

Sections of the Food Regulations Pertaining to Mobile Food Units

Adopted March 2002

12 VAC 5-421-10. Definitions

"*Commissary*" means a catering establishment, restaurant, or any other place in which food, food containers or supplies are kept, handled, prepared, packaged or stored for distribution to satellite operations.

"*Mobile food unit*" means a food establishment that is mounted on wheels that is readily moveable from place to place and shall include pushcarts, trailers, trucks, or vans. There is no size limit to mobile food units but they must be mobile at all times during operation and must be on wheels (excluding boats in the water) at all times. The unit, all operations, and all equipment must be integral to and be within or attached to the unit.

"*Packaged*" means bottled, canned, cartoned, securely bagged, or securely wrapped, whether packaged in a food establishment or a food processing plant.

"*Pushcart*" means any wheeled vehicle or device other than a motor vehicle or trailer that may be moved with or without the assistance of a motor and that does not require registration by the department of motor vehicles. A pushcart is limited to the sale and/or service of hot dogs and frankfurter-like foods.

"*Servicing area*" means an operating base location to which a mobile food establishment or transportation vehicle returns regularly for such things as vehicle and equipment cleaning, discharging liquid or solid wastes, refilling water tanks and ice bins, and boarding food.

12 VAC 5-421-960. Multiuse, characteristics.

Materials that are used in the construction of utensils and food-contact surfaces of equipment shall not allow the migration of deleterious substances or impart colors, odors, or tastes to food and under normal use conditions shall be:

1. Safe;
2. Durable, corrosion-resistant, and nonabsorbent;
3. Sufficient in weight and thickness to withstand repeated warewashing;
4. Finished to have a smooth, easily cleanable surface; N and,
5. Resistant to pitting, chipping, crazing, scratching, scoring, distortion, and decomposition.

12 VAC 5-421-1060. Nonfood-contact surfaces.

Nonfood-contact surfaces of equipment that are exposed to splash, spillage, or other food soiling or that require frequent cleaning shall be constructed of a corrosion-resistant, nonabsorbent, and smooth material.

12 VAC 5-421-1080. Equipment and utensils.

Equipment and utensils shall be designed and constructed to be durable and to retain their characteristic qualities under normal use conditions.

12 VAC 5-421-1100. Food-contact surfaces; cleanability.

Multiuse food-contact surfaces shall be:

1. Smooth;
2. Free of breaks, open seams, cracks, chips, pits, and similar imperfections;
3. Free of sharp internal angles, corners, and crevices;
4. Finished to have smooth welds and joints; and
5. Accessible for cleaning and inspection by one of the following methods:
 - a. Without being disassembled,
 - b. By disassembling without the use of tools, or
 - c. By easy disassembling with the use of handheld tools commonly available to maintenance and cleaning personnel such as screwdrivers, pliers, open-end wrenches, and Allen wrenches.

12 VAC 5-421-1120. "V" threads; use limitation.

"V" type threads shall not be used on food-contact surfaces. This section does not apply to hot oil cooking or filtering equipment.

12 VAC 5-421-1130. Hot oil filtering equipment.

Hot oil filtering equipment shall meet the characteristics specified under 12 VAC 5-421-1100 or 12 VAC 5-421-1110 and shall be readily accessible for filter replacement and cleaning of the filter.

12 VAC 5-421-1150. Nonfood-contact surfaces.

Nonfood-contact surfaces shall be free of unnecessary ledges, projections, and crevices, and designed and constructed to allow easy cleaning and to facilitate maintenance.

12 VAC 5-421-1170. Ventilation hood systems; filters.

Filters or other grease extracting equipment shall be designed to be readily removable for cleaning and replacement if not designed to be cleaned in place.

12 VAC 5-421-1210. Ventilation hood systems, drip prevention.

Exhaust ventilation hood systems in food preparation and warewashing areas including components such as hoods, fans, guards, and ducting shall be designed to prevent grease or condensation from draining or dripping onto food, equipment, utensils, linens, and single-service and single-use articles.

