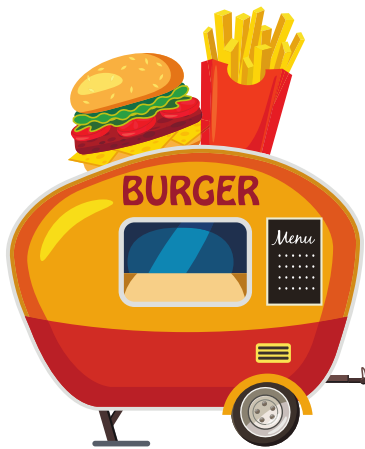




MOBILE FOOD VENDOR APPLICATION PACKET



WACO-MCLENNAN COUNTY PUBLIC HEALTH DISTRICT
ENVIRONMENTAL HEALTH DIVISION

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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: (A) may impose additional requirements to protect against health hazards related to the conduct of the food establishment as a mobile operation; (B) may prohibit the sale of some or all time/temperature controlled for safety (TCS foods); and (C) 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)- (9) of this subsection; subsection (c)(1)(A) - (E) of this section, and Food Code, Subparts 3-401, 3-402, 3-403, 3-404, and 3-501.

(2) Restricted operation.

A mobile food unit (MFU) that serves 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 and temperature control for safety food and are dispensed from covered urns or other protected equipment, need not comply with the requirements of this chapter, relating to the necessity of water and sewage systems nor to those requirements, relating 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.** (A) The regulatory authority prohibits alteration, removal, attachments, additions, placement or change in, under, or upon the Mobile Food Unit that prevents or otherwise reduces ready mobility. (B) A regulatory authority may require a MFU 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.

(4) Initial permitting inspection.

The regulatory authority requires an MFU to come to a location designated by the regulatory authority. The mobile unit must be totally operable at time of inspection, including but not limited to handwash facilities, warewash facilities, refrigeration, and wastewater disposal. Required documentation to have available includes:

- (A) Certified Food Protection Manager Certification.
- (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. A 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 Food Code, Chapter 3 - Food.

(B) Manual warewashing, sink compartment requirements.

- (i) A sink with at least three compartments shall be provided for manually washing, rinsing, and sanitizing equipment and utensils as specified in Food Code, Paragraph 4-301.12(A).

(ii) Sink compartments shall be large enough to accommodate immersion of the largest equipment and utensils as specified in Food Code, Paragraph 4- 301.12(B).

(C) At least one handwashing sink shall be available for convenient use by employees and properly provisioned in accordance with Food Code, §6-301.11-12.

(7) Mobile water system materials, design, and operation.

MFU water systems shall meet the requirements of Food Code, Part 5-3.

(8) MFU drinking water tank shall meet the requirements of Food Code, §5- 303.13.

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

(B) Drinking water in an MFU holding tank shall be tested for contamination by sampling upon request by the regulatory authority.

(9) Sewage and other liquid waste.

(A) If liquid waste results from operation of an MFU, the waste shall be stored in a permanently installed retention tank for waste retention

(B) A leak-proof sewage holding tank in an MFU shall meet the requirements of Food Code, §5-401.11 for capacity and drainage.

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

(D) Discharge liquid waste shall not be discharged from the retention tank while the MFU is in motion.

(E) Flushing a waste retention tank shall meet the requirements of Food Code, §5-402.15.

(F) Removing MFU wastes shall meet the requirements of Food Code, §5- 402.14.

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

NOTE- Food Code, 5-401.11

Mobile Holding Tank

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.

(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 Food Code, Paragraph 5-203.11(C).

(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 Food Code, Chapter 6 – Physical Facilities.

(c) Outdoor Servicing area and operations.

(1) Protection.

(A) An MFU servicing area shall include at least overhead protection for any supplying, cleaning, or servicing operation. Those areas used only for the loading of water 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.

