment, utensils, or employees.
- b. Walls must be smooth, durable, easily cleanable and nonabsorbent. Pass-through windows may be installed in the walls and may require screening to prevent the entrance of insects (§§ 6-101.11; 6-201.11; 6-202.15; 6-202.16; 6-501.11).
- c. For non-self-contained MFF or Mobile-TFS units, such as stick stands, drop down side walls shall be available at all times in case of inclement weather or excessive dust.

**3. FLOORS**

- a. Unless otherwise approved, floors of self-contained MFF or Mobile TFS units must be designed, constructed, and installed so they are smooth, durable, and easily cleanable. Examples of acceptable floors are vinyl composition tile, commercial grade linoleum, or similar finish (§§ 6- 101.11; 6-201.11; 6-501.11).
- b. The floor and wall junctures are to be coved and sealed (§ 6-201.13).

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- c. Push carts and food delivery and dispensing units must be located on concrete, asphalt, or a similar non-absorbent permanent or temporary surface that minimizes dust and mud. The service sites should be graded to drain away from the MFF or Mobile-TFS unit.

**4. VENTILATION AND FIRE PROTECTION**

- a. Enclosed MFF or Mobile TFS units must comply with Section 6-304.11 of the Food Code, and must have adequate ventilation to prevent grease, condensate, or other buildup that may cause sanitation issues within the unit.

**5. LIGHTING**

- a. Adequate lighting by artificial or natural means is required.
- b. MFF or Mobile TFS units that are fully enclosed must be provided with artificial lighting.
- c. The lighting intensity shall be in accordance with Section 6-303.11 of the Food Code and shielding of the lights shall be in accordance with Section 6-202.11.

**6. HANDWASHING FACILITIES**

- a. **Type 1-** A handwashing sink is not required if **only** non-TCS, commercially pre-packaged foods, that are dispensed in their original containers are offered. (MFF or TFS Type 1). Hand towelettes should be provided.
- b. **Type 2-** A temporary handwashing station/basin (a container with a spout and warm water with a catch basin at a minimum) must be available. Hand Towlettes may be approved if packaging is very secure and food exposure is limited.
- c. **Type 3 and 4-** At least one handwashing sink must be located on all MFF that are classified as Type 3 or Type 4. (§ 5-203.11) Mobile TFS units Type 3 or Type 4 (with temporary licenses) must have handwashing provisions, but may meet handwash sink requirements outlined in the Mobile- TFS unit section beginning on Page 14.
- d. Each handwashing sink/basin must be provided with suitable hand cleaner, individual disposable towels, and a waste receptacle.
- e. A handwashing sign is to be posted at all handwashing sinks/basins. (§§ 6-301.11; 6-301.12; 6- 301.14)
- f. Handwashing sinks shall be equipped to provide potable water at a minimum temperature of at least 100°F through a mixing valve or combination faucet. (§ 5-202.12)

**7. TOILET AND HANDWASHING FACILITIES**

- a. Toilet and hand washing facilities must be available for MFF and Mobile-TFS unit employees along their route of service. (§ 5-204.11)
- b. The toilet facilities must be conveniently located to the food preparation and ware washing areas and meet all applicable sections of the Food Code and applicable regulations. (§ 6-402.11)

**8. GARBAGE**

- a. An adequate number of non-absorbent, easily cleanable garbage containers must be provided at the MFF or Mobile TFS unit. (§ 5-501.13)
- b. Garbage containers must be rodent-proof, non-absorbent, and covered when not in use. (§ 5- 501.15)
- c. Grease must be disposed of properly and shall not be dumped onto the ground surface or into the sanitary sewer system.
- d. Final disposal facilities for garbage, grease, and other waste materials must be identified, approved by the Department, and used.



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## **EQUIPMENT**

Construction, maintenance, and cleaning of all equipment shall be in accordance with Chapter 4 of the Food Code and with the manufacturer's instructions. Equipment may be movable; however, it must be capable of being secured when the MFF or Mobile-TFS unit is in transit to and from its service locations or commissary.

Hot and cold holding equipment, cooking facilities, preparation surfaces, and dispensing equipment must be appropriate for the types and quantities of food items being prepared and served at the MFF or Mobile TFS unit.

Equipment installed in a fully enclosed MFF or Mobile TFS unit must be sealed to facilitate cleaning as required in Section 4-402.11 and 4-402.12.

