

# Town of Plainville

## MOBILE FOOD PERMIT CHECKLIST

**Please enclose the following documents when returning the packet to the Board of Health:**

1. \_\_\_\_ Completed Food Establishment Application.
2. \_\_\_\_ Pay permit fee of \$50.00 per vehicle annually. Make Check payable to Town of Plainville
3. \_\_\_\_ Include a copy of the vehicle registration
4. \_\_\_\_ Include a full menu of all products, including beverages which you intend to sell
5. \_\_\_\_ Include a copy of the Certified Food Manager Certificate
6. \_\_\_\_ Include a copy of the Massachusetts Allergen Awareness Training Certificate
7. \_\_\_\_ Complete the attached Workers' Compensation Affidavit
8. \_\_\_\_ Complete the attached Commissary Agreement and provide a copy of the permit for the commissary.
9. \_\_\_\_ Complete the Restroom Facility Agreement (if stationary)
10. \_\_\_\_ Include a copy of your Hawkers & Peddler's License (\*if moving around) State or local license for Mobile Food Establishments – MA Division of Standards.  
List the locations of where you will vend: \_\_\_\_\_  
*\*If your unit will be stationary there is no need for a Hawker's & Peddlers License.*
11. \_\_\_\_ Fire Department permit. Complete the attached Application for Standard Permit from the Fire Department if cooking anything that produces grease laden vapor, has a fire suppression system, or utilizes propane tanks.
12. \_\_\_\_ **ICE CREAM VENDORS:** You must review the attached information for Ice Cream Vendors
13. \_\_\_\_ **ICE CREAM VENDORS:** Provide a copy of a the ICE CREAM VENDORS CORI check from the Police Department you live in or complete the attached Application for Permit to Engage in Ice Cream Truck Vending and submit it to the Plainville Police Department. Contact the Plainville Police Department for additional information prior to submitting the application for further instructions.

### VEHICLE INSPECTION

**Once all the above information has been collected and reviewed by the Board of Health, the vehicle MUST be inspected and a permit issued prior to you serving the public.**

# Town of Plainville

P. O. Box 1717 – Plainville MA 02762

## Food Establishment Permit Application

Permit # \_\_\_\_\_

Received \_\_\_\_\_

Total Fee \_\_\_\_\_

Paid (ck or cash) \_\_\_\_\_

License granted \_\_\_\_\_

**FOR OFFICE USE ONLY**

*The undersigned hereby applies for a License in accordance with the provisions of the Statues relating thereto in said Town of Plainville in accordance with the rules and regulations made under authority of said statues.*

**Date of Application:**

**E:MAIL ADDRESS (Mandatory)**

**1) Establishment Name:**

**2) Establishment Address:**

**3) Establishment Mailing Address (if different):**

**4) Establishment Telephone No:**

**5) Applicant Name & Title:**

**6) Applicant Address:**

**7) Applicant Telephone 24 Hour Emergency No:**

**E:mail**

**8) Owner Name & Title (if different from applicant):**

**9) Owner Address (if different from applicant):**

**10) Establishment Owned By:**

- ☐ An Association
- ☐ A Corporation
- ☐ An Individual
- ☐ A Partnership
- ☐ Other legal entity \_\_\_\_\_

**11) If a corporation or partnership, give name, title, and home address of officers or partner.**

Name

Title

Home Address

\_\_\_\_\_  
\_\_\_\_\_

**12) Person Directly Responsible for Daily Operations (Owner, person in charge, supervisor, manager Etc.)**

Name & Title:

Address:

Telephone No:

E:mail:

Emergency Telephone No:

**13) District or Regional Supervisor (if applicable)**

Name & Title:

Address:

Telephone No:

E:mail:

## Food Establishment Information

<b>14) Water Source:</b> <input type="checkbox"/> Public (Town) <input type="checkbox"/> Well <small>DEP Public Water Supply No: (if applicable)</small>		<b>16) Sewage Disposal:</b> Public    Private (On-site septic) Name of pumper _____ <b>Exterior Grease Trap:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No Name of pumper: _____ <b>Rubbish Disposal firm:</b> _____	
<b>15) Pest Control:</b> Frequency: _____ Name: _____			
<b>17) Days and Hours of Operation:</b>		<b>18) Number of Food Employees:</b>	
<b>19) Name of Person in Charge Certified in Food Protection Management and Allergen Awareness Training:</b> <i>Attach copy of certificate</i>			
<b>20) Person Trained in Anti-Choking Procedures</b> <i>(Attach Copies of certificate)</i>			
<b>21) Location:</b> (check one) <input type="checkbox"/> Permanent Structure  <input type="checkbox"/> Mobile		<b>23) Establishment Type</b> <i>(check all that apply)</i> <input type="checkbox"/> Retail ONLY    ( _____ sq.ft.)    \$150.00 <input type="checkbox"/> Food Service -    \$300.00 <input type="checkbox"/> Permanent - (Number of Seats _____) <input type="checkbox"/> Take out <input type="checkbox"/> Institution - (Number of Meals/Day _____) <input type="checkbox"/> Frozen Desert <input type="checkbox"/> Slush Machine <input type="checkbox"/> Bakery <input type="checkbox"/> Milk <input type="checkbox"/> Food Delivery/Mobile Vehicles, # of Vehicles _____    \$ 50.00 per vehicle <input type="checkbox"/> Caterer    \$ 50.00 <input type="checkbox"/> Bed & Breakfast    \$250.00 <input type="checkbox"/> Cottage Food Operation/Residential Kitchen for Retail Sale    \$150.00 <input type="checkbox"/> Food Manufacturing    \$250.00 <input type="checkbox"/> Other _____	
<b>22) Length of Permit:</b> (check one) <input type="checkbox"/> Annual  <input type="checkbox"/> Seasonal (list dates) _____  <input type="checkbox"/> Temporary (lists dates/time): _____		<b>TOTAL PERMIT FEES</b> \$ _____	
<b>24) Food Operations:</b>  Check all that apply		Definitions: TCS – formerly known as “potentially hazardous food” (time/temperature controls required) Non-TCS’s – non-potentially hazardous food (no time/temperature controls required) RTE – ready-to-eat foods (EX. Sandwiches, salads, muffins which need no further processing)	
<input type="checkbox"/> Sale of Commercially Pre-Packaged Non- TCSs	<input type="checkbox"/> TCS Cooked to Order	<input type="checkbox"/> Hot TCS cooked and cooled or hot held for more than a single meal service.	
<input type="checkbox"/> Sale of Commercially Pre-Packaged TCSs	<input type="checkbox"/> Preparation of TCSF’s for Hot and Cold Holding for single meal service.	<input type="checkbox"/> TCS and RTE foods prepared for highly susceptible population facility	
<input type="checkbox"/> Delivery of Packaged TCSs	<input type="checkbox"/> Sale of Raw Animal Foods intended to be prepared by consumer.	<input type="checkbox"/> Vacuum packaging/cook chill	
<input type="checkbox"/> Reheating of Commercially Processed Foods for Service within 4 hours.	<input type="checkbox"/> Customer Self-Service	<input type="checkbox"/> Use of process requiring a variance and/or HACCP plan (including bare hand contact alternative, time as a public health control)	
<input type="checkbox"/> Customer Self-Service of Non-TCS and Non-Perishable Foods Only.	<input type="checkbox"/> Ice Manufactured and packaged for retail sale	<input type="checkbox"/> Offers raw or undercooked food of animal origin.	
<input type="checkbox"/> Preparation of Non-TCS’s	<input type="checkbox"/> Juice manufactured and packaged for retail sale	<input type="checkbox"/> Prepares food/single meals for catered events or institutional food service	
<input type="checkbox"/> Other (Describe):	<input type="checkbox"/> Offers RTE TCS in Bulk Quantities	<input type="checkbox"/> Retail sale of salvage, out-of date or reconditioned food	
<i>I, the undersigned, attest to the accuracy of the information provided in this application and I affirm that the food establishment operation will comply with 105 CMR 590.000, the 2013 Federal Food Code and all other applicable law. I have been instructed by the Board of Health on how to obtain copies of 105 CMR 590.00 and the 2013 Federal Food Code.</i>			
<b>25) Signature of Applicant:</b> _____			
<i>Pursuant to MGL CH. 62C, sec. 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid state taxes required under law.</i>			
<b>26) Social Security Number or Federal ID:</b> _____			
<b>27) Signature of Individual or Corporate Name:</b> _____			



