

LOCAL FEE: \$150.00  
STATE FEE: \$210.00  
TOTAL: \$360.00

Food Service Establishment Rules  
Mobile Food Units  
Chapter 1200-23-1-.02 (12)

(a) General. Mobile food units shall comply with the requirements of these Rules, except as otherwise provided in paragraph (12).

1. Restricted operation.

Mobile food units serving only food prepared, packaged in individual servings, transported and stored under conditions meeting the requirements of these Rules, as well as beverages that are not potentially hazardous and are dispensed from covered urns or other protected equipment, need not comply with requirements of these Rules pertaining to the necessity of water and sewage systems nor to those requirements pertaining to the cleaning and sanitation of equipment and utensils if the required equipment for cleaning and sanitation exists at the commissary. However, potentially hazardous food such as frankfurters, may be prepared from these units without the necessity of a water system, provided approved hand wipes are convenient, accessible, and utilized.

2. Single service articles.

Mobile food units shall provide only single service articles for use by the consumer.

3. Water system.

A mobile food unit not exempt from the requirement for a water system shall have a potable water system under pressure. The system shall be of sufficient capacity to furnish enough hot and cold water for food preparation, utensil cleaning and sanitizing and handwashing in accordance with the requirements of these regulations. The water inlet shall be located so that it will not be contaminated by waste discharge, road dust, oil or grease, and it shall be kept capped unless being filled. The water inlet shall be provided with a transition connection of a size or type that will prevent its use for any other service. All water distribution pipes or tubing shall be constructed and installed in accordance with the requirements of this regulation.

4. Waste retention.

If liquid waste results from operation of a mobile food unit, the waste shall be stored in a permanently installed retention tank that is of at least 15 percent larger capacity than the water supply tank.. Liquid waste shall not be discharged from the retention tank when the mobile food unit is in motion. All connections on the mobile food unit for servicing mobile food unit disposal facilities shall be of a different size or type than those used for supplying potable water to the mobile food unit. The waste connection shall be located lower than the water inlet connection to preclude contamination of the potable water system.

(b) Commissary

1. General

(i) Mobile food units shall operate from a commissary or other fixed service establishment and shall use this facility for all supplies. All mobile food units shall be cleaned and serviced as often as necessary from this facility.

(ii) The commissary or other fixed food service establishment used as a base of operation for mobile food units shall be constructed and operated in compliance with the requirements of these regulations.

Servicing areas and operations

(i) Servicing area.

(I) A mobile food unit servicing area shall be provided and shall include at least overhead protection for any supplying, cleaning, or servicing operation. Within this servicing area, there shall be a location provided for the flushing and drainage of liquid wastes separate from the location provided for water servicing and for the loading and unloading of food and related supplies. This servicing area is not required if the mobile food units exempt from the water system and waste retention requirements of this paragraph.

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

(III) The construction of the walls and ceilings of the servicing area is exempted from the provisions of Rule 1200-23-1-.02(11)(b).

(ii) Servicing operations.

(I) Potable water servicing equipment shall be installed according to law and shall be stored and handled in a way that protects the water and equipment from contamination.

(II) The mobile food unit liquid waste retention tank, where used, shall be thoroughly flushed and drained during the servicing operation. All liquid waste shall be discharged to a sewage disposal system in accordance with Rule 1200-23-1-.02(10)(f).

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## **GENERAL REQUIREMENTS**

### **1. GENERAL**

Mobile food units shall comply with the requirements of the Tennessee Department of Health's Food Service Establishment Rules and Regulations.

### **2. DEFINITIONS**

**MOBILE UNIT-** A mobile food unit is any vehicle that is self-propelled, or can be pulled or pushed down a sidewalk, street, highway, or waterway. Food may be prepared or processed on this vehicle, and the vehicle is used to sell and dispense food to the ultimate consumer. Mobile units must be mobile at all times during operation. The unit must be on wheels (excluding boats) at all times. Any mobile food unit that removes such wheels or becomes stationary must meet 1200-23-1 in its entirety.

**COMMISSARY –** Any location in which food, containers, or supplies are kept, handled, prepared, packaged or stored.

### **3. PRE-OPERATION REQUIREMENTS**

The menu, floor plan, equipment layout, and equipment specifications for both the mobile food unit and the commissary must be submitted to the local county Public Health Department at least 15 days prior to construction.

