

MFVP Existing Washington Food Safety Health Codes

Regulations specific to mobile food vendors and "mobile food units" (Administered by Washington State Department of Health, L & I and Spokane County Regional Health District):

Any person owning, operating, or working in any food establishment must comply with and is subject to the requirements of chapters 1 through 8 of the 2001 Food Code published by the U.S. Department of Health and Human Services, Public Health Service, Food and Drug Administration and the provisions of Chapter 246-215 WAC – Food Service.

"Mobile food unit" means any readily movable food establishment. Mobile food units are regulated under the Washington State Administrative Code, WAC 246-215-121.

Vehicles (such as trucks, vans and trailers) that are used for commercial sales such as mobile food vending at temporary locations are defined as "conversion vendor units" and are regulated by the Department of Labor and Industries under Chapter 296-150V WAC "Conversion vendor unit" means a motor vehicle or other structure that has been converted or built for the purpose of being used for commercial sales at temporary locations.

All food service employees in Spokane County who handle unwrapped foods or beverages are required to hold a current Washington State Food Handler Permit (WAC 246-217). Permit fee is \$10.

All retail food workers in mobile food establishments must be provided access to approved restroom facilities (including toilets and hand washing facilities with hot and cold, potable running water) if at any one location for more than one hour. The restrooms must be conveniently located (within 200 feet) and accessible during all hours of operation.

Food establishments with customer seating for on-premise consumption must provide customer restrooms that are conveniently located and accessible during all hours of operation.

Here is Spokane Regional Health Districts definition of a mobile unit: (Chapter 9, part 9-1 of the Working Document is the mobile unit regulations)

1) Mobile Food Unit – A readily movable food service establishment such as a push cart, van, trailer, or a structure designated temporary/movable by City/County Building Codes. It provides space for limited storage, handling, and/or dispensing of foods. The entire operation must be contained within/on the mobile unit, EXCEPT that expansion of the operation will be allowed in conjunction with an approved temporary event. Notification and approval of the expansion is required prior to operating at each temporary event. The expansion will be limited to storage only, and the storage area must comply with Temporary Food Event(TFE) requirements. There are three categories under this permit:

a) **Mobile Food Unit supplemental to a food establishment holding a current permit with SRHD or other approved agency** - The Mobile Food Unit and the food establishment must be under the same ownership. If not permitted by SRHD, all aspects of the operation (i.e. food

preparation procedures, equipment, etc.) specific to the mobile operation must be inspected by another approved agency (e.g. - WSDA, FDA, USDA, etc.). This category includes fully self-contained mobile units that do not use a commissary for the purpose of food preparation, food storage, or utensil washing.

b) **Mobile Food Unit with an approved kitchen** - (The approved kitchen is under different ownership or is a non-permitted facility).

c) **Mobile Food Unit: Additional** – An additional unit operating in conjunction with the initial unit, with the same owner, same menu, and same commissary, and offering only prepackaged frozen PHF's.

Washington State Retail Food Code Working Document Sections; 5-203.12 and 9-107.11 specify requirements for Employee Restrooms. The employee's of the mobile units must have access to a restroom within 200 feet of the mobile unit during all hours of operation. A commissary agreement would be required for the mobile unit, with the owner of the building that is being used for restroom facilities.

<http://www.doh.wa.gov/ehp/food/ruleworkingdoc.pdf> - Working Document

A copy of the commissary agreement can be found on the SRHD website:

http://www.srhd.org/documents/Enviro_Public_Health/CommissaryAgreement.pdf

5-203.12 Toilets and Urinals - Employee Restrooms

(A) At least 1 toilet and not fewer than the toilets required by LAW shall be provided. If authorized by LAW and urinals are substituted for toilets, the substitution shall be done as specified in LAW.

(B) The FOOD ESTABLISHMENT PERMIT HOLDER must ensure that toilet rooms are conveniently located within two hundred feet of the FOOD ESTABLISHMENT and accessible to EMPLOYEES during all hours of operation. [Amended by WAC 246-215-091(1)]

Customer restrooms

(C) The FOOD ESTABLISHMENT PERMIT HOLDER must ensure that toilet rooms are conveniently located and accessible to patrons during all hours of operation if:

(8) The establishment has customer seating for on-PREMISES consumption; and

(9) The establishment was constructed or extensively remodeled after May 1, 1992. [Amended by

WAC 246-215-091(2)] 9-107.11 Toilet Facilities. – Employee Restrooms [WAC 246-215-121(14)]

The PERMIT HOLDER must ensure approved toilet facilities are available for EMPLOYEES:

(A) Readily accessible within two hundred feet of the MOBILE FOOD UNIT during times of operation, if at any one location for more than one hour; and

(B) Provided with handwashing facilities with potable, warm, running water.

-If a mobile unit is going to be set up at a location and there is no intention of moving the mobile unit, connection to sewer and water may apply and then the facility would be permitted as a Limited Food Establishment.