Mobile Eating Place Operator's Guide

Guidance for mobile eating place set up & safe food production.



Maine Health Inspection Program

286 Water Street, 3rd Floor

Augusta, ME 04333

Table of Contents

Definitions 1

Chapter 1: Basic Information 3
- Mobile Unit License Types 3
- Mobile Water and Septic 4
- Water Supply and Sewage Tanks 5
- Mobile Unit Requirements & Classifications 6
- Approved Spaces/Additional Licensing 8
- Mobile Unit Fact Sheet 9

Chapter 2: Administrative Requirements 10
- Licensing Your Mobile Unit 10
- Municipal Mobile Licenses 10
- Certified Food Protection Manager 11
- Person in Charge 11
- Employee Health Policy 12
- Clean-up of Vomiting and Diarrheal Events 12

Chapter 3: Basic Food Safety 13
- Preventing Contamination of Food by Employees 13
- Approved Food Sources 13
- Potentially Hazardous Foods 14
- Temperature Control 14
- Thawing 14
- Cooking 15
- Cooling 15
- Reheating for Holding 16
- Date Marking 16
- Consumer Advisory 16
- Food Storage and Protection 16
- Lighting and Ventilation 17

Chapter 4: Cleaning and Sanitizing Requirements 18
- Physical Facilities and Non-Food Contact Surfaces 18
- Food Contact Surfaces 18
- Ware-washing Process 18
- Toxic Materials 18

Appendix A: Checklist for Mobile Units 19

Appendix B: Mobile Unit Compliance Handout 20

Appendix C: Mobile Food Cart Diagram 21

Appendix D: Mobile Food Truck/Trailer Diagram 22

Appendix E: Mobile Unit/Catering Licensing Scenarios 23

Definitions

Approved means acceptable to the Department, based on its determination as to conformance with appropriate standards and good public health practice.

Catering means preparing food for pre-arranged events and requires a license. Catering does not include persons hired as personal chefs to prepare at-home meals in private households. Personal chefs are not licensed by the Department.

Catering establishment means any kitchen, commissary or similar place in which food or drink is prepared for sale or service elsewhere, or for service on the premises during special catered events.

Commercial kitchen means a kitchen used to prepare food for public consumption that meets all requirements of the Maine Food Code (10-144 C.M.R. Ch. 200). A commercial kitchen is not a private home kitchen.

Commissary means a kitchen that receives, stores, and prepares food for delivery to other meal sites or vending locations. Examples of commissaries include, but are not limited to, vending company production kitchens that prepare food for use in vending machines; senior citizen meals production kitchens that deliver either frozen or ready-to-eat meals; kitchens that prepare food for small boat day trips; kitchens located at an event hall or convention hall used by multiple caterers as part of specific events, or a commercial kitchen used by multiple food vendors.

Community event means an event that is of a civic, political, public or educational nature, including State and county fairs, city or town festivals, circuses and other public gatherings.

Department means the Department of Health and Human Services, Maine Center for Disease Control and Prevention.

Easily cleanable means that surfaces are readily accessible and made of such materials and finish, and so fabricated, that residue may be effectively removed by normal cleaning methods.

Eating establishment or eating place means any place where food or drink is prepared and served or served to the public for consumption on the premises or prepared and served or served ready to eat to the public for consumption off-premises. See the eating establishment definition in 10-144 CMR Ch. 201 Administration and Enforcement of Establishments Regulated by the Health Inspection Program for additional information.

Eating Place – Mobile means a mobile vehicle designed and constructed to transport, prepare, sell or serve food at a number of sites and is capable of being moved from its serving site at any time. This type of establishment is a self-contained food service operation, located in a vehicle or a movable stand on wheels, used to store, prepare, display or serve food intended for individual portion service.

Eating Place – Mobile Stick Built means food service equipment that may be assembled and disassembled for storage or transportation and may only operate at a fixed location for the duration of an approved community event.

Eating Place – Temporary means an eating place or establishment that operates at a fixed location, for a period not exceeding 14 consecutive days, in conjunction with a single community event.

Equipment means stoves, ovens, ranges, hoods, slicers, meat blocks, tables, counters, mixers, refrigerators, sinks, dishwashing machines, steam tables, and similar items, other than utensils, used in the operation of an establishment licensed by the Department under this rule.

Food means any raw, cooked or processed edible substance, ice, beverage, alcoholic beverage or ingredient used, or intended for use, or for sale, in whole, or in part, for human consumption.

Food contact surface means those surfaces of equipment and utensils with which food normally comes in contact, and those surfaces from which food may drain, drip, or splash back onto surfaces normally in contact with food.

Hazard means a biological, chemical, or physical property that may cause an unacceptable Consumer health risk.

Packaged means bottled, canned, cartoned, or securely wrapped. Packaged does not include a wrapper, carry-out box, or other nondurable container used to containerize food with the purpose of facilitating food protection during service and receipt of the food by the consumer.

Plan Review means a review conducted by the Department to assess the menu, equipment list, and layout of the establishment to ensure compliance with Maine Food Code regulations enabling the inspector to address any potential issues with the unit and make a licensing determination.

Potentially hazardous food means any food that requires time and/or temperature control for safety (TCS) to limit pathogenic microorganism growth or toxin formation and is further defined in the Maine Food Code (10-144 C.M.R. Ch. 200, §1201.10(B)(84)(b)).

Ready-to-Eat Food means Food that: (i) Is in a form that is edible without additional preparation to achieve food safety, as specified under one of the following: Maine Food Code (MFC) ¶ 3-401.11(A) or (B), § 3-401.12, or § 3-402.11, or as specified in ¶ 3-401.11(C); (ii) Is a raw or partially cooked animal food and the consumer is advised as specified in MFC Subparagraphs 3-401.11(D)(1) and (3); or (iii) Is prepared in accordance with a variance that is granted as specified in MFC Subparagraph 3-401.11(D)(4); and (iv) May receive additional preparation for palatability or aesthetic, epicurean, gastronomic, or culinary purposes.

