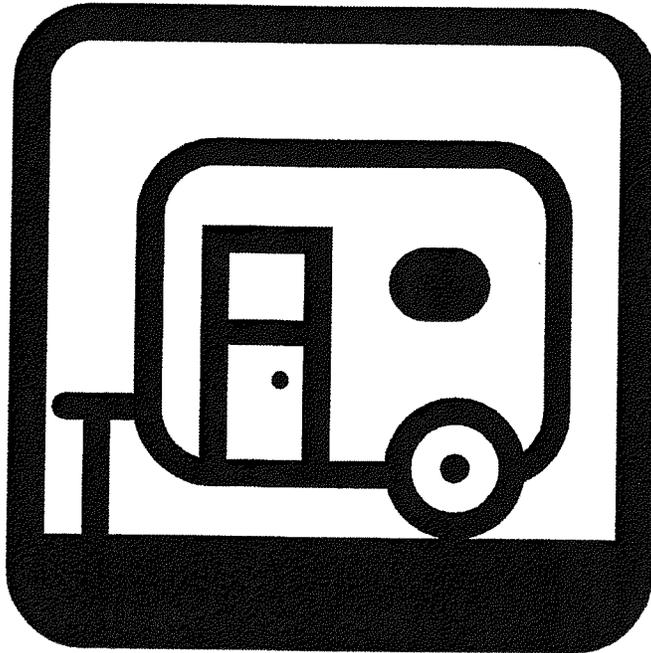


Mobile Food Vendor Information Packet



Waco-McLennan County Public Health District
Environmental Health Division
225 West Waco Drive
Waco, Texas 76707
(254) 750-5464

TEXAS FOOD ESTABLISHMENT RULES (TFER)

§228.221. Mobile Food Units.

(a) Mobile Food Unit provisions.

(1) **General.** Except as otherwise provided in this paragraph and in paragraph (2) of this subsection, the regulatory authority may impose additional requirements to protect against health hazards related to the conduct of the food establishment as a mobile operation, may prohibit the sale of some or all time/temperature controlled for safety (TCS) food, and when no health hazard will result, may waive or modify requirements of this rule relating to physical facilities, except those requirements as specified in paragraphs (7) and (8) of this subsection; subsection (c)(1)(A) - (E) of this section and §§228.71 - 228.75 of this title (relating to Food). The regulatory authority shall require a Mobile Food Unit operator to demonstrate that the vehicle is readily moveable.

(2) **Restricted operation.** Mobile Food Units that serve only food that is prepared, packaged in individual servings, transported and stored under conditions meeting the requirements of this chapter, or beverages that are non-time/temperature controlled for safety (NTCS) food and are dispensed from covered urns or other protected equipment, need not comply with the requirements of these rules pertaining to the necessity of water and sewage systems nor to those requirements pertaining to the cleaning and sanitization of equipment and utensils if the required equipment for cleaning and sanitization exists at its central preparation facility.

(3) **Readily movable.** The regulatory authority prohibits alteration, removal, attachments, additions, placement or change in, under, or upon the Mobile Food Unit that would prevent or otherwise reduce ready mobility. A regulatory authority may require a Mobile Food Unit to come, on an annual basis or as often as required, to a location designated by the regulatory authority as proof that the Mobile Food Unit is readily moveable. PF

(4) **Initial permitting inspection.** The regulatory authority shall require a Mobile Food Unit to come to a location designated by the authority. The mobile unit must be totally operable at time of inspection, including but not limited to handwash/warewash facilities, refrigeration and wastewater disposal. Required documentation to have available includes:

(A) Certified Food Manager Certification. PF

(B) Central Preparation Facility Authorization (if required). A signed letter of authorization is required, to verify facility use, if the Central Preparation Facility is not owned by the mobile unit operator.

(C) Central Preparation Facility Inspection Report. A copy of the most current health inspection of the central preparation facility must be maintained on the mobile unit at all times.

(D) Servicing Area Authorization. A signed letter of authorization may be required by the regulatory authority to verify service area use, if the servicing area is not owned by the mobile unit operator.

(E) Menu of all food items to be sold.

(5) **Single-service articles.** Mobile Food Units shall provide only single service articles for use by the consumer.

(6) Equipment, numbers and capacities.