### **1. FOOD-CONTACT SURFACES**

- a. All food-contact surfaces used in a MFF or Mobile TFS unit shall be designed, constructed, and maintained in accordance with Chapter 4 of the Food Code.
- b. Materials used in the construction of food-contact surfaces shall comply with Parts 4-1 and 4-2 of the Food Code
- c. Surfaces shall be non-toxic, smooth, easily cleanable, free of rust, dents or pitting, and durable under the conditions to which they will be exposed.

### **2. COOKING AND REHEATING EQUIPMENT**

- a. Cooking and reheating equipment shall be installed and used in accordance with the manufacturer's instructions and shall meet all fire safety code requirements.
- b. The reheating equipment used on the MFF or Mobile-TFS unit must be capable of heating all of the TCS foods offered from the mobile unit to their required reheating temperature within two hours or less. (*§ 3-403.11*)
- c. If proper temperatures cannot be attained using the equipment on the MFF or Mobile-TFS unit, then cooking and reheating must occur at the commissary and will not be allowed on the mobile unit.

### **3. HOT HOLDING EQUIPMENT**

- a. Equipment used at the MFF or Mobile-TFS unit for hot holding must be capable of maintaining TCS foods at 135° F or above. (*§ 3-501.16*)
- b. Hot holding equipment shall be installed and used in accordance with the manufacturer's instructions and shall meet all fire safety code requirements.

### **4. COLD HOLDING EQUIPMENT**

- a. Equipment used for cold holding at the MFF or Mobile-TFS unit must be capable of maintaining TCS foods at 41° F or below. (*§ 3-501.16*)
- b. Refrigeration, such as mechanical, absorption or thermoelectric, shall be installed and used in accordance with the manufacturer's instructions.
- c. Each refrigeration unit must have a numerically scaled thermometer accurate to  $\pm 3^{\circ}$  F to measure the air temperature of the unit. (*§ 4-203.12*)
- d. If ice is used to cold hold TCS foods at 41° F or below, it must come from an approved source and be protected from contamination. (*§ 3-202.16*)
- e. Unpackaged foods may not be stored in direct contact with undrained ice, except as allowed for raw fruits and vegetables, and raw poultry and raw fish that are received on ice in shipping containers. (*§ 3-303.12*)
- f. Ice used as a coolant for foods shall not be used for drink ice. (*§ 3-303.11*)
- g. Low ambient air temperature, such as during colder months, should not be considered an acceptable alternate to cold holding equipment.

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**5. COUNTERS/SHELVES**

- a. All food-contact surfaces shall be safe, corrosion resistant, nonabsorbent, smooth, easily cleanable, durable, and free of seams and difficult to clean areas.
- b. All other surfaces shall be finished so that they are smooth, nonabsorbent, corrosion resistant, and easily cleanable.
- c. Surfaces shall be constructed in compliance with Parts 4-1 and 4-2 of the Food Code.

**6. WAREWASHING FACILITIES**

- a. A MFF unit that is classified as a TYPE 3 will be required to install a three-compartment sink or submit a variance to modify or waive the requirement. (§ 4-301.12). They may also discuss the use of a two – compartment sink with their Inspector. (§4-301.12(c))
- b. A MFF that is classified as a TYPE 4 is required to install a three compartment sink with drainboards, utensil racks or tables for soiled and clean equipment. (§§ 4-301.12; 4-301.13)
- c. A Mobile-TFS unit TYPE 3 or 4 (those with Temporary Licenses) will be required to have warewash sinks, but may comply with the requirements outlined in the Mobile-TFS section beginning Page 14.

**WATER SUPPLY, CAPACITY AND WASTEWATER DISPOSAL**

**1. WATER**

- a. An adequate supply of potable water meeting the requirements specified under Subparts 5-101, 5- 102, and 5-103 of the Food Code shall be available on the MFF or Mobile TFS for cooking and drinking purposes; for cleaning and sanitizing equipment, utensils, and food-contact surfaces; and for hand washing.
- b. Water must come from an approved public water source or an approved well watersource.
- c. Well water sources not regulated by DEP must comply with the Departments water testing protocol. **MFF 3 and 4** : 4 initial samples for Total Coliform in 24 hours & 1 initial test for Nitrate/Nitrite. **MFF 1 and 2**: 1 initial sample for Total Coliform & 1 initial test for Nitrate/Nitrite.
- d. A Mobile-TFS unit (those with Temporary Licenses) will be required to have a potable water supply, but may comply with requirements outlined in the Mobile-TFS section beginning Page 14.