*The Commonwealth of Massachusetts  
Department of Industrial Accidents  
1 Congress Street, Suite 100  
Boston, MA 02114-2017*

*www.mass.gov/dia*

**Workers' Compensation Insurance Affidavit: General Businesses.  
TO BE FILED WITH THE PERMITTING AUTHORITY.**

**Applicant Information**

**Please Print Legibly**

Business/Organization Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ Phone #: \_\_\_\_\_

**Are you an employer? Check the appropriate box:**

1. ☐ I am an employer with \_\_\_\_\_ employees (full and/or part-time).\*
2. ☐ I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3. ☐ We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]\*\*
4. ☐ We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

**Business Type (required):**

5. ☐ Retail
6. ☐ Restaurant/Bar/Eating Establishment
7. ☐ Office and/or Sales (incl. real estate, auto, etc.)
8. ☐ Non-profit
9. ☐ Entertainment
10. ☐ Manufacturing
11. ☐ Health Care
12. ☐ Other \_\_\_\_\_

\*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

\*\*If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

*I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.*

Insurance Company Name: \_\_\_\_\_

Insurer's Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Policy # or Self-ins. Lic. # \_\_\_\_\_ Expiration Date: \_\_\_\_\_

**Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).**

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

*I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Phone #: \_\_\_\_\_

*Official use only. Do not write in this area, to be completed by city or town official.*

City or Town: \_\_\_\_\_ Permit/License # \_\_\_\_\_

Issuing Authority (circle one):

1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board 5. Selectmen's Office  
6. Other \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_

## Use of Commissary Agreement

### **Base of Operations**

It is required that the operators of a Mobile Food Establishment have a base of operation from a licensed commissary/shared kitchen facility. Residential (Home) kitchens will not be approved. The kitchen is an essential part of a mobile food operation and must have facilities for supply storage, potable water, equipment cleaning and sanitizing, food preparation, refuse, waste and grease disposal and other servicing activities.

#### **Base of Operations:**     *\*Attach copy of the Current Permit*

Name of Business: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

Title: \_\_\_\_\_ Email: \_\_\_\_\_

Business Hours of Operation: \_\_\_\_\_

#### **Mobile Establishment – Vendor Information:**

Name of Business: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

Title: \_\_\_\_\_ Email: \_\_\_\_\_

Days/Time at Base of Operation: \_\_\_\_\_

#### **Signatures:**

Base of Operation Owner/Agent: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Mobile Vendor Owner/Agent: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

***This agreement between the owner of the Base of Operations and the owner/vendor of the mobile food establishment signifies that both parties agree the allowed use of the kitchen as specified. Note that this agreement is not transferable. Should there be a change in ownership of either the kitchen or the mobile food establishment, or should there be any modification of cancellation of the agreement between parties, then the Mobile Food Establishment Permit may be suspended.***

## Restroom Facility Agreement

***Operators of mobile food establishments shall obtain the use of adequate and suitable toilet facilities where handwashing facilities are available. 105 CMR 590.009 (B) (1)***

- 1. The business name below must furnish written approval to the mobile food establishment owner/vendor at the time of the mobile food establishments' initial licensing and each license renewal.**
- 2. The business must allow the mobile food establishment owner/vendor Employee (s) to use the restroom facilities of the business during the mobile food establishments owners/vendors hours of operation.**
- 3. The restroom must be located within 200 ft. of the mobile food establishment.**

I, \_\_\_\_\_ have read and understand the items of responsibility, listed above and  
*Business Owner or Responsible party*

agree to comply with all of the requirements. I give permission to \_\_\_\_\_  
*Mobile Food Owner/Vendor*

to use my establishment, \_\_\_\_\_  
*Business Name*

located at \_\_\_\_\_ as their main restroom facility.

I understand that I, \_\_\_\_\_ need to notify the Plainville Board of Health should I be  
*Business Owner/Responsible Party*  
unable to honor this agreement of any period of time, and that I, \_\_\_\_\_  
*Mobile Food Establishment Owner/Vendor*

need to find alternative arrangements and inform the Plainville Board of Health in writing should the need arise. If toilet facilities are found inadequate or do not meet minimum sanitation requirements, this agreement may be rescinded.