(A) Cooling, heating, and holding capacities. Equipment for cooling and heating food, and holding cold and hot food, shall be sufficient in number and capacity to provide food temperatures as specified under Subchapter C of this rule. PF

(B) Manual warewashing, sink compartment requirements. PF

(i) A sink with at least three compartments shall be provided for manually washing, rinsing, and sanitizing equipment and utensils as specified under §228.107(b)(1) of this title. PF

(ii) Sink compartments shall be large enough to accommodate immersion of the largest equipment and utensils as specified under §228.107(b)(2) of this title. PF

(C) At least one handwashing sink shall be available for convenient use by employees and properly provisioned in accordance with §228.175(b) - (c) of this title. p f

(7) Mobile water system materials, design, and operation. Mobile Food Unit water systems shall meet the requirements of §228.149(f) of this title (relating to Water, Plumbing, and Waste).

(8) Mobile Food Unit tank inlet. A Mobile Food Unit's water tank inlet shall be:

- (A) 19.1 mm (3/4 inch) in inner diameter or less; p f and
- (B) Provided with a hose connection of a size or type that will prevent its use for any other service. p f
- (C) Fill hose and water holding tank shall be labeled as "Potable Water."

(9) Sewage and other liquid waste.

(A) Waste retention. If liquid waste results from operation of a Mobile Food Unit, the waste shall be stored in a permanently installed retention tank.

(B) Capacity and drainage. A leak-proof sewage holding tank in a Mobile Food Unit shall be:

- (i) sized at least 15% larger in capacity than the water supply tank; and
- (ii) sloped to a drain that is 25 millimeters (1 inch) in inner diameter or greater, equipped with a shut-off valve.

(C) All connections on the vehicle for servicing the Mobile Food Unit waste disposal facilities shall be of a different size or type than those used for supplying potable water to the Mobile Food Unit.

(D) Discharge liquid waste shall not be discharged from the retention tank while the Mobile Food Unit is in motion. p

(E) Flushing a waste retention tank. A tank for liquid waste retention shall be thoroughly flushed and drained in a sanitary manner. p

(F) Removing Mobile Food Unit wastes. Sewage and other liquid wastes shall be removed from a Mobile Food Unit at an approved waste servicing area or by a sewage transport vehicle in such a way that a public health hazard or nuisance is not created. p

(G) Liquid waste holding tank shall be labeled as "waste water"

(10) Mobile Food Unit water and wastewater exemption.

(A) A roadside vendor that sells only prepackaged food is exempt from these rules pertaining to water and wastewater.

(B) A Mobile Food Unit that prepares food requiring no water for operations and no hand contact with food is exempt from these rules pertaining to water and wastewater if the required cleaning and sanitization equipment exist at its central preparation facility. Chemically treated towelettes for handwashing may be used as specified in §228.147(a)(3) of this title (pertaining to Water, Plumbing and Waste). p

(11) Toilet rooms, convenience and accessibility. Toilet rooms shall be conveniently located and accessible to employees during all hours of operation.

(b) Central preparation facility.

(1) Supplies, cleaning, and servicing operations. Mobile Food Units shall operate from a central preparation facility or other fixed food establishment and shall report to such location daily for supplies and for cleaning and servicing operations.

(2) Construction. The central preparation facility or other fixed food service establishment, used as a base of operation for Mobile Food Units, shall be constructed and operated in compliance with the requirements of these rules (pertaining to Physical Facilities).

(c) Servicing area and operations.

(1) Protection.

(A) A Mobile Food Unit servicing area shall include at least overhead protection for any supplying, cleaning, or servicing operation. Those areas used only for the loading of water and/or the discharge of sewage and other liquid waste, through the use of a closed system of hoses, need not be provided with overhead protection.

(B) Within the servicing area, the location provided for the flushing and drainage of liquid wastes shall be separate from the location provided for potable water servicing and for the loading and unloading of food and related supplies. P

(C) A servicing area will not be required where only packaged food is placed on the Mobile Food Unit or where Mobile Food Units do not contain waste retention tanks.

(D) The surface of the servicing area shall be constructed of a smooth nonabsorbent material, such as concrete or machine-laid asphalt and shall be maintained in good repair, kept clean, and be graded to drain.

(E) Potable water servicing equipment shall be installed in the servicing area according to the Plumbing Code and shall be stored and handled in a way that protects the water and equipment from contamination. Pf

(2) Construction exemption. The construction of the walls and ceilings of the servicing area is exempted from the provisions of §228.173(a) of this title (relating to Physical Facilities).

§228.149. Plumbing, Operation and Maintenance.

