



Enhanced Regulatory Outreach Program

NOTICE OF STAKEHOLDER WORKSHOP

Wednesday, August 10, 2016, 1:30 p.m.



Environmental Services
Department

Location:
Maricopa County Environmental Services Department
3rd Floor Classroom
1001 N. Central Avenue, Phoenix, AZ 85004

The Maricopa County Environmental Services Department (Department) will host an initial Stakeholder Workshop to introduce, discuss, and obtain preliminary input regarding a proposed new code revision to the Maricopa County Environmental Health Code (MCEHC). The subject matter to be discussed at the Stakeholder Meeting includes:

Case #/Title: ES-2016-001/Mobile Food

Overview: Revisions to Maricopa County Environmental Health Code (MCEHC) Chapters I and VIII

This proposed revision expands the mobile food establishment section of the environmental health code to increase opportunities for business owners while ensuring public health and safety are maintained. Furthermore, clarification of existing definitions, requirements and terminology would occur to help streamline the permitting process.

Revisions include organizing/writing code for readability, updating permit definitions and revising permit titles, e.g. Food Peddler to Mobile Food Type I, Pushcart to Mobile Food Type II and Mobile Food Unit to Mobile Food Type III. Proposed updates do not increase current mobile food establishment permit fees.

Stay Informed and Involved...

For more information and to follow Maricopa County's regulatory adoption process step by step, please visit: <http://www.maricopa.gov/regulations/>.

Also, you may submit comments at: <http://www.maricopa.gov/regulations/comments.aspx>.



Thank you for your participation.



MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE

CHAPTER I

GENERAL PROVISIONS

REGULATION 1. to REGULATION 4.

No Change

REGULATION 5. Fees

- a. No permit shall be issued, and no permit is valid, until the permit fee is received by the Department, except that the operator of a charitable nonprofit establishment (which operates to provide relief solely for the poor, distressed or under-privileged) may apply to the Board of Health for a waiver of permit fee. A waiver of fee may be granted only to the operator of an establishment, which maintains a current 501(c)(3) tax exempt designation from the Department of the Treasury, Internal Revenue Service, who demonstrates to the Board of Health that payment of said fee will cause financial hardship. Board of Health granted fee waivers expire pursuant to the required permit listing in section c. of this regulation. Application for a permit fee waiver shall be made using forms provided by the Department.
- (1) A waiver of fees associated with the administering and issuance of a food **EMPLOYEE** ~~service worker card~~ **CERTIFICATE** in compliance with A.R.S. § 41-1080, may be granted to the operator of an establishment, which maintains a current 501(c)(3) tax exempt designation from the Department of the Treasury, Internal Revenue Service and must demonstrate to the Board of Health that payment of said fees will cause financial hardship.
- (2) Or to a current student, enrolled in a K-12 culinary arts school program or other similar curriculum based programs requiring a food **EMPLOYEE** ~~service worker card~~ **CERTIFICATE** from their students to be in compliance with this code. The sponsoring school district must demonstrate to the Board of Health that payment of said fee will cause financial hardship.
- b. Investigation Fees: No Change
- c. Plan Review Fees: No Change
- d. Fee Schedule: Fees shall be paid according to the following table:

**CHAPTER I
MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE – FEE SCHEDULE**

Effective August 1, 2010

ENVIRONMENTAL HEALTH DIVISION

Food Environmental Health Operating Permits	Permit Subtype	1 Year Fee
Adventure Food Service	Class 4	No Change
Bakery	Class 2	No Change
Bakery (School)	Class 2	No Change
Boarding Home	Class 2	No Change
Boarding Home	Class 5	No Change
Bottled Water and Beverage Plants	Class 2	No Change
<u>Commissary</u>	<u>Class 2</u>	<u>\$1,020.00</u>
<u>Commissary</u>	<u>Class 4</u>	<u>\$1,540.00</u>
Damaged Food	Class 4	No Change
Daycare Foodservice	Class 3	No Change
E&D 0-9 Seating	Class 2	No Change
E&D 0-9 Seating	Class 3	No Change
E&D 0-9 Seating	Class 4	No Change
E&D 0-9 Seating	Class 5	No Change
E&D Adult Daycare	Class 3	No Change
E&D Assisted Living	Class 5	No Change
E&D Hospital Food Service	Class 5	No Change
E&D Jail Food Service	Class 5	No Change
E&D Nursing Home	Class 5	No Change
E&D School Foodservice	Class 2	No Change
E&D School Foodservice	Class 3	No Change
E&D School Foodservice	Class 4	No Change
E&D Senior Food Service	Class 3	No Change
E&D Service Kitchen	Class 2	No Change
E&D 10+ Seating	Class 2	No Change

Food Environmental Health Operating Permits	Permit Subtype	1 Year Fee
E&D 10+ Seating	Class 3	No Change
E&D 10+ Seating	Class 4	No Change
E&D 10+ Seating	Class 5	No Change
Food Bank	Class 2	No Change
Food Catering	Class 5	No Change
School Food Catering	Class 5	No Change
Food Jobber	Class 2	No Change
Food Jobber School	Class 2	No Change
Food Peddler	Class 2	\$120.00
Food Production	Class 2	No Change
Food Production	Class 4	No Change
Food Production School	Class 2	No Change
Food Production School	Class 4	No Change
Ice Manufacturing	Class 2	No Change
Itinerant (Temporary)		\$85.00
Itinerant (Temporary) Late Fee Application Received <7 Days Prior to Event		Greater of \$50 or 5% of permit fee charged
Meat Market	Class 4	No Change
Micro Market	Class 1	No Change
Mobile Food Unit	Class 4	-\$610.00
Pusheart	Class 3	\$240.00
Refrigerated Warehouse/Locker	Class 2	No Change
Retail Food Establishment	Class 3	No Change
Retail Food Establishment	Class 2	No Change
<u>Vending Machines: 1-29 Units</u>	<u>Class 2</u>	<u>\$220.00</u>
<u>Vending Machines: 30-59 Units</u>	<u>Class 2</u>	<u>\$220.00</u>
<u>Vending Machines: 60-89 Units</u>	<u>Class 2</u>	<u>\$220.00</u>
<u>Vending Machines: 90 Or More Units</u>	<u>Class 2</u>	<u>\$220.00</u>

Food Environmental Health MOBILE FOOD ESTABLISHMENT Operating Permits	Permit Subtype	1-Year Fee
Food Peddler MOBILE FOOD TYPE I – 1 YEAR	<u>Class 2</u>	<u>\$120.00</u>
MOBILE FOOD TYPE I – 6 MONTHS	CLASS 1	\$60.00
Pushcart MOBILE FOOD TYPE II – 1 YEAR	<u>Class 3</u>	<u>\$240.00</u>
Mobile Food Unit TYPE III – 1 YEAR	<u>Class 4</u>	<u>\$610.00</u>
Seasonal Food Establishment/ ANNUAL EVENT FOOD ESTABLISHMENT	Class 2	\$180.00
Seasonal Permit Late Fee Application Received <7 Days Prior to Event		No Change
Itinerant (Temporary) FOOD ESTABLISHMENT		<u>\$85.00</u>
Itinerant (Temporary) FOOD ESTABLISHMENT Late Fee Application Received <7 Days Prior to Event		<u>Greater of \$50 or 5% of permit fee charged</u>
Vending Machines: 1-29 Units	<u>Class 2</u>	<u>\$220.00</u>
Vending Machines: 30-59 Units	<u>Class 2</u>	<u>\$220.00</u>
Vending Machines: 60-89 Units	<u>Class 2</u>	<u>\$220.00</u>
Vending Machines: 90 Or More Units	<u>Class 2</u>	<u>\$220.00</u>
Commissary	<u>Class 2</u>	<u>\$1,020.00</u>
Commissary	<u>Class 4</u>	<u>\$1,540.00</u>
Food Environmental Health Operating Permits	Permit Sub Type	One Time Fee
Variance	Mobile Food Establishments	\$60.00
Bare Hand Contact Exemption		\$135.00
HACCP Plans		\$205.00
Variance	Eating and Drinking	\$200.00
Inspection upon Request	Eating and Drinking	\$240.00
New Permit Application Inspection	Eating and Drinking	\$315.00
HACCP Plans		\$205.00
Variance	Eating and Drinking	\$200.00
Variance	Mobile Food Establishments	\$60.00

Non-Food Environmental Health Operating Permits	Permit Subtype	1 Year Fee
<u>Campground</u>		<u>\$165.00</u>
Jail Complex		No Change
Mobile Pet Shop		No Change
Pet Shop		No Change
Public Accommodations		No Change
School Grounds		No Change
Campground		\$165.00

Food Service Licensing	Fee
CERTIFIED Food Service PROTECTION Manager Card – Original Card	\$5.00
LIMITED USE Food EMPLOYEE Service Worker Card CERTIFICATE – Original Card	\$5.00
Food Service Worker Card – Exam	\$10.00 per exam attempt
Food Service Worker Card – Class	\$10.00 per class attendance
CERTIFIED Food Service PROTECTION Manager and/or Worker – Duplicate Card OR FOOD EMPLOYEE LIMITED USE CERTIFICATE - DUPLICATE	\$3.00

Environmental Health Plan Review	Subtype	Fee
Expedited Plan Review Fee (Requires prior administration approval) Two Times the fee for that Category		
Eating and Drinking Establishments	0-9 Seating Capacity	No Change
All Other Food Establishments		No Change
Micro Market Reference Plan		No Change
Mobile Food Establishments		No Change
Mobile Pet Groomer/Shop		No Change
Environmental Health Plan Review	Subtype	Fee
<u>Micro Market Permit Processing Fee</u>		<u>20.00</u>
Pushcart MOBILE FOOD TYPE II Plan Review		\$45.00
Pet Shops		No Change
Public Accommodations		No Change
Pushcart Plan Review		\$45.00
School Facilities	Food Service	No Change
School Facilities	Non-Food	No Change
Other Minor Review		No Change
Micro Market Permit Processing Fee		\$20.00