Signature of Business Owner/Responsible Party: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Signature of Business Owner/Responsible Party: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_ Phone Number: \_\_\_\_\_



PLAINVILLE FIRE DEPARTMENT  
194 South Street  
Plainville, Massachusetts 02762

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**To: All Food Vendors**

**Re: Code requirements per Mass Fire Safety Code 527 CMR 1.0,  
Effective May 2, 2016**

Massachusetts General Law Chapter 527 Section 1.0 is now in effect, the Plainville Fire Department will be enforcing all the requirements for mobile and temporary food vending. The following is a list of enforced requirements:

- A fire department inspection is required for all temporary cooking food vendors.
- All outside propane storage required for the site will be permitted by the Plainville Fire Department. (See permit fees section).
- LPG tanks must be hydrostatic tested within 12 years or they will not be allowed to be placed in service and must be removed from the event.
- LP-gas container(s) shall be located at the outer edge of the canopy, a minimum of 5' away from any heat producing appliance. The container shall be protected to prevent tampering or damage by vehicles or other hazards. The container shall be securely fastened to prevent tipping that could result in damage to the hose or connection. All tanks and lines shall be leak free. Safety valves are to be pointed away from the tent and heating appliance.
- Cooking canopies are to be located no less than 10' from any other canopy, tent or structure.
- Food shall be served from the outer edge of the tent. Suitable barriers shall be provided to maintain a distance of not less than 5' between areas accessed by the general public and the cooking equipment.
- The use of membrane structures (tents) for cooking activities is restricted to free standing canopies with no sides attached during the cooking activities.
- A minimum of one K-class and one 10 pound ABC extinguisher shall be placed at the end of each cooking line. All extinguishers must have a current inspection tag.

- Flat top & grill cooking shall have a minimum of one K-class and one 10 pound ABC fire extinguisher. All extinguishers must have a current inspection tag.
- Flat top and grill cooking that takes place under a flame rated tent shall be 36 " clearance from any flammable materials (example: any portion of the tent or canopy).
- All tents that are used for food vending with cooking operations will be required to be flame rated and proof of rating if not properly labeled. Rating must meet NFPA 102, NFPA 701 or the California flame rating equivalent.
- Food vendors working from a mobile food unit (truck or trailer), must meet the requirements of 527 CMR 50.2.1.9 and NFPA 96 when cooking anything that produces grease laden vapor.
- All cooking equipment will be required to be approved and listed commercial equipment per 527 CMR 1.0, NFPA 96, 3.2.4 (2011 Edition).
- All fire extinguisher systems and extinguishers will need to be serviced and inspected by a licensed technician. A service tag with the last date of inspection will be required per 527 CMR 1.0.

If there are any questions regarding the listed requirements, please feel free to contact the fire chief 48 hours prior to the scheduled event.

Thank you,

Richard Ball  
Chief





The Commonwealth of Massachusetts  
TOWN OF PLAINVILLE  
**Application for Standard Permit**



Return completed application to: Town of Plainville Fire Department

Permit Number: \_\_\_\_\_  
City of Town \_\_\_\_\_  
Date: \_\_\_\_\_

Dig Safe Number

Start Date:

In accordance with the provisions of M.G. L. Chapter 148, as provided in Section \_\_\_\_\_ application is hereby made

by: \_\_\_\_\_  
(Full Name of Person, Firm or Corporation) (Phone Number)

of: \_\_\_\_\_  
(Address; Street or P.O. Box, City or Town, Zip Code)

for permission to (state clearly purpose for which permit is requested) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name of Competent Operator (if applicable) \_\_\_\_\_ Cert. No. \_\_\_\_\_

Date Issued-rejected \_\_\_\_\_ By \_\_\_\_\_  
(Signature of Applicant)

Date of expiration \_\_\_\_\_ Fee \_\_\_\_\_ Amount Paid \$ \_\_\_\_\_

## **Ice Cream Truck Vendors FAQs**

**Q: What am I required to do under the Ice Cream Truck vendor regulation?**

A: If you engage in Ice Cream truck vending or operation, this regulation requires that you obtain a permit from the Permitting Authority within the municipality where you live or plan to operate the Ice Cream Truck.

**Q: How do I know if the Ice Cream Truck regulation applies to me?**

A: Every person who intends to engage in Ice Cream Truck vending must obtain a valid permit issued by the Permitting Authority. Ice Cream Truck vending is defined as the selling, displaying or offering to sell ice cream or any other prepackaged food product from an ice cream truck.

**Q: I operate a food Truck that does not serve Ice Cream products. Will I be required to obtain a permit?**

A: No. The regulation provides that every person who intends to engage in ice cream truck vending must obtain a permit and defines an ice cream truck as any motor vehicle used for selling, displaying, or offering to sell ice cream. If your truck does not carry ice cream products, then you will not be required to obtain a permit.

**Q: My service areas include a number of municipalities. Will I be required to apply for permits from each city or town in which I operate?**

A: There are two ways to obtain a permit: either by applying to the municipality where the applicant lives or by applying to the municipality where the applicant plans to operate the Ice Cream Truck. An applicant who obtains a permit in the municipality where he or she lives may operate without restriction in any other municipality. However, an applicant who obtains a permit in a particular municipality where he or she intends to operate is restricted to operating in that municipality.

**Q: Where do I obtain a permit application?**

A: Applicants may obtain a Office of Public Safety and Inspections (OPSI)-approved permit application from their local Permitting Authority.

**Q: I have a question about the application process. Who should I contact?**

A: Permitting and enforcement will all be done by the local permitting authority and not OPSI. Please direct all inquiries to your local permitting authority.

**Q: What is a Permitting Authority?**

A: The Permitting Authority is the chief of police or the board or officer having control of the police in a city or town. The Permitting Authority may also be a person authorized by the chief of police, the board or officer.

**Q: Why is a criminal background check required?**

A: The criminal background check is required by statute. M.G.L. c. 270 § 25 directs the Division of Professional Licensure to draft regulations which include a requirement that a Permitting Authority conduct an investigation into the criminal history of a permit applicant to determine his or her eligibility.

## **Ice Cream Truck Vendors FAQs (continued)**

**Q: Am I required to pay for the criminal background check?**

A: The Permitting Authority of the municipality where the applicant applies will determine whether to require a fee for conducting the requisite criminal background check.

**Q: I have a criminal record. Will this prohibit me from obtaining a permit?**

A: Based on the results of the investigation into the applicant's criminal history, the Permitting Authority will determine the applicant's eligibility. However, in no case will a permit be issued to a person who is a sex offender as defined by M.G.L. c. 6 § 178C.

**Q: Will the information contained in my criminal record become public record?**

A: No, the information contained in an applicant's criminal record will be used solely for the purpose of determining the applicant's eligibility for a permit.

**Q: I own an Ice Cream Truck vending business and employ multiple Ice Cream Truck operators. Is each individual required to obtain a permit?**

A: Yes, every person who intends to engage in ice cream truck vending is required to obtain a permit by submitting an application for permit to engage in ice cream truck vending. However, you may list all operators on one permit for your business to be displayed on the truck itself.

