



Orange County Department of Health

124 Main Street, Goshen, New York 10924-2199 ❖ Ph: (845) 291-2331 ❖ Fax: (845) 291-4078

Mobile Food Service Establishment General Requirements (NYS Sanitary Code Subpart 14-4)

Definitions

Mobile food service establishment (MFSE): a self-contained food service operation, located in a vehicle or a movable stand, self or otherwise propelled, used to store, prepare, display or serve food intended for individual portion service. A MFSE must be contained within a vehicle or trailer. Tables or stands covered by a tent are NOT considered a MFSE.

Pushcart: a cart or barrow manually propelled, used to vend food intended for individual portion service. Pushcarts may serve only food which requires limited preparation, such as hot dogs, pretzels, popcorn, cotton candy, etc. The preparation or service of other potentially hazardous foods, including salads or sandwiches containing meat, poultry, eggs or fish is prohibited.

Potentially hazardous foods: any food that consists in whole or in part of milk or milk products, eggs, meats, poultry, fish, shellfish, cooked potato, cooked rice, etc.

Commissaries

The purpose of a commissary is to serve as a base of operations in which to prepare and store food, clean and sanitize equipment and utensils. It also serves as a regulated kitchen for obtaining potable drinking water and properly disposing waste water or oil.

All mobile food service establishments and pushcarts are to be serviced only at a commissary operated under a valid DOH permit or license from the Dept. Agriculture & Markets. An exemption can be made for pushcarts, with permission from this Department.

The commissary must be used frequently to maintain sanitary conditions, and in any event at least daily for pushcarts and every 72 hours for mobile food service establishments.

Water

Water supplied on a MFSE or pushcart must be obtained from a regulated supply. The water storage tank, fill piping and distribution piping are to be constructed of food-grade materials, installed and maintained to protect the water from contamination.

A commissary with a permit from this Department or Dept. of Agriculture & Markets should have a regulated water supply that can be used. Bottled and packaged potable water can be used and must be dispensed in the original container. An out of state commissary will need to provide documentation that the water is regulated.

All sewage and liquid waste is to be disposed of in a public sanitary sewer or sewage disposal system constructed and operated in an acceptable manner. Proper disposal at the commissary is recommended.

All potable water supplies and post mix carbonators must have backflow prevention.

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**Mobile Food Service Establishments
Subpart 14-4 New York State Sanitary Code**

	ENCLOSED TRAILER/MOTORIZED	PUSHCART*
UTENSIL & HANDWASHING	2 bay sink with hot & cold running water Soap, paper towels & bleach	5 gals. Water & 2 buckets Soap, paper towels & bleach
WATER**	Minimum of 20 gal. holding tank for potable water	5 gals. potable water
WASTE WATER	Minimum of 23 gal. waste water holding tank	Covered container
FOOD STORAGE (COLD)	Mechanical refrigeration or coolers with drain plugs Thermometer for each refrigerator/cooler	Coolers with drain plugs Thermometer for each cooler
FOOD PREPARATION	Adequate equipment for preparation/cooking & hot holding Spoons, spatulas, tongs, disposable gloves, (Bare handling of prepared food is NOT allowed) Metal stem thermometer (0° to 220° F)	Adequate equipment for reheating & hot holding Spoons, tongs, disposable gloves (Bare handling of prepared food is NOT allowed) Metal stem thermometer (0° to 220° F)
COMMISSARY	Approved Facility***	Home (Commissary for pushcarts only)

* Pushcarts limited to non-hazardous foods (i.e. hot dogs, pretzels, popcorn, cotton candy, etc)

** Water other than commercially packaged bottles water must be from an approved source. If water from a private well is used, the water must be tested for the presence of coliform bacteria/ Test results must be provided to this department prior to the operation of the mobile unit and annually thereafter. Commercially bottled water is NOT acceptable for enclosed trailers and motorized units.

*** An approved facility is a restaurant, deli, or food store that is under permit by either this department, NYS Dept. of Agriculture and Markets, or another county or State Health Department. You are required to move the mobile unit to this facility at least every 72 hours for cleaning and restocking.

Mobile units selling pre-packaged ice cream novelties must have a supply of potable water, soap, paper towels, and sanitizer.