### **4. FLOOR, WALLS, CEILING, AND LIGHTING**

Floors, walls, and ceiling shall be light-colored, smooth, nonabsorbent, and easily cleanable with no exposed utility lines, piping conduits, or wiring. Flooring must be constructed of smooth, durable, easily cleanable material. Shielding shall be provided for all lighting fixtures.

### **5. COUNTER/SHELVING SURFACES**

All surfaces shall be easily cleanable, smooth and free of breaks, open seams, cracks, chips, pits, and similar imperfections.

### **6. HAND SINK**

A hand sink equipped with a mixing valve faucet must be installed. It must be accessible to the operator(s) at all times. The sink can be either a drop-in or a wall-attached style. Provide splashguards between the sink and food prep or storage area as required during plan review.

Mobile units which serve only non-potentially hazardous foods (and/or hotdogs, sausages, and coffee drinks with milk) may use disposable hand-wipes in lieu of handwashing.

#### 7. WAREWASHING SINK

A three-compartment commercial sink with drain boards at each end is required for the proper washing of food contact utensils. This sink must be seamless with rounded corners and be sized deep and wide enough to accommodate the largest utensil or small ware to be washed. Two drain boards shall be provided, one on each end of the sink.

All mobile units shall be equipped with warewashing sinks that meet the minimum requirements, with the exception of push-carts or other operations such as snow-cone carts that use equipment or utensils limited to ice scoops or tongs and the three compartment sink is available at the commissary.

#### 8. WATER SUPPLY

Potable water must be supplied to each sink by means of a pressurized water system. It is recommended that a minimum sized 30-gallon potable water tank be installed. The tank's size requirement will be determined during the plan review process based on the menu, sink dimension, and operating hours. This tank is to be made of a food grade material. The tank must be installed at an angle that will permit complete drainage of the tank at the end of each day of operations. Due to the need to drain the tank, an outlet/valve must be installed at the lowest section of the tank. The fresh water tank should be flushed and sanitized monthly. Log records should be retained in the unit for verification. The tank and water fill pipe must be a closed system and free from contamination. A water inlet/valve must be installed for filling the potable water tank. The water inlet/valve and outlet must be capped when not in use to protect the water supply from contamination.

#### 9. WATER HEATER

A water heater must be installed that is sized large enough to supply 90-120°F water to the hand sink and three-compartment sink during all periods of operation.

#### 10. WASTEWATER TANK

A wastewater tank must be installed and have a 15% larger capacity than the capacity of the potable water tank. An atmospheric vent must be provided at the top of the wastewater tank. A wastewater outlet/valve must be installed on the exterior of the mobile unit. The outlet must be equipped with a shut-off valve and different in size or type than those used for supplying potable water to the mobile food unit. The tank must be installed in a manner that facilitates proper drainage of the wastewater. Size of potable water tank in gallons x 1.15= Minimum size requirement for waste water tank.

11. POTABLE WATER SUPPLY HOSE

The mobile unit shall be provided a food grade water hose that is adequately sized to fill the potable water tank. The hose must be connected to a supply outlet that is equipped with a back flow prevention device. This hose should be either white or clear in color to differentiate from the wastewater drainage hose. When not connected to the water supply and mobile unit, the hose must be completely drained in a manner that protects the cleanliness of the hose and capped at both ends. The hose must be stored in a sanitary manner within the approved, permitted commissary or mobile unit.

12. WASTEWATER DISPOSAL

The wastewater tank must be emptied into an approved sanitary sewer at the end of each day of operation. The disposal location must be approved at the time of plan review. If the operator of the mobile food unit does not own the approved dumpsite, then a receipt of disposal from the owner/operator of the site should be retained in the mobile food unit for at least 30 days.

13. WASTEWATER DRAINAGE HOSE

A hose shall be provided for emptying the wastewater tank. This hose must be distinctly different in color or size than that of the potable water supply hose. The hose must be stored in an area that will not contaminate food, or food contact surfaces. Do not store with the potable water supply hose.

14. OUTER OPENING

Food shall be protected from contamination during preparation, display, and service. This may be accomplished with covers, screening, and/or air curtains. Each mobile unit shall be evaluated individually base on the menu and complexity of food preparation to determine the appropriate method for food protection. Revised 11-12.