(C) A servicing area will not be required where only packaged food is placed on the MFU or where MFU does 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.

(2) Construction exemption.

The construction of the walls and ceilings of the servicing area is exempted from the provisions of Food Code, §6-201.11.

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. (Restrooms directly across from the property in any direction may also be considered, if convenient and accessible.)
 - (4) Comply with employee food education requirements for food handlers and food managers as appropriate.



**Waco-McLennan
Public Health**

MOBILE FOOD UNIT REQUIREMENTS

Waco-McLennan County Public Health District

Permit and Permission:

- _____ Valid mobile food establishment permit, food manager certificate, food handler cards, current health inspection report from the central preparation facility (CPF) or Commissary, and servicing area Authorization.
- _____ Permit, inspection report (Mobile & CPF) and certificates available on vehicle and displayed visible to customers.
- _____ If preparing food on location: letter of permission from property owner to sell
- _____ If preparing food on location: letter of permission from property owner to use restrooms
- _____ Authorization letter from central preparation facility to utilize space and use restrooms
- _____ Vehicle/trailer/push cart/unit is readily moveable.
- _____ Vomit & Diarrhea clean-up and Disinfection written procedures. First aid kit on board.

Food Preparation:

- _____ All food obtained from approved sources and in sound condition.
- _____ Food prepared in permitted or licensed establishments only. No foods prepared in a home kitchen.
- _____ 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 or awning for any supplying, cleaning or servicing operations (not required if selling only pre packaged foods and drinks.) Authorization letter.
- _____ Location provided for the flushing and drainage of liquid wastes separate from loading of food and 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:

- _____ 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. Sanitizer test strips 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.
- _____ Provide potable water hose in a sanitary container with lid & properly labeled.

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:

- _____ All employees, including drivers must have clean clothes/good hygienic practices/clean hands.
- _____ All employees and drivers are 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 (>110 degrees) and cold water, detergent, 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 must follow 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 including hoses constructed according to the Texas Food Establishment Rules. (not required if selling only prepackaged food and no bare hand contact with foods.) Adequate water under pressure.
- _____ No dumping of trash or wastewater on the ground.
- _____ If mobile unit is not returning to central preparation facility, the mobile unit must be serviced by a TCEQ Registered sewage/transport pumper truck.

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 UNIT PERMIT APPLICATION

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. ***The annual permit fee is \$265.00 per mobile unit.*** By this application, it is agreed that the mobile food unit 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 **Waco-McLennan County Public Health District.**

Name of Mobile Unit: _____

Mobile Owner: _____ **Email:** _____

Phone Number: _____ **Cell Phone Number:** _____

Mobile Unit Mailing/Billing Address: _____
Street City State Zip Code

Name of Business the CPF/Commissary is at: _____

CPF/Commissary Street Address: _____
Street City State Zip Code

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

Make	Model	Year	Color	License Plate #
POTABLE WATER TANK SIZE _____ Gallons WASTEWATER TANK SIZE _____ Gallons				

2. Is the CPF/Commissary of the mobile unit zoned for commercial business use? ____ YES ____ NO
If no, stop application and request additional information

3. Types of food products you will be selling OR submit a menu of all food items to be sold:

***** NO mobile unit or kitchen is allowed to operate and/or prepare food from a house or private residence. *****
***** A mobile food unit is a food establishment on wheels. Most of the Food Establishment Code will apply. *****

Continue on page 2

Permit # _____ **Area / Inspector** _____

OTHER REQUIREMENTS

1. If preparing food on location or on the vehicle (including snow cone stands), permission letters from the property owner where selling must be submitted before issuing a permit. Permission includes use of restroom facilities on, adjacent to, or directly across from the property.
2. An authorization letter is required for the mobile food unit servicing area if the servicing area is not owned by the mobile unit owner.
3. If selling in Waco, contact Inspection Services at 254-750-5612 for additional permits and requirements. If selling in other cities, contact the local city hall for any other permits and requirements.
4. Make sure you have a copy of the Food Establishment Code and are familiar with it. In particular, the section for mobile food units and roadside vendors.
5. Food workers, helpers, and drivers must all have food handler cards.
6. A certified food manager is required unless the mobile food unit provides only commercially prepackaged non TCS foods and beverages.