Utensil means any tableware and kitchenware used in the storage, preparation, conveying, or serving of food.

Chapter 1: Basic Information

This Mobile Eating Place Guide is meant to be used by the mobile operator to properly design, set-up, and operate a mobile unit in a safe and sanitary manner. Focusing on foodborne illness risk factors and public health interventions will greatly reduce the risk of possible instances of foodborne illnesses resulting from your operation. This guide does not contain all the requirements for your eating establishment. Your mobile unit will be inspected according to the requirements in the Maine Food Code 10-144 CMR Ch. 200. The Maine Food Code is available online here: https://www.maine.gov/sos/cec/rules/10/chaps10.htm.

Mobile Unit License Types

Eating Place – Mobile

A mobile eating place is a mobile vehicle designed and constructed to transport, prepare, sell or serve food at a number of sites and is capable of being moved from its serving site at any time. This type of establishment is a self-contained food service operation, located in a vehicle or a movable stand on wheels, used to store, prepare, display or serve food intended for individual portion service. Mobile units are required to be licensed annually and inspected at least once every two years. See Appendices C & D for examples of food cart & food truck/trailer design.

A unit that is licensed as Eating Place – Mobile must be one unit with all equipment (hand sink, ware washing sink with drainboards and bays large enough to submerge the largest pot/pan/utensil, prep counters, refrigeration units, water heater, potable and gray water tanks, etc.) installed on the unit so that as you transport it, the mobile kitchen remains one intact unit. This is a fixed kitchen on wheels.

A mobile unit must maintain the capability of being moved at any time even if the mobile unit generally operates from the same location. All utility connections (water, septic, electrical) must be able to be quickly disconnected and may not be permanent in nature. The mobile unit must remain freestanding with no additional structures (porches, decks, extensions of the food service area, etc.) attached.

The equipment installed in a mobile unit varies depending on the type of food being served. Mobile units may or may not be self-sufficient. If the equipment installed within the unit is capable of fully supporting preparation and execution of all menu items including proper dishwashing, the mobile unit is deemed to be self-sufficient. If a mobile unit is not capable of supporting the preparation of all food items and/or proper dishwashing, the unit is not self-sufficient, and the operator will be required to conduct these operations in their licensed commercial kitchen. See Approved Spaces/Additional Licensing section for further information.

Eating Place – Mobile Stick Built

A stick built mobile unit consists of food service equipment that may be assembled and disassembled for storage or transportation and may only operate at a fixed location for the duration of an approved community event. This type of mobile unit must meet the same equipment requirements (sinks, hot/cold holding, etc.) as all licensed mobile units. Equipment is set up under a tent or structure with overhead protection and a temporary flooring surface beneath. These units are only allowed to operate at fairs, festivals, and other approved community events such as farmer's markets. When operating at a community event that does not provide water from an approved water supply or gray water storage, the Mobile Stick Built operator is required to supply these utilities. You may not operate without potable water from an approved water supply and the capability to store gray water.

Eating Place – Temporary

A temporary eating place is an establishment that operates at a fixed location, for a period not exceeding 14 consecutive days, in conjunction with a single community event. A temporary eating place generally consists of food service equipment assembled under a tent. Equipment requirements may be more primitive than for a licensed mobile unit. No more than 3 temporary licenses will be granted to any operator per year. If an operator wishes to participate in more than 3 events per year, they will be required to apply for a mobile unit license and be in full compliance with all mobile unit requirements.

Mobile Water and Septic

Water supplied to a mobile unit must be from an approved water source and be supplied through an air gap or through a food grade hose with a backflow prevention device attached between the water supply and hose. Examples of approved water sources include public water systems (municipal water supply or other supply regulated by the Maine Drinking Water Program) or private sources that are required to test annually and report results to the Department as part of the license renewal process. If you wish to use water from your private well, or other unregulated source, you will be required to conduct water tests as stated within the Eating and Lodging application. See below:

The following test results, from a certified laboratory, must be sent in with a new application:

a. Total Coliform bacteria, nitrate, and nitrite: samples must be taken within three months before the date this application is received.

b. Fluoride, chloride, hardness, antimony, iron, pH, manganese, uranium, arsenic: samples must be taken within one year before the date this application is received.

Wastewater must be disposed of into an approved septic system. Examples include a public sewer system, an RV waste disposal site, or an approved private septic system. You will need to indicate where you plan to dispose of your graywater on the application. If wastewater is to be disposed of into a private septic system, such as your licensed establishment's or home's on-site wastewater disposal system, the Onsite Wastewater Disposal System - Local Review and Verification Form will need to be completed and submitted with your application.

Water Supply and Sewage Tanks

An adequate supply of clean (potable) water shall be provided from an approved source.

1) Water Supply Tanks - Standards for water supply tanks are as follows:

a) The materials that are used in the construction of a mobile food unit water tank and accessories shall be safe, durable, corrosion resistant, nonabsorbent, and finished to have a smooth and easily cleanable surface.

b) The water supply tank shall be enclosed from the filling inlet to the discharge outlet and be sloped to an outlet that allows complete drainage of the tank.

c) An access port for inspection and cleaning shall open at the top of the tank, flanged upward at least one-half inch and equipped with a secure port cover, which is sloped to drain.

d) A fitting with V-type threads is allowed only when the hose is permanently attached.

e) If provided, a water tank vent shall end in a downward direction and be covered with 16 mesh when the vent is not exposed to dust or debris or with a protective filter when the vent is exposed to dust or debris.

f) The tank and its inlet and outlet shall be sloped to drain. The inlet shall be designed so that it is protected from waste discharge, dust, oil or grease.

g) Hoses used to fill potable water tanks shall be dedicated for that one task and shall be clearly and durably identified for that use, unless permanently attached. Food grade hoses are usually white, blue, white with a blue stripe, or labeled by the manufacturer as “food grade”.

h) A filter that does not pass oil or oil vapors shall be installed in the air supply line between the compressor and the drinking water system.

i) The water inlet, outlet or hose shall be equipped with a cap and keeper chain or other adequate protective device. This device must be attached when the system is not in use.

j) The water tank, pump and hoses shall be flushed and sanitized before being placed into service after construction, repair, modification or periods of nonuse.

k) Water supply systems shall be protected against backflow or contamination of the water supply. Backflow prevention devices, if required, shall be maintained and adequate for their intended purpose.

l) The water supply tank, pump and hoses shall be used to convey drinking water and shall be used for no other purpose.