(f) Mobile water tank and Mobile Food Unit water tank.

(1) Materials, approved. Materials that are used in the construction of a mobile water tank, Mobile Food Unit water tank, and appurtenances shall be:

(A) safe; P

(B) durable, corrosion-resistant, and nonabsorbent; Pf and

(C) finished to have a smooth, easily cleanable surface. Pf

(2) Tank design and construction. A mobile water tank shall be:

(A) enclosed from the filling inlet to the discharge outlet; Pf and

(B) sloped to an outlet that allows complete drainage of the tank. Pf

(3) Tank inspection and cleaning port, protected and secured. If a water tank is designed with an access port for inspection and cleaning, the opening shall be in the top of the tank and:

(A) flanged upward at least 13 mm (one-half inch); Pf and

(B) equipped with a port cover assembly that is:

(i) provided with a gasket and a device for securing the cover in place; Pf and

(ii) flanged to overlap the opening and sloped to drain. Pf

(4) "V" type threads, use limitation. A fitting with "V" type threads on a water tank inlet or outlet shall be allowed only when a hose is permanently attached.

(5) Tank vent, protected. If provided, a water tank vent shall terminate in a downward direction and shall be covered with:

(A) 16 mesh to 25.4 mm (16 mesh to 1 inch) screen or equivalent when the vent is in a protected area; or

(B) a protective filter when the vent is in an area that is not protected from windblown dirt and debris.

(6) Tank inlet and outlet, sloped to drain.

(A) A water tank and its inlet and outlet shall be sloped to drain.

(B) A water tank inlet shall be positioned so that it is protected from contaminants such as waste discharge, road dust, oil, or grease.

(7) Tank hose, construction and identification. A hose used for conveying drinking water from a water tank shall be:

- (A) safe; P
- (B) durable, corrosion-resistant, and nonabsorbent; PF
- (C) resistant to pitting, chipping, crazing, scratching, scoring, distortion, and decomposition; PF
- (D) finished with a smooth interior surface; PF and
- (E) clearly and durably identified as to its use if not permanently attached. PF

(8) Tank filter, compressed air. A filter that does not pass oil or oil vapors shall be installed in the air supply line between the compressor and drinking water system when compressed air is used to pressurize the water tank system. P

(9) Protective cover or device. A cap and keeper chain, closed cabinet, closed storage tube, or other approved protective cover or device shall be provided for a water inlet, outlet, and hose.

(10) Mobile Food Unit tank inlet. A Mobile Food Unit's water tank inlet shall be:

- (A) 19.1 mm (three-fourths inch) in inner diameter or less; PF and
- (B) provided with a hose connection of a size or type that will prevent its use for any other service. PF

(11) Fill hose and water holding tank shall be labeled as "Potable Water".

(12) Water in a Mobile Food Unit holding tank shall be tested for contamination by sampling upon request by the regulatory authority. PF

(13) Operation and maintenance, system flushing and disinfection. A water tank, pump, and hoses shall be flushed and sanitized before being placed in service after construction, repair, modification, and periods of nonuse. P

(14) Using a pump and hoses, backflow prevention. A person shall operate a water tank, pump, and hoses so that backflow and other contamination of the water supply are prevented.

(15) Protecting inlet, outlet, and hose fitting. If not in use, a water tank and hose inlet and outlet fitting shall be protected using a cover or device as specified in paragraph (9) of this subsection.

(16) Tank, pump, and hoses, dedication.

- (A) Except as specified in subparagraph (B) of this paragraph, a water tank, pump, and hoses used for conveying drinking water shall be used for no other purpose. P
- (B) Water tanks, pumps, and hoses approved for liquid foods may be used for conveying drinking water if they are cleaned and sanitized before they are used to convey water.

§228.150. Sewage Retention, Drainage, and Delivery.

(a) Mobile holding tank capacity and drainage. A sewage holding tank in a Mobile Food Unit shall be:

- (1) Sized 15 percent larger in capacity than the water supply tank; and
- (2) Sloped to a drain that is 25 mm (1 inch) in inner diameter or greater, equipped with a shut-off valve.

(f) Removing Mobile Food Unit wastes. Sewage and other liquid wastes shall be removed from a Mobile Food Unit at an approved waste servicing area or by a sewage transport vehicle in such a way that a public health hazard or nuisance is not created. P

(g) Flushing a waste retention tank. A tank for liquid waste retention shall be thoroughly flushed and drained in a sanitary manner during the servicing operation.

