

MOBILE FOOD ESTABLISHMENT FREQUENTLY ASKED QUESTIONS

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I.OBTAINING A FOOD FACILITY APPROVAL

➤ **Q1: Who needs a food operation approval from the health department?**

If you *serve* food to the public, you are required by state law to have an approval from the local health department prior to operating. It does not matter if the food is sold or given away, you **must** have an approval.

➤ **Q2: Can I use my home for my food operation?**

NO. A home kitchen is NOT an approved establishment. Home preparation or storage of foods are NOT permitted by code. If you are interested in starting a food business, you should call the local health department in the county where you are located.

➤ **Q3: What is a mobile food establishment?**

Any movable restaurant, truck, van, trailer, cart, bicycle, watercraft, or other movable unit including hand carried, portable containers in or on which food or beverage is transported, stored, or prepared for retail sale or given away at temporary locations.

*Mobile facilities must serve food from an approved food establishment referred to as a servicing area.

➤ **Q4: What is a temporary food establishment? Seasonal? Annual?**

A *temporary* food establishment operates for no more than 14 consecutive days in conjunction with a single event or celebration. A *seasonal* food establishment operates during specific months of the year, usually weather related, as designated by the operator on the application.

An *annual* food establishment operates on a routine schedule year round.

➤ **Q5: How do I get a health department food approval?**

In order to obtain a mobile food approval, you must have an approved servicing area. You may use an existing food establishment for your servicing area that has a current health department approval or a new food establishment. If the servicing area is a new food establishment, an approved plan review and subsequent inspections are required by the health department before it can be used. You and the owner of the servicing area must complete the mobile application. You must have approval from the local health department **before** you begin a food operation. To obtain information on current approved food facilities or a plan review you can call the local health department in the county where your facility will be located.

➤ **Q6: Is there a fee for a food approval?**

Fees are dependent upon what county your business is located. Contact your local health department for more information.

➤ **Q7: Whom can I call if I have a question?**

When you have a question or need information you can call your local health department. If you are operating in Gloucester County please call the Gloucester County Health Department at 856-218-4170.

II.COMPLETING THE MOBILE FOOD ESTABLISHMENT APPLICATION

- **Q8: Do I need a NEW JERSEY Sales Tax ID? If so, how do i get one?**
Anyone who makes retail sales in this State is doing business in New Jersey and must comply with the State’s tax laws. New Jersey law requires all vendors, even seasonal businesses and “one-time” vendors, to register with the State for tax purposes at least 15 business days before starting business, and to collect New Jersey sales tax on all sales of taxable tangible personal property or services. There are no special provisions for temporary vendors. Once registered, you must file all required returns until you properly end your tax registration with New Jersey.

File Form NJ-REG (Business Registration Application) to register with the State to collect/remit New Jersey taxes such as sales tax or employee withholdings, and to obtain a New Jersey tax identification number. You can register online or file a paper application. For additional information on registering your business visit: www.state.nj.us/treasury/revenue/gettingregistered.shtml
Also see publications ANJ-11, Arts & Crafts Businesses and New Jersey Sales Tax, ANJ-15, Flea Markets & New Jersey Sales Tax, and ANJ-13, Ending Your Tax Registration in New Jersey, available at: <http://www.state.nj.us/treasury/taxation/publsut.shtml>
For more information, contact the NJ Dept of Taxation at 609-292-6400 or email nj.taxation@treas.state.nj.us

- **Q9: When I submit the application, do I have to know where I’m going to vend and at what events?**
You must ensure that the application is as complete as possible. The more information you supply on the application, the better. However, if you want to add a location, event or make any other changes to your initial application, contact the local health department in the area of the vending location to obtain and complete an *amendment form* for the changes or added information. Any changes in your operation must be reported to the health department immediately.

Also remember that each *municipality* within each county has separate and unique requirements; vending permits may also be required from the municipality.

