Mobile Retail Food Truck, Cart & Food Peddlers Guide

Mobile retail food establishments (often referred to as mobile vendors) are retail food establishments that report to and operate from a commissary and are readily moveable. Mobile retail food establishments are usually motorized wheeled vehicles or towed wheeled vehicles designed and equipped to serve food. There are special requirements for operating as a mobile retail food establishment which are listed in Chapter 9 of the City and County of Denver Food Establishment Rules and Regulations. This includes motorized vehicles and food carts. Special requirements for Food Peddlers are listed in chapter 11 of the City and County of Denver Food Establishment Rules and Regulations.

Mobile food establishment licensees and food peddlers must adhere to all requirements in the City and County of Denver Food Establishment Rules and Regulations, Chapter 23 - Denver Revised Municipal Code (www.denvergov.org/phi)

Applying for a License

When applying for a license with Denver Department of Excise and Licenses, you need to determine which category of license fits your operation. The license types for Mobile Retail Food Establishments are for a self-propelled motorized vehicle or food cart that is designed and equipped to serve food.

Retail food peddlers do not operate out of a mobile unit, trailer or cart. Food peddlers sell prepackaged product directly from approved containers (e.g. insulated coolers) and are required to keep moving after each sale.

Any mobile retail food establishment obtaining a new license will be required to undergo a plan review process on 10/1/15 and after.

Preparing for Inspection and Operation

Construction

Inspect the cart, trailer, or truck to ensure it is clean, in good condition, and fully functional. All food areas must be easily cleanable and safe for food storage and display. Fill gaps and cracks with approved food-grade silicone caulk. Some panels and parts are designed for removal for cleaning; do not caulk the gaps around removable panels.

Trucks equipped with grills or other grease cooking devices must be equipped with ventilation equipment that is intact, in working order, and installed with approved grease extractors.

Additional construction requirements can be discussed with a department representative or will be addressed during inspection of the unit.
Water Tanks, Water Systems and Sink Fixtures

Make sure that the cart or truck to be used is furnished with the required water fixtures, potable water supply tank, and adequate wastewater reservoir tank. This does not apply to food peddlers that carry or push an approved cooler or cart and sell prepackaged food. A mobile retail food establishment that does not meet special exemptions shall provide adequate hot and cold potable drinking water under pressure with enough capacity for hand washing, food preparation, utensil cleaning and sanitizing.

Water Tanks

The drinking water supply tank shall be designed so that it can be flushed and with a drain that permits complete drainage of the tank. The drinking water supply tank shall have no common interior partition with the tank holding non-potable water or other liquids. The water tank overflow or vent shall terminate in a downward direction and shall be located and constructed so as to prevent the entrance of contaminants.

The water supply tank for carts shall have adequate water pressure provided at all fixtures at all times with minimum flow rate of 1 gallon per minute and shall be a minimum of 10 gallons.

A mobile retail food establishment must provide a single wastewater tank. All liquid waste shall be stored in a retention tank that is at least 15% larger than the drinking water supply tank. Liquid waste shall be discharged from the retention tank to an approved sewage disposal system and flushed as often as necessary to maintain sanitary conditions. Discharge onto the surface of the ground shall be strictly prohibited. Drainage from uncontaminated ice made with drinking water can be discharged onto the surface of the ground provided it does not create a nuisance.

Water Systems and Heating

Water heating systems shall be adequate to fill the warewashing sink, if present, with 110°F water without interruptions and to supply hand sinks with 3 gallons per hour of 100°F water at all times and other hot water using fixtures and equipment with a continuous supply of hot water.

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 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 as specified in the Denver Food Establishment Rules and Regulations.

The water supply hose and couplings shall be of a size and type compatible with the water supply tank inlet fixture and shall be free of cracks and checks. Hose couplings shall be constructed to permit a tight connection between the mobile unit coupling and the water supply hose bib. Hose ends must be capped, connected or otherwise fully protected when not in use. Only food grade hoses shall be used to fill or transfer drinking water to or within a mobile retail food establishment or a cart.

Water systems shall be disinfected and flushed in accordance with 25-1.5-2, C.R.S., Colorado Primary Drinking Water Regulations, prior to use, if the mobile retail food establishment is not in daily use.

Hand Washing Sinks

The cart or truck must be furnished with a functioning hand sink with the diameter of the sink basin to be a minimum of 10 inches (25 cm) in any direction. The hand sink must be capable of providing a hands-free, continuous flow of water under pressure. A water temperature between 100°F and 120°F shall be provided for hand washing either through combination faucets or by means of a mixing valve that provides tempered water. Soap and individually dispensed paper towels must be provided at all hand sinks at all times of operation. The mobile retail food establishment must supply 3 gallons of water to each hand washing sink for each hour of operation.

Three Compartment Sinks

A three compartment sink used for dish washing is not always required, but it will allow you to wash some equipment on your unit instead of in the commissary. Each compartment of a three compartment sink shall have a minimum size requirement of 12 inch X 12 inch X 10 inches, with either two drain boards as large as the diameter of one sink compartment or enough drying storage.

When a mobile retail food establishment is equipped with a three compartment sink, the water tank supply shall be sized to adequately fill each warewashing compartment at least once every 4 hours of operation.

A mobile retail food establishment which is not enclosed may not have a 3-compartment sink for warewashing.
Ventilation System
A mobile retail food unit that is enclosed with a roof and by at least three (3) vertical sides shall have sufficient ventilation to keep it free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke and fumes at all times of operation.