**2. WATER SYSTEM**

- a. The water supply system and hoses carrying water must be constructed with approved food- contact materials and must be installed to preclude the backflow of contaminants into the potable water supply. (§§ 5.205.12; 5-301.11; 5-302.11; 5-302.14; 5-302.15; 5-302.16)
- b. All hose and other connections shall be installed, handled and stored so that no contamination is created. (§§ 5-303.12; 5-304.13)
- c. If approved by the Department, water supplied to an MFF need not be under pressure.
- d. A Mobile-TFS unit (those with Temporary Licenses) will be required to have a water supply, but may comply with the requirements outlined in the Mobile-TFS section beginning Page 14.

**3. WASTEWATER CAPACITY AND DISPOSAL**

- a. Equipment and facilities that generate liquid waste must be disposed of in an approved manner. (§5-403.11)
- b. Wastewater shall be disposed in an approved wastewater disposal system where the sewage holding tank is 15% larger than the water supply tank and sloped to drain, in accordance with §5-401.11 of the Food Code.
- c. Adequate backflow prevention must exist between food equipment and the sewage system. (§5-402.11)
- d. Wastewater must be removed from an MFF at an approved waste commissary or by a sewage transport vehicle. (§ 5-402.14)
- e. Wastewater may not be dumped onto the ground surface, into waterways, or into storm drains, but shall be collected/dumped into approved receptacles. (§ 5-402.13)
- e. A Mobile-TFS unit (those with Temporary Licenses) will be required to have an adequate waste disposal system but may comply with the requirements outlined in the Mobile-TFS section on beginning Page 14.



**RETAIL FOOD FACILITY LICENSE APPLICATION AND PLAN REVIEW**  
**MOBILE FOOD FACILITIES AND MOBILE TEMPORARY FOOD SERVICE FACILITIES**

**OPERATIONAL REQUIREMENTS FOR MOBILE FOOD FACILITIES**

**PERSONNEL**

**1. PERSON IN CHARGE**

- a. The MFF or Mobile-TFS unit must have a person in charge present during all hours of its operation. The person in charge shall be responsible for the overall operation of the MFF or Mobile-TFS unit and for compliance with all health code requirements in accordance with Sections 2-101.11 through 2-103.11 of the Food Code.
- b. The menu and manner for transportation, storage, cooking, preparation, and service of the food and beverage items must be provided to the Department for evaluation and approval.
- c. Any changes to the menu must be submitted to and approved by the Department prior to their service.
- d. All food and beverage items to be offered at the MFF or Mobile-TFS unit must be identified and approved by the Department during the application process and prior to an evaluation being conducted of the structural components of the mobile unit.

**2. HANDWASHING**

- a. Food employees shall clean their hands and exposed portions of their arms, including surrogate prosthetic devices for hands and arms, immediately before engaging in food preparation including working with exposed food, clean equipment and utensils, and unwrapped single-service and single-use articles and as often as necessary to remove soil and contamination and to prevent cross contamination. (§§ 2-301.11, 2-301.12, 2-301.14, 2-301.15)

**3. EMPLOYEE HEALTH**

- a. Employees with communicable diseases which can be transmitted through food shall be excluded and/or restricted from food activities. (§§ 2-201.11, 2-201.12, 2-201.13, 2-401.12)
- b. Food employees who have an infected or open cut or wound on their hands or arms must have it properly bandaged and covered with an impermeable bandage if on the arms or an impermeable cover such as a glove and finger cot if it is on the wrists or hands.
- c. There must be employee practices and behaviors established that can help prevent the spreading of viruses and bacteria to food. The Centers for Disease Control and Prevention (CDC) and FDA cite six highly infective pathogens that can be easily transmitted by food employees and cause severe illness. These six pathogens, known as the Big Six, are Norovirus, Hepatitis A virus, *Salmonella* Typhi, *Salmonella* Non-typhoidal (SNT), *Shigella* spp., and *Escherichia coli* (E. coli) 0157:H7 or other Enterohemorrhagic or Shiga toxin-producing E. coli.
- d. Interventions must be used to prevent the transmission of foodborne illness. Interventions include: a) restricting or excluding ill food employees from working with food; b) using proper handwashing procedures; and c) eliminating bare hand contact with ready-to-eat (RTE) foods.
- e. Proper management involves ensuring that food employees do not work when they are ill and having procedures for identifying employees who may transmit foodborne pathogens to food, other employees, and consumers. The PIC should be concerned with employees having the following symptoms: vomiting, diarrhea, jaundice (yellow skin or eyes), sore throat with fever, infected cuts and burns with pus on hands and wrists.
- f. Information and forms to aid in complying with Employee Health can be found in the 2013 FDA Food Code and the Employee Health and Personal Hygiene Handbook.  
(<http://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/IndustryandRegulatoryAssistanceandTrainingResources/ucm113827.htm>)