WATER & WASTE MANAGEMENT DIVISION

Water and Waste Management Division Operating Permits No Change
Drinking Water Operating Permits No Change
Solid Waste Operating Permits No Change
Swimming Pool Operating Permits No Change
Wastewater Treatment Operating Permits No Change
Other Operating Permits No Change
Water and Waste Management Division Plan Review No Change
Drinking Water Projects Plan Review No Change
Solid Waste Projects Plan Review No Change
Swimming Pool Projects Plan Review No Change
Wastewater Projects Plan Review No Change
Sanitary Facilities for Infrastructure Plan Review No Change
All Other Water and Waste Management Fees No Change

MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE – CHAPTER I – FEE SCHEDULE

ALL OTHER ENVIRONMENTAL SERVICES CHARGES/FEEES

All Other Environmental Services Charges/Fees	Charge/Fee
Permit Reinstatement Fee	No Change
Copy of Permit	No Change
Photocopy	No Change
Plan Reproduction	No Change
Replacement Mobile Food Permit Plate	No Change
Records Delivery	No Change
Payment Returned/Declined (e.g. check returned, charge declined, etc.)	No Change

REGULATION 6. to REGULATION

14. No Change

MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE

CHAPTER VIII

FOOD, FOOD PRODUCTS, FOOD HANDLING ESTABLISHMENTS

SECTION 1

GENERAL PROVISIONS

REGULATION 1. Definitions

(1) to (30) No Change

(31) Food Establishment - as defined in the U.S. Food and Drug Administration 2013 Food Code

(a) "Food Establishment" includes:

- (i) The following establishments defined in this Chapter such as: adventure food service; **ANNUAL EVENT FOOD ESTABLISHMENT**; bakery; boarding home; bottled water & beverage plant; **COMMISSARY**; damaged food; ~~competition food~~; daycare foodservice; eating and drinking; food bank; food catering; food jobber; ~~food peddler~~; food production; ice manufacturing; ~~temporary food establishment~~; meat establishment; **MOBILE FOOD TYPE I; MOBILE FOOD TYPE II** ~~mobile food unit~~; **MOBILE FOOD TYPE III** ~~pushcart~~; refrigerated warehouse/locker; retail food establishment; seasonal food establishment; **TEMPORARY FOOD ESTABLISHMENT**; ~~special event food establishment~~; **AND** vending machine, ~~and commissary~~.
- (ii) Demonstration cooking classes that advertise and/or demonstrate the preparation and/or cooking of food and then offer the food to the public for consumption at the conclusion of the demonstration. This also includes kitchenware establishments that demonstrate and offer samples to customers and food or beverage sampling offered to the consumer from an open bottle, cup or container.
- (iii) As defined in the U.S. Food and Drug Administration 2013 Food Code.

- (b) “Food Establishment” does not include:
- (i) A home cooking school in which food and/or meals are served at a non-commercial social event, employee conducted function, or prepared at a home cooking school. No more than one meal per day shall be served to no more than fifteen students. The students shall be informed by a statement contained in a published advertisement, mailed brochure and placard posted at the cooking school’s registration that the food is prepared in a kitchen that is not regulated and inspected by the Department or by a local health authority.
 - (ii) Demonstration culinary cooking schools and home economics classes accredited by the appropriate entity such as an educational institution and all food is prepared and consumed by the student in training. Food may not be purchased by the school or stored on premises.
 - (iii) A school or business that demonstrates the preparation of food but does not offer samples to the public for consumption.
 - (iv) A demonstration cooking class in which the public purchases, prepares and/or cooks and consumes their food.
 - (v) A “Chef for Hire” at a private residence for a private, non-advertised event where fees are paid by the responsible party for this service. Fees cannot be collected from the attendees of the event.
 - (vi) As defined in the U.S. Food and Drug Administration 2013 Food Code.

(32) to (47) No Change

- (48) “Mobile Food Establishment” means a food establishment ~~offering for sale or~~ **THAT IS READILY MOVABLE AND IS** dispensing food/**BEVERAGES** for **IMMEDIATE SERVICE AND** human consumption from any vehicle or other temporary **LOCATION** or ~~itinerant station~~ **FACILITY**.

For the purpose of this Environmental Health Code, mobile food establishments are **CLASSIFIED** ~~defined~~ as follows:

- A. “ANNUAL EVENT FOOD ESTABLISHMENT” MEANS A FOOD ESTABLISHMENT THAT OPERATES IN CONJUNCTION WITH ONE EVENT THAT OPERATES FOR NOT MORE THAN**

**ONE-HUNDRED TWENTY (120) CONSECUTIVE DAYS.
ANNUAL EVENT FOOD ESTABLISHMENT PERMITS ARE
ISSUED FOR ONE (1) YEAR TO VENDORS OPERATING AT
MULTIPLE DEPARTMENT-APPROVED EVENTS.**

- (e)(B) ~~“Food Peddler”~~ **“MOBILE FOOD TYPE I”** means a ~~retail~~ food establishment ~~in operation from a vehicle that is designated to be readily movable and is limited to the service of~~ **THAT DISPENSES** commercially processed, **INDIVIDUALLY** packaged foods **AND/OR NON-TIME/TEMPERATURE CONTROL FOR SAFETY (NON-TCS) BEVERAGES**. ~~Food peddlers may dispense non-potentially hazardous drinks (time/temperature control for safety foods) and assemble snow cones from approved and properly installed equipment.~~
- (b)(C) ~~“Pushcart”~~ **“MOBILE FOOD TYPE II”** means a **FOOD ESTABLISHMENT** ~~vehicle designated to be readily movable that~~ **DISPENSES FOOD THAT REQUIRES LIMITED HANDLING AND PREPARATION.** ~~is limited to the serving of non-potentially hazardous foods, drinks, or individually commercially packaged potentially hazardous foods (time/temperature control for safety foods) maintained at proper temperatures, or limited to the assembling and serving of frankfurters. Unpackaged non-potentially hazardous food items approved for sale or dispensed from a pushcart shall be limited to popcorn, nuts, pretzels, and similar bakery products, shaved ice, snow cones, Italian ice, and non-potentially hazardous drinks.~~
- (a)(D) ~~“Mobile Food Unit”~~ **“MOBILE FOOD TYPE III”** means and refers to an enclosed vehicle-mounted food establishment **THAT PREPARES COOKS, HOLDS AND SERVES FOOD** ~~designated to be readily movable from which food is composed, compounded, processed, or prepared and from which the food is vended, sold or given away.~~
- (e) ~~“Seasonal Food Establishment”~~ means a food establishment that operates in conjunction with one event that operates for fifteen (15) to one hundredtwenty (120) consecutive days within any permit year. ~~At the termination of the event, the seasonal food establishment shall be removed from the premises or shall cease operation as determined by the Department.~~
- (i) Class 1 – seasonally themed operations in major shopping malls as approved by the Department.
 - (ii) Class 2 – seasonal operations such as spring training, state fair, etc. or as approved by the Department
- (d)(F) ~~“Temporary Food Establishment”~~ means ~~an event as defined in Section 1 of this Chapter and as defined in the U.S Food and Drug Administration~~

~~2013 Food Code:~~ **A FOOD ESTABLISHMENT THAT OPERATES IN CONJUNCTION WITH ONE EVENT THAT OPERATES FOR FOURTEEN (14) DAYS OR LESS.**

~~“Special Event Food Establishment” means a food establishment that operates in conjunction with one event that operates for not more than fourteen (14) consecutive days. At the termination of the special event, the special event food establishment shall be removed from the premises~~

(49) to (60) No Change

(61) “Retail Food Establishment” means ~~AN any retail~~ establishment **THAT SELLS in the business of selling PRODUCE, pre-packaged food, THAT REQUIRES TIME/TEMPERATURE CONTROL FOR SAFETY, AND/OR FOOD IN BULK THAT DOES NOT REQUIRE TIME/TEMPERATURE CONTROL FOR SAFETY** ~~bulk non-potentially hazardous food and/or produce for human consumption.~~

(a) Class 2 – **AN operation THAT SELLS ONLY PRE-PACKAGED FOOD THAT REQUIRES TIME/TEMPERATURE CONTROL FOR SAFETY AND/OR BULK FOOD THAT DOES NOT REQUIRE TIME/TEMPERATURE CONTROL FOR SAFETY.** ~~with more than 10 linear feet of sales/display space of foodstuffs or pre-packaged potentially hazardous foods.~~

(b) Class 3 – **AN operation THAT SELLS PRE-PACKAGED FOOD THAT REQUIRES TIME/TEMPERATURE CONTROL FOR SAFETY, BULK FOOD THAT DOES NOT REQUIRE TIME/TEMPERATURE CONTROL FOR SAFETY AND/OR PRODUCE THAT IS WASHED, PORTIONED, AND/OR PACKAGED FOR RETAIL SALE.** ~~with more than 10 linear feet of sales/display space of foodstuffs or pre-packaged potentially hazardous foods, including preparation limited to washing, portioning, and/or packaging produce.~~

(62) to (75) No Change

REGULATION 2. to REGULATION 11. No Change

MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE

CHAPTER VIII

FOOD, FOOD PRODUCTS,
FOOD HANDLING ESTABLISHMENTS

SECTION 3

MOBILE FOOD ESTABLISHMENTS

REGULATION 1. Definitions

- a. “Mobile Food Establishment” means a food establishment ~~offering for sale or~~ **THAT IS READILY MOVABLE AND IS** dispensing food/**BEVERAGES** for **IMMEDIATE SERVICE AND** ~~human~~ consumption from any vehicle or other temporary **LOCATION** or ~~itinerant station~~ **FACILITY**.

