



LAKE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

106 FOURTH AVENUE EAST
POLSON, MT 59860
PHONE: 406-883-7236 FAX: 406-883-7205
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Mobile Food Service Unit: Information and Plan Review Packet

You have requested information to begin the process of establishing a mobile food service or pushcart operation in Lake County. Plans are required for any new unit and when an existing manufactured mobile unit is proposed if it has not been reviewed or licensed by Lake County in the past. We strongly recommend having your plans reviewed before purchasing such a unit. The plan review process may take up to 30 days.

Mobile food service: means a vehicle-mounted food establishment designed to be readily movable.

Pushcart: means a non-self-propelled vehicle limited to serving non-potentially hazardous food, or wrapped food prepared beforehand in an approved food service establishment or food-manufacturing establishment maintained at proper temperatures.

Servicing Area: means an operation base location to which a mobile food service, food transportation vehicle or pushcart returns regularly for maintenance such as vehicle and equipment cleaning, discharge of liquid or solid wastes, refilling water tanks and ice bins and boarding food.

The steps you need to take are as follows:

1. Obtain plan review documents and Montana Rules for Food Service Establishments (green book) from the Environmental Health Department.
2. Read the plan review materials packet and develop your plan completely on paper before any equipment or materials are purchased.
3. Submit the required plan review information to the Environmental Health Department.
4. When plan review is complete, you will receive a letter from the Environmental Health Department. Begin work on your mobile unit.
5. When your project is finished, have the City Building Inspector conduct the required inspection (if necessary) and call the Environmental Health Department for your pre-opening inspection before opening your food service establishment to the public. **Please allow at least 7 days for scheduling this inspection.** At the time of your pre-opening inspection you will need to have a check ready and payable to the Montana Department of Public Health and Human Services (MDPHHS) for your Food Purveyor License. The fee is as follows:
 - One (1) or two (2) employees/workers per shift - \$85.00
 - Three (3) or more employees/workers per shift - \$115.00.
6. Obtain a City Business License if necessary.

If you have any questions, please call the Lake County Environmental Health Department at (406) 883-7236.



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MOBILE FOOD SERVICE UNIT PLAN REVIEW
APPLICATION

Date of Application: _____

Name of Business: _____

Mailing address of Business: _____

City/State: _____ Zip Code: _____

Business Phone: _____ FAX: _____

Number of staff per shift: _____

Projected date of operation: _____

Classification of Mobile Unit

____ Pushcart

____ Mobile Food Unit

Mobile Food Unit Manufacturer: _____

Phone: _____

Applicant Information:

Name of Applicant: _____

Mailing address of Applicant: _____

City/State: _____ Zip Code: _____

Phone: _____ E-mail: _____

Servicing Area Information:

Name of Servicing Area: _____

Servicing Location address _____

Contact Person _____ Phone _____

Water / Wastewater Information:

Potable Water Source location _____

Wastewater dump location _____

Solid Waste:

Garbage removal arrangements _____

Power Information:

What is your primary source of power?

MOBILE FOOD SERVICE UNIT PLAN REVIEW

Included in this packet of information you will find:

Requirements for Mobile Units, Page 5

Definitions and Permit Classifications, Page 6

Specific Requirements for Mobile Food Units, Page 7-9

Excerpts from the Administrative Rules of Montana for Mobile Units, Page 10-11

STEP-BY-STEP APPROACH TO PLAN REVIEW:

1. Review the **Requirements for Mobile Food Service Units At-A-Glance** sheet on page 5, and determine the type of menu you have.
2. Using the information found in the Montana Food Regulations at the end of this packet and Specific Requirements for Mobile Food Units, complete the following checklist to assure that you have all of the necessary information. **PLANS THAT ARE INCOMPLETE WILL BE RETURNED.**
3. Provide a complete copy of the Plan Review Application Packet that is clear and easy to read.
4. **Put your Plan Review Application Packet together in the following order. Check off each item when the information is put in the packet.**

a. Cover Page

Complete Mobile Food Service Unit Cover Page provided on page 2 to start your packet.

b. Itemized menu

List all foods to be served. Include condiments, iced beverages, ice, and the source of any bulk food that you will repackage for retail with details of any re-packaging. All food must be from approved food manufacturers, suppliers, or distributors.

c. Equipment list

Commercial grade as determined by manufacturer. The retail source should be able to provide that information for you.