Upon receipt of this application and notification by applicant that the mobile unit, CFP/commissary, and servicing area for the business is ready for inspection, the sanitarian will conduct an inspection of all the food facilities to determine compliance with the food regulations. When inspections reveal that the applicable requirements have been met, a permit will be issued to the applicant by mail. Please make checks payable to "City of Waco". **Permits and fees are non transferable and non refundable.**

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

Date of Application

Applicant Signature

Applicant Name (Printed)



CENTRAL PREPRATION FACILITY (CPF) / COMMISSARY APPLICATION

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 CPF/Commissary. ***The annual permit fee is \$165.00.*** 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 **Waco-McLennan County Public Health District.**

Name of Mobile Unit: _____

Mobile Owner: _____ **Email:** _____

Phone Number: _____ **Cell Phone Number:** _____

Mobile Unit Mailing/Billing Address: _____
Street City State Zip Code

Name of CPF/Commissary Business: _____

CPF/Commissary Street Address: _____
Street City State Zip Code

ANSWER THE FOLLOWING QUESTIONS BASED ON THE CPF/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.

What is the square footage for the mobile unit's use?** _____

****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 the mobile unit, submit signed authorization letter.**

If the establishment is new construction, remodeled, or converting an existing structure then properly prepared plans and specifications showing layout, sizes, equipment, and facilities, and materials 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, a permit will be issued to the applicant by mail. Please make checks payable to "City of Waco". **Permits and fees are non transferable and non refundable.**

Date of Application Applicant Signature

Applicant Name (Printed)

Permit # _____

Area / Inspector _____



Waco-McLennan Public Health

Environmental Health Division
225 West Waco Dr.
Waco, Texas 76707
Phone: (254) 750-5464
Email: envhealth@wacotx.gov

CENTRAL PREPARATION FACILITY (CPF)/COMMISSARY AUTHORIZATION LETTER

Mobile Food Establishments must be based out of an approved commissary. The commissary is an essential part of a mobile unit's operation and shall have facilities for adequate storage, equipment cleaning, food preparation, grease dumping, and other servicing requirements by Waco-McLennan County Public Health District.

Name of Mobile Unit: _____

Mobile Owner: _____

Phone Number: _____ Email Address: _____

Catering Only (Y/N): _____

Central Preparation/Commissary Name: _____

CPF Contact Person: _____

Business Address: _____ City: _____ Zip: _____

Phone Number: _____ Email Address: _____

Indicate which of the following services will be allowed for use at this commissary:

*Minimum Required Access

- ☐ 3-compartment sink with grease trap*
- ☐ Hand wash sink*
- ☐ Food Prep Sink
- ☐ Commerical Refrigeration/Freezer Space
- ☐ Dry Storage
- ☐ Restroom Access*
- ☐ Cooking Equipment

- ☐ Preparation Equipment
- ☐ Mop Sink with Grease Trap*
- ☐ Obtain Clean Water*
- ☐ Waste Water Disposal (Dirty Water)*
- ☐ Grease Receptical Discharge*
- ☐ Mobile Unit Storage (Parking)
- ☐ Other: _____

Commissary Access Days/Hours: _____

This agreement between the above mentioned parties is valid for the **current licensing year only** and must be renewed annually. If this agreement is terminated, the mobile unit must immediately cease operations until another Central Preparation Facility/ Commissary Agreement is secured.

(Commissary Print Name)

(Commissary Signature)

(Date)

(Mobile Print Name)

(Mobile Signature)

(Date)

Office Use Only: CPF/Commissary Permit #: _____