15. SOLID WASTE

Solid waste/trash shall be contained in durable, easily cleanable, insect-proof containers that do not leak or absorb liquids.

16. LEFTOVER FOODS

At the end of each day of operation, all potentially hazardous food that is held hot must be rapidly cooled to below 41°F within 4 hours. The cooling device must be located within a permitted food establishment. If this is not possible then the food must be discarded.

17. FOOD SUPPLIES

All food items must be purchased from an approved source or permitted food service establishment.

#### 18. OPERATION LIMITATIONS

The food preparation activities of the mobile food unit are limited to the interior of the unit. Counter extensions and tables can be used to display and dispense condiments and single-service items, such as napkins or plastic-ware, provided that the condiments and single-service items are protected and dispensed in a sanitary manner. Covered smokers and grills that are used for batch cooking and operated under the provisions of outdoor cooking in the Tennessee Department of Health's Food Service Establishment Rules and Regulations are also allowed. Revised 11-12.

#### 19. COMMISSARY

All foods and single service articles must be stored at an approved commissary. The floor plans of the commissary must be submitted for plan review to the local county health department prior to construction of the mobile unit. If the owner of the mobile unit intends to use a permitted facility that is owned by another operator, the owner/operator of the commissary must submit a notarized "Mobile Unit/Commissary Agreement" letter to the local county health department.

A separate food service permit is required at the commissary if food preparation takes place in the commissary.

#### 20. IDENTIFICATION OF MOBILE UNIT

All mobile food units shall be clearly identified with the name of the business and permit number posted and unobstructed on the exterior of the unit in letters at least three inches in height.

**100% Self-Contained  
Mobile Unit  
Plan Review Checklist**

Name of Checklist:	
Name of Owner(s):	
Address:	
Phone Number:	
Alternate Phone Number:	
Location of Commissary:	
Food preparation in the commissary?	
Proposed Menu:	
Floor Plan and Specifications of the Mobile Unit:	
<ul style="list-style-type: none"> <li>• Mobile food operation confined to a mobile unit on wheels</li> <li>• Approved floor construction and materials</li> <li>• Approved wall &amp; ceiling construction and materials?</li> <li>• Screening (if required)</li> <li>• Lights shielded</li> <li>• Approved counter and shelving surfaces</li> <li>• Handsink</li> <li>• Three compartment sink with two drain-boards</li> <li>• Water Supply</li> <li>• Water Heater</li> <li>• Generator</li> <li>• Wastewater Tank</li> <li>• Potable water supply hose</li> <li>• Wastewater disposal</li> <li>• Wastewater drainage hose</li> <li>• Outer opening protected (if required)</li> <li>• Solid Waste disposal</li> <li>• Limited Operation</li> <li>• Unit Identification</li> </ul>	



## Commissary Plan Review Checklist

Name of Checklist:	
Name of Owner(s):	
Address:	
Phone Number:	
Alternate Phone Number:	
Location of Commissary:	
Food preparation in the commissary?	
Proposed Menu:	
Floor Plan and Specifications of the Mobile Unit:	
<ul style="list-style-type: none"> <li>• Mobile food operation confined to a mobile unit on wheels</li> <li>• Approved floor construction and materials</li> <li>• Approved wall &amp; ceiling construction and materials?</li> <li>• Screening (if required)</li> <li>• Lights shielded</li> <li>• Approved counter and shelving surfaces</li> <li>• Handsink</li> <li>• Three compartment sink with two drain-boards</li> <li>• Water Supply</li> <li>• Water Heater</li> <li>• Wastewater disposal</li> <li>• Outer opening protected (if required)</li> <li>• Solid Waste disposal</li> <li>• Servicing Area</li> </ul>	



General Environmental Health  
Tennessee Department of Health  
Cordell Hull Building, 3<sup>rd</sup> Floor  
425 5<sup>th</sup> Avenue North  
Nashville, TN 37243-3901  
(615) 741-7206

### Commissary Agreement Form

I, \_\_\_\_\_ owner of \_\_\_\_\_,  
Name Commissary Business Name

located at \_\_\_\_\_,  
Address

agree to allow \_\_\_\_\_ to use my facility as  
Mobile Unit Operator

his/her commissary and I understand that the cart will be brought back to my facility daily for servicing.