12 VAC 5-421-1230. Dispensing equipment, protection of equipment and food.

In equipment that dispenses or vends liquid food or ice in unpackaged form:

1. The delivery tube, chute, orifice, and splash surfaces directly above the container receiving the food shall be designed in a manner, such as with barriers, baffles, or drip aprons, so that drips from condensation and splash are diverted from the opening of the container receiving the food;
2. The delivery tube, chute, and orifice shall be protected from manual contact such as by being recessed;

12 VAC 5-421-1250. Bearings and gear boxes, leakproof.

Equipment containing bearings and gears that require lubricants shall be designed and constructed so that the lubricant can not leak, drip, or be forced into food or onto food-contact surfaces.

12 VAC 5-421-1260. Beverage tubing, separation.

Except for cold plates that are constructed integrally with an ice storage bin, beverage tubing and cold-plate beverage cooling devices may not be installed in contact with stored ice.

12 VAC 5-421-1270. Ice units, separation of drains.

Liquid waste drain lines shall not pass through an ice machine or ice storage bin.

12 VAC 5-421-1280. Condenser unit, separation.

If a condenser unit is an integral component of equipment, the condenser unit shall be separated from the food and food storage space by a dustproof barrier.

12 VAC 5-421-1390. Warewashing sinks and drainboards, self-draining.

Sinks and drainboards of warewashing sinks and machines shall be self-draining.

12 VAC 5-421-1450. Cooling, heating, and holding capacities.

Equipment for cooling and heating food, and holding cold and hot food, shall be sufficient in number and capacity and capable of providing food temperatures as specified under Part III.

12 VAC 5-421-1460. Manual warewashing, sink compartment requirements.

A. Except as specified in subsection C of this section, a sink with at least three compartments shall be provided for manually washing, rinsing, and sanitizing equipment and utensils.

B. Sink compartments shall be large enough to accommodate immersion of the largest equipment and utensils. If equipment or utensils are too large for the warewashing sink, a warewashing machine or alternative equipment as specified in subsection C of this section shall be used.

12 VAC 5-421-1470. Drainboards.

Drainboards, utensil racks, or tables large enough to accommodate all soiled and cleaned items that may accumulate during hours of operation shall be provided for necessary utensil holding before cleaning and after sanitizing.

12 VAC 5-421-1480. Ventilation hood systems, adequacy.

Ventilation hood systems and devices shall be sufficient in number and capacity to prevent grease or condensation from collecting on walls and ceilings.

12 VAC 5-421-1550. Fixed equipment, spacing or sealing.

A. Equipment that is fixed because it is not easily movable shall be installed so that it is:

1. Spaced to allow access for cleaning along the sides, behind, and above the equipment;
2. Spaced from adjoining equipment, walls, and ceilings a distance of not more than 1/32 inch or 1 millimeter; or
3. Sealed to adjoining equipment or walls, if the equipment is exposed to spillage or seepage.

B. Counter-mounted equipment that is not easily movable shall be installed to allow cleaning of the equipment and areas underneath and around the equipment by being:

1. Sealed to the table; or
2. Elevated on legs as specified under 12 VAC 5-421-1560 D.

12 VAC 5-421-1560. Fixed equipment, elevation or sealing.

E. The clearance space between the table and counter-mounted equipment may be:

1. 3 inches (7.5 centimeters) if the horizontal distance of the table top under the equipment is no more than 20 inches (50 centimeters) from the point of access for cleaning; or
2. 2 inches (5 centimeters) if the horizontal distance of the table top under the equipment is no more than 3 inches (7.5 centimeters) from the point of access for cleaning.

12 VAC 5-421-1590. Microwave ovens.

Microwave ovens shall meet the safety standards specified in 21 CFR 1030.10.

