



Food Inspections Program

Mobile Food Vendor Guidelines

All mobile food establishments serving food and/or drink in the City of Gainesville must be inspected and permitted 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 Community Development at (940) 668-4799 to schedule the inspection for permit. Permits are issued after successful completion of application and required submittal documents, inspection, and payment of the permitting fee. A permit to operate as a Mobile Food Establishment is \$60.00 and is valid for a year from the date of issuance. The permit is not transferable with change of ownership of the mobile food establishment.

The permit applicant shall submit the following information with a completed application:

- a. Copy of State of Texas Sales and Use Tax Certificate
- b. Copy of Food Manager's Certification & Food Handlers Registration
- c. Copy of the Menu
- d. Notarized Central Food Prep Facility Letter or Central Food Prep Agreement

Advisories:

The health inspector 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 foods, and when no health hazard will result, may waive or modify requirements to these rules. Failure to comply with these requirements may result in the immediate suspension of the permit, the assessment of penalties, or the closing of your operations.

PREVENTING FOOD BORNE ILLNESS IS A RESPONSIBILITY SHARED BY ALL INDIVIDUALS INVOLVED IN FOOD PREPARATION, DISTRIBUTION, SERVING, AND SELLING. IF YOU HAVE ANY QUESTIONS OR NEED FURTHER ASSISTANCE, PLEASE CONTACT THE CITY OF GAINESVILLE'S COMMUNITY DEVELOPMENT DEPARTMENT AT (940) 668-4799.

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

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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)).
- 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). Hand wash 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 $\pm 3^\circ$ F (§228.105(b)). Provide a thermometer for checking food temperatures accurate to $\pm 2^\circ$ 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.**

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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 onsite 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:

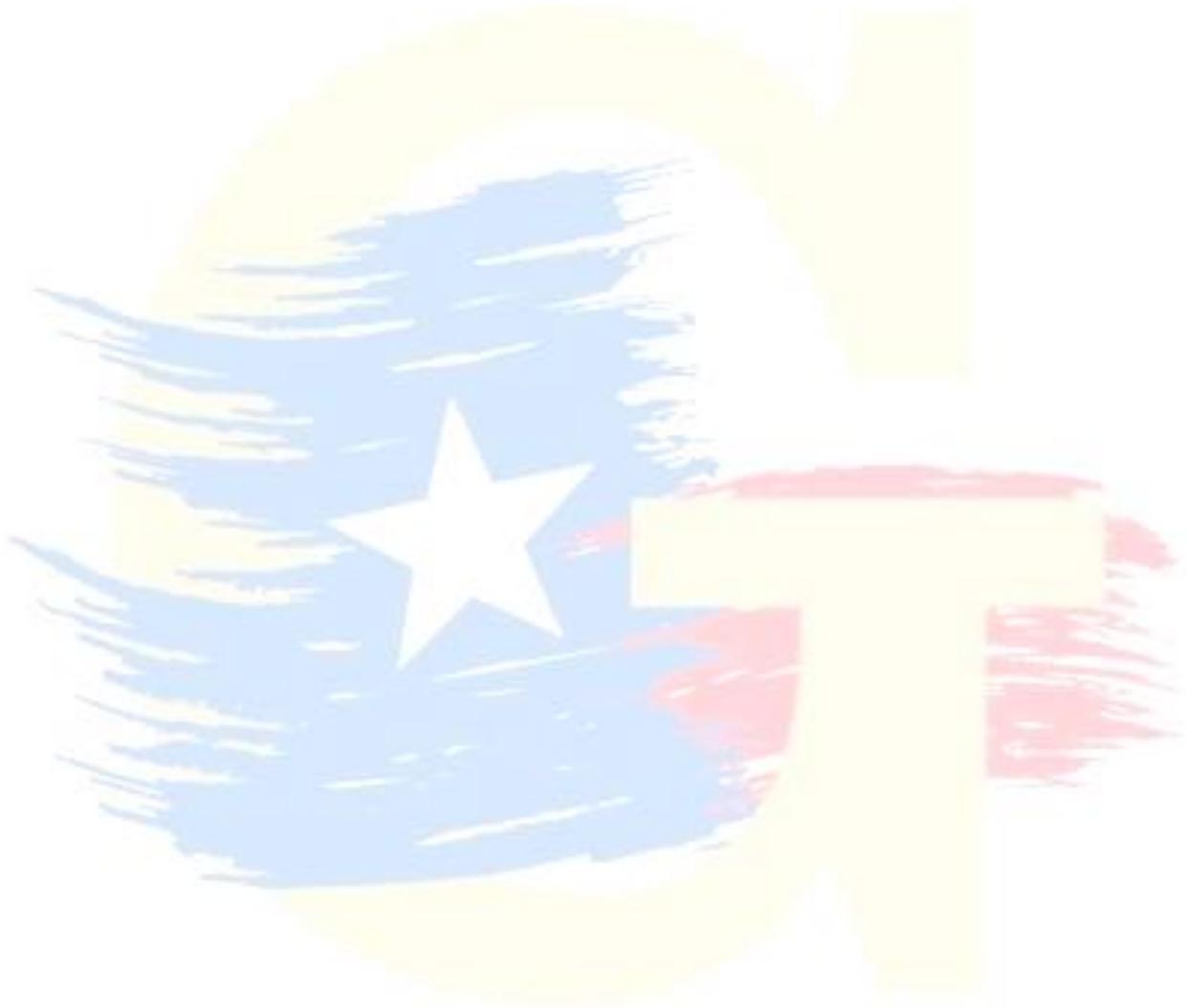
Mobile food establishments that serve only food that is prepared, packaged in individual servings, transported and stored under conditions meeting the requirements of these sections, or beverages Time/Temperature Control for Safety Foods (TCS) that are and are dispensed from covered urns or

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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)).



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