For the purpose of this Environmental Health Code, mobile food establishments are **CLASSIFIED** defined as follows:

- (1) **“ANNUAL EVENT FOOD ESTABLISHMENT” MEANS A FOOD ESTABLISHMENT THAT OPERATES IN CONJUNCTION WITH ONE EVENT THAT OPERATES FOR NOT MORE THAN ONE-HUNDRED TWENTY (120) CONSECUTIVE DAYS. ANNUAL EVENT FOOD ESTABLISHMENT PERMITS ARE ISSUED FOR ONE (1) YEAR TO VENDORS OPERATING AT MULTIPLE DEPARTMENT-APPROVED EVENTS.**
- ~~(3)~~(2) **“Food Peddler” “MOBILE FOOD TYPE I”** means a ~~retail~~ food establishment in operation from a vehicle that is designated to be readily movable and is limited to the service of **THAT DISPENSES** commercially processed, **INDIVIDUALLY** packaged foods **AND/OR NON-TIME/TEMPERATURE CONTROL FOR SAFETY (NON-TCS) BEVERAGES**. ~~Food peddlers may dispense non-potentially hazardous drinks (time/temperature control for safety foods) and assemble snow cones from approved and properly installed equipment.~~
- ~~(2)~~(3) **“Pushcart” “MOBILE FOOD TYPE II”** means a **FOOD ESTABLISHMENT** vehicle designated to be readily movable that **DISPENSES FOOD THAT REQUIRES LIMITED HANDLING AND PREPARATION**. ~~is limited to the serving of non-potentially hazardous foods, drinks, or individually commercially packaged potentially hazardous foods (time/temperature control for safety foods) maintained at proper temperatures, or limited to the assembling and serving of frankfurters. Unpackaged non-potentially hazardous food items approved for sale or dispensed from a pushcart shall be limited to popcorn, nuts, pretzels, and similar~~

~~bakery products, shaved ice, snow cones, Italian ice, and non-potentially hazardous drinks.~~

~~(1)~~**(4)** “~~Mobile Food Unit~~” **“MOBILE FOOD TYPE III”** means and refers to an enclosed vehicle-mounted food establishment **THAT PREPARES COOKS, HOLDS AND SERVES FOOD** ~~designated to be readily movable from which food is composed, compounded, processed, or prepared and from which the food is vended, sold or given away.~~

(5) “Seasonal Food Establishment” means a food establishment that operates in conjunction with one event that operates for fifteen (15) to one hundredtwenty (120) consecutive days within any permit year. ~~At the termination of the event, the seasonal food establishment shall be removed from the premises or shall cease operation as determined by the Department.~~

(i) Class 1 – seasonally themed operations in major shopping malls as approved by the Department.

(ii) Class 2 – seasonal operations such as spring training, state fair, etc. or as approved by the Department

~~(4)~~**(6)** “Temporary Food Establishment” means ~~an event as defined in Section 1 of this Chapter and as defined in the U.S Food and Drug Administration 2013 Food Code.~~ **A FOOD ESTABLISHMENT THAT OPERATES IN CONJUNCTION WITH ONE EVENT THAT OPERATES FOR FOURTEEN (14) DAYS OR LESS.**

~~(1)~~ “Special Event Food Establishment” means a food establishment that operates in conjunction with one event that operates for not more than fourteen (14) consecutive days. ~~At the termination of the special event, the special event food establishment shall be removed from the premises.~~

~~b.~~ “Competition Food Event” means any event that operates for not more than fourteen (14) consecutive days in which the competitors are vying with one another for profit prize, or position based on one similar type of food prepared by each competitor. ~~Complimentary samples not to exceed 2 ounces may be given to the general public.~~

B. “EVENT” MEANS A GATHERING OF PEOPLE FOR COMMERCIAL AND/OR SOCIAL PURPOSES WHERE FOOD IS SERVED, INCLUDING, BUT NOT LIMITED TO, A FAIR, FESTIVAL, CIRCUS, EXHIBITION, CARNIVAL, FOOD OR DRINK TASTING.

C. “TASTING EVENT” MEANS AN EVENT WHERE THERE MAY BE AN ENTRANCE FEE OR INVITATION THAT ENTITLES THE PATRON TO FOOD SERVICE. FOOD/BEVERAGE VENDORS SHALL NOT HAVE POINT OF SALES AT THEIR INDIVIDUAL STATIONS.

D. “COMMISSARY” MEANS A FOOD ESTABLISHMENT THAT ACTS AS A BASE

OF OPERATION FOR A MOBILE FOOD ESTABLISHMENT, FOOD VENDING ESTABLISHMENT OR AN ADVENTURE FOOD ESTABLISHMENT.

(1) CLASS 2 – PROVIDES ONLY PRE-PACKAGED FOOD ITEMS.

(2) CLASS 4 - PROVIDES PRE-PACKAGED FOOD ITEMS AND FACILITIES FOR FOOD PREPARATION.

REGULATION 2. Compliance

- a. Every mobile food establishment shall be operated and maintained in a clean and sanitary condition in compliance with the appropriate parts of this section and with the specific provisions in Chapter VIII, Sections 1 and 2. The Department may impose additional requirements to protect **FOR PROTECTION** against health hazards related to the conduct of the mobile food establishments, may prohibit the sale or distribution of some or all potentially hazardous foods (time/temperature control for safety foods), and when no health hazard will result, may waive or modify requirements of this section.
- b. Mobile food **TYPE I PERMITS ARE ISSUED FOR EITHER SIX (6) MONTHS OR ONE (1) YEAR.** ~~unit, pushcart and food peddler permit holders that desire to perform operations not allowed under their permit, while operating in conjunction with an event, shall obtain a temporary food establishment, seasonal food establishment, or special event food establishment permit. Unlike mobile food units and pushcarts, which are offered only as a one (1) year permit, peddler permits are issued for either six (6) months or one (1) year. The six (6) month peddler~~ **MOBILE FOOD TYPE I** permit is half of the one (1) year peddler permit **MOBILE FOOD TYPE I** fee listed in the Chapter I Fee Schedule of this code.
- c. ~~At the termination of the event, all temporary food establishment and seasonal food establishment permits shall expire.~~

C. ALL TEMPORARY FOOD ESTABLISHMENT AND SEASONAL FOOD ESTABLISHMENT PERMITS SHALL EXPIRE AT THE TERMINATION OF THE EVENT.

- d. ~~Thirty days prior to the start of an event, the property owner of the event location or his/her designee is required to complete the Department registration process.~~

D. THE PROPERTY OWNER OF AN EVENT LOCATION SHALL ONLY ALLOW FOOD ESTABLISHMENTS TO OPERATE AFTER THEY HAVE OBTAINED ALL DEPARTMENT REQUIRED PERMITS.

- e. ~~The property owner of the event location shall only allow all food service establishments to operate after having obtained all Department required permits.~~
- f. ~~Promotional activities that do not require a food service permit include:~~

- ~~(1) Promotional activities in a permitted food establishment as defined in this code.~~
- ~~(2) The promotion of non-potentially hazardous food products as defined in this code.~~
- ~~(3) The cutting of raw fruits and vegetables for display and not intended for human consumption.~~

REGULATION 3. Permit Required

- A.** No person shall operate a mobile food establishment without a valid permit issued by this Department.
- B.** The permit shall be maintained at the operating location.
- C.** A separate permit is required for each establishment.
- D.** Permits are nontransferable from person-to-person, ~~place-to-place~~ **EVENT-TO-EVENT** or vehicle-to-vehicle.

REGULATION 4. Approval of Plans Required

- A.** No ~~mobile food establishment~~ **MOBILE FOOD TYPE II, MOBILE FOOD TYPE III, OR ANNUAL EVENT FOOD ESTABLISHMENT** shall be constructed, nor shall any major alteration or addition be made thereto, unless detailed plans and specifications for the establishment have been provided to and approved by the Department, ~~nor shall any construction, alteration or addition be made except in accordance with approved plans.~~
- B. ALL CONSTRUCTION, ALTERATIONS, AND ADDITIONS SHALL BE MADE IN ACCORDANCE WITH APPROVED PLANS.**
- C. MOBILE FOOD ESTABLISHMENTS THAT HAVE NOT BEEN PERMITTED WITHIN THE LAST THREE YEARS MAY BE REQUIRED TO SUBMIT PLANS TO THE DEPARTMENT FOR APPROVAL.**

REGULATION 5. General Requirements

- ~~b.~~ **A.** Compressors, auxiliary engines, generators, and similar mechanical units that are not an integral part of the food preparation or storage equipment shall be installed completely separate from the food preparation and storage areas and accessible from the exterior for all mobile food establishments.
- ~~a.~~ For all mobile food units, pushcarts and food peddlers, the name of the establishment shall be plainly indicated on sides and rear of the exterior of the vehicle in letters of contrasting colors at least three inches high with a minimum of 3/8 inch wide. When more than one

~~permit is issued with the same business name to the same permittee, the vehicle number shall also be plainly indicated with the business name.~~

- ~~e. Only utensils and equipment necessary for the operation and maintenance of a mobile food establishment may be kept on the vehicle or booth enclosure.~~
- ~~d. Adequate and durable waste containers of easily cleanable construction with self-closing covers shall be furnished for the use of consumers and the operator for of all mobile food establishments.~~
- e. **B.** Mobile food establishments shall operate from an approved commissary or other food service establishment as required by this Department, and shall report at least daily to such location for supplies, food storage, vehicle and equipment cleaning, waste disposal, and service operations.
- f. **C.** Mobile food establishments shall provide a commissary agreement to the Department upon request, at permit issuance or renewal, and as a part of the documents submitted during plan review for a new permit. Ice cream trucks/**CARTS** that only sell or dispense individually packaged, commercially processed items are exempt from providing a commissary agreement.
- g. **D.** Mobile food establishments shall provide information about daily operations to the Department. Information such as location, address and business name, time in and time out of each stop shall be provided in a format prescribed by the Department. ~~This information shall only be made available pursuant to the Public Records Act, A.R.S. § 39-121 et seq. and Maricopa County policy.~~
- h. **E.** Mobile food establishments serving ~~potentially hazardous foods (time/temperature control for safety foods)~~ shall maintain a log of visits to the approved commissary or food service establishment as required by this Department. This log shall be maintained using a Department approved format and maintained with the establishment at all times. **THE LOGS SHALL BE MAINTAINED FOR A PERIOD OF 30 DAYS AND SHOULD BE AVAILABLE FOR REVIEW BY THE DEPARTMENT.**
- i. **F.** Sanitary toilet facilities for use by employees shall be readily available within 200 feet of all mobile food establishments that are operated at the same site for more than a one-hour period.
- j. **G.** Temporary toilet facilities shall not be located within 25 feet of any mobile food establishment.
- k. **H.** A mobile food establishment shall not be **LOCATED** ~~constructed~~ within 100 feet of any petting, riding or holding area for animals unless dust and runoff are controlled.
- I WHEN IN TRANSIT, ALL CLOSURES SHALL BE IN PLACE AND ALL FOOD APPROPRIATELY PROTECTED.**

J ALL WASTE WATER AND GREASE SHALL BE DISPOSED OF IN A SANITARY MANNER.