**RETAIL FOOD FACILITY LICENSE APPLICATION AND PLAN REVIEW**  
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**4. HYGIENE**

- a. Food employees shall maintain a high degree of personal cleanliness and shall conform to good hygienic practices during all working periods. (§ 2-302.11)
- b. Food employees shall have clean outer garments, aprons and effective hair restraints. (§§ 2-304.11, 2-402.11)
- c. Food employees are not allowed to eat (including chewing gum), drink, or use any tobacco in the food preparation and service areas. A food employee may drink from a closed beverage container if the container is handled to prevent contamination of the employee's hands; the container; and exposed food, clean equipment, utensils and single-service/single-use articles. (§ 2-401.11)
- d. Unauthorized persons are not allowed in food preparation and service areas. (§ 2-103.11)

**5. NO BARE HAND CONTACT**

- a. Employees preparing food may not contact exposed, ready-to-eat (RTE) food with their bare hands and shall use suitable utensils such as deli paper, spatulas, tongs, single-use gloves or dispensing equipment. (§ 3-301.11)

**6. FOOD DEFENSE**

- a. The MFF or Mobile-TFS unit must be secured to prevent unauthorized access to food, equipment, utensils, and related items. (§ 2-103.11). This includes storage trucks for overflow products that are away from the mobile unit.
- b. Self-service operations at MFF or Mobile TFS units must be supervised at all times. (§ 3-306.13)
- c. Unauthorized personnel shall not be allowed at or in the MFF or Mobile TFS unit. (§ 2-103.11)

**FOOD SOURCE AND TEMPERATURE CONTROL**

**1. APPROVED SOURCE**

- a. The source of food on a MFF or Mobile TFS unit must be in compliance with Sections 3-201, 3-202 and 3-203 of the Food Code. All meat and poultry must come from USDA or other acceptable government regulated approved sources.
- b. Home canned foods or other homemade foods not under the inspection of the Department are NOT allowed; nor shall there be any home cooked or prepared foods offered at the MFF or Mobile TFS unit.
- c. Ice for use as a food or a cooling medium shall be made from potable water. Ice may not be from a home or other unregulated location.
- d. A private home may not be used for the storage of food or related items. Food and related items can only be stored on the secured MFF or Mobile TFS unit, at the commissary (which can be on a residential property), or at a Permanent Food Facility.

**2. TEMPERATURE MEASURING DEVICES**

- a. Temperature measuring devices, appropriate to the operation, must be used for monitoring temperatures for the types of TCS foods prepared and held at the MFF or Mobile TFS unit as specified in the Food Code. (§ 4-302.12)
- b. A thermocouple, thermistor or metal stem thermometer shall be provided to check the internal temperatures of TCS hot and cold food items. The temperature measuring device must be appropriate for the type of foods served such as for thin foods. (§ 4-302.12)
- c. Food temperature measuring devices shall be accurate to  $\pm 2^{\circ}\text{F}$  and have a suggested range of  $0^{\circ}\text{F}$  to  $220^{\circ}\text{F}$ . (§ 4-203.11)
- d. Regular calibration of the temperature measuring devices shall be accomplished to ensure accurate food temperature measurements.

**3. HOLDING TEMPERATURES**

- a. TCS food must be maintained at  $135^{\circ}\text{F}$  or higher or  $41^{\circ}\text{F}$  or below (§ 3-501.16), unless utilizing Time as a Public Health Control as specified in Section 3-501.19.

