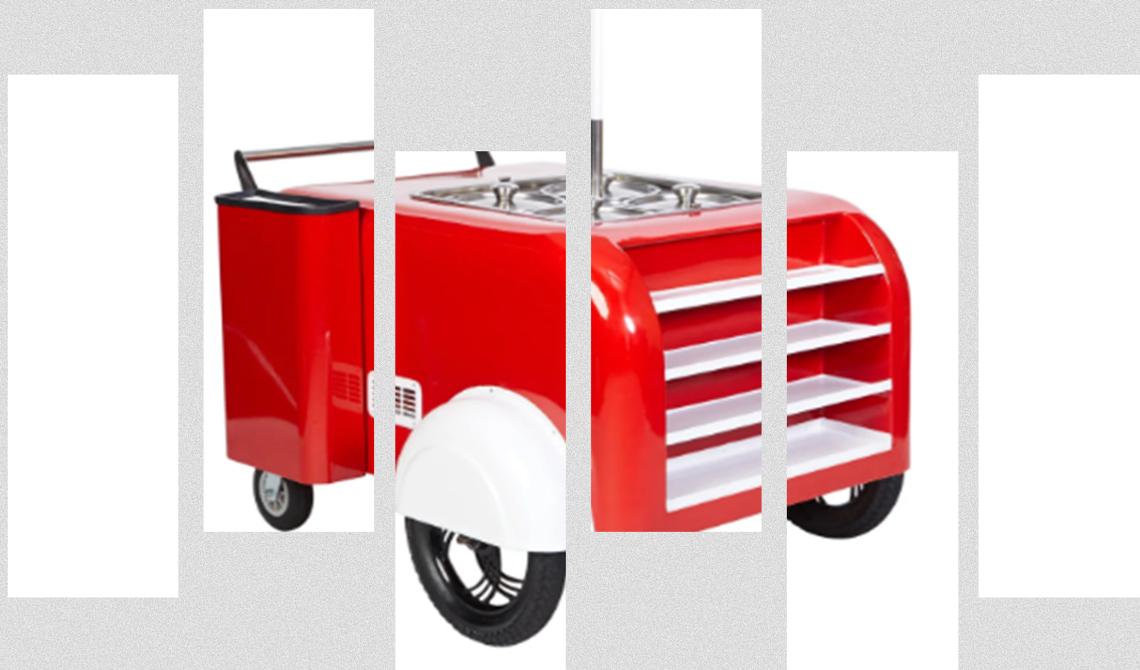


Compact Mobile Food Operation Construction Guidelines for Prepackaged Food



Compact Mobile Food Operations Construction Guidelines Prepackaged Food

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INTRODUCTION:

On September 23, 2022, Senate Bill 972 (SB 972) was signed by the Governor and became effective January 1, 2023. This bill modified the California Retail Food Code (CRFC) to reduce some structural and operational requirements for lower risk sidewalk food vending operations. SB 972 created a new category of Mobile Food Facilities termed Compact Mobile Food Operation (CMFO).

This document provides information on the structural requirements based on the CRFC for CMFO's that handle only prepackaged foods.

DEFINITIONS:

- A. Approved Source** means food that has been prepared, packaged and properly labeled in a food facility, manufacturer or distributor, or whole uncut fruit or vegetable produced in compliance with all applicable laws.
- B. Commissary** means a permitted food facility that services mobile food facilities where any of the following occur: food, containers, or supplies are stored; food is prepared or prepackaged for sale or service at other locations; utensils are cleaned; liquid and solid wastes are disposed, or potable water is obtained.
- C. Compact Mobile Food Operation (CMFO)** means an unenclosed mobile food facility that operates from an individual or from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance.
- D. Cottage Food Operation (CFO)** means a registered or permitted area of a private home where the CFO operator resides and where cottage food products are prepared or packaged for direct or indirect sales.
- E. Non-Potentially Hazardous Food (Non-PHF)** means a food that does not require time or temperature control to limit bacterial growth or toxin formation. Examples include prepackaged chips, sodas, pretzels, cookies, popsicles.
- F. Potentially Hazardous Food (PHF)** means a food that requires time or temperature control to limit bacterial growth or toxin formation. Examples include tamales, hot dogs, burritos, ice cream sandwiches.
- G. Prepackaged Food** means any properly labeled processed food, prepackaged to prevent any direct human contact with the food product upon distribution from the manufacturer, a food facility, or other approved source.

If you plan to sell limited amounts of prepackaged non-potentially hazardous food, you may be exempt from obtaining a health permit. To be exempt from a health permit, a food vendor may only display up to 25 square feet of prepackaged non-potentially hazardous foods.