12 VAC 5-421-2120. Capacity.

A. The water source and system shall be of sufficient capacity to meet the water demands of the food establishment.

B. Hot water generation and distribution systems shall be sufficient to meet the peak hot water demands throughout the food establishment

12 VAC 5-421-2160. Alternative water supply.

Water meeting the requirements specified under 12 VAC 5-421-2050 through 12 VAC 5-421-2130 shall be made available for a mobile facility, for a temporary food establishment without a permanent water supply, and for a food establishment with a temporary interruption of its water supply through:

1. A supply of containers of commercially bottled drinking water;
2. One or more closed portable water containers;
3. An enclosed vehicular water tank;
4. An on-premises water storage tank; or
5. Piping, tubing, or hoses connected to an adjacent approved source.

12 VAC 5-421-2230. Handwashing sinks, numbers, and capacities.

A. Except as specified in subsection B of this section, at least one handwashing sink, or the number of handwashing sinks necessary for their convenient use by employees in areas specified under 12 VAC 5-421-2280, and not fewer than the number of handwashing sinks required by law shall be provided.

12 VAC 5-421-2360. Approved materials.

Materials that are used in the construction of a mobile water tank, mobile food establishment water tank, and appurtenances shall be:

1. Safe;
2. Durable, corrosion resistant, and nonabsorbent; and
3. Finished to have a smooth, easily cleanable surface.

12 VAC 5-421-2370. Enclosed system, sloped to drain.

A mobile water tank shall be:

1. Enclosed from the filling inlet to the discharge outlet; and
2. Sloped to an outlet that allows complete drainage of the tank.

12 VAC 5-421-2380. Inspection and cleaning port, protected and secured.

If a water tank is designed with an access port for inspection and cleaning, the opening shall be in the top of the tank and:

1. Flanged upward at least one-half inch (13 mm); and
2. Equipped with a port cover assembly that is:
 - a. Provided with a gasket and a device for securing the cover in place, and
 - b. Flanged to overlap the opening and sloped to drain

12 VAC 5-421-2390. "V" type threads, use limitation.

A fitting with "V" type threads on a water tank inlet or outlet shall be allowed only when a hose is permanently attached.

12 VAC 5-421-2400. Tank vent, protected.

If provided, a water tank vent shall terminate in a downward direction and shall be covered with:

1. 16 mesh to 1-inch (16 mesh to 25.4 mm) screen or equivalent when the vent is in a protected area; or
2. A protective filter when the vent is in an area that is not protected from windblown dirt and debris.

12 VAC 5-421-2410. Inlet and outlet, sloped to drain.

A. A water tank and its inlet and outlet shall be sloped to drain.

B. A water tank inlet shall be positioned so that it is protected from contaminants such as waste discharge, road dust, oil, or grease.

1. Safe;
2. Durable, corrosion resistant, and nonabsorbent;
3. Resistant to pitting, chipping, crazing, scratching, scoring, distortion, and decomposition;
4. Finished with a smooth interior surface; and

5. Clearly and durably identified as to its use if not permanently attached.

12 VAC 5-421-2430. Filter, compressed air.

A filter that does not pass oil or oil vapors shall be installed in the air supply line between the compressor and drinking water system when compressed air is used to pressurize the water tank system.

12 VAC 5-421-2440. Protective cover or device.

A cap and keeper chain, closed cabinet, closed storage tube, or other approved protective cover or device shall be provided for a water inlet, outlet, and hose.

12 VAC 5-421-2450. Mobile food establishment tank inlet.

A mobile food establishment's water tank inlet shall be:

1. Three-fourths inch (19.1 mm) in inner diameter or less; and
2. Provided with a hose connection of a size or type that will prevent its use for any other service.

12 VAC 5-421-2460. System flushing and disinfection.

A water tank, pump, and hoses shall be flushed and sanitized before being placed in service after construction, repair, modification, and periods of nonuse.

12 VAC 5-421-2470. Using a pump and hoses, backflow prevention.

A person shall operate a water tank, pump, and hoses so that backflow and other contamination of the water supply are prevented.

12 VAC 5-421-2480. Protecting inlet, outlet, and hose fitting.

If not in use, a water tank and hose inlet and outlet fitting shall be protected using a cover or device as specified under 12 VAC 5-421-2440.

12 VAC 5-421-2490. Tank, pump, and hoses, dedication.

A. Except as specified in subsection B of this section, a water tank, pump, and hoses used for conveying drinking water shall be used for no other purpose.