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**4. COOKING TEMPERATURES**

- a. Only MFF or Mobile TFS units that are classified as a Type 3 or Type 4 are approved to cook foods.
- b. Food must be cooked to at least the minimum temperatures and times specified below, unless a consumer advisory is provided as noted in (c):
  - **165°F for < 1 second (instantaneous)**--poultry; baluts, wild game animals; stuffing containing fish, meat, poultry or ratites; stuffed fish, meat, pasta, poultry or ratites as specified in 3-401.11 (A) (3) of the Food Code;
  - **155° F for 15 seconds**--comminuted fish; comminuted meat (hamburgers); pooled raw eggs or as specified in Section 3-401.11 (A) (2) of the Food Code;
  - **145° F for 15 seconds**-- fish; meat; pork; and raw shell eggs that are broken and prepared in response to a consumer's order for immediate service or as specified in Section 3-401.11 (A) (1) (a) and (b) of the Food Code.
  - Roasts (whole beef, pork, cured pork (ham) and corned beef) must be cooked using the parameters specified in Section 3-401.11. Recommend contacting the Department for additional time/temperature options.
- c. Reference § 3-603.11 regarding specific consumer advisory language as applicable.

**5. COOLING**

- a. The person in charge must demonstrate that the facilities on the MFF or Mobile TFS unit, or at the Commissary are adequate to cool TCS foods in accordance with Sections 3-501.14 and 3-501.15 of the Food Code.
- b. Cooling shall be done in compliance with Sections 3-501.14 and 3-501.15 of the Food Code. Cooked TCS food shall be cooled from 135° F to 70°F within 2 hours; and from 135°F to 41° F within a total of 6 hours or less.

**6. REHEATING FOR HOT HOLDING**

- a. Reheating shall be done in compliance with Section 3-403.11 of the Food Code.
- b. TCS food that is cooked, cooled, and reheated for hot holding shall be rapidly reheated so that all parts of the food reach a temperature of at least 165° F for 15 seconds. (§ 3-403.11)
- c. Un-opened, intact, commercially processed and packaged foods to be hot held shall be reheated to 135°F. (§ 3-403.11)
- d. If proper reheating at the MFF or Mobile TFS unit cannot be accomplished, reheating TCS food must take place at the commissary and then hot held on the mobile unit at 135°F or greater. (§ 3-501.16)

**7. THAWING**

- a. Thawing shall be done in compliance with Section 3-501.13 of the Food Code.

**FOOD EQUIPMENT AND UTENSIL REQUIREMENTS, STORAGE & HANDLING**

**1. CROSS CONTAMINATION**

- a. Cross contamination prevention shall be in accordance with Section 3-302.11 of the Food Code.
- b. Food shall be protected from cross contamination during transportation, storage, preparation, holding, and display by separating different types of raw animal foods from ready-to-eat foods.
- c. Equipment and utensils (including knives, cutting boards, and food storage containers) must be thoroughly cleaned and sanitized after being used for raw animal foods and before being used for ready-to-eat food. (§§ 4-601.11; 4-702.11)

**2. DRY STORAGE**

- a. Storage shall be in compliance with Sections 3-305.11 & 4-903.11 of the Food Code.
- b. All food, equipment, utensils, and single-service items shall be properly stored including storage which is at least 6" off the ground or floor, protected from contamination, and provided with effective overhead protection.

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**3. FOOD DISPLAY**

- a. All food shall be protected from customer handling, coughing, sneezing or other contamination by wrapping, the use of food shields or other effective barriers. (§ 3-306.13)
- b. Condiments must be dispensed in single-service type packaging, in pump-style dispensers, or in protected squeeze bottles, shakers, or similar dispensers which prevent contamination of the food items by food workers, patrons, insects, or other sources. (§ 3-306.12)

**4. IN-USE UTENSIL STORAGE:**

- a. In-use utensil storage shall be in compliance with Section 3-304.12 of the Food Code.
- b. Back-up utensils must be stored clean and dry and in a protected location. (§ 4-903.11)

**CLEANING AND SANITIZING**

Warewashing shall be done in compliance with Part 4-6 of the Food Code. Equipment food-contact surfaces and utensils shall be cleaned and sanitized when changing from working with raw foods to working with ready-to-eat foods; between uses with raw fruits and vegetables and with TCS food; before using or storing a food temperature measuring device; and if used with TCS food shall be cleaned throughout the day at least every 4 hours; and at any time during the operation when contamination may have occurred. (§ 4-602.11)