\_\_\_\_\_  
Signature of Commissary Owner

\_\_\_\_\_  
Date



General Environmental Health  
Tennessee Department of Health  
Cordell Hull Building, 3<sup>rd</sup> Floor  
425 5<sup>th</sup> Avenue North  
Nashville, TN 37243-3901  
(615) 741-7206

### Wastewater Disposal Agreement Form

I, \_\_\_\_\_ owner of \_\_\_\_\_,  
Name Mobile Food Unit Name

located at \_\_\_\_\_, state that the following  
Address

named location \_\_\_\_\_ will be used to  
Name of wastewater disposal location

dispose of the wastewater generated by the above named mobile food unit.

\_\_\_\_\_  
Signature of disposal location owner

\_\_\_\_\_  
Date

## Frequently Asked Questions Mobile Units

### Permitting

1. Can a mobile unit from another state be permitted?
  - Yes, a mobile unit from another state can be permitted in Tennessee if they meet all of the requirements of a mobile unit in TN including local, (in-state) servicing area and commissary (if necessary and maintain a current TN permit and inspection.
  
2. Since all units, except push carts, will be required to be 100% self-contained (3-compartment sink) will we require a hand sink on non-potentially hazardous food mobile units or can they use handy-wipes?
  - Please refer to Requirements for Mobile Food Service Establishments item #6, “Mobile units which serve only non-potentially hazardous foods (and/or hotdogs, sausages, and coffee drinks with milk) may use disposable hand-wipes in lieu of handwashing.”
  
3. Item #7 warewashing sink states.....or other operations that use no equipment or utensils which require sanitization. What are “other operations”?
  - This refers to any other type of operation that uses no utensils that are required to be washed, rinsed, and sanitized.
  
4. There is a mobile unit that makes ice cream. The mix is placed in a container and a horse provides the power to churn the ice cream. It is then taken inside the unit where it is dispensed. Will this practice be allowed under the new guidelines?
  - Please refer to Item #18 Operation Limitations. Evaluate each establishment based on the risk of foodborne illness presented in the proposed operation. This situation could be acceptable, provided that the food is always protected from contamination and is kept a safe temperature during preparation, display, and service. Revised 11-12.
  
5. Will operators of snow-cone mobile units whose only utensil is an ice scoop be required to install a three-compartment sink on the unit?
  - Restricted operation:
    - Mobile food units serving food prepared, packaged in individual serving, transported and stored under conditions meeting the requirements of these Rules, as well as beverages that are not potentially hazardous and are dispensed from covered urns or other protected equipment, need not comply with requirements of these Rules pertaining to the necessity of water and sewage systems not to those requirements pertaining to the cleaning and sanitation of equipment and utensils if the required equipment for cleaning and sanitation exists at the commissary.

6. What if mobile unit is completely self-contained and needs no commissary for storage?

- According to 1200-23-1-.02 (12) (b) 1, “Mobile food units shall operate from a commissary and shall use this facility for all supplies. All mobile food units shall be cleaned and serviced as often as necessary from this facility.”
- Even if an operator does not need to store food and equipment between uses of the mobile unit, they are required to clean and service the unit from a commissary.

7. If an operator plans to use the facilities of another business to dispose of their wastewater, are they required to obtain a letter from that business stating the agreement?

- Yes, please see attached wastewater disposal agreement form.

8. What is the menu items allowable on a push cart (i.e. are peppers and onions allowed to be prepared/cooked on a push cart)?

- Yes, peppers and onions are allowed to be prepared on a push cart because they are non-potentially hazardous foods. Other acceptable foods that may be encountered on push carts are sauerkraut, vegetarian chili, pickles etc. Potentially hazardous foods such as cheddar cheese and meat chili are not permitted on an open cart.

9. Which non-critical violations will prohibit a mobile food unit from being permitted?

- None

10. Do the servicing area and the wastewater dump facilities have to be located at the same place?

- No, but prior to permitting the mobile unit the operator shall submit the location(s) of their servicing area and wastewater disposal sites for approval by the local health department.