Still required to ensure:

- Food is from an approved source
- Food is properly stored when on display
- Overhead protection
- Food is stored properly in an approved manner when not in operation

An inspection can be conducted based on a complaint and fees can be charged to recover the cost for the investigation.



SUMMARY OF PREPACKAGED CMFO REQUIREMENTS:

REQUIREMENTS	Less than 25 sq/ft of prepackaged food/drinks or whole produce	Greater than 25 sq/ft of prepackaged non-potentially hazardous food/drinks or whole produce	Prepackaged potentially hazardous food
Health Permit	No ^{1*}	Yes	Yes
Plan Check	No	No	Yes ^{2*}
Hand sink	No	No	No
Mechanical refrigeration	No	No	Yes ^{3*}
Hot Holding Unit	No	No	Yes ^{4*}
Private Home Storage ^{5*}	Yes	Yes	No
Approved CMFO storage locations other than permitted commissaries ^{6*}	N/A	Yes	Yes
CMFO Example	See figure A on page 3	See figure B on page 3	See figure C on page 3

^{1*} If no plan check/health permit is required, please check with your local city jurisdiction to determine if other permits are required.

^{2*} Plan check is not required for a cart selling prepackaged ready to eat frozen foods, such as ice cream and paletas; a site evaluation is required.

^{3*} Mechanical refrigeration is required when handling prepackaged potentially hazardous foods, such as cut melon (except for ready-to-eat frozen foods, such as ice cream and paletas).

^{4*} Hot holding unit is required if handling prepackaged potentially hazardous ready-to-eat foods such as tamales and burritos.

^{5*} A private home may be used for the storage of prepackaged, non-potentially hazardous food.

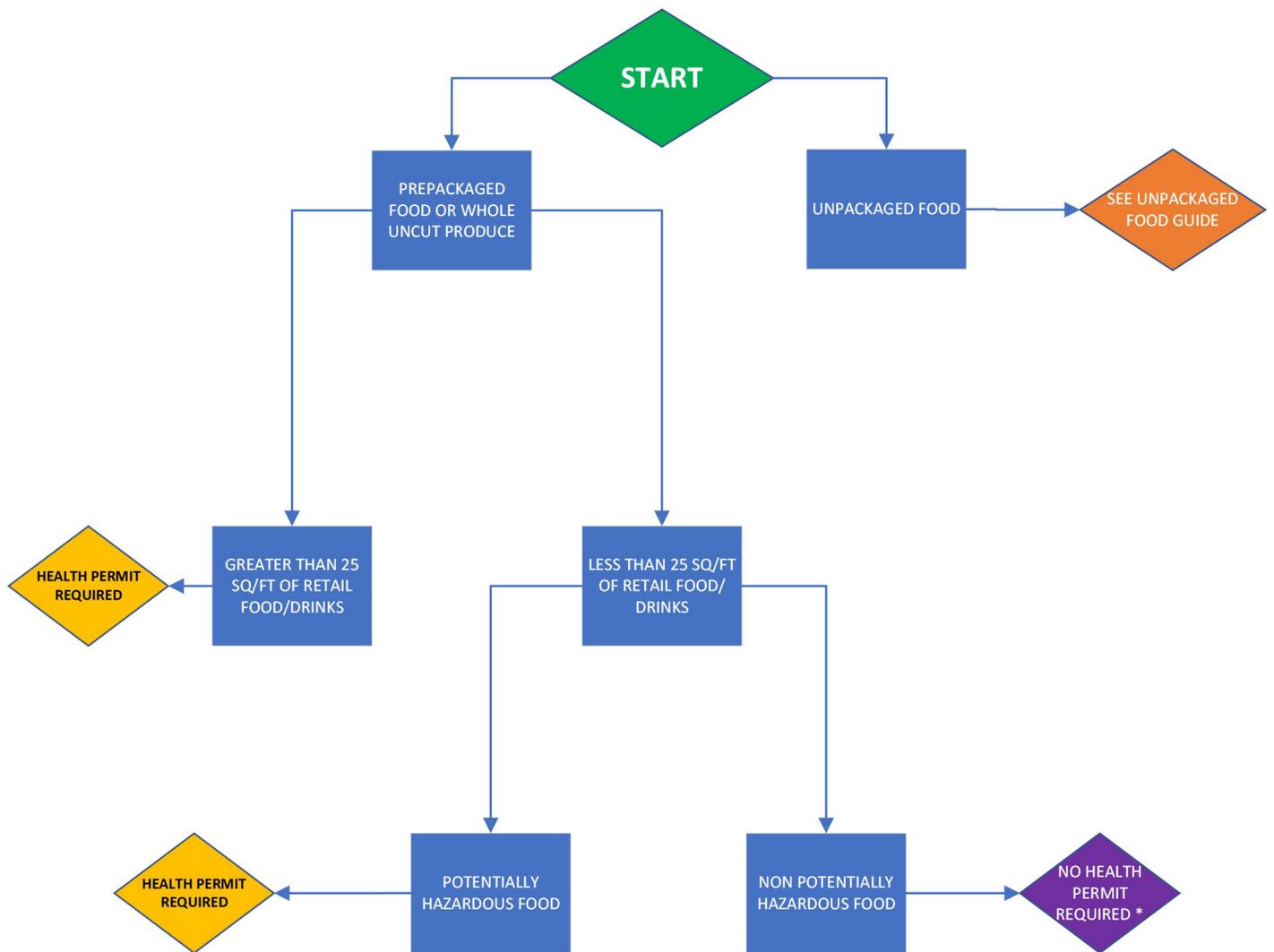
^{6*} Contact the Mobile Food Program at (626) 430-5500 for more information on other approved storage locations for CMFO's