**Q: What address should I list on my permit?**

A: The address listed on your permit should be the business address for the Ice Cream Truck vendor.

**Q: Do I have to have my permit with me at all times?**

A: Yes, a *validly issued permit must be conspicuously displayed and clearly visible on the windshield of the Ice Cream Truck.*

520 CMR: DEPARTMENT OF PUBLIC SAFETY

520 CMR 15.00: PERMITTING OF ICE CREAM TRUCK VENDORS

Section

- 15.01: Authority, Purpose and Scope
- 15.02: Definitions
- 15.03: Permitting Requirements; Conspicuous Posting
- 15.04: Uniform Permit Applications and Permit Forms
- 15.05: Issuance of Permits; Renewals; Investigation by Permitting Authority into Criminal History of Applicant
- 15.06: Assessment of Fines; Hearings

15.01: Authority, Purpose, and Scope

(1) Purpose and Scope.

(a) 520 CMR 15.00 is promulgated by the Department of Public Safety pursuant to authority granted by M.G.L. c. 270, § 25(a).

(b) The purpose of 520 CMR 15.00 is to establish uniform standards and requirements for the issuance of permits to engage in ice cream truck vending.

(2) Applicability Provision. 520 CMR 15.00 shall apply to any person who engages in ice Cream truck vending as defined by 520 CMR 15.02: Definitions: Ice Cream Truck Vendor/Operator and M.G.L. c. 270, § 25(a).

15.02: Definitions

Department, the Department of Public Safety.

Ice Cream, any frozen dairy or frozen water-based food product.

Ice Cream Truck, any motor vehicle used for selling, displaying or offering to sell ice cream.

Ice Cream Truck Vending, the selling, displaying or offering to sell ice cream or any other prepackaged food product from an ice cream truck.

Ice Cream Truck Vendor/Operator, any person who owns, sells, displays, or offers to sell ice cream from an ice cream truck or any person who drives or operates such a vehicle.

Permitting Authority, the chief of police or the board or officer having control of the police in a city or town, or person authorized by them.

15.03: Permitting Requirements; Conspicuous Posting

(1) No person shall engage in ice cream truck vending, as defined in 520 CMR 15.02: Definitions: Ice Cream Truck Vending, unless the applicant has been issued a valid permit to do so by the Permitting Authority within the municipality where the permit applicant lives or intends to operate an ice cream truck. A permit issued by the Permitting Authority within the municipality where the permit applicant lives shall be valid in all municipalities throughout the Commonwealth. A permit must be issued for every person who intends to engage in ice cream truck vending.

(2) All permits issued pursuant to 520 CMR 15.00 shall be conspicuously displayed and clearly visible on the windshield of any ice cream truck operated or from which ice cream or any other prepackaged food product is sold.

15.04: Uniform Permit Applications and Permit Forms

When issuing permits pursuant to 520 CMR 15.00, all Permitting Authorities must utilize the uniform application and permit form approved by the Department. The uniform permit shall include a current photograph of the applicant.

15.05: Issuance of Permits; Renewals; Investigation by Permitting Authority into Criminal History of Applicant

(1) Issuance. In order to obtain a permit, the following information shall be submitted to the Permitting Authority:

- (a) Completed application on the uniform application form approved by the Department;
- (b) A copy of applicant's fingerprints; and
- (c) Two current photographs of the applicant.

(2) Renewals. The initial permit shall expire on January 1<sup>st</sup> and will expire annually thereafter. In order to renew a permit, the applicant shall submit the following to the Permitting Authority:

- (a) Completed application on the uniform application for renewal form approved by the Department;
- (b) A copy of applicant's fingerprints; and
- (c) Two current photographs of the applicant.

The applicant shall submit a fee required by the Permitting Authority for conducting the requisite criminal background check pursuant to 520 CMR 15.05(1)(b) and (2)(b).

(3) Investigation by Permitting Authority into Criminal History of Applicant. Upon receipt of the permit application or application for renewal, the Permitting Authority shall conduct an investigation into the criminal history of a permit applicant to determine eligibility.

- (a) The investigation shall include performing a state and national criminal history records check as authorized by M.G.L. c. 6, § 172B½.
- (b) A Permitting Authority may charge an appropriate fee for the investigation pursuant to M.G.L. c. 6, § 172B½.

(4) As part of this investigation, the Permitting Authority shall ensure that the identity of the new/renewal applicant is true and accurate and in the case of a renewal, that the applicant is linked to the original Permit number.

(5) In no case, however, shall a Permitting Authority issue a permit to any person who is a sex offender as defined by M.G.L. c. 6, § 178C.

(6) Any permit issued under 520 CMR 15.05 shall be the uniform Permit approved by the Department.

15.06: Assessment of Fines; Hearings

(1) The Permitting Authority may assess an administrative fine of \$500.00 against any person who violates 520 CMR 15.03(1) and (2).

(2) Each day that such person is in operation in violation of 520 CMR 15.03(1) and (2) may be considered a separate violation.

(3) The Permitting Authority shall send written notice of alleged violation(s) and intent to impose administrative fines to the person. The notice shall specify:

- (a) The specific condition(s) which constitute the violation;
- (b) The provision(s) of the regulation which are alleged to have been violated;
- (c) The amount that is to be assessed for each alleged violation; and
- (d) The procedure for requesting an administrative hearing.

(4) Hearings. Written requests for a hearing must be filed with the Permitting Authority within ten calendar days of receipt of the notice of violation issued pursuant to 520 CMR 15.06(3)(d).

(5) The failure to make a timely request for a hearing shall constitute a waiver of the right to a hearing and warrant imposition of the fine set forth in the notice.

REGULATORY AUTHORITY

520 CMR 15.00: M.G.L c. 270, § 25(a).



MUNICIPALITY \_\_\_\_\_

Permit Number: \_\_\_\_\_

Permit issued by (permitting authority): \_\_\_\_\_

Date Issued: \_\_\_\_\_

Street Address: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

\_\_\_\_\_, MA \_\_\_\_\_

Dig Safe Number: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

## APPLICATION for PERMIT to ENGAGE in ICE CREAM TRUCK VENDING

Pursuant to Massachusetts General Law (MGL) Chapter 270, §25 and 520 CMR 15.00 et seq. (as amended)

*This application must be fully completed.*

It is the responsibility of the permitting authority to ensure that the identity of the new\renewal applicant is true and accurate and, in the case of renewal, that the applicant is linked to the original tracking number. The permitting authority shall only issue permits after conducting a criminal background investigation into the criminal history of an applicant to determine eligibility for a new permit or a renewal. All applications must be accompanied by a copy of an applicant's fingerprints and two (2) current photographs.