Food Establishment Code
of the
Waco-McLennan County Public Health District

Mobile Food Establishments and Roadside Vendors

In addition to the requirements set forth in the Texas Food Establishment Rules, vehicles used for and as a mobile food establishment or roadside vendor shall comply with the following:

- (a) *Identification.* Each vehicle permitted as a mobile food establishment or roadside vendor shall have printed on each side of the vehicle the name of the owner or assumed name under which the owner operates, together with the owner's telephone number. That lettering shall be not less than two inches in height and not less than 5/16 stroke in width. The lettering must be maintained and legible at all times. The lettering shall be made in a permanent and durable material or manner. If faded or chipped, the lettering shall be replaced or repaired.
- (b) *Food establishment permit; availability and visibility.* A valid food establishment permit is required for each vehicle or mobile unit. The permit must be visible to customers and inspectors at all times. If a mobile food establishment operates its own central preparation facility, the central preparation facility must be permitted separately.
- (c) *Vehicle cleanliness.* All vehicles shall be reasonably free of dirt or rubbish and maintained in a clean and sanitary condition. The compartment(s) of the vehicle carrying food and food equipment and the food contact surfaces and non-food contact surfaces of the food equipment used in and with the vehicle shall be maintained and cleaned in accordance with the Texas Food Establishment Rules.
- (d) *Driver, assistant with driver; food safety certification.* Drivers and assistants with the drivers are to adhere to the same requirements as a food employee and have in their possession a valid food handler certificate. The driver is responsible for maintaining the cleanliness of the vehicle and food equipment as often as is necessary while on duty.
- (e) *Food equipment; design and temperature criteria.* Food equipment shall meet same design criteria and temperature criteria as a regular food establishment. The vehicle shall be equipped with a permanent power supply for the food equipment used for heating, cooking, cooling, refrigeration, freezing and holding of hot and cold foods. Plug in adapters to cigarette lighters are not allowed.
- (f) *Other requirements regarding mobile food establishments and roadside vendors.* Mobile food establishments and roadside vendors including snow cone stands that prepare food on the vehicle or on location must also:
 - (1) Comply with all requirements of a food establishment including hand wash and dishwashing sinks, cleaning operations, hot water and pest control.
 - (2) Must have a letter of permission from the owner of the property upon which the sales are to take place to operate from that location.
 - (3) Must have a letter of permission from the owner of that property or immediately adjacent to the property for use of restroom facilities.
 - (4) Comply with employee food education requirements for food handlers and food managers as appropriate.



MOBILE FOOD UNIT REQUIREMENTS

Waco-McLennan County Public Health District

Permit and Permission:

- _____ Valid mobile food establishment permit, food handler cards, food manager certificate and current health inspection report from the commissary.
- _____ Permit and certificates available on vehicle and displayed visible to customers.
- _____ If preparing food on location: letter of permission from property owner to sell.
- _____ Vehicle/trailer/push cart/unit is readily moveable.

Food Preparation:

- _____ All food obtained from approved sources and in sound condition.
- _____ No foods prepared from a home kitchen allowed.
- _____ Food prepared in permitted or licensed establishments.
- _____ Foods held at 135° F or hotter or at 41° F or colder.
- _____ Metal stem-type product thermometer to check cooking and holding temperatures.
- _____ Packaged foods not stored in contact with water or undrained ice.

Central Preparation Facility and Servicing Area:

- _____ Mobile food establishment operates from a central preparation facility or other food establishment for supplies, cleaning and servicing operations. Authorization letter.
- _____ Servicing area with overhead protection for any supplying, cleaning servicing operations (not required if selling on pre packaged foods and drinks.) Authorization letter.
- _____ Location provided for the flushing and drainage of liquid wastes separate from loading of food related supplies. Servicing areas surfaces are constructed of smooth, nonabsorbent material. Ground surfaces concrete or asphalt, graded to drain.
- _____ Potable water servicing equipment in the servicing area.

Equipment:

- _____ All vehicles with equipment to hold food at the required temperatures. No plug-in adapters to cigarette lighters. Fully functional electrical system.
- _____ Vehicles have proper identification printed on each side of the vehicle. Must be permanent and durable. This includes: name, telephone number, 2 inch minimum letters with 5/16 stroke width. No decals or stickers.
- _____ Vehicles must be reasonably free of dirt or rubbish and maintained in clean and sanitary condition.
- _____ Food, utensils, and single service articles protected from contamination during storage, preparation, display.
- _____ Food contact surfaces easily cleanable. Washed, rinsed, and sanitized as necessary. Wiping cloths and sanitizer available.
- _____ Utensils, including ice scoops with handles, provided to minimize handling of foods. Only single service items provided for customer use.
- _____ Thermometer in all hot and cold units.
- _____ First aid kit on board.