Storage
Safe food, equipment, and utensil storage must be available on the cart or truck. All equipment and other items must be stored clean, sanitary, and protected. Any items that cannot be stored on the unit must be stored in an approved area at your commissary. This includes the fresh potable water hose and wastewater hoses for maintaining your mobile unit.

Refrigerators and freezers must operate at all times in which food is stored, prepared or served. You may need a generator if your refrigerators or freezers only operate when the truck is running.

Potable ice may be used as a coolant for food storage. Ice used to store cold food may not be used to serve in food or beverage for the customer. If ice is used to store cold food, the wastewater must drain away from the bin and discharge in an approved manner.

Equipment
Equipment used by a mobile operator must meet the same requirements as all other retail food establishments and must be smooth, easily cleanable, and approved commercial grade. Equipment must be maintained clean and sanitized. Units without a 3-compartment warewashing sink must be maintained with an ample supply of clean utensils available. Equipment and utensils must be cleaned and sanitized upon return to the commissary.

A calibrated thermometer must be available to monitor the temperature of the food during storage, preparation, and service. See Section 4-401 of the Denver Food Establishment Rules and Regulations.

Only disposable, single-service articles (i.e. wrappers, utensils, plates, containers) may be provided for customers.

Selecting a Commissary
Mobiles, carts, and peddlers must operate from a commissary in most cases and report to the commissary at least daily to prepare food, service and clean equipment, and fill and empty water and wastewater tanks.

A commissary is an approved catering establishment, restaurant, or other approved place in which food, containers, or supplies are kept, handled, prepared, packaged, or stored. The commissary must be equipped with facilities necessary for servicing the needs of each type of operation. Some liquor licensed facilities may not be accepted by the Denver Department of Excise and Licenses for use as a commissary.

If a written operation plan is approved by the department, a fully equipped mobile retail food establishment may not be required to report to the commissary daily. The written operation plan must include details about supplies storage, vehicle maintenance and cleaning, and arrangements for potable water tank and wastewater tank servicing. Before any changes are made to the plan, they must be approved by the department. Check with the department representative to determine if you may qualify to apply for this option.

A commissary should have space in the dry storage area, refrigerators, and freezers for the vendor to store supplies. If water and wastewater tank servicing is required for the mobile or cart, a potable water hose must be available to fill water tanks and a sanitary sewer drain to empty the wastewater tank must be readily available.

You and the commissary operator must enter into an agreement for use of their facility. An Affidavit of Commissary must be submitted to the department for approval. The affidavit indicates that the vendor and the commissary operator are accountable for the proper and approved use of the kitchen and other needed facilities.

For more information about commissary requirements, see Section 9-7 Commissary and Chapter 12 Commissaries and Commissary-Based Operations of the Denver Food Establishment Rules and Regulations.

Repeat violations of the Denver Food Establishment Rules and Regulations within a 12 month period may result in a summons or civil penalty being issued. Violations that create an imminent health hazard may result in a $500 fine for carts and $1000 fine for trucks for the first hazard and higher fines for additional imminent health hazards. Imminent health hazards include but are not limited to; operating without a properly functioning hand washing sink, operating without soap, operating without hot water, operating without using a commissary as required, or operating in any manner that seriously compromises the safety of foods served. Any new and extensively remodeled units shall undergo a plan review process 10/1/15 and after and shall be in compliance of all regulations.
Mobile Operations Inspection Checklist

Water System and fixtures

____ Diameter of the hand washing sink basin is a minimum of 10 inches in any direction
____ Hand sink is supplied with soap and paper towels at all times during operation
____ Hand sink is supplied with 3 gallons of fresh water for each hour of operation
____ 3 compartment sink (if on unit) can be filled with 110°F water without interruption
____ Water tank is large enough to fill 3 compartment sink at least once every 4 hours of operation
____ Water pressure is provided at all fixtures with a minimum flow rate of 1 gallon per minute
____ Waste water tank that is at least 15% larger than the fresh water supply tank
____ No waste water is discharged onto the ground

Food Safety and Sanitation

____ Sanitizing solution (chlorine or quaternary ammonium) is available for use during food handling
____ Test strips to measure the concentration of the chosen sanitizer is available.
____ A calibrated probe type food thermometer available and used on the mobile unit
____ Thermometer is properly calibrated and measures between 0°F and 220°F
____ Cold food requiring refrigeration is held at 41°F or colder at all times
____ Hot food that is being held hot for service is held at 135°F or hotter at all times

Miscellaneous

____ Surfaces in the unit are constructed of a smooth, cleanable, non-absorbent material
____ Ventilation hood system (if needed) in the unit is of commercial grade with adequate power and cleanable, removable baffles
____ Ventilation hood covers the entire cooking surface
____ Cart has independent power, i.e., generator
____ Commissary verified and approved with proper Affidavit of Commissary

This checklist is designed as a tool to assist mobile operators and does not encompass all regulations and responsibilities of the operator. Any new and extensively remodeled units shall undergo a plan review process 10/1/15 and after and shall be in compliance of all regulations. Mobile food establishment licensees must adhere to all requirements in the City and County of Denver Food Establishment Rules and Regulations, Chapter 23 - Denver Revised Municipal Code (www.denvergov.org/phi)