11. Questions regarding generators/alternate source of energy:

- What if the mobile unit operates on propane for energy?
  - OK, just needs a back-up tank.
- Can the operator rent a generator or do they have to own it?
  - Doesn't matter, as long as they have an alternate source.
- An operator uses solar panels or batteries to charge the unit, are these approved alternative power sources? Are there other acceptable power sources?

- Any alternate source of power is acceptable if it can power the unit.
12. Some mobile units (step van type) have a sliding door that would be difficult if not impossible to self-close. Could these be treated like a window?
- Yes, treat those types of doors as windows. Revised 11-12
13. Is there a size restriction on the service window on mobile units similar to temporary establishments?
- No, refer to the revised screening requirements, #14 which states:
- “Food shall be protected from contamination during preparation, display, and service. This may be accomplished with covers, screening, and/or air curtains. Each mobile unit shall be evaluated individually based on the menu and complexity of food preparation to determine the appropriate method for food protection. Revised 11-12”

## Inspections

1. Are we going to allow movable carts in lieu of drain boards?
  - According to Chapter 1200-23-1-.02(12) (a): “Mobile food units shall comply with the requirements of these Rules, except as provided in paragraph (12). The allowance for the use of movable dish carts in lieu of drain boards is provided for in 1200-23-1-.02(c) 3, therefore, it is permissible for mobile food service operations to use movable dish cars in place of drain boards, although it is not advisable due to space limitations in a typical mobile unit.
2. Will a push cart be allowed to set up a table for condiments?
  - Yes, please refer to the revised Requirements for Mobile Food Service Establishments item #18. The food preparation activities of the mobile food units are limited to the interior of the unit. Counter extensions and tables can be used to display and dispense condiments and single-service items, such as napkins or plastic-ware, provided that the condiments and single-service items are protected and dispensed in a sanitary manner. Covered smokers and grills that are used for batch cooking and operated under the provisions of outdoor cooking in the Tennessee Department of Health’s Food Service Establishment Rules and Regulations are also allowed. Revised 11-12
3. What violation will we mark if they do not keep a log of flushing and sanitizing the fresh water tank?
  - Item #14.

4. Under General Requirements item #14 outer openings. Are we allowing air curtains instead of self-closing entrance doors?
  - No, air curtains are not to be approved in lieu of screening or doors at entrance.
5. A non-potentially hazardous mobile food unit has a 3-compartment sink located in the commissary. Are we requiring a separate permit for the commissary (there is no food prep at the commissary)?
  - A separate permit is only required at the commissary when food preparation takes place there.
6. Are box fans considered “approved and effective air curtains”?
  - Box-type fans can be an approved method of protecting the outer opening of a mobile food service operation. Revised 11-12
7. What are the approved ways to dispose of wastewater from a mobile unit?
  - Please refer to guideline item #12: in a sanitary sewer, either septic tank or public sewage system, daily,

## Enforcement

1. How will we enforce the requirements if they set-up in violation of the requirements?
  - If you find a mobile unit set up and operating in violation of the requirements (i.e. unit is not on wheels or mobile at all times) and the unit does not qualify for a permit, a closure order shall be issued by the Field Office Manager or Contract County Director.
2. Are we going to require non-critical violations (walls, floors, ceilings) to be corrected on existing mobile units by July 1, 2009?
  - Non-critical violations will continue to be marked during regular inspections. Enforcement actions will not be initiated solely because non-critical violations that have not been corrected.
3. How do we enforce the identification requirement?
  - Be sure to discuss this requirement with your mobile unit operators. Mark violations as an item #45 and continue to ask for compliance with the policy. If you have an operator who refuses to comply, report to the Central Office.

## General

1. Will we allow the use of leveling devices (jacks, blocks, etc.)?
  - Yes, jacks and leveling devices may be used.

2. How do we notify the Central Office of violations on existing units before renewals in order to hold back permits? What violations will result in a mobile units permit not being renewed?

- The main issue at this time is to report any mobile units to the Central Office that are set up on skids so those can be addressed individually.
- Be sure and let your mobile unit operator know of the requirements.
- Permits will not be “held back” by the Central Office. The environmental health specialist will follow the normal enforcement procedures: mark the critical violation, follow-up, obtain closure letter and return with supervisors, and suspend the permit if the critical item(s) are not corrected.

3. What if the servicing area is the owners’ driveway and it is not paved or provided with overhead coverage? Will the permit not be renewed?