Name of Applicant:	Business Phone:	Cell:
Address:	Email Address:	

Please check (✓) appropriate box.

<input type="checkbox"/> New Applicant	<input type="checkbox"/> Renewal Applicant - Most recent Ice Cream Truck Vending Permit Number _____ issued from (city\town) _____ with an expiration date of _____.
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Please answer the following questions completely and accurately.

1. Have you ever used or been known by another name? ☐ Yes ☐ No If yes, provide name and explanation.
2. Are you a sex offender as defined by MGL Chapter 6, § 178(c)? ☐ Yes ☐ No
3. Are there currently any sex offense charges pending against you? *Offenses are identified in MGL Chapter 6, § 178©.*
4. If you answered yes to Questions 2 or 3, please provide an explanation.

Please attach two (2) current photographs of the applicant along with a copy of his\her fingerprints to this application. Upon receipt of application, the permitting authority (local municipality) shall conduct an investigation into the criminal history of the applicant in order to determine eligibility.

Signature:		Date:	
Permit Approve by:		Date:	
Permitting Authority:			

*This permit shall be conspicuously displayed and clearly visible on the windshield of any ice cream truck operated or from which ice cream or any other prepackaged food product is sold.*





# The Commonwealth of Massachusetts

## Executive Office of Health and Human Services Department of Public Health - Bureau of Environmental Health Food Protection Program

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### Retail Food Code Standards for Mobile Food Establishments

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The following information is provided to assist municipalities, food establishments and other interested parties in interpretation of the Retail Food Code. Additional information is available on our website at [mass.gov/lists/retail-food](http://mass.gov/lists/retail-food) or by contacting the Food Protection Program at (617) 983-6712 or [fpp.dph@state.ma.us](mailto:fpp.dph@state.ma.us).

Under 105 CMR 590 (the Retail Food Code), Mobile Food Establishments (MFE) must comply with all applicable state and municipal laws and sections of the Retail Food Code for conducting a mobile food operation. MFEs can vary in size and complexity, from large modular units to pushcarts. The following requirements apply to all MFEs and their servicing areas (which is an operating base location used regularly by the MFE), if required. These guidelines are being issued under 105 CMR 590.010 (B) to promote uniform application of the Retail Food Code. This is a summary of the Retail Food Code requirements and may not incorporate all applicable standards. The full text of the regulation can be accessed here: [mass.gov/lists/retail-food](http://mass.gov/lists/retail-food).

#### PERSONNEL

##### 1. PERSON IN CHARGE

- a. The MFE must have a person in charge (PIC) present during all hours of its operation. The person in charge shall be responsible for the overall operation of the MFE and for compliance with the Retail Food Code. A Certified Food Protection Manager may be required if the MFE is preparing foods that require certain time/temperature controls for safety (TCS) to prevent growth of bacteria. **(590.002 (A-D); FC 2-101 – 2-103)**
- b. Food employees must be properly trained in food safety, including food allergy awareness, as it relates to their assigned duties. **(590.002 (D); FC 2-103.11 (N); 590.011 (C))**
- c. The menu and manner for transportation, storage, cooking, preparation, and service of the food and beverage items must be provided to the regulatory authority for evaluation and approval. **(590.008; FC 8-201.11, FC 8-201.12; 590.008 (B); FC 8-201.20)**
- d. All food and beverage items to be offered at the MFE must be identified and approved by the regulatory authority during the application process and prior to an evaluation being conducted of the structural components of the MFE. **(590.008; FC 8-201.11, FC 8-201.12; 590.008 (B); FC 8-201.20)**
- e. Properly prepared plans and specifications of the MFE must be submitted to the local board of health. Plans must include the intended menu, proposed layout, equipment types and information, and anticipated volume of food to be stored and prepared. These plans may be used by the board of health to determine whether the MFE would require a servicing area. **(590.008; FC 8-201.11, FC 8-201.12)**
- f. Personal clothing and belongings must be stored in a designated place in the MFE away from food preparation, food service, dry storage areas, utensil and single-service and single-use item storage, and ware washing areas. **(590.006; FC 6-403.11)**

##### 2. EMPLOYEE HEALTH

- a. Employees who have been diagnosed with or show signs of communicable diseases which can be transmitted through food shall be excluded and/or restricted from food activities. **(590.002 (E-G); FC 2-201.11, FC 2-201.12, FC 2-201.13, 2-201.20; FC 2-401.12)**
- b. Food employees who have an infected or open cut or wound on their hands, wrists or arms must have it properly bandaged and covered with an impermeable cover such as a glove and finger cot. **(590.002 (F); FC 2-201.13 (I))**
- c. There must be employee practices and behaviors established that can help prevent the spreading of

viruses and bacteria to food. Highly infective pathogens that can be easily transmitted by food employees and cause severe illness include Norovirus, Hepatitis A virus, *Shigella* spp., Shiga toxin-producing *Escherichia coli*, *Salmonella* Typhi, *Salmonella* (nontyphoidal), and any other disease transmissible through food so designated in 105 CMR 300.000. (590.002; FC 2-3; FC 2-4)

- d. Interventions must be used to prevent the transmission of foodborne illness. These interventions include (a) restricting or excluding ill food employees from working with food; and (b) using proper handwashing procedures. (590.002; FC 2-201.12; FC 2-301.11, FC 2-301.12, FC 2-301.14, FC 2-301.15)
- e. Proper management involves ensuring that food employees do not work when they are ill and having procedures for identifying employees who may transmit foodborne pathogens to food, other employees, and consumers. The PIC should be concerned with employees having the following symptoms: vomiting, diarrhea, jaundice (yellow skin or eyes), sore throat with fever, infected cuts and burns with pus on hands and wrists. (590.002 (E); FC 2-201.11, FC 2-201.12; 2-201.20)
- f. Information and forms to aid in complying with Employee Health can be found in Chapter 8 of the Foodborne Illness Investigation and Control Manual.

