



CLAY COUNTY

PUBLIC HEALTH CENTER



800 Haines Drive
Liberty, MO 64068
p. 816-595-4350
clayhealth.com

MOBILE FOOD ESTABLISHMENT GUIDELINES

DEFINITIONS

Mobile Food Establishment (MFE)

Means a food service operation that is operated from a movable motor driven or propelled vehicle, or portable structure that can change location.

Pushcart-

Refers to a non-self propelled unit designed to be readily moveable and is limited to the serving and assembling of frankfurters from a steam table and/or grill, commissary wrapped foods maintained at proper temperatures using approved equipment, or other approved food items. Unpackaged non-potentially hazardous food items approved for sale from a pushcart shall be limited to popcorn, nuts, produce, pretzels and similar bakery products, coffee, lemonade, shaved ice and snow cones.

Frozen Food Truck-

Is an MFE that only sells pre-packaged frozen food items.

Commissary-

Is a permitted food establishment (i.e. restaurant, market, etc.) that has a service area for proper food storage, preparation or servicing of the mobile unit. The service area shall also be equipped to furnish potable water to the unit.

Time/Temperature Control for Safety Food (TCS)-

Means food that requires temperature controls to limit pathogenic microorganism growth or toxin growth. Refer to the FDA Food Code for the complete definition.

PERMITS REQUIRED

A permit acknowledges that a vendor (seller) has met requirements designed to ensure food is handled safely and is prepared under sanitary conditions. A permit for a mobile unit is required by law. Clay County Public Health Center (CCPHC) enforces the MFE requirements found in the *Clay County Food Code*.

To obtain an application for a permit to operate within the jurisdiction of Clay County, a food vendor must contact CCPHC at 816-595-4350 or find information online at clayhealth.com.

FEES

The annual permit fee is based upon a risk assessment for the type of mobile unit/pushcart. A risk assessment is a series of questions used to evaluate food handling practices and procedures, food menu items, and population served, all of which may contribute to the likelihood of foodborne illness. The risk assessment is conducted by an Environmental Health Specialist at CCPHC. In addition to the annual permit fee, the other fees that apply to the operation of a MFE: application fee, plan review fee, food manager class fee and/or food handler class fee, re-inspection fee (if required). A copy of the current fee schedule can be obtained at clayhealth.com or by calling 816-595-4350.

CERTIFICATIONS

- **Food Manager Certification:**
A MFE must have a least one certified food safety manager. Recognized food manager certifications include: ServeSafe Managers Certification, 360training.com Inc, National Registry for Food Safety Professionals, or Prometric Inc. If you do not have the required training, CCPHC offers ServSafe training each month. A schedule of classes may be obtained at clayhealth.com. Please call 816-595-4350 to sign up for a ServSafe class through CCPHC.
- **Food Handler Training:**
Is required by all food workers who do not possess a food manager certificate. This training is offered at CCPHC or online at www.clayhealth.com. We also accept food handler training certificates from all KC metro area jurisdictions (see *Mobile Food Establishment Quick Reference*). The food handler training schedule is available at CCPHC or on our website clayhealth.com. Call 816-595-4350 to sign up for classes.

SUBMITTING PLANS

Operators seeking approval for an MFE unit must submit drawings or plans for review consistent with the criteria provided in Sections 8-201.11 and 8-201.12 of the *Clay County Food Code*. The plans and specifications for an MFE 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. CCPHC may restrict the menu based upon the limitations of the MFE unit—the same as for any other food establishment operation.

Prior to giving approval to and issuing a permit for an MFE unit, CCPHC will perform a pre-operational plan review and one or more pre-operational inspections consistent with Section 8-203.10 of the Food Code. The pre-operational review provides the inspector the opportunity to discuss areas of concern with the applicant and should be conducted prior to the issuance of a permit.

