



ENVIRONMENTAL HEALTH SECTION
633 Walnut St
Abilene, TX. 79601-5225
Phone: (325) 676-6291 Fax: (325) 676-6289
MOBILE FOOD ESTABLISHMENT REQUIREMENTS
(Revised 09/2017)

Definitions:

A **mobile food establishment** Mobile Food Unit (MFU) is a vehicle mounted, self or otherwise propelled, self-contained food service operation, designed to be readily movable (including, but not limited to catering trucks, trailers, push carts, and roadside vendors) and used to store, prepare, display, serve or sell food. Mobile units must completely retain their mobility at all times. A Mobile Food Unit does not mean a stand or a booth. The regulatory authority may require a mobile food establishment operator to demonstrate that the vehicle is readily moveable.

A **roadside food vendor** is a person who operates a mobile retail food store from a temporary location adjacent to a **public road or highway. Food shall not be prepared or processed by a roadside food vendor. A roadside food vendor is classified as a mobile food establishment.**

A **pushcart food vendor** is a non-self-propelled Mobile Food Unit limited to serving foods requiring a limited amount of preparation as authorized by the regulatory authority and is readily movable by one or two persons. A pushcart is classified as a Mobile Food Unit. A pushcart does not include non-self-propelled units owned and operated within a retail food store. This type of mobile unit requires the support of a Central Preparation Facility.

Permits:

All mobile food establishments serving food and/or drink in the city of Abilene must be inspected and permitted by the Environmental Health Section prior to serving food to the public. Mobile food establishments shall comply with the requirements of the Texas Food Establishment Rules, §228.221 and applicable Subchapters of A-J. **The regulatory authority may impose additional requirements to protect against health hazards related to the conduct of the mobile food establishment, may prohibit the sale of some or all potentially hazardous food, and when no health hazard will result, may waive or modify requirements of the rules except those requirements specifically excepted by TFER §228.221.** Operators should contact Environmental Health at (325) 676-6291 to schedule the inspection for permit. Permits are issued after successful completion of application, inspection, **certified food protection manager course, pass exam** and payment of the permitting fee. A copy of your State of Texas Sales Tax Certificate is required. You may obtain the Sales Tax Certificate application from the Texas Comptroller at Happy State Bank, 1 Village Dr #250, (325) 695-4323. A permit to operate as a Mobile Food Establishment is \$150.00 and is valid for the calendar year ending December 31. The permit is not transferable with change of ownership of the mobile food establishment.

The permit applicant shall submit the following information:

- Name on mobile unit, make, model, license plate number and VIN#, if applicable.
- Name of owner of mobile unit, address, and phone number.
- Name(s) of driver(s) or operator(s) of mobile unit(s), their address (es), and phone number(s).
- Name of central preparation facility or fixed food establishment, address, phone number and health permit number.
- Copy of the menu.
- A letter of agreement or contract from the permitted central preparation facility or other fixed food establishment. If the permitted establishment is outside the City of Abilene, a letter of agreement and a copy of

the current permit from a regulatory authority must accompany the application.

Advisories:

Receiving a permit from the Environmental Health Section does not guarantee that the unit may be set up any where you choose. Non-profits must contact the City Secretary's Office (325) 676-6202 for information on a Solicitation Permit. For-profits must contact the Planning and Development Services Office (676-6382) for information on an Itinerate Business Permit. Contact the Parks Department at (325) 676-6217 for permits to operate in the City parks.

Scope of the Regulations:

These regulations are designed to govern the distribution of food to the public from mobile vehicles that distribute food that is prepared in a central preparation facility or fixed food establishment and loaded on the vehicle prepackaged for distribution to the consumer without further preparation or handling (roadside food vendor); for foods that are prepared in a central preparation facility or fixed food establishment with additional food preparation in the vehicle; for foods that are prepared entirely on the vehicle; for push carts that distribute Time/Temperature Control for Safety Foods (TCS) prepared on the carts; and for vehicles that distribute prepackaged frozen Time/Temperature Control for Safety Foods (TCS). In the event a mobile food vehicle presents itself that does not meet these categories, the regulatory authority will interpret and apply the necessary sections of these regulations to provide adequate protection for the public's health and safety.

Vehicle Requirements:

- Floors, walls and ceilings shall be constructed of smooth, durable, non-absorbent surfaces that are easily cleaned (§228.173(a)). Wood surfaces shall be painted or sealed (§228.173(2)). Floors, walls and ceilings must be kept in good repair and in a clean and sanitary condition at all times (§228.186(a)).
- **The complete electrical system, from source to equipment, shall be evaluated and confirmed by a Master Electrician to have sufficient service capacity and wiring to operate all electrical equipment at required capacities under all circumstance. This certification shall be submitted in writing on a document bearing the electrical business letter head, dated, and signed by the Master Electrician. The form shall bear the License Number of the electrician for verification purposes. This form shall be submitted prior to any inspections for permit. (Added 7/11/2012).**
- Food contact surfaces shall be non-toxic, smooth and seamless, free of cracks, breaks, cuts and chips (§228.104(a) and §228.102). Food contact surfaces and equipment shall be kept clean and sanitized (§228.113(1)).
- All outer openings shall be properly screened against the entrance of insects. Screening is to be at least 16 mesh to 1 inch. Each exterior door shall be equipped with a self-closing device. (§228.174(e)).
- A separate hand wash sink with hot and cold running water under pressure delivered through a mixing valve shall be provided (§228.143, §228.146 and §228.148). Handwash soap and paper towels for handwashing shall be provided (§228.175(b) and (c)).
- A three-compartment sink with hot and cold running water under pressure shall be provided for dishwashing (§228.107(b)). Dish wash soap and chlorine bleach or other approved sanitizer shall be provided for dishwashing (§228.111(g)) Rinse water shall have a concentration of 50-200 ppm residual chlorine or a concentration of alternative sanitizer as recommended by the manufacturer (§228.111(k) (n)). Provide appropriate test strips to test the sanitizer solution (§228.108(e)).
- **Time/Temperature Control for Safety Foods (TCS)** must be kept in dry (mechanical) refrigeration at 41°F or below or held hot at 135°F or above (§228.75(f)). Provide a thermometer in each hot and cold holding units accurate to ± 3° F (§228.105(b)). Provide a thermometer for checking food temperatures accurate to ± 2° F (§228.105(2)).
- The potable water system materials, design, and operation shall comply with §228.145 and §228.221(E) of the Texas Food Establishment Rules.
- The liquid waste retention system shall comply with the requirements of §228.221(a) (9).