2) Wastewater Disposal. The sewage holding tank shall be 15 percent larger in volume than the water supply tank and shall be sloped to drain. The drain hose (1inch) shall be larger than the supply hose (3/4 inch). Liquid waste shall be removed at an approved disposal site. The liquid waste retention tank shall be thoroughly flushed and drained during the servicing operation. Wastewater shall be disposed of in an approved wastewater disposal system sized, constructed, maintained and operated according to law.

Mobile Unit Requirements & Classifications

Equipment requirements for mobile units are dependent on the menu items being produced in the unit. There are three classifications of mobile units: low risk, moderate risk, and high risk. The menu submitted to the Department with your application will be used to determine which category your unit belongs in. Once this has been determined, your health inspector will review your mobile unit's design to determine whether equipment requirements have been met.

Mobile units are required to have:

- Hand wash sink with hot and cold running water. The hand wash station must consist of water at least 100F, soap, paper towels, trash can, and a "hand wash sink only" sign.
- 2 or 3-bay ware-washing sink depending on classification of unit (see Mobile Unit Classifications and Appendix B). Ware-washing sinks must supply water at least 110F, have adequately sized bays for submersion of largest piece of equipment, have drainboards, and be supplied with dish washing detergent, approved sanitizer, and test strips.
- Adequate hot water supply: must supply enough hot water to fill ware-washing sink at 110F with 100F minimum water left for hand washing.
- Adequate cold and hot holding equipment with thermometers (where required).
- Potable water holding tank: must provide enough potable water to support hand washing and ware-washing while in operation. Enough water must be provided to fill ware-washing sink as many times as you will need to fill it while in operation with adequate supply left for hand washing.
- Wastewater holding tank: must be at least 15% larger than potable water storage tank. The wastewater holding tank may not sit on the ground unless it is a portable tote style tank with wheels. All other tanks must be installed on your mobile unit.
- Potable water and wastewater storage are limiting factors. If you run out of potable water or wastewater storage, you must discontinue operation until after you have refilled potable water/emptied wastewater tanks. See Water Supply and Sewage section for additional holding tank requirements.
- Smooth/durable/cleanable surfaces.
- Proper storage for equipment, single serve items, and food.
- Food thermometers.

See Appendix A: Checklist for Mobile Units for additional requirements for some units.

Temporary eating places:

- May use a gravity fed hand washing station with water at least 100F, waste water collection pail, soap, paper towels, trash can and “hand wash station only” sign. Hand wash water must be dispensed so that both hands can be washed at the same time.
- May use an alternative ware washing set up using a three-basin system (bus tubs) for washing, rinsing and sanitizing dishes and utensils.
- Must provide a way to heat water to at least 110F for dishwashing, and have dish washing detergent, approved sanitizer, and test strips.
- Must have overhead protection.
- Must provide a flooring surface to control dust and mud, if not set up on concrete or asphalt that is graded to drain.

All Mobile, Stick Built Mobile and Temporary Eating Establishments must ensure there is a restroom located for convenient use by their food employees, wherever they plan to operate.

Mobile Unit Classifications

See Appendix B: Mobile Unit Compliance Handout.

Low Risk

Low risk establishments serve only non-potentially hazardous foods. Examples of foods served from these units include prepackaged foods and beverages (labeled & from licensed facility), popcorn, pretzels, shelled peanuts, candy apples, soda, dispensed beverages, cotton candy, and shaved ice.

These units are required to have a hand wash sink. If any utensils are being used to dispense food products, a 2-bay sink is required, and the operator must be able to demonstrate proper 2 bay technique.

Moderate Risk

Moderate risk establishments serve some potentially hazardous foods with onsite food preparation. Examples include smoothies, prepared potentially hazardous foods, canned chili, hot dogs, ice cream, apple crisp, onion rings/blossoms, french fries, fresh squeezed lemonade, veggie salads and dressings, pre-cooked eggs/lobster/crab/shrimp, etc.

These units are required to have a hand wash sink, refrigeration (with thermometer) to support storage of potentially hazardous foods, and a 2 bay sink if utensils only are used. If other food contact equipment/containers are being used, a 3-bay sink is required.

High Risk

High risk establishments serve potentially hazardous foods with onsite preparation including preparation of raw proteins. Foods served from these units include raw potentially hazardous foods, meats, poultry, sausage, fish, chili prepared on site, potato salad, egg salad, seafood salad, coleslaw, pasta salad, raw seafood (oysters), cream pies, pizza made with potentially hazardous foods (meats, sausage, etc.).

These units are required to have a hand wash sink, 3-bay sink, and adequate refrigeration with thermometers. Refrigeration and other equipment must be able to support storage of potentially hazardous foods (cold/hot holding) and any complex preparation (cooling, reheating) being performed on the unit. If equipment on the unit cannot support safe food preparation for all menu items, necessary tasks such as food preparation and dishwashing must be conducted in the owner's licensed kitchen as stated in the Approved Spaces/Additional Licensing section of this document.