Make and model numbers.

Power source (propane, electricity, battery, etc.).

d. Layout of mobile unit

Overall dimensions of the mobile unit/pushcart.

Top view of all equipment and supplies. Include cash register, hand soap and paper towels, knock boxes, espresso machines, hot dog cookers, condiments, baked goods, etc.

Location of hot and cold holding equipment.

Finishes on all surfaces (i.e. enamel paint, FRP, sheet vinyl, etc.)

Indicate the type of overhead protection that will be provided.

Lighting adequate (at least 50 ft. candles on food prep surfaces) and shielded.

e. Restroom availability letter

If operating consistently at a specific location, provide a letter/lease giving permission for mobile operators to use restrooms located within 200 feet of the mobile food service or pushcart.

f. Water system schematic

- Include specification sheet on the hot water heater. Show that water heater has an adjustable thermostat.
- Size and material of the fresh water and wastewater tanks. **Hand sink must have at least 5 gallons fresh water dedicated for hand-washing purposes.** Waste tank must be 15% larger than fresh water tank.
- List the type of pump.
- Indicate what type of tubing material will be used. Must be drinking water approved.
- Waste connection. Must be of different size/type than those supplying potable water.
- General idea of how the water system fits on the mobile unit.

g. Servicing Area Details (A separately licensed servicing area may be required for mobile food units. This is menu dependent.)

- If using an approved or licensed kitchen other than your own licensed kitchen as a servicing area, a letter from the owner of the servicing area is required. The letter must indicate you have access to dishwashing, refrigeration and storage and the time(s) you will be using it.
- Floor plan of the servicing area showing separate designated storage area(s).
- Location of servicing area. Servicing area must be conveniently located to serve the operating site(s).
- Details of garbage removal service, provided by servicing area?

h. Site map

- Location of mobile food service/pushcart operation.
- Location of mobile unit/pushcart storage.
- For mobile food units that primarily operate from a fixed location, include location of servicing area and restrooms.

i. Operating procedures

- What are your hours of operation?
- What time(s) will you report to your servicing area?
- Indicate how and where water tanks will be filled.
- Indicate how and where wastewater tanks will be emptied.
- Describe cleaning procedures during the day.
- Describe cleaning procedures at servicing area.
- Provide written details of any food preparation.

j. Personnel

- Indicate the maximum number of people working at any time.

k. Conclude with the statement: NO CHANGES WILL BE MADE WITHOUT HEALTH DEPARTMENT APPROVAL.

l. Print your name and sign and date the document.

NOTE: Plans approved by the health department are good for six months. They may be renewed for one additional six-month period if the project is not completed. After one year, plans must be resubmitted.

REQUIREMENTS FOR MOBILE FOOD UNITS

Health Department Requirements	<u>Low Risk Menu</u> All pre-packaged PHF items; No preparation needed, such as frozen treats or pre-packaged foods	<u>Moderate Risk Menu</u> Limited preparation of limited PHF items – such as quick cook and serve or assemble and serve items, i.e. espresso, sno-cones, hot dogs, cheese nachos	<u>Elevated Risk Menu</u> Moderate preparation of PHF menu items such as tacos, salads, soups, etc.
Comply with ARM 37.110.201-256	R	R	R
Servicing area	☐	R	R
Garbage service	R	R	R
Mechanical hot holding and refrigeration required, if needed	☐	R	R
Food from an approved source	R	R	R
License on display	R	R	R
Hot and cold running water	☐	R	R
Hand wash sink	☐	R	R
Sanitizer & wiping cloths	☐	R	R
Potable water source	☐	R	R
Wastewater dump site	☐	R	R
Single service utensils for customers	☐	R	R
Fully enclosed unit	☐	☐	R
Three-compartment sink required on unit	☐	☐	R

R= Required

☐ = May be required, menu dependant

DEFINITIONS AND PERMIT CLASSIFICATIONS

Mobile Food Service units and pushcarts shall be classified according to the following menu categories. Please check off the category which best describes yours:

_____ **PUSHCART**

- _____ A. **Low Risk Menu** – only prepackaged potentially hazardous foods. Prepackaged non-potentially hazardous foods do not require review or license.
- _____ B. **Moderate Risk Menu** – Limited preparation of “quick cook and serve” or “assemble and serve” with limited menu items, such as espresso, sno-cones, hot dogs, etc.