<https://www.mass.gov/lists/foodborne-illness-investigation-and-control-manual>

### 3. HANDWASHING and HYGIENE

- a. Food employees shall maintain a high degree of personal cleanliness and shall conform to good hygienic practices during all working periods. (590.002; FC 2-3)
- b. Employees preparing food may not contact exposed, ready-to-eat food with their bare hands and shall use suitable utensils such as deli paper, spatulas, tongs, single-use gloves or dispensing equipment. (590.003 (C); FC 3-301.11)
- c. Food employees shall clean their hands and exposed portions of their arms, including surrogate prosthetic devices for hands and arms, immediately before engaging in food preparation including working with exposed food, clean equipment and utensils, and unwrapped single-service and single-use articles and as often as necessary to remove soil and contamination and to prevent cross contamination. (590.002; FC 2-301.11, FC 2-301.12, FC 2-301.14, FC 2-301.15)
- d. Food employees shall have clean outer garments, aprons and effective hair restraints. (590.002; FC 2-304.11, 2-402.11)
- e. Food employees are not allowed to eat (including chewing gum), drink, or use any tobacco in the food preparation and service areas. A food employee may drink from a closed beverage container if the container is handled to prevent contamination of the employee's hands; the container; and exposed food, clean equipment, utensils and single-service/single-use articles. (590.002; FC 2-401.11)

### 4. FOOD DEFENSE

- a. The MFE must be secured to prevent unauthorized access to food, equipment, utensils, and related items. (590.003; FC 3-307.11)
- b. Self-service operations at MFEs must be supervised at all times. (590.003; FC 3-306.13(C))
- c. Unauthorized personnel shall not be allowed at or in the MFE. (590.002 (D); FC 2-103.11(B))

## FOOD SOURCE AND TEMPERATURE CONTROL

### 1. APPROVED SOURCE

- a. The source of food on an MFE must be in compliance with 590.003 (A-B); FC 3-201, 3-202 and 3-203. All meat and poultry must come from USDA or other acceptable government regulated approved sources.
- b. All locations used for preparation of ice or other food items as well as proper storage of those items must be permitted. (590.008; FC 8-301.11)
- c. Home canned and home cooked foods may not be offered at the MFE unless the home kitchen is permitted by the LBOH. (590.003 (A); FC 3-201.11 (B), FC 3-201.12)
- d. Ice for use as a food or a cooling medium shall be made from potable water. (590.003; FC 3-202.16)

### 2. TEMPERATURE MEASURING DEVICES

- a. Temperature measuring devices, appropriate to the operation, must be used for monitoring temperatures for the types of TCS foods prepared and held at the MFE. (590.004; FC 4-302.12)
- b. A thermocouple, thermistor or metal stem thermometer shall be provided to check the internal temperatures of TCS hot and cold food items. The temperature measuring device must be appropriate for the type of foods served such as for thin foods. (590.004; FC 4-302.12(B))
- c. Food temperature measuring devices shall be accurate to  $\pm 2^{\circ}\text{F}$  and have a suggested range of  $0^{\circ}\text{F}$  to  $220^{\circ}\text{F}$ . (590.004; FC 4-203.11(B))



- d. Regular calibration of the temperature measuring devices shall be accomplished to ensure accurate food temperature measurements. (590.004; FC 4-502.11 (B))

### 3. COOKING, HOLDING, AND REHEATING FOR HOT HOLDING TEMPERATURES (See Charts Below)

**Summary Chart for Minimum Cooking Food Temperatures and Holding Times Required by 590.003; FC Chapter 3 adapted from FC Annex 7 Chart 4-A**

Food	Minimum Temperature and Holding Time
<ul style="list-style-type: none"> <li>Raw Eggs prepared for immediate service</li> <li>Commercially Raised Game Animals and Exotic Species of Game Animals</li> <li>Fish, Pork, and Meat Not Otherwise Specified in this Chart or in 590.003; FC 3-401.11(B)</li> </ul>	63°C (145°F) for 15 seconds
<ul style="list-style-type: none"> <li>Raw Eggs not prepared for immediate service</li> <li>Comminuted Commercially Raised Game Animals and Exotic Species of Game Animals</li> <li>Comminuted Fish and Meats</li> <li>Injected Meats</li> <li>Mechanically Tenderized Meats</li> </ul>	68°C (155°F) for 15 Seconds or: <ul style="list-style-type: none"> <li>70°C (158°F) for 1 second</li> <li>66°C (150°F) for 1 minute or</li> <li>63°C (145°F) for 3 minutes</li> </ul>
<ul style="list-style-type: none"> <li>Poultry</li> <li>Baluts</li> <li>Stuffed Fish; Stuffed Meat; Stuffed Pasta; Stuffed Poultry; Stuffed Ratites</li> <li>Stuffing Containing Fish, Meat, Poultry, or Ratites</li> <li>Wild Game Animals</li> </ul>	74°C (165°F) for 15 seconds
<ul style="list-style-type: none"> <li>Food Cooked in a Microwave Oven</li> </ul>	74°C (165°F) and hold for 2 minutes after removing from microwave oven

**Summary Chart for Minimum Food Temperatures and Holding Times Required by 590.003; FC Chapter 3 for Reheating Foods for Hot Holding adapted from FC Annex 7 Chart 4-B**

Food	Minimum Temperature and Time at the Specified Temperature	Maximum Time to Reach Minimum Temperature
Food that is cooked, cooled, and reheated (590.003; FC 3-403.11(A) and (D))	74°C (165°F) for 15 seconds	2 hours
Food that is reheated in a microwave oven (590.003; FC 3-403.11(B) and (D))	74°C (165°F) and hold for 2 minutes after reheating	2 hours
Food that is taken from a commercially processed, hermetically sealed container or intact package 590.003; FC 3-403.11(C) and (D))	57°C (135°F) (No time specified)	2 hours
<u>Roasts: Option A</u> (590.003; FC 3-403.11(E)) Un sliced portions of meat roasts cooked as specified under 590.003; FC 3-401.11(B)	Same oven parameters and minimum time and temperature conditions as specified under 590.003; FC 3-401.11(B)	Not applicable

**Roasts: Option B (590.003; FC 3-403.11(E))**

Un sliced portions of meat roasts cooked as specified under 590.003; FC 3-401.11(B)

**74°C (165°F) for 15 seconds****2 hours****3. COOLING**

- a. All TCS food which is pre-cooked and pre-cooled either on the MFE or at the Servicing Area should be pre-approved by the local regulatory authority. (590.008; FC 8-201.12; 590.003; FC 3-401.14)
- b. The person in charge must demonstrate that the facilities on the MFE or at the Servicing Area are adequate to cool TCS foods in accordance with 590.003; FC 3-501.14 and FC 3-501.15.
- c. Cooked TCS food shall be cooled from 135° F to 70°F within 2 hours; and from 135°F to 41° F within a total of 6 hours or less. (590.003; FC 3-501.14 and FC 3-501.15)
- d. The regulatory authority may require time/temperature logs for TCS foods that are cooled on the MFE.