Approved Spaces/Additional Licensing

As part of the plan review, the health inspector will determine whether your mobile unit is self-sufficient. If your mobile unit is not self-sufficient, you will be required to use your licensed commercial kitchen or apply for a Commissary license for food preparation and/or ware-washing that is not supported by the equipment on your mobile unit. If you currently own a licensed establishment such as a restaurant, catering facility or commercial kitchen licensed by Department of Agriculture, the health inspector will review use of this space to determine whether it is in good standing with the Department and adequate for the additional use of the mobile unit operation. If found to be adequate, additional licensing is not required and food preparation and dishwashing for the mobile unit may be conducted in your licensed commercial kitchen. A home kitchen licensed by Department of Agriculture is not a commercial kitchen and will not be approved for use as a commissary space to prepare foods or wash dishes in conjunction with your mobile unit operation.

If you do not have your own licensed commercial kitchen to work from, or it is determined that your licensed establishment is not acceptable, you will be required to obtain a Commissary license for a commercial kitchen that meets the needs of the mobile unit operation. You will be required to submit a separate application and fee to the Department for this additional license. Both your commissary and mobile unit will need to be inspected and licensed before food is prepared in or sold from either. If you need to change the location of your commissary, you must submit a new application and fee for the new kitchen. Your inspector will need to conduct a plan review and inspection to license the new commissary before you begin using it to support your mobile operation.

Food preparation and dishwashing must be performed in your licensed mobile unit, commissary or your other licensed and approved commercial kitchen. Mobile unit operators are not allowed to wash dishes or produce food in a home kitchen or in a kitchen for which you do not hold a license.

Mobile Unit Fact Sheet

1. A mobile unit must be movable at any time. A permanent structure cannot be licensed as a mobile unit.
2. Units that require assembly and disassembly of equipment and set up under a tent or other overhead structure are licensed as Eating Place – Mobile Stick Built. These units are allowed to operate at approved community events only.
3. Temporary units operating without pressurized water and proper sinks can obtain up to 3 Eating Place – Temporary licenses per year. To operate at more events, you will need to be licensed as an Eating Place – Mobile or Eating Place – Mobile Stick Built and be in compliance with all requirements.
4. All mobile units must have a hand wash sink equipped with hot water (at least 100F), hand soap, paper towels, a waste receptacle, and a "hand wash sink only" sign.
5. Mobile units must be positioned to keep the general public away from the food preparation and cooking areas of the unit.
6. All food production must take place within the licensed mobile unit or within the owner's licensed and approved commercial kitchen.
7. A single table may be set up for use in conjunction with an Eating Place – Mobile unit to display self-serve condiments, to create a boundary between the unit and the customer or to facilitate the transfer of food to the customer. A table used for self-serve condiments or to facilitate the transfer of food to the customer must be able to be monitored from within the mobile unit or be monitored by a dedicated employee. This table is not to be used for food preparation.
8. Eating Place – Mobile units may cook on a single covered/enclosed cooker that is set up outside of the unit. Examples include a grill with a cover, an enclosed pizza oven or an enclosed smoker unit. Food must be protected as it is taken out of and returned to the mobile unit. Further processing and portioning must take place from within the mobile unit.
9. Operators must ensure that their food supply is secure from access to the public at all times. For example, food must be protected by physical means when food is stored in a mobile unit and the operator is not on site or when foods are being smoked in an ancillary smoker when the mobile unit is closed for business and the operator is not on site.
10. Coolers with ice may be used for food storage. Thermometers must be placed into coolers to ensure proper holding temperatures.
11. Mobile units, Mobile – Stick Built units and Temporary establishments may not operate without an adequate supply of potable water from an approved source and adequate gray water storage.

Chapter 2: Administrative Requirements:

Licensing Your Mobile Unit

All mobile units require a license. Your unit will be licensed as Eating Place – Mobile, Stick Built, or Temporary depending on your business model and the construction of your unit and you may be required to apply separately for a Commissary license (see Chapter 1). You must submit your Eating and Lodging application(s) at least 30 days before you plan to begin operating. Your application will first be reviewed at the main office for completeness. If incomplete, your application will be sent back to you with notes requesting that you resubmit the application with the missing information. Once your application is accepted, it will be sent to the health inspector covering your town. The inspector will review your application, conduct a plan review and contact you with any specific questions and schedule your pre-operational inspection. Once your pre-operational inspection has been completed and your inspector approves your license, you may begin operating. Your inspector will conduct an operational inspection within a few months after issuing the license. Your license will be mailed to you and must be posted in your unit, in view of the public. Your license must be renewed annually. You will receive a renewal notice with instructions approximately 60 days prior to the expiration date of your license.

The application can be found here: https://www.maine.gov/dhhs/mecdc/environmental-health/el/site-files/forms/Eating%20and%20Lodging%20HHE-602_rev%2054.pdf

Municipal Ordinances and Fees: Each town or city that you plan to operate in may have their own licensing fee and requirements. Be sure to check with the municipality in advance.

Municipal Mobile Licenses

If your business is based out of Portland, South Portland, Lewiston or Auburn and you plan to operate only in that city, you may apply for a Municipal Eating Place – Mobile license. However, the municipal license allows you to operate in that city only. If you plan to operate in locations throughout the state, you will need to apply for, and pay the fee for, a statewide mobile license. This will allow you to operate outside of the municipality at statewide fairs/festivals/locations.

The application for a municipal license can be found here:
https://www.maine.gov/dhhs/mecdc/environmental-health/el/site-files/forms/MUN-Eating-and-Lodging-HHE-638-rev-4.pdf

In addition to submitting this application to the Department, you must contact the municipality you plan to operate in regarding their licensing requirements.

Certified Food Protection Manager (CFPM)

Each establishment must employ a Person in Charge (PIC) who holds a current CFPM certification, unless exempt based on the extent of food preparation, as determined by the Health Inspection Program.