_____ **MOBILE FOOD UNIT**

- _____ A. **Low Risk Menu** – only prepackaged potentially hazardous foods.
- _____ B. **Moderate Risk Menu** – Limited preparation of “quick cook and serve” or “assemble and serve” with limited menu items, such as espresso, sno-cones, hot dogs, etc.
- _____ C. **Elevated Risk Menu** – More extensive menu with multi-step preparation occurring on the mobile unit. Requires an approved enclosed mobile food service unit with a three-compartment sink.

DEFINITIONS

"HOT DOGS" means a precooked ready-to-eat sausage as defined by USDA.

“SERVICING AREA” means an operation base location to which a mobile food service, food transportation vehicle or pushcart returns regularly for maintenance such as vehicle and equipment cleaning, discharge of liquid or solid wastes, refilling water tanks and ice bins, and boarding food.

“POTENTIALLY HAZARDOUS FOOD” means any natural or synthetic edible item, material or ingredient in a form supporting rapid and progressive growth of infectious or toxigenic microorganisms or the slower growth of *Clostridium botulinum*. It includes raw and cooked meats (beef, pork, and poultry), shellfish and fish, baked and boiled potatoes, tofu and other soy-protein products, cooked rice, cooked beans and other cooked vegetables, eggs, milk and milk products, raw seed sprouts, cut melons, and garlic and oil mixtures.

SPECIFIC REQUIREMENTS FOR MOBILE FOOD UNITS LICENSE

- Mobile units must have a valid state Food Purveyor License that is conspicuously posted on the unit.
- Mobile food units are required to follow all applicable sections of the Administrative Rules of Montana for Food Service Establishments, Title 37, Chapter 110, Subchapter 2.

FOOD

- Food must be from an approved food manufacturer that complies with FDA requirements for proper labeling, or prepared and packaged by the mobile unit operator under sanitary conditions at a licensed or approved kitchen. Potentially hazardous foods must be 41° F or less or 135° F or above on the cart during transportation, storage, display and service.
- Metal stem thermometers (0-220° F range) must be available to check food temperatures.
- All food must be protected from contamination. Unwrapped foods must be covered with a dome type cover or totally enclosed with an operable door for service. Food must be stored at least 6 inches off the ground/floor.
- Condiments shall be single service packages or dispenser bottles. Condiments unavailable in single service packaging and which can't be dispensed in bottles may be served in bulk, provided that the condiment is non-potentially hazardous and there is adequate food protection (i.e. for sauerkraut, onions).

PERSONNEL

- When food is prepared on the unit, a hand sink is required. The sink must have running water, under pressure, with hand soap and paper towels. The hand sink shall be operational and accessible at all times while the unit is in operation. (If hand sinks are in cabinets or drawers, they must be left open to keep the hand sink available.) **A minimum of 5 gallons of water is required for hand washing.**
- Employees must wash hands before preparing or serving food.
- Minimize bare-hand contact with ready-to-eat food. Gloves, tongs, pastry papers, etc. are required when dispensing ready-to-eat foods.

EQUIPMENT AND UTENSILS

- Only single use cups, plates and cutlery are allowed.
- Facilities for holding potentially hazardous food must maintain 135° F or above or 41° F or below. Components must be commercially rated. Facilities for hot and cold holding of moderate and high risk potentially hazardous food must be mechanical (powered by propane, electricity or generators, etc). Thermostatic controls are recommended to adequately control hot and cold holding temperatures in variable weather conditions.
- One ice chest, properly stored, is allowed for non-potentially hazardous food. Hot dogs may be stored in the ice chest provided they are maintained at 41° F or below.
- If deep fat fryers are used, a tight-fitting, heat-resistant cover shall be locked in place for safe transport of hot grease.

