

*Subchapter H. Requirements Applicable to Certain Establishments.*

**§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.
    - (A) A mobile food unit shall completely retain mobility at all times.
    - (B) Alterations, removal, attachments, additions, placement or change in, under, or upon a mobile food unit that would prevent or reduce ready mobility is prohibited.
    - (C) The 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.
  - (4) Initial permitting inspection.
    - (A) A mobile food unit shall go to the location designated by the regulatory authority for any permit inspection.

- (B) If a mobile food unit does not arrive for a scheduled inspection and does not provide a 24-hour notification to the regulatory authority, a cancellation fee will be assessed, and shall be paid prior to any future issuance of permit.
- (C) A mobile food unit shall be totally operable at all times during inspection, including but not limited to handwash/warewash facilities, refrigeration and wastewater disposal.
- (D) A mobile food unit shall provide upon request during an inspection the following documentation:
  - (i) Certified Food Manager Certification.
  - (ii) 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. This authorization is required at the time of permit application and at each renewal of the permit.
  - (iii) 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.
  - (iv) 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.
  - (v) Menu of all food to be sold.
  - (vi) Vehicle identification. Mobile food units shall identify the vehicle with characters at least four (4) inches high on both exterior sides of the unit stating the name of the mobile food unit or business.
- (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. <sup>Pf</sup>
  - (B) Manual warewashing, sink compartment requirements. <sup>Pf</sup>

- (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.<sup>Pf</sup>
  - (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.<sup>Pf</sup>
- (C) At least one handwashing sink shall be available within 20 feet by employees and shall be properly provisioned in accordance with section 228.175(b) – (c).
- (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;<sup>Pf</sup> and
  - (B) Provided with a hose connection of a size or type that will prevent its use for any other service.<sup>Pf</sup>
  - (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.<sup>P</sup>
  - (E) Flushing a waste retention tank. A tank for liquid waste retention shall be

thoroughly flushed and drained in a sanitary manner.<sup>P</sup>

- (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.<sup>P</sup>
  - (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).<sup>P</sup>
- (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).
  - (3) A private residence may not be used as a central preparation facility.
- (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.<sup>P</sup>
  - (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.<sup>Pf</sup>
- (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).