Exempted establishments include:

- Temporary eating establishments that operate fewer than 14 days.
- Establishments that serve or sell non-potentially hazardous pre-packaged foods.
- Establishments that prepare only non-potentially hazardous foods.
- Establishments that heat only commercially processed potentially hazardous foods for hot holding. No cooling of potentially hazardous foods.

Mobile unit operators that own multiple mobile units may employ one CFPM to cover all of their units, though each unit is licensed separately. This CFPM shall be in charge of training staff in all units and each unit needs to have an adequately trained PIC.

You can find a list of approved courses and some course providers here: https://www.maine.gov/dhhs/mecdc/environmental-health/el/site-files/miscellaneous/CFPM-Courses-2020.pdf

Person in Charge (PIC)

There must be a PIC in the mobile unit during all hours of operation. The PIC must be adequately trained on proper food safety and have the authority to instruct other employees on food safety principals and to make important decisions like sending an ill employee home, discarding food that has been time/temp abused or contaminated, etc.

The PIC must train foodservice staff and demonstrate food safety knowledge, including, but not limited to:

- Prevention of food-borne illness by practicing good personal hygiene by:
    - Washing hands properly at all times.
    - Using closed containers with straws for employee drinks.
    - Eating or smoking in designated areas only.
    - Having clean fingernails.
    - Wearing gloves over artificial or painted fingernails.
    - Wearing no jewelry on the wrist or hands, other than a plain ring.
    - Wearing clean outer clothing.
    - Wearing proper hair restraints.
    - Not handling animals when preparing food.

- Prevention of food-borne illness by ill food employees by adopting and following a Maine Food Code compliant employee health policy.
- Cooking, serving, holding, cooling and reheating of foods to proper temperatures.
- Avoiding cross contamination of raw and cooked foods.

- Using a HACCP plan where required.
- Storing and disposing of toxic materials properly.
- Maintaining facility in clean condition and good repair.
- Maintaining clean non-food contact surfaces.
- Properly cleaning and sanitizing food contact surfaces.

Employee Health Policy

All eating establishments, including mobiles, must have and train employees on a Maine Food Code compliant employee health policy. Employees who are symptomatic with vomiting, diarrhea, jaundice, sore throat and fever, or skin infections such as open sores, are required to report these symptoms to the PIC. Employees who have been diagnosed with Norovirus, Shiga toxin-producing E. Coli (STEC), Shigella, Hepatitis A, or Salmonella Typhi must report the diagnosis to the PIC and be excluded from the food service operation. The PIC must notify the Department of the diagnosis and the ill employee is not allowed to return to work until approved by the Department.

Additional employee health guidance can be found here:
https://www.maine.gov/dhhs/mecdc/environmental-health/el/employee_health.htm

Your inspector will review the employee health policy documents with you at your pre-operational inspection.

Clean-up of Vomiting and Diarrheal Events

An eating establishment shall have procedures for employees to follow when responding to vomiting or diarrheal events that involve the discharge of vomitus or fecal matter onto surfaces in the eating establishment. The procedures shall address the specific actions employees must take to minimize the spread of contamination and the exposure of employees, consumers, food, and surfaces to vomitus or fecal matter.

The Emergency Action Plan for Bodily Fluid Response and Recovery can be found here:
https://www.maine.gov/dhhs/mecdc/environmental-health/el/postings.htm

Chapter 3: Basic Food Safety

Chapters 3 & 4 are a guide to the safe operation of your eating establishment. They do not contain all the rules by which your mobile unit will be inspected. For the complete set of rules please refer to The Maine Food Code which is available online here: https://www.maine.gov/sos/cec/rules/10/chaps10.htm.

Preventing Contamination of Food by Employees

- Employees must wash hands properly at a dedicated hand wash sink with water 100F or hotter, soap, paper towels, hand wash sink only sign, and trash can.
- Employees must wash hands before working with food, before putting on new single use gloves, when changing tasks and whenever possible contamination may have occurred.
- To properly wash hands, employees must wet hands with warm running water, apply soap, rub hands together for 20 seconds minimum, remove soil from under fingernails, clean exposed portions of the arms & between fingers, rinse thoroughly, dry hands on a disposable paper towel or with an air dryer, and use a barrier to turn off the faucet to prevent recontamination of hands. Sanitizer may not be used in place of hand washing.
- Employees must use single use gloves properly. Gloves must be changed between tasks (along with proper hand washing). When torn or contaminated, gloves must be removed and discarded.
- Employees must wear clean outer clothing, wear no jewelry on the hands or wrists other than a plain ring, and wear an effective hair restraint.
- Employees must not smoke in the mobile unit or eat where food or clean equipment, linens or single use items are exposed.
- Employees may drink from a closed beverage container if it is handled to prevent contamination of the employee's hands, the beverage container, and exposed food, equipment, utensils, and single service/use articles. Example: drink in a cup with a cover and a straw.
- Employees may not handle ready-to-eat foods with their bare hands. Suitable utensils such as deli tissue, spatulas, tongs, or single use gloves must be used to avoid bare hand contact.

Approved Food Sources

Food shall be safe, unadulterated, honestly presented and shall be obtained from sources that comply with law. All foods offered from your mobile unit must be prepared in your unit or in your licensed and approved commercial kitchen that supplies your unit (ex. restaurant, catering facility, commissary).

Potentially Hazardous Food (Time/Temperature Control for Safety Food) (PHF/TCS)

Know which foods are PHF/TCS and how to handle them properly to avoid bacterial growth that can lead to food borne illness. Proper cooking, cooling, reheating, temperature control as well as properly date marking ready to eat PHF/TCS to be used within 7 days of opening or preparation are measures that must be taken to ensure the safety of your food products.