COMMISSARY AREA

MFEs must have an approved commissary and provide the signed Commissary Agreement with an approved commissary at the time of application submittal. A commissary must be operated in compliance with the Food Code and applicable regulations. A copy of the current license/permit and most recent inspection report for the servicing area that will be used by the MFE must be provided to CCPHC with the MFE application if it is outside of Clay County jurisdiction. CCPHC reserves the right to deny or rescind the use of a commissary based on past inspection history or any conditions that pose a public health hazard.

All food prepared and packaged in the commissary for retail sale must be properly packaged and labeled. Labeling shall include the name of the product and a list of the ingredients in order of predominance on the packaging.

COMPLIANCE

All mobile units must be in full compliance with the *Clay County Food Code* and all applicable fees must be paid before any permit is issued or renewed. Each new mobile unit must pass a pre-operational inspection. In order to pass inspection, the unit must be fully operational (but not stocked with food supplies), and with all water tanks filled. If electricity is required to power water pumps, heaters, or other equipment, the operator must provide a generator. No electrical power or water supply will be available for mobile units at CCPHC. Inspections of mobile units are conducted between the hours of 8:30 A.M.-3:00 P.M. at 800 Haines Dr. Liberty, MO 64068 by appointment only.

STRUCTURAL REQUIREMENTS FOR MFEs

Premises

1) **Overhead Protection:**

- a. The structure of the MFE 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.

2) **Walls:**

- a. For self-contained MFEs, 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 require screening to prevent the entrance of insects (§§ 6-101.11; 6-201.11; 6-202.15; 6-202.16; 6-501.11).

3) **Floors:**

- a. Unless otherwise approved, floors of self-contained MFEs 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).
- c. Push carts and food delivery and dispensing units must be located on concrete, asphalt, or a similar non-absorbent surface that minimizes dust and mud. The service sites should be graded to drain away from the MFE.

4) **Ventilation and Fire Protection:**

- a. Local regulations shall govern ventilation and fire protection requirements of the MFE.
- b. Enclosed MFEs must comply with Section 6-304.11 of the *Food Code*.

5) **Lighting:**

- a. Adequate lighting by artificial or natural means is required.
- b. MFEs 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. At least one handwashing sink must be located on all MFE's that sell TCS food or food that is not pre-packaged (§ 5-203.11).
- b. Each handwashing sink must be provided with suitable hand cleaner, individual disposable towels, and a waste receptacle. A handwashing sign is to be posted at the handwashing sink (§§ 6-301.11; 6-301.12; 6-301.14).
- c. Handwashing facilities 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).
- d. Hand-washing facilities must be provided at all toilet facilities used by the food employees (§ 5-204.11B).

7) **Garbage:**

- a. An adequate number of non-absorbent, easily cleanable garbage containers must be provided at the MFE (§ 5-501.13).
- b. Garbage containers must be insect and rodent-proof, non-absorbent, and covered when not in use (§§ 5-501.13; 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 regulatory authority, and used.

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 MFE is in transit to and from its service locations.

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 MFE.

Equipment installed in a fully enclosed MFE 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 an MFE 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 MFE must be capable of heating all of the TCS foods offered from the MFE 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 MFE, then cooking and reheating must occur at the servicing area and will not be allowed on the MFE.

3) Hot Holding Equipment:

- a. Equipment used at the MFE 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 MFE 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 $\pm 3^{\circ}\text{F}$ 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 (§ 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.

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. An MFE that serves TCS foods will be required to have a three-compartment sink with drain boards for cleaning and drying soiled equipment (§ 4-301.12).

7) **Sanitizing:**

- a. Chlorine (bleach), Quaternary Ammonium, or Iodine 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).

8) **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).

Water Supply, Capacity & 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 MFE 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.

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).