FACILITIES AND CLEANING

- Overhead cover is required. Pushcarts shall have overhead cover when placed outside.
- Mobile food units may be required to have a servicing area to which they report to daily or as needed for any supplying, cleaning and maintenance, or servicing operations. Within the servicing area there must be an area for flushing and draining liquid wastes that is separate from the area used to provide potable water. A servicing area is not required when only prepackaged food is served from a mobile unit.
- All food, equipment and supplies used for the mobile food unit's operation must be stored in the food servicing area or on the mobile food unit. Food storage in any other unlicensed or unapproved facility is prohibited.
- Reusable utensils (i.e., steaming pitchers, tongs, spoons, juicers, etc.) must be washed, rinsed and sanitized every two (2) hours when in continuous use. If the servicing area is not convenient to carry out dishwashing every two hours, additional sets of clean and sanitized utensils must be loaded on the cart in covered, sanitary container. Soiled utensils shall be replaced every two hours. Store dirty utensils in a separate container for washing, rinsing, sanitizing and air drying at the servicing area.

WIPING CLOTHS

- When food is prepared on the mobile unit, wiping cloths must be stored in a sanitizing solution and used to wipe down food contact surfaces that have been washed and rinsed.
- Sanitizer containers must be labeled.
- Provide chemical test strips for the sanitizer used on the mobile unit.

POTABLE WATER

- Enough potable water from an approved source under pressure shall be supplied in sufficient capacity to furnish enough hot and cold water for food preparation and to meet all hand washing and cleaning requirements of the mobile unit.
- Potable water must be supplied through a water inlet that is:
 - located to prevent contamination by waste discharge, road dust, oil or grease
 - kept capped unless being filled
 - provided with a transition connection of a size or type that will prevent its use for any other service
 - connected to a permanently mounted water tank constructed of safe, durable, rigid, cleanable, food-grade material
- All water system distribution pipes or tubing must be constructed and installed in accordance with the plumbing requirements of this rule (ARM 37.110.219.)
- Potable water must be supplied in one of the following ways:
 - By a licensed water bottler and used from the original container (Receipts required)
 - By a licensed water hauler (Receipts required)
 - Directly by pipe from a Public Water Supply. (Log required)
- Servicing logs signed by the potable water supply representative shall be kept on the

mobile unit for review by the inspecting sanitarian.

WASTEWATER DISPOSAL

- Liquid waste resulting from operation of the mobile food unit shall be stored in a permanently mounted retention tank that is at least 15 % larger capacity than the water supply tank. For a pushcart, wastewater tanks may be portable.
- Tanks for wastewater shall be rigid, durable and cleanable.
- Connections on the vehicle for servicing the mobile food service waste disposal facilities must be:
 - of a different size or type than those used for supplying potable water to the unit.
 - located lower than the water inlet to preclude contamination of the water system.
- Wastewater must be disposed of in one of the following ways:
 - By a licensed septic pumper (log required)
 - By transport to an approved dump station (log required)
 - Only pushcarts may use portable wastewater tanks with that are emptied at least daily or as needed to sanitary sewer at a servicing area (log required)
- Tanks must facilitate cleaning and be thoroughly flushed and drained during servicing operations.
- Wastewater servicing logs signed by an authorized representative shall be kept on the mobile unit for review by the inspecting sanitarian.

VENTILATION

- When food preparation results in grease-laden vapors, a powered exhaust canopy with appropriate filters and ductwork vented to the outside shall be installed to carry off cooking odors, gasses, fumes and grease-laden air.

GARBAGE

Provide water-resistant garbage containers that are sanitarily maintained with liners and emptied daily.