- ~~k. Mobile food establishments selling or dispensing open food or beverages shall not operate without hot and cold potable water, hand washing soap, sanitary towels, and an approved sanitizer that are available for immediate use at all times.~~
- ~~l. Pushcarts shall be limited to one additional ice chest for food products and one additional sales table for approved, pre packaged foods and/or condiments.~~
- ~~m. The area within which a mobile food establishment is operating shall be kept clean and free from litter, garbage, rubble, and debris at all times.~~

REGULATION 6. ADDITIONAL REQUIREMENTS FOR ANNUAL EVENT FOOD ESTABLISHMENTS

- A. ALL PRODUCE MUST BE PURCHASED COMMERCIALY PRE-WASHED OR BE WASHED IN ADVANCE AT A PERMITTED FOOD ESTABLISHMENT/COMMISSARY.**
- B. ALL TIME/TEMPERATURE CONTROL FOR SAFETY FOODS SHALL BE PREPARED ON THE SAME DAY OF SALE OR SERVICE. TIME/TEMPERATURE CONTROL FOR SAFETY FOODS SHALL NOT BE HELD OVER FROM A PREVIOUS DAY'S OPERATION UNLESS OTHERWISE APPROVED BY THE DEPARTMENT.**
- C. ALL FOOD HELD FOR CONSUMER SELF-SERVICE SHALL BE WRAPPED OR EFFECTIVELY DISPENSED TO PROTECT FROM CONTAMINATION.**
- D. FOOD PREPARATION SHALL BE SIMPLIFIED TO REDUCE EXCESSIVE STEPS WHERE FOOD MAY BECOME CONTAMINATED. EXCESSIVE STEPS MAY INCLUDE, BUT ARE NOT LIMITED TO, COOKING OVERNIGHT WITHOUT OVERSIGHT, COOLING, OR CUTTING LARGE VOLUMES OF FOOD ITEMS. THIS PROHIBITION DOES NOT APPLY TO FOODS THAT HAVE BEEN PREPARED OR PACKAGED IN PERMANENT FOOD ESTABLISHMENTS OR COMMISSARIES MEETING THE REQUIREMENTS OF THIS CODE.**
- E. ALL ANNUAL EVENT FOOD ESTABLISHMENTS OPERATING AT AN EVENT GREATER THAN 14 DAYS IN DURATION SHALL OPERATE IN CONJUNCTION WITH AN ONSITE COMMISSARY OR FIXED FOOD ESTABLISHMENT, UNLESS ALTERNATE DEPARTMENT APPROVAL IS OBTAINED IN ADVANCE.**
- F. WHEN OPERATING AT FARMERS MARKETS, SWAP MEETS AND RECURRING SCHOOL FUNCTIONS THE FOLLOWING ADDITIONAL**

REQUIREMENTS SHALL BE MET:

- (1) THE EVENT MUST HAVE A DESIGNATED RESPONSIBLE PERSON/COORDINATOR.
 - (2) FOOD SERVICE WILL GENERALLY BE LIMITED ONLY TO ASSEMBLE-SERVE, HEAT-SERVE, COOK-SERVE, AND/OR HOLD-SERVE. APPROVAL FOR LIMITED ON-SITE FOOD ASSEMBLY MAY BE GRANTED BY THE DEPARTMENT FOLLOWING APPLICATION REVIEW. ALL FOOD PREPARATION (BREADING, CHOPPING, MIXING, MARINATING, ETC.) MUST BE ACCOMPLISHED AT THE FOOD SERVICE ESTABLISHMENT OR COMMISSARY.
- G. A SELF-CONTAINED HAND WASHING SINK THAT INCLUDES A MINIMUM 5 GALLON POTABLE WATER TANK, A 9X9X5" HAND WASHING SINK, A MINIMUM FLOW RATE OF HOT AND COLD WATER TO THE SINK BASIN OF ONE-HALF (1/2) GALLON PER MINUTE, AND 15% GREATER CAPACITY WASTE TANK SHALL BE INSTALLED.
- H. APPROVED WARE WASHING FACILITIES SHALL BE PROVIDED FOR ALL OPERATIONS WHERE MULTI-USE UTENSILS ARE REQUIRED.
- I. SUFFICIENT POTABLE WATER SHALL BE AVAILABLE AT THE ESTABLISHMENT FOR FOOD PREPARATION, CLEANING AND SANITIZING UTENSILS AND EQUIPMENT AND FOR HANDWASHING. A HEATING FACILITY CAPABLE OF PRODUCING ENOUGH HOT WATER FOR THESE PURPOSES SHALL BE PROVIDED ON THE PREMISES.
- J. BOOTH CONSTRUCTION SHALL INCLUDE A CEILING AND THREE WALLS (TWO SIDES AND REAR). WALLS AND CEILINGS SHALL BE MADE OF WOOD, CANVASS OR OTHER MATERIAL THAT PROTECTS THE INTERIOR OF THE ESTABLISHMENT FROM THE WEATHER AND THAT PREVENTS THE ENTRANCE OF INSECTS. SCREENING MATERIAL MAY BE USED FOR WALL CONSTRUCTION AND SHALL BE AT LEAST 16 MESH TO THE INCH. WHEN SCREENING MATERIAL IS USED, ADDITIONAL WALL COVERING MUST BE MAINTAINED ON-SITE IN CASE OF INCLEMENT WEATHER.
- K. FLOOR SHALL BE CONSTRUCTED OF CONCRETE, MACHINE-LAID ASPHALT, DIRT OR GRAVEL IF IT IS COVERED WITH MATS, REMOVABLE PLATFORMS, DUCKBOARDS, OR OTHER SUITABLE APPROVED MATERIALS THAT ARE EFFECTIVELY TREATED TO CONTROL DUST OR MUD.
- L. THE ANNUAL EVENT FOOD ESTABLISHMENT ANNUAL PERMIT FEE IS THE SAME AS THE "SEASONAL FOOD ESTABLISHMENT" PERMIT FEE, AS LISTED IN THE CHAPTER I FEE SCHEDULE OF THIS CODE.

REGULATION 7 6. ~~Interior Fixtures of Mobile Food Units and Pushcarts~~

**ADDITIONAL REQUIREMENTS FOR MOBILE FOOD TYPE I
FOOD ESTABLISHMENTS**

- A. PERMITS SHALL BE ISSUED TO THE VEHICLE/RECEPTACLE THAT IS USED TO TRANSPORT ALL FOOD AND BEVERAGE.
- B. THE VEHICLES/RECEPTACLES CARRYING FOOD/BEVERAGE PRODUCTS SHALL BE CONSTRUCTED, EQUIPPED AND MAINTAINED AS TO PROTECT THE PURITY AND WHOLESOMENESS OF THE TRANSPORTED PRODUCTS.
- C. THE NAME OF THE ESTABLISHMENT SHALL BE PLAINLY INDICATED ON SIDES AND REAR OF THE EXTERIOR OF THE VEHICLE IN LETTERS OF CONTRASTING COLORS AT LEAST THREE INCHES HIGH WITH A MINIMUM OF 3/8 INCH WIDE. WHEN MORE THAN ONE PERMIT IS ISSUED WITH THE SAME BUSINESS NAME TO THE SAME PERMITTEE, THE VEHICLE NUMBER SHALL ALSO BE PLAINLY INDICATED WITH THE BUSINESS NAME.
- D. IF OPERATING AWAY FROM THE PERMITTED VEHICLE/RECEPTACLE, THE FOLLOWING REQUIREMENTS SHALL BE MET:
 - (1) A PERMANENT SIGN SHALL BE PROVIDED INDICATING THE BUSINESS NAME IN LETTERS AT LEAST 6 INCHES HIGH AND 1 INCH WIDE. THE SIGN SHALL BE VISIBLE TO THE CONSUMER AND SHALL BE IN ADDITION TO THE SIGNS USED ON THE VEHICLE.
 - (2) THE ORIGINAL PERMIT CARD SHALL BE PRESENT AT THE STAND OR BOOTH.
 - (3) AN APPROVED HAND WASHING STATION SHALL BE PRESENT AT THE STAND OR BOOTH, IF SELLING OR DISPENSING ANY OPEN FOOD OR BEVERAGE ITEMS.
 - (4) THE PERMITTED VEHICLE/RECEPTACLE SHALL BE LOCATED ON THE PREMISES.
- E. ALL PACKAGED FROZEN FOODS SHALL BE MAINTAINED FROZEN AND SOLD OR OFFERED FOR SALE TO CONSUMERS FROZEN.
- F. NO COOKING, PREPARATION OR ASSEMBLY OF FOODS IS ALLOWED.
- G. SAMPLING MAY BE CONDUCTED PROVIDED THE FOLLOWING REQUIREMENTS ARE MET:

- (1) THE DEPARTMENT SHALL APPROVE, IN WRITING, THE PROCEDURES USED BY ANY MOBILE FOOD ESTABLISHMENT FOR PROVIDING SAMPLES TO THE CONSUMER.
- (2) FOOD SAMPLING IS LIMITED TO THOSE FOOD AND BEVERAGES THAT REQUIRE LIMITED PREPARATION. NO COOKING OR EXTENSIVE PREPARATION IS ALLOWED.
- (3) ONLY LIMITED QUANTITIES OF SAMPLED PRODUCT MAY BE READY FOR SAMPLING AT ANY GIVEN TIME.
- (4) ALL FOOD PRODUCTS THAT HAVE NOT BEEN SAMPLED AT THE END OF THE BUSINESS DAY SHALL BE DISCARDED.
- (5) EACH SAMPLE SHALL BE PREPARED BY THE OPERATOR AND HANDED TO THE CUSTOMER, OR THE SAMPLES SHALL BE PLACED IN SINGLE SERVICE CONTAINERS FOR SELF SERVICE. THE OPERATOR SHALL TAKE MEASURES TO PREVENT CONTAMINATION OF THE FOOD. BULK DISPENSING IS PROHIBITED FOR SAMPLING.
- (6) ONLY SINGLE SERVICE UTENSILS AND CONTAINERS SHALL BE USED FOR PREPARING SAMPLES. SINGLE SERVICE ITEMS SHALL NOT BE REUSED.
- (7) A READILY ACCESSIBLE LINED WASTE CONTAINER FOR THE DISPOSAL OF USED SINGLE SERVICE ITEMS AND OTHER WASTE PRODUCTS SHALL BE PROVIDED.
- (8) HAND WASHING FACILITIES SHALL BE SETUP AT ALL TIMES WHEN ANY OPEN FOOD OR BEVERAGE PRODUCT IS HANDLED, SERVED OR SAMPLED.
- (9) HAND WASHING FACILITIES SHALL INCLUDE THE FOLLOWING AT A MINIMUM: 5 GALLON INSULATED CONTAINER WITH A FREE/CONTINUOUS FLOWING SPIGOT FOR POTABLE WATER; WATER AT A TEMPERATURE OF AT LEAST 38°C (100°F), 5.75 GALLON CONTAINER TO HOLD WASTE WATER, SOAP, AND PAPER TOWELS.
- (10) ALL WASTE WATER SHALL BE DISPOSED OF IN A SANITARY MANNER.

a. ~~Food service openings for mobile food units shall be:~~

- ~~(1) Limited to 216 square inches (such as 12 inches x 18 inches) each and equipped with a screen (16 mesh per square inch minimum) or solid door which shall be kept closed when not in use.~~

- (2) ~~Multiple service openings shall be at least 18 inches apart.~~
- b. ~~The cab or driving portion of the vehicle for a mobile food unit shall be separated from the food preparation and serving area of the vehicle by a permanent solid wall partition.~~
- e. ~~Doors to the food preparation and serving area shall be effectively self-closing and kept closed for mobile food units.~~
- d. ~~A three-compartment sink equipped with an integral metal drain board shall be permanently installed in all mobile food units. Each compartment shall be at least 12 inches wide, 12 inches long and 10 inches deep or 10 inches wide, 14 inches long and 10 inches deep and each drain board shall be at least 144 square inches. A metal shelf may be used in lieu of one drain board when approved by the Department~~
- e. ~~A handwashing lavatory at least 9 inches wide, 9 inches long and 5 inches deep shall be permanently installed on all mobile food units and pushcarts.~~
- f. ~~Interior walls and ceilings of a mobile food unit shall be light in color.~~

REGULATION 8 7. ~~Food Protection~~ ADDITIONAL REQUIREMENTS FOR MOBILE FOOD TYPE II FOOD ESTABLISHMENTS

- A. LIMITED HANDLING AND PREPARATION INCLUDES ASSEMBLE-SERVE, HEAT-SERVE, AND/OR HOLD-SERVE OF COMMERCIALY PROCESSED FOOD/BEVERAGE ITEMS. NO RAW ANIMAL FOOD SHALL BE PREPARED FOR SERVICE FROM THE CART WITHOUT A FOOD PRODUCTION PERMIT OR EQUIVALENT.**
- B. ALL PRODUCE MUST BE PURCHASED COMMERCIALY PRE-WASHED OR BE WASHED IN ADVANCE AT A PERMITTED FOOD ESTABLISHMENT/COMMISSARY.**
- C. ALL TIME/TEMPERATURE CONTROL FOR SAFETY FOODS SHALL BE PREPARED ON THE SAME DAY OF SALE OR SERVICE. TIME/TEMPERATURE CONTROL FOR SAFETY FOODS SHALL NOT BE HELD OVER FROM A PREVIOUS DAY'S OPERATION UNLESS OTHERWISE APPROVED BY THE DEPARTMENT.**
- D. ALL FOOD HELD FOR CONSUMER SELF-SERVICE SHALL BE WRAPPED OR EFFECTIVELY DISPENSED TO PROTECT FROM CONTAMINATION.**
- E. THE NAME OF THE ESTABLISHMENT SHALL BE PLAINLY INDICATED ON SIDES AND REAR OF THE EXTERIOR OF THE VEHICLE IN LETTERS OF CONTRASTING COLORS AT LEAST THREE INCHES HIGH WITH A MINIMUM OF 3/8 INCH WIDE. WHEN MORE THAN ONE PERMIT IS ISSUED WITH THE SAME BUSINESS NAME TO THE SAME PERMITTEE,**

THE VEHICLE NUMBER SHALL ALSO BE PLAINLY INDICATED WITH THE BUSINESS NAME.

- F. THE MAIN FOOD EQUIPMENT AND HAND WASH SINK REQUIRED FOR THE OPERATION OF MOBILE FOOD TYPE II FOOD ESTABLISHMENTS SHALL BE AFFIXED TOGETHER SO AS TO BE A SINGLE CONTIGUOUS MOBILE UNIT.
- G. IF AN ENCLOSED VEHICLE IS UTILIZED, THE FOLLOWING REQUIREMENTS SHALL BE MET:
 - (1) THE CAB OR DRIVING PORTION OF THE VEHICLE SHALL BE SEPARATED FROM THE FOOD PREPARATION AND SERVING AREA OF THE VEHICLE BY A PERMANENT SOLID WALL PARTITION
 - (2) INTERIOR WALLS AND CEILINGS SHALL BE LIGHT IN COLOR.
 - (3) DOORS TO THE FOOD PREPARATION AND SERVING AREA SHALL BE EFFECTIVELY SELF-CLOSING AND KEPT CLOSED.
- H. A PERMANENTLY INSTALLED SELF-CONTAINED HAND WASHING SINK THAT INCLUDES A MINIMUM 5 GALLON POTABLE WATER TANK, A 9X9X5" HAND WASHING SINK, A MINIMUM FLOW RATE OF HOT AND COLD WATER TO THE SINK BASIN OF ONE-HALF (1/2) GALLON PER MINUTE, AND 15% GREATER CAPACITY WASTE TANK SHALL BE INSTALLED.
- I. A 3-COMPARTMENT SINK FOR THE PURPOSE OF WASHING AND SANITATION MAY BE INSTALLED PROVIDED THE FOLLOWING REQUIREMENTS ARE MET:
 - (1) A POTABLE WATER SYSTEM UNDER PRESSURE, SUPPLYING HOT AND COLD WATER, WITH A MINIMUM CAPACITY OF 30 GALLONS SHALL BE PERMANENTLY INSTALLED FOR UTENSIL WASHING AND SANITIZATION, AND HANDWASHING.
 - (2) A MINIMUM FLOW RATE OF ONE-HALF (1/2) GALLON PER MINUTE SHALL BE PROVIDED.
 - (3) WATER AT A TEMPERATURE OF AT LEAST 38°C (100°F) SHALL BE PROVIDED THROUGH A MIXING FAUCET.
 - (4) EACH COMPARTMENT OF THE SINK SHALL HAVE A CAPACITY OF 6 GALLONS.
 - (5) TWO-INTEGRAL METAL DRAIN BOARDS SHALL BE PERMANENTLY AFFIXED THAT ARE THE SAME DEPTH AS THE 3-COMPARTMENT SINK AND 144 SQUARE INCHES.

J. THE WATER TANK INLET SHALL BE:

- (1) 9.1 MM (THREE-FOURTHS INCH) IN INNER DIAMETER OR LESS; AND**
- (2) PROVIDED WITH A HOSE CONNECTION OF A SIZE OR TYPE THAT WILL PREVENT ITS USE FOR ANY OTHER SERVICE.**

K. A SEWAGE HOLDING TANK 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.**

L. CONNECTIONS TO WATER OR WASTE WATER SYSTEMS ARE NOT APPROVED EXCEPT DURING SERVICING OPERATIONS AT A COMMISSARY OR AS APPROVED BY THE DEPARTMENT.

M. ALL WATER TANKS, PUMPS AND HOSES SHALL BE FLUSHED AND SANITIZED BEFORE BEING PLACED IN SERVICE AFTER CONSTRUCTION, REPAIR, MODIFICATION, AND PERIODS OF NONUSE LONGER THAN 7 DAYS. POTABLE WATER TANKS SHALL BE FLUSHED AND SANITIZED MONTHLY.