CMFO EXAMPLES:

Plan Submission and Health Permit Required	
FIGURE A	FIGURE B
Prepackaged non-PHF greater than 25 sq feet of food	Prepackaged Potentially Hazardous Food
 <p>MENU EXAMPLES:</p> <ul style="list-style-type: none"> • Whole Uncut Produce • Prepackaged Chips • Prepackaged Candies • Prepackaged Soda <p>Greater Than 25 sq ft of Floor Space – Permit is Required (Site Evaluation and Fees Apply)</p> <p>If Mechanical Refrigeration or An Ice-Bin with A Waste Tank Is Proposed, Plan Submission Is Required.</p>	 <ul style="list-style-type: none"> • Mechanical refrigeration required when cold holding prepackaged potentially hazardous foods (<i>Except For Ready-To-Eat Frozen Foods, such as Ice Cream</i>) • Hot holding equipment required for hot holding of potentially hazardous food <p>MENU EXAMPLES:</p> <ul style="list-style-type: none"> • Prepackaged Tamales (In Original Inedible Husk) • Prepackaged Burritos

FIGURE C	
Prepackaged Popsicles, Ice Cream or Paletas	
Plan Submission Not Required – MFF Site Evaluation Required to Obtain a Permit	
<ul style="list-style-type: none"> • Permit Is Required • Site Evaluation and Fees Apply 	

DETERMINE IF A HEALTH PERMIT IS REQUIRED



*If no plan check/health permit is required, please check with your local city jurisdiction to determine if other permits are required.

PLAN SUBMITTAL PROCESS:

This document can be used as part of the plan submission process for your proposed CMFO. You may draw your own plans using this document as guidance, but all items listed in this document must be represented in your submitted plans. Operators are required to have all plans approved prior to the construction of the CMFO to prevent any additional costs that would be incurred if modifications are needed should changes be noted on the plans. All items provided on the following pages are required unless otherwise noted.

1. Submit one set of complete, easily readable plans that are drawn to scale.
2. Drawings must show all four (4) sides and the top view of the CMFO and a complete plumbing diagram.
3. Include equipment location on the drawing and submit a manufacturer specification sheet for all proposed equipment.
4. Submit proposed menu or list of all items to be offered for sale.
5. Submit completed plan check application and applicable plan check fee.
6. Once the CMFO plan review process is completed, and the CMFO is built per the approved plan, schedule a final inspection. At the final inspection be prepared to submit the following documents:
 - a. Commissary/support unit agreement
 - b. Written Operational Procedures
 - c. Route Slip
7. Once the CMFO is approved, a Public Health Permit application is to be submitted along with applicable fees to operate.

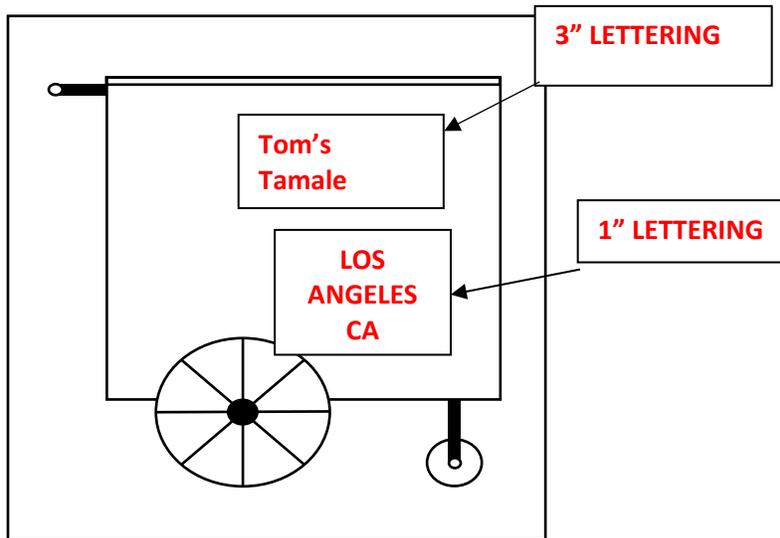
Please use the below checklist as a guide to assist you in the plan review process