PREMISES

Where a mobile food unit operates at a fixed location, regulations pertaining to control of litter and maintenance of walking and driving surfaces shall apply. (ARM 37.110.232)

ADMINISTRATIVE RULES OF MONTANA

37.110.256 MOBILE FOOD SERVICE

(1) Mobile food services must comply with all requirements of this subchapter unless otherwise specified in this rule.

(2) Mobile food services must provide only single-service articles for use by the consumer.

(3) Mobile food services requiring a water system must have a potable water system under pressure and must be of sufficient capacity to furnish enough hot and cold water for food preparation, utensil cleaning and sanitizing, and hand washing, in accordance with ARM 37.110.217.

Additionally:

(a) The water inlet must be located so that it will not be contaminated by waste discharge, road dust, oil, or grease; be kept capped unless being filled; and be provided with a transition connection of a size or type that will prevent its use for any other service;

(b) All water distribution pipes or tubing must be constructed and installed in accordance with ARM 37.110.219.

(4) If liquid waste results from the operation of a mobile food service, the waste must be stored in a retention tank that is of at least 15% larger capacity than the water supply tank.

Additionally:

(a) Liquid waste may not be discharged from the retention tank when the mobile food service is in motion;

(b) All connections on the vehicle for servicing mobile food service waste disposal facilities must be of a different size or type than those used for supplying potable water to the unit;

(c) The waste connection must be located lower than the water inlet connection to preclude contamination of the potable water system;

(d) The liquid waste retention tank, where used, must be thoroughly flushed and drained during the servicing operation;

(e) All liquid waste must be discharged to a sanitary sewage disposal system in accordance with ARM Title 17, chapter 38, subchapter 1.

(5) A mobile food service must report as needed to a servicing area for supplies, cleaning and maintenance, unless otherwise allowed by the local health authority.

(6) A mobile food service may have an approved water hauler and a licensed septic pumper service the unit. The approved water hauler and licensed septic pumper must be in compliance with ARM Title 17, chapter 38, the rules of the Montana department of environmental quality.

(7) A mobile food service need not comply with the requirements in ARM 37.110.215 regarding cleaning and sanitizing equipment

and utensils, if the mobile food service reports daily to an approved servicing area, and serves:

(a) Only food from approved sources, packaged in individual servings, and transported and stored under conditions meeting the requirements of this subchapter; or

(b) Beverages that are not potentially hazardous and are dispensed from covered urns or other protected equipment.

(8) The local health authority may:

(a) Impose additional requirements to protect against health hazards related to the conduct of the mobile food service;

(b) Prohibit the sale of some or all potentially hazardous food; or

(c) When no health hazard will result, waive or modify requirements of this subchapter. (History: Sec. 50-50-103, MCA; IMP, Sec. 50-50-103, MCA; NEW, 2000 MAR p. 3201, Eff. 11/23/00.)

37.110.257 PUSHCARTS

(1) Pushcarts must operate in accordance with ARM 37.110.256.

(2) Additionally, pushcarts must have a servicing area, which must include at least an overhead protection for any supplying, cleaning, or servicing operation. Within the servicing area, there must be a location provided for the flushing and drainage of liquid wastes separate from the location provided for potable water servicing and for the loading and unloading of food and related supplies. A servicing area is not required when only packaged food is placed on the pushcart.

(3) The servicing area must be constructed and equipped as follows:

(a) The floor surface of the servicing area must be constructed of a smooth nonabsorbent material, such as concrete or machine-laid asphalt and must be maintained in good repair, kept clean, and be graded to drain;

(b) The construction of the walls and ceilings of the servicing area is exempted from the requirements of ARM 37.110.226;

(c) Potable water servicing equipment must be installed according to ARM 37.110.217 and 37.110.219 and must be stored and handled in a way that protects the water and equipment from contamination.

(d) The liquid waste retention tank, where used, must be thoroughly flushed and drained during the servicing operation, and all liquid waste must be discharged to a sanitary sewerage disposal system in accordance with ARM Title 17, chapter 38, subchapter 1. (History: Sec. 50-50-103, MCA; IMP, Sec. 50-50-103, MCA; NEW, 2000 MAR p. 3201, Eff. 11/23/00.)