Potentially hazardous foods are:

- Foods of animal origin, raw or cooked.
    - Milk and milk products, eggs, meat, poultry, shellfish, fish, edible crustacea.
- Cooked plant products.
- Raw seed sprouts, cut melons, cut leafy greens, cut tomatoes or garlic-in-oil mixtures.

Temperature Control

Maintaining PHF/TCS at the proper temperature is essential to controlling bacterial growth.

- Maintain cold PHF/TCS at 41F or less.
- Maintain hot PHF/TCS at 135F or hotter.
- Temperatures between 41F and 135F are referred to as the danger zone as they can allow for rapid growth of bacteria that can lead to food borne illness.

Thawing

Properly thaw PHF/TCS:

- Under refrigeration at 41F or less.
- Under cold, running water (70F or less).
    - Portions of thawed, ready to eat foods may not be greater than 41F.
    - Raw animal foods requiring cooking may not be above 41F for more than 4 hours, including the time exposed to running water and the time it takes to cool food back to 41F.
- As part of cooking process.
- In the microwave if immediately transferred to conventional cooking equipment to complete cooking process.

Cooking

Follow these guidelines to ensure that your foods are cooked to the proper temperature:

- Cook poultry (whole or ground), stuffed meats, stuffed fish, stuffed pasta to 165F for 15 seconds.
- Cook ground meats (beef, pork, etc.) and shell eggs for hot holding to 155F for 15 seconds.
- Cook whole cuts of meat, fish, or shell eggs to 145F for 15 seconds.
- Cook fruits and vegetables for hot holding to 135F.

To properly cook raw foods in the microwave:

- Cover the food product to retain moisture.
- Rotate or stir the food halfway through the cooking process.
- Heat the food to at least 165F in all parts of the food.
- Allow to stand covered for 2 minutes after cooking to obtain temperature equilibrium.

Cooling

If your menu contains items that require cooling, be sure that your mobile unit contains proper equipment to rapidly cool food. If your inspector determines that the equipment on your unit is not adequate for cooling food properly, you will need to prepare these foods in your licensed facility that has been approved for this use (see Chapter 1).

To properly cool PHF/TCS:

- Monitor times and temps during the cooling process.
- Cool food from 135F to 70F within 2 hours.
- Cool food from 135F to 41F within a total of 6 hours.
- Cool PHF/TCS prepared from ambient air temp (canned foods) to 41F within 4 hours.

Methods for properly cooling food:

- Use shallow pans and fill to no more than 2 inches deep.
- Separate food into smaller, thinner portions (slice roast).
- Use rapid cooling equipment (blast chiller, ice paddle).
- Stir food while in an ice water bath to facilitate rapid, even cooling.
- Use containers that facilitate heat transfer (metal).
- Add ice as an ingredient.
- Partially cover or leave uncovered if protected from contamination.
- Cover food completely once cooled to 41F minimum in all parts.

Reheating for Holding

All potentially hazardous foods (time/temperature control for safety foods) (PHF/TCS) that have been cooked and cooled must be reheated to at least 165F within 2 hours for hot holding. PHF/TCS reheated in the microwave must be reheated and stirred, then covered and allowed to stand for 2 minutes after reheating and must reach 165F. Commercially produced products (precooked and canned foods) must be reheated to at least 135F for hot holding. All hot PHF/TCS must be reheated rapidly, within 2 hours and held at 135F or hotter.

Date Marking

Date mark all ready-to-eat PHF/TCS that will be held for more than 24 hours with a date of discard, no more than 7 days from the date of preparation, with the day of preparation counting as day 1. Commercially prepared PHF/TCS must be date marked to be used within 7 days of opening or by the use by or expiration date stamped on the product. Discard foods exceeding the discard or expiration date, whichever comes first. If PHF/TCS with different discard dates are combined, label the resulting food product to be discarded based on the earliest prepared food.

Consumer Advisory

Animal food that is served raw, undercooked or not otherwise processed to eliminate pathogens must be identified to the consumer by way of a disclosure and a reminder.

- Place an asterisk next to the food item requiring the advisory (egg, steak, burger, etc.).
- Place a footnote at the bottom of the menu with the consumer advisory wording.
    - *Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness.

Food Storage and Protection

Protect your food with the following practices:

- Store food in a clean, dry area, at least 6 inches off the floor.
- Do not store food where exposed to splash, dust or other sources of contamination.
- Store food completely covered in refrigerated, frozen, or dry storage (unless cooling).
- Store food so that raw produce and ready to eat foods cannot become contaminated by raw animal foods.
- Store food so that raw animal foods cannot become contaminated by other raw animal foods (raw eggs, fish, beef, pork, chicken).
- Store foods being held for return, refund, or credit away from good stock (broken seals, torn packaging, dented cans, spoiled food, recalled food).
- Use sneeze guards, display cases, or packaging to protect food on display.
- Label chemicals properly and store away from food product, clean equipment, and single use articles.

- Protect food, equipment and outer openings from insects, rodents and other sources of environmental contamination (dust).
- Provide overhead protection.

Lighting and Ventilation

Provide adequate lighting and shield lights in food prep areas. Provide adequate ventilation. Ventilation must be of sufficient capacity to prevent grease or condensation from collecting on walls and ceilings.

Chapter 4: Cleaning and Sanitizing Requirements

Physical Facilities and Non-Food Contact Surfaces

- Physical facilities must be maintained clean and in good repair.
- Clean non-food contact surfaces that are exposed to splash/splatter from foods during prep/cooking/dish washing as often as necessary to keep them free from the accumulation of soil residue.

Food Contact Surfaces

Clean and sanitize food contact surfaces (dishes, utensils, cooking equipment):

- Before each use with a different type of raw animal food, such as beef, fish, lamb, pork, or poultry.
- Each time there is a change from working with raw foods to working with ready-to-eat foods.
- Between uses with raw fruits and vegetables and with potentially hazardous food.
- Before using or storing a food thermometer.
- At any time during the operation when contamination may have occurred.
- Clean and sanitize in-use utensils that are in contact with PHF/TCS at least once every four hours.

