

Requirements for Mobile Food Units and Push Carts

Information on starting a mobile food unit or push cart operation

Lincoln County
Environmental Health Department
Lincoln County, NC



Requirements for Mobile Food Units and Push Carts

This brochure is intended as a general guide for operators who wish to vend food from a mobile food unit or pushcart to begin to become familiar with the standards for construction and operation of these units. Before beginning construction or operation of such units, the local health department should be contacted for a thorough explanation and understanding of the rules and requirements.

The *Rules Governing the Sanitation of Restaurants and Other Foodhandling Establishments, 15A NCAC 18A, section .2600 and the 2017 North Carolina Food Code Manual*, set forth requirements for the operation of foodhandling establishments, and contain specific requirements for operation of mobile food units and push carts, in addition to the rules governing foodhandling generally. This rule set is available at <http://www.deh.enr.state.nc.us/rules.htm> or at the Environmental Health Department for a nominal fee.

In section .2651, a **mobile food unit** is defined as “a food establishment or pushcart designed to be readily moved and vend food”. A **push cart** is defined as “a mobile piece of equipment or vehicle used to vend food.”

These permitted units can operate year-round. They are different from **temporary food service establishments**, which are defined as “those food and drink establishments which operate for a period of 21 days in connection with a fair, carnival, circus, public exhibition, or other similar gathering”, although a mobile food unit or push cart can serve at such events without the issuance of a separate permit unless you are not able to leave the site.

Overview of general requirements for mobile food units and push carts

- The first and most important requirement for any mobile food unit or push cart is that it **must be operated in conjunction with a permitted restaurant, food stand or commissary, and shall report at least daily to that restaurant or commissary for supplies, cleaning and servicing**. The county in which the restaurant or commissary is located will issue the permit for the mobile food unit or push cart. *The commissary is VERY IMPORTANT and will be evaluated for approval on a case to case basis.
- When seeking commissary approval for a shared-use kitchen (existing restaurant), understand that not all existing food establishments can accommodate a MFU and may be disapproved based on space limitations and water and sewage disposal restrictions. Approval of any proposed commissary IS NOT guaranteed.
- Must submit for plan review prior to construction and permitting of both pushcart and mobile food unit. The unit must be submitted for inspection to the Environmental Health Department to determine compliance with the rules.
- An agreement must be signed by the restaurant or commissary operator and the mobile food unit or push cart operator and properly notarized. This agreement will give access to the restaurant adequate to meet all requirements in the rules. Facilities in compliance with section .2600 and the North Carolina Food Code Manual must be provided at the restaurant or commissary for storage of all supplies. All solid waste and liquid waste must be properly disposed of at this establishment. A meeting among the proposed restaurant owner/operator and the mobile food unit operator should be arranged during which time the responsibilities of each party should be discussed. The commissary agreement form must be completed and submitted as part of plan review. *Again, approval of any proposed commissary IS NOT guaranteed.
- The operator must provide to the local health department issuing the permit a list of all counties and locations where the unit will operate, **and** to the local health departments in all counties of operation a list of those locations within that county where the unit will operate. Failure to do so could result in immediate suspension of permit.
- The permit shall be posted so that it is visible to the public.
- The grade card shall be posted and visible to the public at all times.
- Employees shall comply with the requirements in Subpart 2-201 of the Food Code as amended by Rule 2652 of this Section. Meaning that a person in charge (PIC) must take and pass a certified food protection exam.
- All food must be obtained from an approved source.

- All potentially hazardous food (time/temperature control for safety food) shall be maintained at temperatures as required in Chapter 3 of the Food Code as amended by Rule .2653. A metal stem-type thermometer accurate to 1°C (2°F) shall be available to check food temperatures.
- All garbage and other solid waste shall be stored and disposed in an approved manner.
- Equipment and utensils shall meet the requirements in Parts 4-1 and 4-2 of the Food Code as amended by Rule .2654 of this Section
- The mobile food unit shall be constructed and arranged so that food, drink, utensils and equipment will not be exposed to insects, dust and other contamination. Protection against flies shall be provided by screening or effective use of fans. Food or equipment exposed to the public or to dust or insects, shall be protected by glass or otherwise, on the front, top and ends, and exposed only as much as may be necessary to permit the handling and serving of food.
- Floors, walls and ceilings shall be smooth, non-absorbent and easily cleanable.
- All equipment used on the mobile food unit shall be of commercial manufacture and should be approved by a third party certifier, such as NSF.
- The mobile food unit must have a potable water system under pressure. Water heating facilities must be provided. The system must provide hot and cold water sufficient for all preparation, handwashing and cleaning requirements for a full day of operation. The water inlet must be protected from contamination and be a different size from the sewage outlet.
- A permanently installed sewage holding tank must be provided, and shall be at least 15% larger than the potable water tank. The outlet must be lower than the water inlet connection.
- A handwash sink with hot and cold water, combination faucet, and soap and towels must be provided.
- At least a single compartment sink of sufficient size to submerge, wash, rinse and sanitize utensils. Drainboards to accommodate the drying of washed utensils must be provided in accordance with Chapter 4-301.13 of the NC Food Code. See page 4 for an example of a sink which meets this requirement.
- A servicing area shall be provided at the restaurant. Potable water connections shall be installed so as to protect the water and equipment from contamination. All sewage shall be discharged to an approved sewage disposal system.

Some important specific requirements for push carts

- **Only hot dogs** shall be prepared, handled or served from a pushcart. Foods which have been prepared, pre-portioned and individually wrapped in a restaurant or commissary may be sold from a pushcart, but they must be delivered to the customer unopened and not be opened or otherwise handled by the operator.
- The pushcart and all equipment used on the mobile food unit shall be of commercial manufacture and approved by a third party certifier, such as NSF. **The pushcart shall be NSF certified.**
- Food and utensils on the cart exposed to the public or dust or other contamination shall be protected by glass or otherwise, on the front, top and ends, and exposed only as much as may be necessary to permit the handling and serving of hot dogs.
- If pre-portioned, wrapped foods are sold, the operator shall provide documentation to the Department which demonstrates the ability of the equipment to hold proper temperatures for these items. Any food of this nature shall be labeled with the name of the restaurant or commissary at which it was prepared, the name of the food item and the time and date of expiration. Any food that is left shall be discarded at the end of the day. It cannot be re-used.
- Pushcarts shall not allow customer self-service nor shall they provide seating.
- **You must also provide another layer of protective covering (other than the lids). over the steamer containers**

When all the requirements in section .2600 and the North Carolina Food Code Manual have been met, a permit to operate can be issued to the operator. The unit will be inspected by the Environmental Health Division in each county of operation at the frequency required. The operator must keep the EHD updated regarding dates and locations of operation so that inspections may be made. The permit for any unit not inspected during any inspection period will be placed on inactive status. If a unit does not comply with the provisions of the rules, such as returning to the permitted restaurant or commissary on each day of operation, the permit for the unit may be suspended.

Questions: Please contact the Lincoln County Environmental Health office at 704-736-8426 if you have questions on these requirements.

Lincoln County Environmental Health
115 W. Main St.
Lincolnton, NC 28092

An example of a sink which complies with the requirement in 15A NCAC 18A, section .2672(e), Specific Requirements for Mobile Food Units which requires:

(e) At least a one-compartment sink shall be provided. The sink shall be of sufficient size to submerge, wash, rinse, and sanitize utensils and shall have splashback protection. Drainboards shall be provided as specified in Section 4-301.13 of the Food Code as amended by Rule .2654 to accommodate the drying of washed utensils. These drainboards shall be of sufficient size to accommodate the drying of washed utensils.