**4. THAWING**

- a. All frozen TCS foods shall be thawed under refrigeration at 41° F or less; or completely submerged under 70° F running water; or as part of the cooking process. (590.003; FC 3-501.13 (A – D)).
- b. One exception is frozen reduced oxygen packaged (ROP) fish labeled "Keep Frozen" shall be removed from its ROP package before thawing under refrigeration at 41° F or less or before or immediately after thawing under 70° F running water. (590.003; FC 3-501.13 (E)).

**FOOD EQUIPMENT AND UTENSIL REQUIREMENTS, STORAGE & HANDLING****1. CROSS CONTAMINATION**

- a. Food shall be protected from cross contamination during transportation, storage, preparation, holding, and display by separating different types of raw animal foods from ready-to-eat foods. (590.003; FC 3-302.11)
- b. Equipment and utensils (including knives, cutting boards, and food storage containers) must be thoroughly cleaned and sanitized after being used for raw animal foods and before being used for ready-to-eat food. (590.004; FC 4-601.11; FC 4-702.11)

**2. DRY STORAGE**

- a. All food, equipment, utensils, and single-service items shall be properly stored including storage which is at least 6" off the ground or floor, protected from contamination, and provided with effective overhead protection. (590.003; FC 3-305.11 & 590.004; FC 4-903.11)

**3. FOOD DISPLAY**

- a. All food shall be protected from customer handling, coughing, sneezing or other contamination by wrapping, the use of food shields or other effective barriers. (590.003; FC 3-306.13)
- b. Condiments must be dispensed in single-service type packaging, in pump-style dispensers, or in protected squeeze bottles, shakers, or similar dispensers which prevent contamination of the food items by food workers, patrons, insects, or other sources. (590.003; FC 3-306.12)

**4. IN-USE UTENSIL STORAGE:**

- a. In-use utensil storage shall be in compliance with 590.003; FC 3-304.12.
- b. Back-up utensils must be stored clean and dry and in a protected location. (590.004; FC 4-903.11)

**CLEANING AND SANITIZING****1. WAREWASHING**

- a. Warewashing shall be done in compliance with 590.004; FC 4-6; FC 4-7.
- b. Warewashing methods must be available to wash, rinse, and sanitize equipment and utensils coming into contact with food. (590.004; FC 4-6, FC 4-7)

**2. SANITIZING**

- a. Equipment, food-contact surfaces and utensils shall be cleaned and sanitized when changing from

working with raw foods to working with ready-to-eat foods; between uses with raw fruits and vegetables and with TCS food; before using or storing a food temperature measuring device; and if used with TCS food shall be cleaned throughout the day at least every 4 hours; and at any time during the operation when contamination may have occurred. (590.004; FC 4-602.11)

- b. Approved sanitizers must be provided for sanitizing food-contact surfaces, equipment, and wiping cloths. (590.007; FC 7-204.11)
- c. Sanitizers shall be used in accordance with EPA-registered label use instructions. (590.007; FC 7-202.12)
- d. An approved test kit must be available to accurately measure the concentration of sanitizing solutions. (590.004; FC 4-501.116, FC 4-703.11)

### **3. WIPING CLOTHS**

- a. Wiping cloths that are in use for wiping food spills shall be used for no other purpose and shall be stored clean and dry or in a clean solution at the approved sanitizer concentration. (590.003; FC 3-304.14)

## **PREMISES**

### **1. OVERHEAD PROTECTION**

- a. Each individual piece of cooking and hot and cold holding equipment must be separately covered (cooker top, lidded holding compartment, etc.) or the structure of the MFE must have overhead protection (ceiling) (590.006; FC 6-202.16; FC 6-201.12 (A)). Examples of acceptable overhead protection are roofs or other permanent structures, canopies, awnings, or attached umbrellas for units such as pushcarts. Overhead protection may not always be suitable for use over frying or grilling operations that generate airborne grease. State/local fire codes may dictate specific limitations.
- b. For MFEs that have self-service components, additional protection of individual food dispensing containers that are located beneath an awning or similar structure may be necessary (590.003; FC 3-306.12 (A)). Examples would be lidded dispensing containers and sneeze guards.

### **2. WALLS**

- a. For self-contained MFEs, walls are required to protect against the elements, wind-blown dust and debris, insects or other sources that may contaminate food, food-contact surfaces, equipment, utensils, or employees. (590.006; FC 6-202.16)
- b. Walls must be smooth, durable, easily cleanable and nonabsorbent. Pass-through windows may be installed in the walls and may require screening to prevent the entrance of insects (590.006; FC 6-101.11; FC 6-201.11; FC 6-202.15; FC 6-202.16; FC 6-501.11).

### **3. FLOORS**

- a. Unless otherwise approved, floors of self-contained MFEs must be designed, constructed, and installed so they are smooth, durable, and easily cleanable. Examples of acceptable floors are vinyl composition tile, commercial grade linoleum, or similar finish (590.006; FC 6-101.11; FC 6-201.11; FC 6-501.11).
- b. The floor and wall junctures are to be coved and sealed (590.006; FC 6-201.13).
- c. Push carts and food delivery and dispensing units must be located on concrete, asphalt, or a similar non-absorbent surface that minimizes dust and mud. The service sites should be graded to drain away from the MFE (590.006; FC 6-102.11).

### **4. VENTILATION AND FIRE PROTECTION**

- a. Local regulations shall govern ventilation and fire protection requirements at the MFE.
- b. Enclosed MFEs must comply with 590.006; FC 6-304.11.

### **5. LIGHTING**

- a. Adequate lighting by artificial or natural means is required.
- b. MFEs that are fully enclosed must be provided with artificial lighting.
- c. The lighting intensity shall be in accordance with 590.006; FC 6-303.11 and shielding of the lights shall be in accordance with 590.006; FC 6-202.11.