**1. WAREWASHING**

- a. Warewashing methods must be available to wash, rinse, and sanitize equipment and utensils coming into contact with food. (Applicable sections in Chapter 4 FDA Food Code)
  - **MFF or Mobile TFS Type 1** – No warewashing sink required.
  - **MFF or Mobile TFS Type 2** - No warewashing sink typically required.
  - **MFF or Mobile TFS Type 3** – Ideally a three compartment (two- compartment if approved by the Inspector) sink should be available within the MFF or Mobile TFS unit. A commissary can be used by the MFF or Mobile TFS unit for the cleaning and sanitizing of equipment and utensils if manual warewashing is not available on the mobile unit. Adequate spare utensils must be available within the mobile unit if the warewashing sinks are only at the commissary. The three compartment sink at the commissary must be supplied with hot and cold running water and approved wastewater disposal system. (§ 4- 301.12) However, if the facility is at an event that does not allow it to return to the commissary daily, there must be a 3-compartment sink available on the MFF or Mobile TFS unit at the event. A Mobile-TFS unit (those with Temporary Licenses) will be required to have a warewash sinks, but may comply with the requirements outlined in the Mobile-TFS section beginning Page 14.
  - **MFF or Mobile TFS Type 4** – A three compartment sink for manual warewashing that is supplied with hot and cold running water and approved wastewater disposal system must be available within the MFF or Mobile TFS unit. (§ 4-301.12) A Mobile-TFS unit (those with Temporary Licenses) will be required to have warewash sinks, but may comply with the requirements outlined in the Mobile-TFS section beginning Page 14.

**2. SANITIZING**

- a. Approved sanitizers must be provided for sanitizing food-contact surfaces, equipment, and wiping cloths. (§ 7-204.11)
- b. Sanitizers are to be used in accordance with the EPA-registered label use instructions. (§ 7- 202.12)
- c. An approved test kit must be available to accurately measure the concentration of sanitizing solutions. (§§ 4-501.116, 4-703.11)

**3. WIPING CLOTHS**

- a. Wiping cloths that are in use for wiping food spills shall be used for no other purpose and shall be stored clean and dry or in a clean solution at the approved sanitizer concentration. (§ 3-304.14)

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**PREMISES**

**1. PERSONAL BELONGINGS STORAGE:**

- a. Personal clothing and belongings must be stored in a designated place in the MFF or Mobile TFS unit away from food preparation, food service, dry storage areas, utensil and single-service and single-use item storage, and ware washing areas. (§ 6-403.11)

**2. TOXIC MATERIALS:**

- a. Materials necessary for the operation of a MFF or Mobile TFS unit shall be properly stored, labeled and used.
- b. Poisonous or toxic materials are to be properly labeled and stored so they cannot contaminate food, equipment, utensils, and single-service and single-use articles and in accordance with Parts 7-1 and 7-2 of the Food Code.
- c. Only those chemicals necessary for the food operation shall be provided.

**3. PESTS**

- a. The MFF or Mobile TFS unit must be maintained free of insects, rodents, and other pests. (§ 6-202.15)

**RETAIL FOOD FACILITY LICENSE APPLICATION AND PLAN REVIEW**  
**MOBILE FOOD FACILITIES AND MOBILE TEMPORARY FOOD SERVICE FACILITIES**

**MOBILE FOOD FACILITY APPLYING FOR A TEMPORARY RETAIL FOOD LICENSE**  
**(Mobile-TFS) (14 Days or less)**

Step 1: Apply for a License 4 – 6 weeks prior to operation. **MAIL YOUR APPLICATION INCLUDING FLOOR PLAN SKETCH, PROPOSED MENU, EQUIPMENT SCHEDULE AND APPENDIX 1 (if applicable) TO THE REGIONAL OFFICE AS NOTED ON PAGE 2 OF THIS APPLICATION.**

Step 2: When approval is obtained on your submitted Application and the facility is ready for inspection, contact your Inspector to schedule a pre-operational (licensing) inspection.

Step 3: Once a satisfactory pre-operational inspection is performed, your Inspector will collect your licensing fee (\$14) and you will be approved to operate.