Ware-washing Process

Properly cleaning and sanitizing food contact equipment is a four-step process:

1. Wash dishes/food contact equipment in hot water/detergent solution, at least 110F.
2. Rinse dishes in clean running water or dip in clean water to rinse.
3. Sanitize using approved sanitizer (chlorine or quaternary ammonium compound).
    a. Follow instructions on product label and use test strips to verify appropriate concentration.
4. Air dry.

Toxic Materials

- Toxic materials must bear the manufacturer's label. Label working containers of toxic materials (cleaners, sanitizers, etc.) with the common name of the chemical.
- Store toxic materials away from food, equipment, utensils, linens, and single use items.
- Use toxic materials according to the manufacturer's instructions.

Checklist for Mobile Units

Appendix A

All units need:

- ☐ State license
- ☐ Hand Wash Sink (100°F Hot Water),
  - Name of water supply source _____
  - Soap
  - Paper towels
  - Hand wash signage
- ☐ 2 bay or 3 bay sink (see separate Mobile Compliance Handout to determine) (110°F Hot Water)
- ☐ Gray water tank – 15% larger than potable water tank
  - Location of disposal _____
- ☐ Food thermometer
- ☐ Nonporous and smooth surfaces
- ☐ Proper storage of utensils, food, dry goods etc.
- ☐ Dishwashing detergent
- ☐ Sanitizer and testing strips

Some units need:

- ☐ Municipal license (if City or Town requires one)
- ☐ Base station (if not 100% self-sufficient)
  - Location _____License ID#_____
- ☐ Refrigeration (Depending upon food service of PHF Foods)
  - Thermometer inside
- ☐ Certified Food Protection Manager (see exemption list on CFPM Handout)
  - Name and Expiration Date _____
- ☐ Ice
  - Name of approved source supplier_____
- ☐ Backflow preventer and food grade hose
- ☐ Sneeze guard
- ☐ Consumer Advisory (if menu items require one)
- ☐ Light shield (food truck)
- ☐ Umbrella (overhead protection)
- ☐ Food Protection - Sliding Window, Screening or Air Curtain (food truck)
- ☐ Floor Covering

MOBILE/TEMPORARY MOBILE UNIT
RISK AND EQUIPMENT COMPLIANCE HANDOUT

Appendix B

ALL MOBILE UNITS SHALL HAVE A HAND WASH SINK WITH HOT/COLD WATER UNDER PRESSURE; TEMPORARY MOBILE UNITS CAN USE A GRAVITY or PRESSURE SYSTEM

Temporary units may use an alternative ware washing set up using a three wash basin system (bus boy basins) for washing, rinsing and sanitizing dishes and utensils. Each Temporary license is one event no greater than either 4 days or 14 days. Three Temporary licenses are allowed per licensee per year. If you are going to attend more than three events per year, you will have to apply for a Mobile Unit license and comply with all the requirements of a mobile unit.

➢ LOW RISK: NON PHF*

Equipment: Hand Sink, if using utensils a 2 bay sink is required, refrigeration may be required.
Must be able to demonstrate proper 2 bay sink technique.

Popcorn	**Ice/Slushi**	**Candy Apples**
Pretzels	**Shelled Peanuts**	**Soda**
Dispensed Drinks	**Pre-Packaged Juice**	**Cotton Candy**

Pre-Packaged Foods (labeled & from a licensed facility)

➢ MODERATE RISK: SOME PHF* and PREPARATION

Equipment: Hand sink, if only using utensils a 2 bay sink is required otherwise a 3 bay sink is required.
Refrigeration may be required.
Must be able to demonstrate proper 2 bay sink technique.

Fried Dough	**Smoothies**	**Apple Crisp**	**Pre Cooked PHF***
French Fries	**Ice Cream**	**Onion Rings**	**Fresh Squeezed Lemonade**
Onion Blossoms	**Cream Puffs**	**Hot Dogs**	**Vegetable Salads and Dressings**
Salads	**Canned Cheese**	**Canned Chili**	**Pre-packaged Condiments**

Prepared Salads w/ PHF* (from a licensed facility) **Pre-cooked eggs, lobster, crab, shrimp**
Cooked foods, delivered in an approved carrier and no utensils are used, but must demonstrate proper use of disposable gloves and/or single service papers.

➢ HIGH RISK: ALL PHF*

Equipment: Hand sink, 3 bay sink, and refrigeration required.

Raw PHF* **Sausage** **Meats** **Seafood** **Fish**
Hot dogs with PHF* if any preparation i.e., chili
Onsite prepared salads: i.e., potato, coleslaw, pasta, egg salad, and seafood
Raw bar: i.e., oysters on the half shell
Pizza with PHF*: i.e., (ground meats: hamburg or sausage)
Pie with PHF* i.e., cream pies

***PHF = POTENTIALLY HAZARDOUS FOOD**

3 bay dishwashing: Wash, Rinse, and Sanitize
Sinks must be big enough for the biggest pot or pan to be submersed.

If you have any questions, please contact your district health inspector or our offices at 287-5671.

Mobile Food Cart

Appendix C

Foods sold from a mobile food cart are generally non-PHFs, commissary prepared foods, or precooked foods that require limited assembly, such as hotdogs.



The mobile food cart is self-contained and readily moveable. All equipment is attached to the unit.

Overhead protection is required to protect food from contamination.

Cold holding may be mechanical or done by other approved method. Equipment must be easily cleanable, capable of maintaining PHF at 41F or below and be equipped with a working thermometer.

Equipment for reheating and hot holding foods must be easily cleanable and be used according to manufacturer's instructions. Hot holding equipment must be capable of maintaining PHF at 135F or hotter and may not be used to re-heat foods, unless rated to do so.