Food Display:

- _____ Food protected from customer contamination (touching, handling, sneezing, coughing.)
- _____ Food temperatures: hot foods 135° F or hotter, cold foods 41° F or colder.

Personal Hygiene:

- _____ Drivers, helpers, and employees with high degree of personal cleanliness.
- _____ Clean clothes/good hygienic practices/clean hands.
- _____ Drivers, helpers, and employees free of infections or illnesses.
- _____ No tobacco or eating food in serving areas or while on duty.

Dishwashing:

For those preparing food on site (including snow cone units) or on vehicle:

- _____ Three suitably sized sinks or basins, hot and cold water, detergent, and sanitizer provided for cleaning equipment and utensils.
- _____ Procedures: First basin—wash with hot, soapy water. Second basin—rinse with clean warm water. Third basin—warm water containing sanitizer. Immerse for one minute. Sanitizing solution used following directions on label. Air dry.
- _____ Test strips available to check sanitizer strength.
- _____ Separate sink facilities for hand washing.

Water and Waste Disposal:

For those preparing food on site (including snow cone stands) or on vehicle:

- _____ Hot and cold water to prepare food and to clean hands, equipment, serving areas, and utensils.
- _____ Water and waste systems and hoses constructed according to the Texas Food Establishment Rules. Water under pressure. (not required if selling only prepackaged food and no bare hand contact with foods.)
- _____ No dumping of trash or wastewater on the ground.

Advisory: The sanitarian may impose additional requirements to protect against health hazards related to the conduct of the mobile food establishment, may prohibit the sale of some or all TCS foods, and when no health hazard will result, may waive or modify requirements to these rules relating to physical facilities except for water systems. Failure to comply with these requirements may result in the immediate suspension of the permit, the assessment of penalties, or the closing of your operations.

PREVENTING FOOD BORNE ILLNESS IS A RESPONSIBILITY SHARED BY ALL INDIVIDUALS INVOLVED IN FOOD PRODUCTION, PREPARATION, DISTRIBUTION, AND SELLING. IF YOU HAVE ANY QUESTIONS OR NEED FURTHER ASSISTANCE, PLEASE CONTACT THE WACO-MCLENNAN COUNTY PUBLIC HEALTH DISTRICT, ENVIRONMENTAL HEALTH DIVISION AT (254) 750-5464



MOBILE FOOD VENDOR FOOD ESTABLISHMENT PERMIT APPLICATION

Waco-McLennan County Public Health District

Environmental Health Division

225 West Waco Drive, Waco, Texas 76707

Phone: (254) 750-5464 Fax: (254) 750-5424

Email: ENVHealth@ci.waco.tx.us



PLEASE READ ENTIRE APPLICATION AND FILL IN ALL BLANKS COMPLETELY. FAILURE TO DO SO CAN RESULT IN DELAYS.

This application is hereby submitted for a permit to operate as a mobile food establishment. By this application, it is agreed that the establishment will comply with the provisions of the food regulations applicable to this type of establishment. It is further agreed that the said establishment shall be open to inspection by the Waco-McLennan County Public Health District.

Name of Vendor Business: _____

Name of Owner, Company or Corporation: _____

Owner/Person Responsible: _____ Business Phone: _____

Commissary Address: _____

Street City State Zip Code

Mailing Address: _____

Street City State Zip Code

1. Description of each vehicle/trailer/push cart/unit:

Make Model Year Color License #

A. _____

B. _____

C. _____

*** **NO** mobile vendor or kitchen is allowed to operate and/or prepare food from a house or private residence. ***

*** **A** mobile food vendor is a food establishment on wheels. Most of the Food Establishment Code does apply. ***

Finish application on page 2.