- Permits will not be withheld for violations of non-critical violations.





# SHELBY COUNTY HEALTH DEPARTMENT



**Public Health**  
Prevent. Promote. Protect.

MARK H. LUTTRELL, JR.  
MAYOR

ALISA R. HAUSHALTER, DNP, RN, PHN-BC  
DIRECTOR

HELEN MORROW, MD, MPA  
HEALTH OFFICER

## Plan Submittal for Mobile Food Establishments

Provide the MFE floor plan and a copy of the proposed menu. The following information will be included in the form of a drawing, digital images, or a combination. Reference the included floorplan sample for guidance.

Identify and describe:

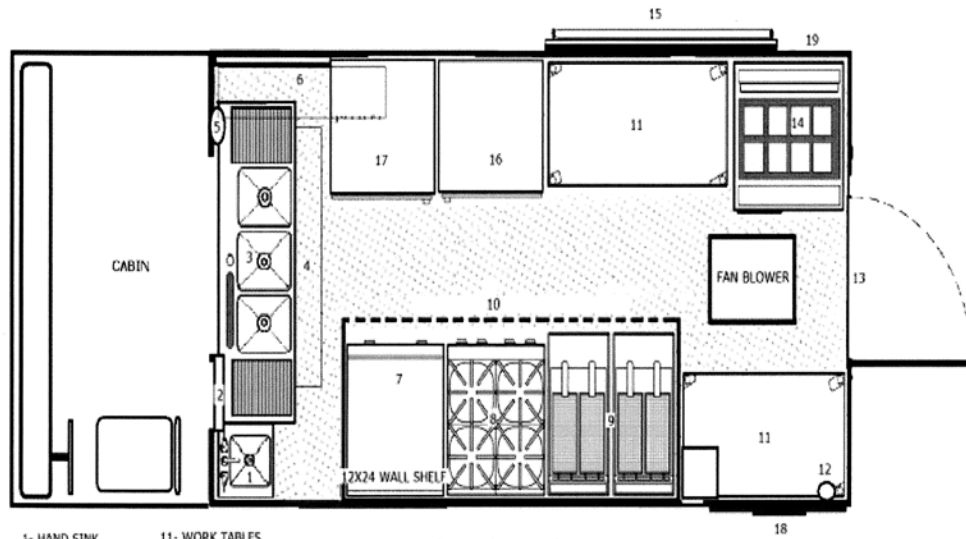
- equipment for cooking, hot and cold holding
- hand washing facilities
- work tables
- dishwashing facilities (drying space, compartment size)
- sanitizer, pH testing (bleach, quaternary)
- service window
- food storage
- single-service, single-use articles storage (location and size)
- chemical storage
- hot water unit (size and type)
- freshwater: attached potable water tank (location and capacity)
- wastewater: potable water holding tank (location and size)
- interior lighting and shielding
- interior materials and finishes (floors, walls, ceilings)
- ventilation (vent-a-hood, charcoal filter etc.)
- generator (type, max power, rated power) conventional/inverter)
- pest prevention (air curtains/screens)
- exterior cooking facilities (if applicable)

### Mission

*To promote, protect and improve the health and environment of all Shelby County residents.*

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814 Jefferson Avenue ♦ Memphis, TN 38105 ♦ 901 222-9000 ♦ [www.shelbytnhealth.com](http://www.shelbytnhealth.com)



- |                                       |                           |
|---------------------------------------|---------------------------|
| 1- HAND SINK                          | 11- WORK TABLES           |
| 2- LP WATER HEATER                    | 12- FIRE SEXTINGUISHER    |
| 3- 3 COMP SINK                        | 13- ENTRANCE DOOR         |
| 4- 50G WASTE TANK                     | 14- SANDWICH UNIT         |
| 5- WATER PUMP                         | 15- CONCESSION WINDOW     |
| 6- 43G FRESH TANK                     | 16- 19 CU FT FREEZER      |
| 7- 24" GRIDDLE                        | 17- 19 CU FT REFRIGERATOR |
| 8- HOT PLATE                          | 18- 6.5 LP GENERATOR      |
| 9- DEEP FRYERS                        | 19- 100 LBS PROPANE TANK  |
| 10- 7' EXHAUST HOOD<br>W/ FIRE SYSTEM |                           |