Potable water tank must be appropriately constructed and be large enough to supply fresh water for the duration of service times. Waste water tank must be 15% larger than potable water tank. Waste water must be disposed of at approved location.

A separate hand wash sink must be installed and used for hand washing only. It must be equipped with hot water (at least 100F), hand soap, paper towels, a "Hand Wash Sink Only" sign and a waste receptacle.

Cart must be equipped with a 2 or 3-bay sink (see Appendix B). Each bay must be large enough to fully submerge the largest piece of equipment used. Ware wash sink must be supplied with hot water at least 110F, dish washing soap, sanitizer and appropriate test strips.

Mobile Food Truck/Trailer

Appendix D

Ventilation must be adequate to prevent grease and condensation from collecting on walls and ceilings.

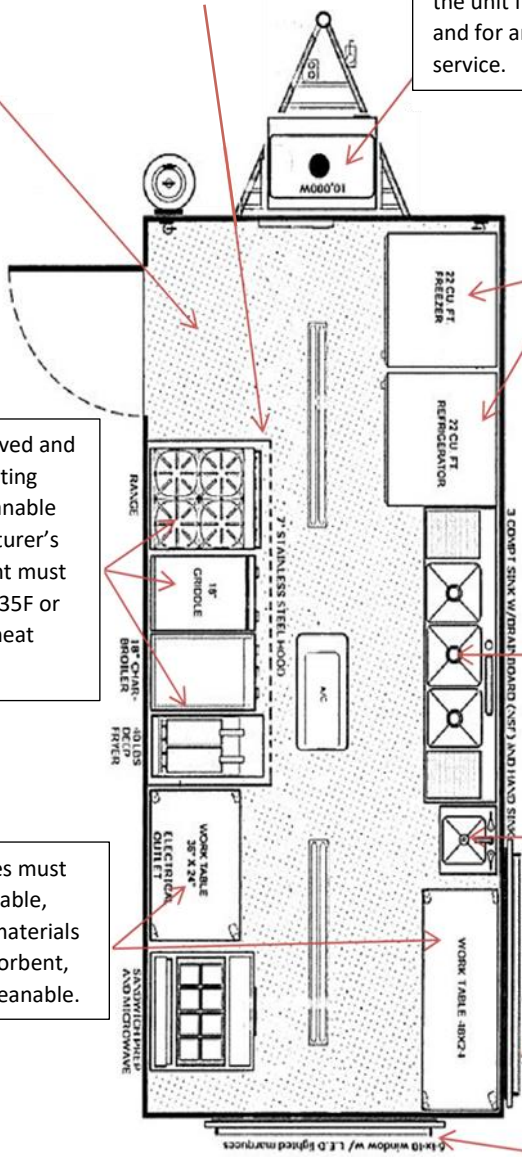
Power supply must be adequate to power the unit for the duration of service times and for any PHF storage when not in service.

Floors, walls and ceilings must be constructed of durable materials that are smooth, non-absorbent and easily cleanable.

Cold holding may be mechanical or done by other approved method. Equipment must be easily cleanable, capable of maintaining PHF at 41F or below and be equipped with a working thermometer.

Mobile unit must be equipped with a 2 or 3-bay sink (see Appendix B). Each bay must be large enough to fully submerge the largest piece of equipment used. Ware wash sink must be supplied with drainboards, hot water at least 110F, dish washing soap, sanitizer and appropriate test strips.

Cooking equipment must be approved and easy to clean. Equipment for reheating and hot holding must be easily cleanable and be used according to manufacturer's instructions. Hot holding equipment must be capable of maintaining PHF at 135F or hotter and may not be used to re-heat foods, unless rated to do so.



Potable water tank must be appropriately constructed and be large enough to supply fresh water for the duration of service times. Waste water tank must be 15% larger than potable water tank. Waste water must be disposed of at approved location.

Food contact surfaces must be made of safe, durable, corrosion-resistant materials and must be nonabsorbent, smooth and easily cleanable.

A separate hand wash sink must be installed and used for hand washing only. It must be equipped with hot water (at least 100F), hand soap, paper towels, a "Hand Wash Sink Only" sign and a waste receptacle.

Serving windows and doors must be equipped with tight fitting screens, air curtains, or other preapproved, adequate means to prevent the contamination of food and food contact surfaces by pests and environmental conditions while in operation.

Mobile Unit/Catering Licensing Scenarios

Appendix E

1. A business that has a commercial kitchen and trailer/mobile unit/stick built mobile that sets up at private events only and uses the trailer or mobile unit to support the catering business requires a Catering license for the commercial kitchen.

2. A business that has a commercial kitchen and mobile unit or stick built mobile unit that sets up at private events and local community events, where returning to the commercial kitchen to restock supplies and food as needed is possible, requires a Catering license for the commercial kitchen. A separate license for the mobile unit is not required.

3. A business that has a commercial kitchen and mobile unit or stick built mobile unit that operates at private events and community events, where return to the commercial kitchen for restocking of supplies and food is not convenient, requires a Catering license plus a separate Eating Place – Mobile or Eating Place – Mobile Stick Built license.

4. A restaurant that sets up offsite to sell food at a private or local approved community event requires an Eating and Catering license.

5. A business that has only a stick built set up and operates at approved community events must obtain an Eating Place – Mobile Stick Built license and meet all mobile unit requirements. Stick built units may not operate outside of approved community events.

6. Any business that sets up in a location other than an approved community event, to sell food to the public, must have a mobile unit that meets the Eating Place – Mobile definition and obtain an Eating Place – Mobile license for their mobile unit.

7. A mobile unit with inadequate equipment for safe preparation of all menu items requires an Eating Place – Mobile license as well as a separate Commissary license for an approved commercial kitchen.