### **6. HANDWASHING FACILITIES**

- a. A handwashing sink is not required if the only food items offered are commercially pre-packaged foods that are dispensed in their original containers. The board of health may approve the use of chemically treated towelettes in lieu of hand-washing facilities if only frankfurters, non-TCS foods and non-perishable foods are served and there is no bare-hand contact. Chemically treated towelettes must be made available for use by customers in self-service operations. (590.005; FC 5-203.11 (C))



- b. At least one handwashing sink must be located on all MFE's that are involved in food handling and preparation, cooking, cooling and reheating. (590.005; FC 5-203.11)
- c. Each handwashing sink must be provided with suitable hand cleaner, individual disposable towels, and a waste receptacle. A handwashing sign is to be posted at the handwashing sink. (590.006; FC 6-301.11; FC 6-301.12; FC 6-301.14)
- d. Handwashing facilities shall be equipped to provide potable water at a minimum temperature of at least 100°F through a mixing valve or combination faucet. (590.005; FC 5-202.12 (A))
- e. Hand-washing facilities must be provided at all toilet facilities used by the food employees. (590.005; FC 5-204.11 (B))

## **7. TOILET AND HANDWASHING FACILITIES**

- a. Toilet and hand washing facilities must be available for MFE employees along their route of service. (590.005; FC 5-204.11)
- b. The toilet facilities must be conveniently located to the food preparation and ware washing areas. (590.006; FC 6-402.11)

## **8. GARBAGE AND PESTS**

- a. An adequate number of non-absorbent, easily cleanable garbage containers must be provided at the MFE. (590.005; FC 5-501.13)
- b. Garbage containers must be rodent-proof, non-absorbent, and covered when not in use. (590.005; FC 5-501.13 (A); FC 5-501.15)
- c. Final disposal facilities for garbage, grease, and other waste materials must be identified, approved by the regulatory authority, and used. (590.005; FC 5-503.11)
- d. The MFE must be maintained free of insects, rodents, and other pests. (590.006; FC 6-202.15)

## **9. TOXIC MATERIALS**

- a. Materials necessary for the operation of an MFE shall be properly stored, labeled and used. (590.007; FC 7-1 and 7-2)
- b. Poisonous or toxic materials are to be properly labeled and stored so they cannot contaminate food, equipment, utensils, and single-service and single-use articles. (590.007; FC 7-201.11)
- c. Only those chemicals necessary for the food operation shall be provided. (590.007; FC 7-202.11)
- d. Toxic materials must be labeled and located in accordance with 590.007; FC 7-1 and 7-2.

# **EQUIPMENT**

## **1. FOOD-CONTACT AND OTHER SURFACES**

- a. All food-contact and other surfaces used in an MFE shall be designed, constructed, and maintained in accordance with 590.004; FC Chapter 4.
- b. Materials used in the construction of food-contact surfaces shall comply with 590.004; FC 4-1, FC 4-2.
- c. Food-contact surfaces shall be non-toxic, smooth, easily cleanable, free of rust, dents or pitting, and durable under the conditions to which they will be exposed. (590.004; FC 4-202.11)
- d. All other surfaces shall be finished so that they are smooth, nonabsorbent, corrosion resistant, and easily cleanable. (590.004; FC 4-101.19)

## **2. COOKING AND REHEATING EQUIPMENT**

- a. Cooking and reheating equipment shall be designed, constructed, and maintained in accordance with 590.004; FC Chapter 4.
- b. The reheating equipment used on the MFE must be capable of heating all of the TCS foods offered from the MFE to their required reheating temperature within two hours or less. If proper temperatures cannot be attained using the equipment on the MFE, then cooking and reheating must occur at the servicing area and will not be allowed on the MFE. (590.003; FC 3-403.11 (D))

## **3. HOT AND COLD HOLDING EQUIPMENT**

- a. Equipment used at the MFE for hot holding must be capable of maintaining TCS foods at 135° F or above. (590.003; FC 3-501.16)
- b. Equipment used for cold holding at the MFE must be capable of maintaining TCS foods at 41° F or below. (590.003; FC 3-501.16)
- c. Refrigeration, such as mechanical, absorption or thermoelectric, shall be installed and used in accordance with the manufacturer's instructions.
- d. Each refrigeration unit must have a numerically scaled thermometer accurate to  $\pm 3^\circ$  F to measure the air

- temperature of the unit. (590.004; FC 4-203.12 (B))
- e. Unpackaged foods may not be stored in direct contact with undrained ice, except as allowed for raw fruits and vegetables, and raw poultry and raw fish that are received on ice in shipping containers. (590.003; FC 3-303.12)
  - f. Ice used as a coolant for foods shall not be used for drink ice. (590.003; FC 3-303.11)

## **WATER SUPPLY, CAPACITY AND WASTEWATER DISPOSAL**

### **1. WATER**

- a. An adequate supply of potable water meeting the requirements of 590.005; FC 5-101, FC 5-102, and FC 5-103 shall be available on the MFE for cooking and drinking purposes; for cleaning and sanitizing equipment, utensils, and food-contact surfaces; and for hand washing.
- b. Water must come from an approved public water source or an approved well water source. (590.005; FC 5-101.11)

### **2. WATER SYSTEM**

- a. The water supply system and hoses carrying water must be constructed with approved food-contact materials and must be installed to preclude the backflow of contaminants into the potable water supply. (590.005; FC 5.205.12; FC 5-301.11; FC 5-302.11; FC 5-302.14; FC 5-302.15; FC 5-302.16)
- b. All hose and other connections shall be installed, handled and stored so that no contamination is created. (590.005; FC 5-303.12; FC 5-304.13)
- c. If approved by the regulatory authority, water supplied to an MFE need not be under pressure. If no permanent water supply is available, the MFE may access water through:
  - A supply of containers of commercially bottled drinking water
  - Closed portable water containers
  - An enclosed vehicular water tank
  - An on-premises water storage tank
  - Piping, tubing, or hoses connected to an adjacent approved source.(590.005; FC 5-104.12)
- d. A MFE water inlet shall be three-fourths inch in diameter and provided with a hose connection of a size or type that will prevent its use for any other service. (590.005; FC 5-303.13)

### **3. WASTEWATER DISPOSAL**

- a. Equipment and facilities that generate liquid waste must be disposed of in an approved manner. (590.005; FC 5-403.11)
- b. Wastewater shall be disposed in an approved wastewater disposal system. (590.005; FC 5-403.11)
- c. Wastewater must be removed from an MFE at an approved waste servicing area or by a sewage transport vehicle. (590.005; FC 5-402.14)
- d. Wastewater may not be dumped onto the ground surface, into waterways, or into storm drains, but shall be collected and dumped into an approved receptacle. (590.005; FC 5-402.14)

## **RESOURCES**

- MA Department of Public Health, 2018, MA Regulation 105 CMR 590.000 - *Minimum Sanitation Standards for Food Establishments – Chapter X* - <https://www.mass.gov/lists/retail-food>
- 2013 FDA Food Code with Annex - <https://www.fda.gov/media/87140/download>
- U.S Food and Drug Administration, 2014, *Conference for Food Protection Recommended Guidance for Mobile Food Establishments* - <http://www.foodprotect.org/guides-documents/>