3) **Wastewater Disposal:**

- a. A sewage holding tank in an MFE shall be sized and installed in accordance with Section 5-401.11 of the *Food Code*.
- b. Sewage must be removed from an MFE at an approved waste servicing area or by a sewage transport vehicle (§ 5-402.14).
- c. Sewage may not be dumped onto the ground surface, into waterways, or into storm drains, but shall be collected and dumped into an approved receptacle (§ 5-402.13).
- d. Sewage and other liquid waste generated on an MFE must be disposed of in an approved manner (§§ 5-403.11; 5-403.12).

OPERATIONAL REQUIREMENTS FOR MFES

Employees

1) 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, cleaning equipment and utensils, and unwrapping 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).

2) 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. Proper employee practices and behaviors must be established to help prevent the spread 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, *Salmonella* Typhi, nontyphoidal *Salmonella*, *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. These 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 foods that are ready-to-eat (RTE).
- 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 exclude employees diagnosed with any of the “Big Six” illnesses or having any of the following symptoms: vomiting, diarrhea, jaundice (yellow skin or eyes). The PIC should restrict employees with sore throat with fever, or infected cuts or burns with pus on hands and wrists.
- f. Information and forms to aid in complying with employee health requirements can be obtained at clayhealth.com or by contacting CCPHC at 816-595-4350.

3) 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. All unauthorized persons are not allowed in food preparation and service areas (§ 2-103.11).
- 4) **No Bare Hand Contact:**
 - a. Employees preparing food may not contact exposed, ready-to-eat 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).
 - 5) **Food Defense:**
 - a. The MFE must be secured to prevent unauthorized access to food, equipment, utensils, and related items (§ 2-103.11).
 - b. Self-service operations at MFEs must be supervised at all times (§ 3-306.13).
 - c. Unauthorized personnel shall not be allowed at or in the MFE (§ 2-103.11).

Food Source & Temperature Control

- 1) **Approved Source:**
 - a. The source of food on an MFE 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 are NOT allowed nor shall there be any home cooked or prepared foods offered at the MFE.
 - c. Ice for use as a food or a cooling medium shall be made from potable water.
 - 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 MFE unit, at the servicing area, or at a permanent food establishment.
 - e. There shall be no preparation of ice or other food items at a home or other unregulated location.
- 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 MFE 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°F to 220°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°F or higher or 41°F or below (§ 3-501.16).
- 4) **Cooking Temperatures:**
 - a. Food must be cooked to at least the minimum temperatures and times specified below, unless a consumer advisory is provided as noted in (b):

- **165°F for 15 seconds**--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 CCPHC for additional time/temperature options.
- b. 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 MFE or at the Servicing Area 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 MFE cannot be accomplished, reheating TCS food must take place at the commissary area and the products hot held on the MFE 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.
- 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)

Premises

- 1) **Personal Belongings Storage:**
 - a. Personal clothing and belongings must be stored in a designated place in the MFE away from food preparation, food service, dry storage areas, utensil and single-service and single-use item storage, and warewashing areas (§ 6-403.11).
- 2) **Toxic Materials:**
 - a. Materials necessary for the operation of an MFE 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.
 - c. Only those chemicals necessary for the food operation shall be provided.
 - d. Toxic materials must be labeled and located in accordance with Parts 7-1 and 7-2 of the *Food Code*.
- 3) **Pests:**
 - a. The MFE must be maintained free of insects, rodents, and other pests (§ 6-202.15).

RENEWAL OF MOBILE UNIT PERMIT

Owners of MFEs are required to maintain a valid permit/decal from CCPHC to operate within Clay County and are advised to renew their annual permit in a timely manner to prevent delay or interruption in operations. CCPHC will send renewal invoices to all permitted MFEs 90 days prior to the permit's expiration date. All MFE permit holders must pass an inspection and pay the appropriate permit fee before the permit expiration in order to renew their permit for the next calendar year. If the permit is not renewed before it expires, the MFE will not be allowed to conduct business in Clay County until the owner applies for a **new** permit and is approved to operate after successfully passing a pre-operational inspection.