N. WASTEWATER HOLDING TANKS SHALL BE EMPTIED INTO AN APPROVED SEWAGE DISPOSAL SYSTEM.

O. AN APPROVED FOOD GRADE POTABLE WATER HOSE SHALL BE AVAILABLE FOR THE SOLE PURPOSE OF FILLING THE FRESH WATER TANK.

~~a. Time only as a public health control, as explained in Chapter VIII, Section 2, shall not be used for mobile food establishments.~~

~~b. Food preparation in mobile food establishments shall be simplified to reduce excessive steps where food may become contaminated. Only minimum food preparations shall be approved. This prohibition does not apply to foods that have been prepared or packaged in facilities meeting the requirements of this code.~~

~~c. When a mobile food establishment is in transit, all closures shall be in place and all food appropriately protected.~~

~~d. With the exception of instant tea, all tea must be brewed with boiling water in all mobile food establishments.~~

- e. ~~The Department shall approve, in writing, the procedures used by any mobile food establishment for providing samples of food to the consumer.~~
- f. ~~Outdoor cooking, processing, composing, compounding, preparing, grilling, storage, or service of any food or beverage is prohibited from mobile food units.~~
- g. ~~All food held for consumer self-service shall be wrapped or effectively dispensed to protect from contamination.~~
- h. ~~All packaged foods shall be labeled in accordance with 21 CFR 101.~~
- i. ~~All potentially hazardous foods (time/temperature control for safety foods) prepared at or sold from a mobile food establishment shall be prepared on the same day of sale or service. Potentially hazardous food (time/temperature control for safety foods) shall not be held over from a previous day's operation unless otherwise approved by the Department.~~
- j. ~~Mobile food establishments shall not prepare or offer for sale any type of potentially hazardous food (time/temperature control for safety foods) that is raw or raw marinated without proper consumer notification as identified in Chapter VIII, Section 2.~~
- k. ~~Ice that is consumed or that contacts food shall be manufactured inside an approved permitted food service establishment using potable water. Ice machines certified by the national automatic merchandising association may be located outside if approved by the Department.~~
- l. ~~Ice that is consumed or that contacts food shall only come into contact with clean single service containers or multiuse equipment that has been cleaned and sanitized as defined in Section 2 of this Chapter.~~
- m. ~~Potentially hazardous food items sold as condiments from a pushcart are required to be stored on the pushcart at proper temperatures. The amount of potentially hazardous food condiments are limited to sufficient storage space on the pushcart.~~
- n. ~~The service of all food items, excluding prepackaged non-potentially hazardous food items, must be conducted from the pushcart unit.~~
- o. ~~Bacon wrapped hotdogs must be commercially precooked or cooked at the assigned commissary prior to sales from a pushcart.~~

REGULATION 9 8. ~~Water and Wastewater~~ ADDITIONAL REQUIREMENTS FOR MOBILE FOOD TYPE III FOOD ESTABLISHMENTS

- A. ALL PRODUCE MUST BE PURCHASED COMMERCIALY PRE-WASHED OR BE WASHED IN ADVANCE AT A PERMITTED FOOD ESTABLISHMENT/COMMISSARY. PRODUCE MAY NOT BE WASHED ON THE MOBILE FOOD ESTABLISHMENT UNLESS AN APPROVED PREP SINK HAS BEEN INSTALLED.**

- B. ALL TIME/TEMPERATURE CONTROL FOR SAFETY FOODS SHALL BE PREPARED ON THE SAME DAY OF SALE OR SERVICE. TIME/TEMPERATURE CONTROL FOR SAFETY FOODS SHALL NOT BE HELD OVER FROM A PREVIOUS DAY'S OPERATION UNLESS OTHERWISE APPROVED BY THE DEPARTMENT.
- C. ALL FOOD HELD FOR CONSUMER SELF-SERVICE SHALL BE WRAPPED OR EFFECTIVELY DISPENSED TO PROTECT FROM CONTAMINATION.
- D. FOOD PREPARATION SHALL BE SIMPLIFIED TO REDUCE EXCESSIVE STEPS WHERE FOOD MAY BECOME CONTAMINATED. EXCESSIVE STEPS MAY INCLUDE, BUT ARE NOT LIMITED TO, COOKING OVERNIGHT WITHOUT OVERSIGHT, COOLING, OR CUTTING LARGE VOLUMES OF FOOD ITEMS. THIS PROHIBITION DOES NOT APPLY TO FOODS THAT HAVE BEEN PREPARED OR PACKAGED IN PERMANENT FOOD ESTABLISHMENTS OR COMMISSARIES MEETING THE REQUIREMENTS OF THIS CODE.
- E. ALL COOKING, PROCESSING, PREPARING, GRILLING, ASSEMBLY, STORAGE, AND SERVICE OF ANY FOOD OR BEVERAGE SHALL BE CONDUCTED INSIDE THE PERMITTED VEHICLE.
- F. THE NAME OF THE ESTABLISHMENT SHALL BE PLAINLY INDICATED ON SIDES AND REAR OF THE EXTERIOR OF THE VEHICLE IN LETTERS OF CONTRASTING COLORS AT LEAST THREE INCHES HIGH WITH A MINIMUM OF 3/8 INCH WIDE. WHEN MORE THAN ONE PERMIT IS ISSUED WITH THE SAME BUSINESS NAME TO THE SAME PERMITTEE, THE VEHICLE NUMBER SHALL ALSO BE PLAINLY INDICATED WITH THE BUSINESS NAME.
- G. ALL OPENINGS SHALL MEET THE FOLLOWING REQUIREMENTS:
- (1) OPENINGS SHALL BE LIMITED TO 324 SQUARE INCHES EACH AND EQUIPPED WITH A SCREEN (16 MESH PER SQUARE INCH MINIMUM) OR SOLID DOOR WHICH SHALL BE KEPT CLOSED WHEN NOT IN USE.
 - (2) MULTIPLE OPENINGS SHALL BE AT LEAST 18 INCHES APART.
- H. THE CAB OR DRIVING PORTION OF THE VEHICLE SHALL BE SEPARATED FROM THE FOOD PREPARATION AND SERVING AREA OF THE VEHICLE BY A PERMANENT SOLID WALL PARTITION.
- I. DOORS TO THE FOOD PREPARATION AND SERVING AREA SHALL BE EFFECTIVELY SELF-CLOSING AND KEPT CLOSED.
- J. INTERIOR WALLS AND CEILINGS SHALL BE LIGHT IN COLOR.

- K. A POTABLE WATER SYSTEM UNDER PRESSURE, SUPPLYING HOT AND COLD WATER, WITH A MINIMUM CAPACITY OF 30 GALLONS, SHALL BE PERMANENTLY INSTALLED FOR UTENSIL WASHING/SANITIZATION AND HANDWASHING.**
- L. THE INSTALLATION OF A PREP-SINK FOR THE PURPOSE OF PRODUCE WASHING ONLY MAY BE ALLOWED PROVIDED THAT AN ADDITIONAL 20 GALLONS OF POTABLE WATER IS AVAILABLE FOR USE.**
- M. A 9X9X5” HAND WASHING SINK SHALL BE PERMANENTLY INSTALLED.**
- N. A 3-COMPARTMENT SINK FOR THE PURPOSE OF WASHING AND SANITATION SHALL BE INSTALLED MEETING THE FOLLOWING REQUIREMENTS:**
- (1) A MINIMUM FLOW RATE OF ONE-HALF (1/2) GALLON PER MINUTE SHALL BE PROVIDED.**
 - (2) WATER AT A TEMPERATURE OF AT LEAST 38°C (100°F) SHALL BE PROVIDED THROUGH A MIXING FAUCET.**
 - (3) EACH COMPARTMENT SHALL HAVE A CAPACITY OF 6 GALLONS.**
 - (4) TWO INTEGRAL METAL DRAIN BOARDS SHALL BE PERMANENTLY AFFIXED THAT ARE THE SAME DEPTH AS THE 3-COMPARTMENT SINK.**
- O. THE WATER TANK INLET SHALL BE:**
- (1) 19.1 MM (THREE-FOURTHS INCH) IN INNER DIAMETER OR LESS; AND**
 - (2) PROVIDED WITH A HOSE CONNECTION OF A SIZE OR TYPE THAT WILL PREVENT ITS USE FOR ANY OTHER SERVICE.**
- P. A SEWAGE HOLDING TANK 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.**
- Q. MOBILE FOOD ESTABLISHMENTS SHALL NOT CONNECT TO WATER OR WASTE WATER SYSTEMS EXCEPT DURING SERVICING OPERATIONS AT A COMMISSARY OR AS APPROVED BY THE DEPARTMENT.**

R. ALL WATER TANKS, PUMPS AND HOSES SHALL BE FLUSHED AND SANITIZED BEFORE BEING PLACED IN SERVICE AFTER CONSTRUCTION, REPAIR, MODIFICATION, AND PERIODS OF NONUSE LONGER THAN 7 DAYS. POTABLE WATER TANKS SHALL BE FLUSHED AND SANITIZED MONTHLY.