B. Water tanks, pumps, and hoses approved for liquid foods may be used for conveying drinking water if they are cleaned and sanitized before they are used to convey water.

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12 VAC 5-421-2500. Mobile holding tank capacity and drainage.

A sewage holding tank in a mobile food establishment shall be:

1. Sized 15% larger in capacity than the water supply tank; and
2. Sloped to a drain that is 1 inch (25 mm) in inner diameter or greater, equipped with a shut-off valve.

12 VAC 5-421-2520. Backflow prevention.

A. Except as specified in subsections B, C, and D of this section, a direct connection may not exist between the sewage system and a drain originating from equipment in which food, portable equipment, or utensils are placed.

B. Subsection A of this section does not apply to floor drains that originate in refrigerated spaces that are constructed as an integral part of the building.

12 VAC 5-421-2540. Conveying sewage.

Sewage shall be conveyed to the point of disposal through an approved sanitary sewage system or other system, including use of sewage transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to law.

12 VAC 5-421-2550. Removing mobile food establishment wastes.

Sewage and other liquid wastes shall be removed from a mobile food establishment at an approved waste servicing area or by a sewage transport vehicle in such a way that a public health hazard or nuisance is not created.

12 VAC 5-421-2560. Flushing a waste retention tank.

A tank for liquid waste retention shall be thoroughly flushed and drained in a sanitary manner during the servicing operation.

12 VAC 5-421-2790. Indoor areas; surface characteristics.

A. Except as specified in subsection B of this section, materials for indoor floor, wall, and ceiling surfaces under conditions of normal use shall be:

1. Smooth, durable, and easily cleanable for areas where food establishment operations are conducted;
2. Closely woven and easily cleanable carpet for carpeted areas; and
3. Nonabsorbent for areas subject to moisture such as food preparation areas, walk-in refrigerators, warewashing areas, toilet rooms, mobile food establishment servicing areas, and areas subject to flushing or spray cleaning methods.

12 VAC 5-421-2800. Outdoor areas; surface characteristics.

A. The outdoor walking and driving areas shall be surfaced with concrete, asphalt, or gravel or other materials that have been effectively treated to minimize dust, facilitate maintenance, and prevent muddy conditions.

B. Exterior surfaces of buildings and mobile food establishments shall be of weather-resistant materials and shall comply with law.

12 VAC 5-421-2810. Floors, walls, and ceilings - cleanability.

Except as specified under 12VAC5-421-2840 and except for anti-slip floor coverings or applications that may be used for safety reasons, floors, floor coverings, walls, wall coverings, and ceilings shall be designed, constructed, and installed so they are smooth and easily cleanable.

12 VAC 5-421-2930. Outer openings, protected.

A. Except as specified in subsections B through E of this section, outer openings of a food establishment shall be protected against the entry of insects and rodents by:

1. Filling or closing holes and other gaps along floors, walls and ceilings;
2. Closed, tight-fitting windows; and
3. Solid self-closing, tight-fitting doors.

B. Subsection A of this section does not apply if a food establishment opens into a larger structure, such as a mall, airport, or office building, or into an attached structure, such as a porch, and the outer openings from the larger or attached structure are protected against the entry of insects and rodents.

C. Exterior doors used as exits need not be self-closing if they are:

1. Solid and tight-fitting;

12 VAC 5-421-3270. Controlling pests.

The presence of insects, rodents, and other pests shall be controlled to minimize their presence on the premises by:

1. Routinely inspecting incoming shipments of food and supplies;
2. Routinely inspecting the premises for evidence of pests;
3. Using methods, if pests are found, such as trapping devices or other means of pest control as specified under 12 VAC 5-421-3360, 12 VAC 5-421-3440, and 12 VAC 5-421-3450 ; and
4. Eliminating harborage conditions.

12 VAC 5-421-2960. Outdoor servicing areas, overhead protection.

Except for areas used only for the loading of water or the discharge of sewage or other liquid waste, through the use of a closed system of hoses, servicing areas shall be provided with overhead protection.