COMPLETED✓	ITEMS TO INDICATE ON PLANS
	Each piece of equipment identified by manufacture and model and its location on the CMFO - All equipment must be an integral part of the CMFO
	Certified Equipment All equipment must be certified for sanitation. Note: 3 rd party evaluations are accepted (e.g., NSF, ETL, CSA, UL, NEMKO, etc.)
	Mechanical Refrigeration Required if holding or handling potentially hazardous foods, other than prepackaged ice cream or frozen fruit bars. Must be capable of holding food at or below 41°F.
	Hot-holding Unit Required if hot holding potentially hazardous food. Must be capable at hot holding at or above 135°F.
	Table listing the material of finishes of the interior, exterior, and/or storage areas of the CMFO - All surfaces must be of smooth, non-absorbent & easily cleanable material - Raw wood is not permitted to be used as exterior cart material.
	Indicate equipment power source <input type="checkbox"/> Battery <input type="checkbox"/> Propane Tank
	Location of 10 BC-rated fire extinguisher (required if electrical or gas equipment is used)
	Location of First-Aid Kit
	Name of Facility, City, State, and Zip Code of the permit holder affixed to the CMFO. <i>Lettering of the Facility Name: 3" high minimum</i> <i>Lettering of the City, State, and Zip Code of the permit holder: 1" high minimum</i>
COMPLETED✓	DOCUMENTS TO BE INCLUDED WITH PLAN SUBMITTAL
	Completed plan check application and applicable plan check fee.
	Menu or list of all items being sold (ex. Ice cream, soda, candy, prepackaged tamales) ⁷
	Equipment manufacturer specification sheets for all proposed equipment
COMPLETED✓	DOCUMENTS TO BE SUBMITTED PRIOR TO FINAL CERTIFICATION INSPECTION
	Completed Public Health Permit Application and applicable fee - Ownership documentation (Identification or paperwork establishing a company or partnership) - Business License application or Sellers Permit
	CMFO Supplemental Application - Commissary Agreement or Home Storage Endorsement - Written Operational Procedures

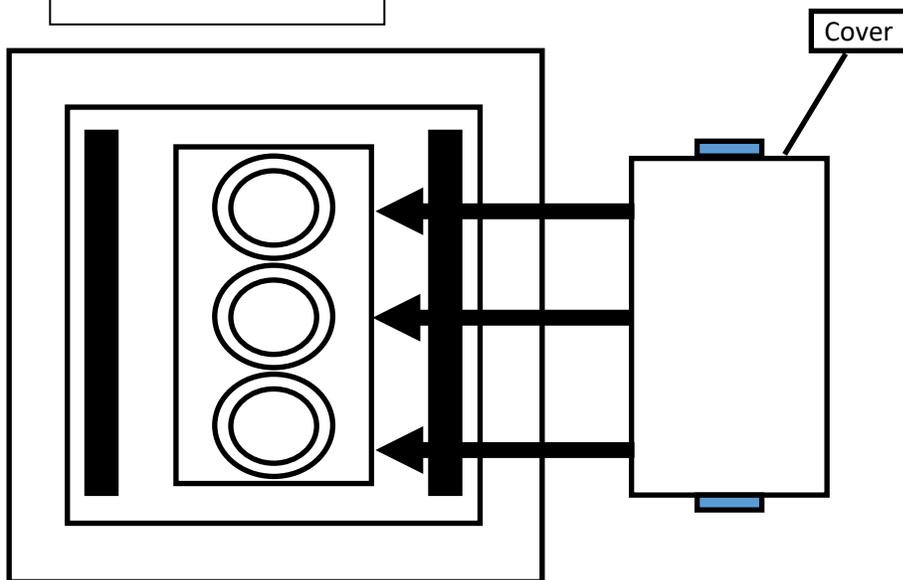
⁷ All food items must be from approved source, cooked and commercially packaged at a commissary.

EXAMPLE PLAN OF A PREPACKAGED CART

LIST OF ITEMS BEING SOLD	
Write below a complete list of the prepackaged food and/or beverages that will be offered on the CMFO	Where will this food be purchased at? Provide Name & Address of food facility
Chicken, Pork and Cheese Tamales	Food facility or Wholesale Manufacturer – properly packaged and labeled
Soda	Food facility



RIGHT SIDE VIEW



Top View of prepackaged cart for food items