S. WASTEWATER HOLDING TANKS SHALL BE EMPTIED INTO AN APPROVED SEWAGE DISPOSAL SYSTEM.

T. AN APPROVED FOOD GRADE POTABLE WATER HOSE SHALL BE AVAILABLE FOR THE SOLE PURPOSE OF FILLING THE FRESH WATER TANK.

- ~~a. A potable water system under pressure, supplying hot and cold water, of a minimum capacity of 30 gallons, shall be installed permanently in mobile food units for food preparation, utensil washing and sanitization and handwashing.~~
- ~~b. Pushearts shall have a permanently installed potable water storage tank with a minimum capacity of 5 gallons for the purpose of hand washing only.~~
- ~~c. Mobile food establishments shall provide a minimum flow rate of hot and cold water to each sink basin of one-half (1/2) gallon per minute.~~
- ~~d. The fixtures or connectors for the inlet on a potable water storage tank for all mobile food establishments shall not be the same size or type as fixtures or connectors used to drain wastewater tanks. Potable water system inlets shall be protected against use for any other service and from potential contamination from any source. In addition, potable water inlet shall be no larger than 3/4" unless otherwise approved by the Department.~~
- ~~e. A liquid waste storage tank with a capacity at least 15% larger than the potable water storage tank is required for all mobile food establishments serving any open food or drink.~~
- ~~f. All connections on the vehicle for servicing mobile food establishments waste disposal facilities shall be of different size or type than those used for supplying potable water to these vehicles. The waste connection shall be located lower than the water inlet connection to preclude contamination of the potable water system. In addition, wastewater outlet shall be greater than 1" unless otherwise approved by the Department.~~
- ~~g. Alternative water supplies indicated in Chapter VIII, Section 2 shall not be used by mobile food establishments.~~
- ~~h. Mobile food units and pushearts shall not connect to water or waste water systems except during servicing operations at a commissary or as approved by the Department.~~
- ~~i. All exterior water system connections for vehicles used on mobile food establishments shall be provided with an approved backflow prevention device.~~

- ~~j. All water tanks, pumps and hoses shall be flushed and sanitized before being placed in service after construction, repair, modification, and periods of nonuse longer than 7 days. Potable water tanks shall be flushed and sanitized monthly.~~
- ~~k. Wastewater holding tanks shall be emptied into an approved sewage disposal system.~~
- ~~l. Mobile food establishments shall provide an approved food grade potable water hose. This hose is to be used only to fill the fresh water tank.~~
- ~~m. A self contained hand wash station shall include a minimum 5 gallon potable water tank, a minimum 9x9x5" hand washing sink, a minimum flow rate of hot and cold water to the sink basin of one half (1/2) gallon per minute, and 15% greater capacity waste tank.~~
- ~~n. Grease shall be disposed in an approved manner.~~

REGULATION 10 9. ~~Additional Requirements for Food Peddlers~~ ADDITIONAL REQUIREMENTS FOR SEASONAL FOOD ESTABLISHMENTS

- A. ALL SEASONAL FOOD ESTABLISHMENTS OPERATING AT AN EVENT GREATER THAN 14 DAYS SHALL OPERATE IN CONJUNCTION WITH AN ONSITE COMMISSARY OR A FIXED FOOD ESTABLISHMENT, UNLESS ALTERNATE DEPARTMENT APPROVAL IS OBTAINED IN ADVANCE.**
- B. ALL PRODUCE MUST BE PURCHASED COMMERCIALY PRE-WASHED OR BE WASHED IN ADVANCE AT A PERMITTED FOOD ESTABLISHMENT/COMMISSARY.**
- C. ALL TIME/TEMPERATURE CONTROL FOR SAFETY FOODS SHALL BE PREPARED ON THE SAME DAY OF SALE OR SERVICE. TIME/TEMPERATURE CONTROL FOR SAFETY FOODS SHALL NOT BE HELD OVER FROM A PREVIOUS DAY'S OPERATION UNLESS OTHERWISE APPROVED BY THE DEPARTMENT.**
- D. ALL FOOD HELD FOR CONSUMER SELF-SERVICE SHALL BE WRAPPED OR EFFECTIVELY DISPENSED TO PROTECT FROM CONTAMINATION.**
- E. FOOD PREPARATION SHALL BE SIMPLIFIED TO REDUCE EXCESSIVE STEPS WHERE FOOD MAY BECOME CONTAMINATED. EXCESSIVE STEPS MAY INCLUDE, BUT ARE NOT LIMITED TO, COOKING OVERNIGHT WITHOUT OVERSIGHT, COOLING, OR CUTTING LARGE VOLUMES OF FOOD ITEMS. THIS PROHIBITION DOES NOT APPLY TO FOODS THAT HAVE BEEN PREPARED OR PACKAGED IN PERMANENT FOOD ESTABLISHMENTS OR COMMISSARIES MEETING THE REQUIREMENTS OF THIS CODE.**
- F. A CONVENIENT, EASILY ACCESSIBLE, AND APPROVED HAND WASHING**

FACILITY SHALL BE LOCATED WITHIN 25 FEET OF ALL FOOD SERVICE AREAS AND AVAILABLE FOR EMPLOYEE HAND WASHING.

- G. HAND WASHING FACILITIES SHALL INCLUDE THE FOLLOWING AT A MINIMUM: 5 GALLON INSULATED CONTAINER WITH A FREE/CONTINUOUS FLOWING SPIGOT FOR POTABLE WATER; WATER AT A TEMPERATURE OF AT LEAST 38°C (100°F), 5.75 GALLON CONTAINER TO HOLD WASTE WATER, SOAP, AND PAPER TOWELS. ENOUGH POTABLE WATER SHALL BE AVAILABLE IN THE ESTABLISHMENT FOR FOOD PREPARATION, CLEANING AND SANITIZING UTENSILS AND EQUIPMENT AND FOR HANDWASHING. A HEATING FACILITY CAPABLE OF PRODUCING ENOUGH HOT WATER FOR THESE PURPOSES SHALL BE PROVIDED ON THE PREMISES.**
- H. APPROVED WARE WASHING FACILITIES SHALL BE PROVIDED FOR ALL OPERATIONS WHERE MULTI-USE UTENSILS ARE REQUIRED.**
- I. SUFFICIENT POTABLE WATER SHALL BE AVAILABLE IN THE ESTABLISHMENT FOR FOOD PREPARATION, CLEANING AND SANITIZING UTENSILS AND EQUIPMENT AND FOR HANDWASHING. A HEATING FACILITY CAPABLE OF PRODUCING ENOUGH HOT WATER FOR THESE PURPOSES SHALL BE PROVIDED ON THE PREMISES.**
- J. BOOTH CONSTRUCTION SHALL INCLUDE A CEILING AND THREE WALLS (TWO SIDES AND REAR). WALLS AND CEILINGS SHALL BE MADE OF WOOD, CANVASS OR OTHER MATERIAL THAT PROTECTS THE INTERIOR OF THE ESTABLISHMENT FROM THE WEATHER AND THAT PREVENTS THE ENTRANCE OF INSECTS. SCREENING MATERIAL MAY BE USED FOR WALL CONSTRUCTION AND SHALL BE AT LEAST 16 MESH TO THE INCH. WHEN SCREENING MATERIAL IS USED, ADDITIONAL WALL COVERING MUST BE MAINTAINED ON-SITE IN CASE OF INCLEMENT WEATHER.**
- K. FLOOR SHALL BE CONSTRUCTED OF CONCRETE, MACHINE-LAID ASPHALT, DIRT OR GRAVEL IF IT IS COVERED WITH MATS, REMOVABLE PLATFORMS, DUCKBOARDS, OR OTHER SUITABLE APPROVED MATERIALS THAT ARE EFFECTIVELY TREATED TO CONTROL DUST OR MUD.**
 - ~~a. Food peddlers that are operating away from their vehicles shall provide a permanent sign indicating their business name in letters at least 6 inches high and 1 inch wide. The sign shall be visible to the consumer and shall be in addition to the signs used on the vehicle.~~
 - ~~b. All food shall be stored and displayed at least 24 inches above the ground surface.~~
 - ~~c. All packaged frozen foods shall be maintained frozen and sold or offered for sale to consumers frozen.~~

- d. ~~Cutting of produce, melons, vegetables, or fruits is prohibited except to show that an item is seedless, ripe, of appropriate color, or other characteristic. Cut produce, vegetables, fruits, or melons shall not be offered as a sample for tasting to consumers and shall not be sold. Cutting as a method of portioning is prohibited.~~
- e. ~~A food peddler may assemble snow cones from properly installed equipment, and use approved utensils to sell or dispense pickles from jars. Open beverages served by a food peddler must be prepared at the commissary and dispensed from approved equipment. In addition, when open food products are dispensed, approved hand washing facilities shall be available.~~
- f. ~~Vehicles for use as a food peddler shall meet the appropriate regulations in this code if selling, dispensing or sampling any open food or beverage item. When only packaged food in sealed containers is transported by a food peddler, the carpeting in a vehicle need not be removed, but shall be covered by a smooth, durable, easily cleanable and non absorbent surface. The Department may approve exceptions for vehicles if a food peddler is operating as part of a permitted fixed food establishment and utilizes commercial equipment approved by the Department.~~
- g. ~~Food peddlers shall sell properly labeled food that is obtained from approved sources only. Sale of food from other mobile food establishments or prepared at home is prohibited.~~
- h. ~~Food peddlers that are operating away from the vehicle shall maintain the original permit card at the stand or booth.~~
- i. ~~Food peddlers that are operating away from the vehicle shall maintain an approved hand washing station at the stand or booth, if selling or dispensing any open food or beverage items.~~
- j. ~~Food peddlers that are operating away from the vehicle shall maintain the permitted food peddler vehicle on the premises.~~

REGULATION 11 10. ~~Additional Requirements for Commissary Permits~~ **ADDITIONAL REQUIREMENTS FOR TEMPORARY FOOD ESTABLISHMENTS**

- A. ALL PRODUCE MUST BE PURCHASED COMMERCIALY PRE-WASHED OR BE WASHED IN ADVANCE AT A PERMITTED FOOD ESTABLISHMENT/COMMISSARY.**
- B. ALL TIME/TEMPERATURE CONTROL FOR SAFETY FOODS SHALL BE PREPARED ON THE SAME DAY OF SALE OR SERVICE. TIME/TEMPERATURE CONTROL FOR SAFETY FOODS SHALL NOT BE HELD OVER FROM A PREVIOUS DAY'S OPERATION UNLESS OTHERWISE APPROVED BY THE DEPARTMENT.**