Step 4: Your official Temporary Retail Food License will be mailed to you 2-4 weeks after your pre- operational inspection. Your inspection report will serve as your license until you receive your actual license in the mail.

Step 5: Your license expires on December 31<sup>st</sup> and must be renewed annually. Your renewal will be mailed to you 60 days prior to expiration. Return your renewal along with your annual license fee before the current license expires.

**A Temporary License is:**

**A license that is the following (Temporary Event Food Facility License):**

- Issued to the operator selling in conjunction with an event or celebration and
- Valid for the duration of the particular event or celebration of **no more than 14 days duration** (whether these days are consecutive or nonconsecutive)

OR

**A license that is the following (Temporary Food Facility License):**

- Issued to a food facility operator operating a food facility, whether stationary or mobile and
- In operation for a total of **no more than 14 days within a particular calendar year** and
- Not in conjunction with an event or celebration
- Note: This would be a rare license for a mobile unit to obtain, unless specific 14 day of operation can be identified (ex: Mobile Farmers Market stand for 10 Saturdays in a summer)

A Mobile Food Facility License Application and Plan Review must be submitted for each Mobile Temporary Food Service Facility (Mobile TFS). If the facility or event is located in a local health jurisdiction, contact that local health department directly for licensing requirements.

A Mobile TFS unit with a temporary food license must comply with the FDA Food Code and the guidelines noted above however; provisions are in place to allow for temporary handwashing, warewashing, water supply and waste water disposal in a different manner than permanently licensed MFF types 3 and 4.

These items should be addressed on your Floor Plans that are submitted with your application.



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**Handwashing in Mobile-Temporary Food Service (TFS):**

**TFS Type 3 and 4:**

- a. Each Mobile TFS must supply a sink or basin for handwashing.
- b. Each sink or basin must have a sign indicating, “Employees must wash hands”.
- c. Each sink or basin must be supplied with clean, potable, warm (~100°F) water for employee handwashing.
- d. Each handwashing station must include: soap, single use paper towels, and a waste receptacle.
- e. Each handwashing station must have an acceptable water supply and waste water collection container.



**Water Supply in Mobile-Temporary Food Service (TFS):**

**TFS Type 3 and 4**

- a. All Mobile TFSs must be provided with hot (110°F) and cold running water piped to the facility OR has an adequate supply on available for preparation of food or drink, cooking, cleaning, and handwashing. If your food is all pre-packaged non-potentially hazardous food/drink and none of the above or similar food handling activities is occurring, a water supply may not be needed.
- b. Water must be stored in clean, covered containers with dispensing spouts.
- c. Water container shall not leak or drip.
- d. The supply must be adequate to accomplish necessary tasks.
- e. In the case where hot water is not piped to the Mobile TFS, a source of hot water must be available. The container shall not leak or drip. Hot water must be protected but can be poured or dispense via a spigot.
- f. The water supply need not be under pressure.

**Waste Water Collection and Disposal in Mobile-Temporary Food Service (TFS):**

**TFS Type 3 and 4**

- a. Each Mobile TFS not supplied with built-in waste collection systems must provide a minimum of 15% greater capacity than the fresh water supply container (plastic, galvanized, etc.) with a tight fitting lid for retention of ALL wastewater prior to final disposal.
- b. All wastewater must be disposed of in a sanitary sewage system outlet (not on the ground or into a storm drain).

**Warewashing using a 3-Compartment Method in Mobile-Temporary Food Service (TFS):**

**TFS Type 3 and 4**

- a. Single service articles must be used unless adequate dishwashing facilities are available and used.
- b. Adequate facilities include; sinks, containers or buckets (separate from handwashing sinks and basins) set up for accomplishing a three-step method of dishwashing.
- c. A one or two basin set up may be approved by the Inspector when only spatulas, tongs or other similar serving utensils are used AND the facility can accomplish the 3-step method of washing rinsing and sanitizing using the approved number of sinks.
- d. A Mobile TFS may use a cleaning depot site located in another area on the grounds of the event or celebration, as long as suitable numbers of utensils and equipment are provided at the Mobile TFS in case of accidental contamination.
- e. Sanitizers (Quaternary Ammonia, Chlorine) used in the 3 step cleaning method or for any food contact surface cleaning must be available at all times, approved and used appropriately.
- f. Appropriate sanitizer testing devices (strips, titration kits) must be available in the Mobile TFS at all times.