- Each vehicle shall be clearly identified in some manner with the name, address, and telephone number of the business.

Vehicle Support Area Requirements:

- If required, a central preparation facility shall be licensed and operated according to the requirements of §228.221(b). **Mobile food establishments that are completely self-contained do not have to operate from a central preparation facility or other fixed food establishment.** When not in use, a mobile food establishment must keep food protected at all times. Food intended for and used on the mobile food unit must not be mixed with private goods, i.e., do not share freezers, refrigerators, or storage space used at private residences. When not in use, a mobile food establishment must be kept free of contamination from rodents, insects, birds, etc.
- A mobile food establishment servicing area shall be provided and operated according to the requirements of §228.221(c). **This servicing area will not be required where only packaged food is placed on the mobile food establishment or where mobile food establishments do not contain waste retention tanks.**

Food Preparation and Service Requirements:

- Potable water used in food preparation, handwashing and dishwashing must come from an approved source (§228.141). There must be an adequate supply of water for the safe operation of the unit (§228.143(a)).
- All waste water and sewage generated from the establishment shall be disposed of through an approved sanitary sewage system (§288.222(h)).
- Food shall be in sound condition, free from spoilage, filth or other contamination. All food shall be prepared on-site or come from an approved source Subchapter C (§228.61 and §228.62)). Proof of origination or purchase of food products may be requested on site (§228.62 (a) (1)). **No food preparation or storage shall take place at a private residence.**
- Condiments provided for customer's use including onions, relish, sauces, peppers, catsup, mustard, etc., shall be dispensed as single-serve packets or from squeeze-type containers (§228.70(b)).
- Only single-service articles shall be provided for customer's use (§228.221(a) (5)).
- Ice that is consumed or comes in contact with food shall come from an approved source (§228.221(c)). Ice shall be dispensed with ice scoops (§228.64(a) (2)). Ice bins shall be kept covered and drained (§228.66(1))
- Disposable gloves, tissues, or utensils, shall be provided and used when handling ready-to-eat foods (§228.65) **No bare-hand contact with ready-to-eat foods will be permitted.**
- Covered trash receptacles with disposable trash bags shall be provided (§228.152(d)).
- If no restroom facility is located in the vehicle, then the vehicle must be parked where an easily accessible restroom facility is available to employees during hours of operation (§228.221(11)). Restrooms shall be clean and in a sanitary condition (§228.185(b)).
- Barbecue pits and grills may be used for cooking and holding meats provided they have a lid for the food cooking/holding area (§228.66)). **A physical barrier shall be provided for barbecue pits and grills for separation from the public.**

Exceptions:

Mobile food establishments that serve only food that is prepared, packaged in individual servings, transported and stored under conditions meeting the requirements of these sections, or beverages Time/Temperature Control for Safety Foods (TCS) that are 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 (§228.221(a)(10)).



**ENVIRONMENTAL HEALTH SECTION
COMMUNITY ENHANCEMENT DIVISION**

633 Walnut St, Abilene, TX. 79601-5225
(325) 676-6291 FAX (325) 676-6289

MOBILE FOOD ESTABLISHMENT APPLICATION

This application MUST be completed before Mobile Units are inspected for permit. Mobile Units shall be inspected annually before a permit is issued. The annual permit fee is \$150 per Unit. An application must be completed for each unit.

Types of Units:

- Distributes food that is prepared entirely on the unit
- Distributes food that is prepared at a commissary with additional food preparation in the vehicle
- Distributes food that is potentially hazardous and that is prepared on a push cart
- Distributes food prepared and prepackaged in a commissary with out further preparation or handling (road side vendor)
- Distributes food that is frozen, pre-packaged, and potentially hazardous

BUSINESS NAME: _____ **DATE:** _____

APPLICANT NAME: _____ **PHONE #:** _____

ADDRESS: _____ **EMAIL:** _____

NAME ON THE UNIT: _____

MAKE OF UNIT: _____ **MODEL:** _____

LICENSE PLATE NUMBER: _____ **VIN #:** _____

NAME OF DRIVER OR OPERATOR: _____

ADDRESS: _____ **PHONE #:** _____

NAME OF COMMISSARY*: _____

ADDRESS: _____

PHONE NUMBER: _____ **HEALTH PERMIT NUMBER:** _____

LOCATION OF SERVICING AREA: _____

LIST OF ITEMS DISTRIBUTED (attach menu if necessary): _____

* **COMMISSARY = Central preparation facility or fixed food establishment**

Office Use Only:

Date: _____ **Check #** _____ **Cash #** _____

Receipt Number: _____ **Inspector:** _____