Office Use Only

- | | |
|--|---|
| <input type="checkbox"/> FE Permit Holder Info Sheet | <input type="checkbox"/> H.T.E. |
| <input type="checkbox"/> FM/FSC Information | <input type="checkbox"/> Copy to Inspector |
| <input type="checkbox"/> Hand Wash Signs | <input type="checkbox"/> Copy to Mobile Inspector |
| <input type="checkbox"/> Property Permission Letter | <input type="checkbox"/> File/Label |
| <input type="checkbox"/> Restroom Permission Letter | <input type="checkbox"/> Mobile Info Sheet |

Notes: _____ Area: _____

1. Is the location of the establishment zoned for commercial/business use? YES NO (check one)
If no, stop application and request additional information.

2. Location of commissary/base/central preparatory location: (Also submit permission letter if not owned by you.)

Street City State Zip Code

3. Location of servicing, stocking, and cleaning area for vehicle(s): (Also submit authorization letter to use if not owned by you.)

Street City State Zip Code

4. Types of food products you will be selling. Submit menu of all food items to be sold:

5. Locations where you will be selling:

6. In what city is the business located? _____

7. Is it located outside the city limits? YES NO (check one)

OTHER REQUIREMENTS

1. If preparing food on location or on the vehicle (including snow cone stands), a permission letter from the property owner where selling must be submitted before issuing a permit. Permission includes use of restroom facilities on or adjacent to the property.
2. If selling in Waco, contact Inspection Services at 750-5612 for additional permits and requirements. If selling in other cities, contact the local city hall for any other permits and requirements.
3. Make sure you have a copy of the Food Establishment Code and are familiar with it, especially the section on mobile food establishments and roadside vendors.
4. Drivers, helpers, & food workers must have handler cards.
5. Vendors cooking foods are required to have certified food managers.

Upon receipt of this application and notification by applicant that the mobile vending unit, commissary and servicing area for the business is ready for inspection, the sanitarian shall make an inspection of all the food facilities to determine compliance with the food regulations. When inspection reveals that the applicable requirements have been met, and permit fees are paid, a permit shall be issued to the applicant by mail. If paying by check, please make it payable to "City of Waco".

A mobile unit must be fully functional, operational and readily moveable for inspection.

Date of Application Applicant Signature Applicant Name (Printed)



FOOD ESTABLISHMENT PERMIT APPLICATION - COMMISSARY

Waco-McLennan County Public Health District
Environmental Health Division

225 West Waco Drive, Waco, Texas 76707

Phone: (254) 750-5464 Fax: (254) 750-5424

Email: ENVHealth@ci.waco.tx.us



PLEASE READ ENTIRE APPLICATION AND FILL IN ALL BLANKS COMPLETELY. FAILURE TO DO SO CAN RESULT IN DELAYS.

This application is hereby made for a permit to operate a food establishment. By this application it is agreed that the establishment will comply with the provisions of the food regulations applicable to this type of establishment. It is further agreed that the said establishment shall be open to inspection by the Waco-McLennan County Public Health District.

Name of Mobile Vendor: _____

Name of Business the Commissary is within: _____

Mobile Owner/Person Responsible: _____ and Phone Number: _____

Commissary Street Address: _____
Street City State Zip Code

Mobile Vendor Mailing Address: _____
Street City State Zip Code

Type of Establishment (BE SPECIFIC): Commissary

ANSWER THE FOLLOWING QUESTIONS BASED ON THE COMMISSARY:

Is location of establishment zoned for commercial/business use? YES NO (check one)
If no, STOP application and request additional information. Food establishments cannot be located in residences.

In what city is the establishment located? _____

Is it located outside the city limits? YES NO (check one)

What is the number of dining seats? _____ N/A

What is the square footage of the building's floor area?*** _____

***If the commissary is shared, include the square footage of all of the building used for your business - kitchen, storage, etc.
***If the facility is not owned by Mobile vendor, submit signed authorization letter.

If the establishment is new construction, remodeled, or converting an existing structure for use as a food establishment, properly prepared plans and specifications showing layout, sizes, equipment, and facilities must be submitted with application approval.

Are plans submitted? YES NO N/A (check one)

Upon receipt of this application and notification by applicant that establishment is ready for inspection; the sanitarian shall make an inspection of the food establishment to determine compliance with the food regulations. When inspection reveals that the applicable requirements have been met, and permit fees have been paid, a permit shall be issued to the applicant. Permits and fees are not transferable or refundable. If paying by check, please make it payable to "City of Waco".

Date of Application Applicant Signature Applicant Name (Printed)

Office Use Only Notes: Area: _____

____ H.T.E. _____ FM/FSC Information _____ File/Label
____ FE Info Sheet _____ Hand Wash Signs _____ Copy to Inspector