- C. ALL FOOD HELD FOR CONSUMER SELF-SERVICE SHALL BE WRAPPED OR EFFECTIVELY DISPENSED TO PROTECT FROM CONTAMINATION.
- D. FOOD PREPARATION SHALL BE SIMPLIFIED TO REDUCE EXCESSIVE STEPS WHERE FOOD MAY BECOME CONTAMINATED. EXCESSIVE STEPS MAY INCLUDE, BUT ARE NOT LIMITED TO, COOKING OVERNIGHT WITHOUT OVERSIGHT, COOLING, OR CUTTING LARGE VOLUMES OF FOOD ITEMS. THIS PROHIBITION DOES NOT APPLY TO FOODS THAT HAVE BEEN PREPARED OR PACKAGED IN PERMANENT FOOD ESTABLISHMENTS OR COMMISSARIES MEETING THE REQUIREMENTS OF THIS CODE.
- E. ONLY LIMITED FOOD PREPARATION, COOKING AND REHEATING OF PREPARED FOODS ARE ALLOWED AT THE EVENT, ALL OTHER FOOD PREPARATION SHALL TAKE PLACE AT AN APPROVED COMMISSARY OR FIXED FOOD ESTABLISHMENT, UNLESS AN ALTERNATE DEPARTMENT APPROVAL IS OBTAINED.
- F. A CONVENIENT, EASILY ACCESSIBLE, AND APPROVED HAND WASHING FACILITY SHALL BE LOCATED WITHIN 25 FEET OF ALL FOOD SERVICE AREAS AND AVAILABLE FOR EMPLOYEE HAND WASHING.
- G. HAND WASHING FACILITIES SHALL INCLUDE THE FOLLOWING AT A MINIMUM: 5 GALLON INSULATED CONTAINER WITH A FREE/CONTINUOUS FLOWING SPIGOT FOR POTABLE WATER; WATER AT A TEMPERATURE OF AT LEAST 38°C (100°F), 5.75 GALLON CONTAINER TO HOLD WASTE WATER, SOAP, AND PAPER TOWELS.
- H. APPROVED WARE WASHING FACILITIES SHALL BE PROVIDED FOR ALL OPERATIONS WHERE MULTI-USE UTENSILS ARE REQUIRED.
- I. BOOTH CONSTRUCTION SHALL INCLUDE A CEILING AND THREE WALLS (TWO SIDES AND REAR). WALLS AND CEILINGS SHALL BE MADE OF WOOD, CANVASS OR OTHER MATERIAL THAT PROTECTS THE INTERIOR OF THE ESTABLISHMENT FROM THE WEATHER AND THAT PREVENTS THE ENTRANCE OF INSECTS. SCREENING MATERIAL MAY BE USED FOR WALL CONSTRUCTION AND SHALL BE AT LEAST 16 MESH TO THE INCH. WHEN SCREENING MATERIAL IS USED, ADDITIONAL WALL COVERING MUST BE MAINTAINED ON-SITE IN CASE OF INCLEMENT WEATHER.
- J. FLOOR SHALL BE CONSTRUCTED OF CONCRETE, MACHINE-LAID ASPHALT, DIRT OR GRAVEL IF IT IS COVERED WITH MATS, REMOVABLE PLATFORMS, DUCKBOARDS, OR OTHER SUITABLE APPROVED MATERIALS THAT ARE EFFECTIVELY TREATED TO CONTROL DUST OR MUD.

- ~~a. Commissary must provide facilities for the storage of food, food containers or food supplies. When food preparation is conducted, the commissary must provide equipment for the cleaning and sanitizing of food service equipment, utensils and dishware.~~
- ~~b. Commissary must provide an outdoor servicing area.~~
- ~~c. The outdoor servicing area shall include facilities for the sanitary disposal of liquid waste; handling and disposal of garbage, grease, and rubbish originating from the mobile food establishment; an adequate area for washing and storage of the mobile food establishment; facilities for filling the potable water holding tank; and electrical outlets.~~

~~REGULATION 11. Additional Requirements for Temporary Food Establishments, Seasonal Food Establishments and Special Event Food Establishments~~

- ~~a. All seasonal food establishments and special event food establishments operating at an event greater than 14 days shall operate in conjunction with an onsite commissary or a fixed food establishment, unless an alternate Department approval is obtained. Seasonal food establishments and special event food establishments, for which an alternative Department approval has not been granted, shall operate in conjunction with a commissary or fixed food establishment that is easily accessible and available for use at all times while in operation.~~
- ~~b. Only limited food preparation, cooking and reheating of prepared foods are allowed at the event, all other food preparation shall be accomplished at an approved commissary or fixed food establishment, unless an alternate Department approval is obtained.~~
- ~~c. Enough potable water shall be available in the establishment for food preparation, cleaning and sanitizing utensils and equipment and for handwashing. A heating facility capable of producing enough hot water for these purposes shall be provided on the premises.~~
- ~~d. Floors shall be constructed of a concrete, machine laid asphalt, dirt or gravel if it is covered with mats, removable platforms, duckboards, or other suitable approved materials that are effectively treated to control dust and mud.~~
- ~~e. The booth construction shall be a ceiling and three walls (two sides and rear). Walls and ceilings shall be made of wood, canvass or other material that protects the interior of the establishment from the weather and that prevents the entrance of insects. Screening material may be used for wall construction and shall be at least 16 mesh to the inch. When screening material is used, additional wall covering must be maintained on-site in case of inclement weather.~~
- ~~f. Approved ware washing facilities shall be provided for all operations where multi-use utensils are required.g. A convenient, easily accessible, and approved hand washing facility shall be located within 25 feet of all food service areas and available for~~

~~employee hand washing. Special event food establishments must provide a self-contained hand wash station as defined in this section of the code.~~

REGULATION 12. Additional Requirements for ~~Sampling Food Products~~ TASTING EVENTS

TASTING EVENTS MAY INCLUDE, BUT ARE NOT LIMITED TO, PROMOTIONAL EVENTS, TASTING EVENTS, COMPETITION EVENTS, CONVENTIONS, AND TRADE SHOWS. THE FOLLOWING REQUIREMENTS MUST BE MET FOR TASTING EVENTS:

- A. THE COORDINATOR OF THE EVENT IS RESPONSIBLE FOR OBTAINING PERMITS TO OPERATE AND ENSURING ALL TASTING BOOTHS ARE PROPERLY EQUIPPED AND SET UP BEFORE WORKERS HANDLE OPEN FOODS/BEVERAGES.**
- B. TEMPORARY FOOD ESTABLISHMENT OR SEASONAL FOOD ESTABLISHMENT PERMITS WILL BE ISSUED FOR VENDORS OPERATING AT TASTING EVENTS. ALL VENDORS SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THIS SECTION THAT IS APPLICABLE TO THE PERMIT TYPE THAT HAS BEEN ISSUED.**
 - ~~a. Cutting produce, melons, vegetables, or fruits is prohibited except to show that an item is seedless, ripe, or appropriate color or other characteristic. Cut produce, vegetables, fruits, or melons shall not be offered as a sample for tasting to consumers and shall not be sold.~~
 - ~~b. Food sampling is limited to non-potentially hazardous foods and those potentially hazardous foods (time/temperature control for safety foods) that require limited preparation.~~
 - ~~c. Only limited quantities of sampled product may be ready for sampling at any given time. All food products that have not been sampled at the end of the business day must be discarded.~~
 - ~~d. No public self-service sampling is allowed. Each sample shall be prepared by the operator and handed to the customer, or the samples shall be placed in single service containers for consumption. A physical barrier, such as an approved sneeze guard, must be in place to prevent contamination of the food. Bulk dispensers are prohibited for sampling.~~
 - ~~e. Only single service utensils and containers may be used for preparing samples. Single service items may not be reused.~~
 - ~~f. Each person who provides samples shall provide a lined waste container for the disposal of used single service items and other waste products that is easily accessible from their location.~~
 - ~~g. Hand washing facilities must be setup at all times when any open food or beverage product is served or sampled.~~

REGULATION 13. ADDITIONAL REQUIREMENTS FOR COMMISSARY PERMITS

- A. ALL ESTABLISHMENTS PROVIDING COMMISSARY SERVICES MUST PROVIDE FACILITIES FOR THE STORAGE OF FOOD, FOOD CONTAINERS OR FOOD SUPPLIES. WHEN FOOD PREPARATION IS CONDUCTED, THE COMMISSARY MUST PROVIDE EQUIPMENT FOR THE CLEANING AND SANITIZING OF FOOD SERVICE EQUIPMENT, UTENSILS AND DISHWARE. THESE FACILITIES MUST ALSO PROVIDE FOR THE SANITARY DISPOSAL OF LIQUID WASTE; HANDLING AND DISPOSAL OF GARBAGE, GREASE, AND RUBBISH ORIGINATING FROM MOBILE FOOD ESTABLISHMENTS; AND FACILITIES FOR FILLING THE POTABLE WATER HOLDING TANK.**
- B. THOSE COMMISSARIES WITH AN OUTDOOR SERVICING AREA SHALL INCLUDE AN ADEQUATE AREA (FACILITIES) FOR WASHING AND STORAGE OF THE MOBILE FOOD ESTABLISHMENT; AND SUFFICIENT ELECTRICAL OUTLETS.**
- C. THE COMMISSARY OWNER MUST PROVIDE EACH PERMITTEE, WHO IS USING THE FACILITIES FOR FOOD PREPARATION WITH A DESIGNATED AND LABELED SPACE FOR THE STORAGE OF SUPPLIES AND DRY GOODS. ALL TIME/TEMPERATURE CONTROL FOR SAFETY FOODS STORED BY A PERMITTEE MUST ALSO HAVE A DESIGNATED AND LABELED LOCATION IN THE REFRIGERATION UNIT PROVIDED BY THE COMMISSARY OWNER. THE COMMISSARY OWNER MUST BE ABLE TO PROVIDE ACCESS TO ALL AREAS UPON REQUEST BY THE DEPARTMENT.**