- **Q10: What happens if I have changes to my food operation like a change to my food unit, servicing area, menu, equipment or operating times after I apply and obtain my permit to operate?**
As stated in the application, any changes in your operation must be reported to the health department immediately. Once advised, the health department will provide you with an *amendment form* that you must complete with the changes and submit the form to the health department for approval. Depending on how extensive the changes, a new, full application may need to be completed.
- **Q11: Do I have to include a printed menu in English?**
Although a printed menu is preferred, it is not required to be a printed copy. We do require a list of ALL food items planned to be served at your facility. Also, as part of the application, it is also required to identify the menu items in English; please notify the local health department if you need help with translations.
- **Q12: Do I need a Food Managers Certification for my mobile food establishment? If so, how can I get one?**
If you are classified as a Risk Type 3 food facility you must have at least one person in charge of the facility operations to be certified as a Food Manager (CFM). Risk 3 facilities must operate under “active managerial control”;the CFM must properly supervise and direct the staff to practice proper safe food handling procedures. A Food Managers Certification is the documentation of successfully passing an exam which demonstrates knowledge of food safety principals. The training must be given by an accredited program. Contact your local health department to inquire about the accredited programs available.

➤ **Q13: Is my mobile food establishment a RISK TYPE 1, 2, 3 or 4?
What is the difference between each risk type?**

Food establishments are classified into 4 risk types by what kind of food is served, how large the menu and the type of food preparation. Dependent upon the information you provide in your application and/or the inspections performed at your facility, the inspector will determine the facility risk type using the following definitions.

RISK 1 serves only pre-packaged, non-potentially hazardous foods; prepares only non-potentially hazardous foods or heats only commercially processed potentially hazardous foods for hot holding and does NOT cool potentially hazardous foods.

RISK 2 prepares, cooks, and serves most products immediately; has hot and cold holding of potentially hazardous foods after preparation or cooking or limits complex preparation of potentially hazardous to 2 or fewer.

RISK 3 prepares and serves potentially hazardous foods including raw ingredients, serves a susceptible population or has large menu which requires the complex preparation including cooking, cooling and reheating of at least 3 or more potentially hazardous foods.

RISK 4 means a retail food establishment that conducts specialized processes such as smoking, curing, canning, bottling, acidification and reduced oxygen packaging designed to control pathogen.

➤ **Q14: How do I complete the “menu information” section of the application?**

Dependent upon how the food items is prepared and/or served, list all of your food items in at least one of the columns in this section of the application.

➤ **Q15: Why do I have to identify where my food is coming from (food source information)?**

The documentation of where food products are obtained is critical in the safety and tracking of such foods. All foods must come from a regulated food establishment and every retail food establishment is responsible for keeping proper records to prove appropriate source foods. Furthermore, food recalls are issued by state and federal government agencies. When this occurs, local authorities can notify associated facilities of this notice and focus outreach at the effected facilities. Additionally, food products prepared in a home environment are prohibited

➤ **Q16: Can I draw the sketch or layout or does it have to be a computer drawing?**

You can submit either. Ensure that the sketch or layout include the entire area utilized for food preparation and storage; include equipment location for food processes and for sanitation. Also, make sure you also indicate where your restroom and hand sinks are located.

III. FOOD SAFETY:

➤ **Q17: How do I protect food from contamination?**

It is important to store, prepare, and serve foods properly so that they do not get contaminated with germs that will get someone sick. Food must be stored at least 6" off of the floor and protected with proper covering, shielding, containers; Food handlers must use proper equipment that has been cleaned and sanitized, wash hands, use utensils, gloves and other barriers to limit bare hand contact with RTE foods at all times during preparation and service.

➤ **Q 18: What is a potentially hazardous food?**

Otherwise known as PHF, a potentially hazardous food is one that requires temperature control because it can grow bacteria, toxin and other microorganisms (germs) that cause illness. PHFs may include raw or heat treated food that comes from an animal, raw seed sprouts, cut melons and garlic & oil mixtures that are not acidified or otherwise processed so it cannot grow microorganisms,

➤ **Q19: Do I need a thermometer? What kind? How many?**

Yes. Thermometers are part of every food establishment that cooks, cools or reheats PHF or has food that requires cold holding. All refrigeration units must be equipped with thermometers as well. Thermometers for food are referred to as stem thermometers. Thin-probed thermometers are required for thin food products like fish fillets, hamburgers, etc. There is not a required number of thermometers however, it is recommended that each cook in you operation have at least one to properly monitor temperatures.

➤ **Q20: What are SAFE COOKING TEMPERATURES?**

The *internal* temperatures for raw animal foods must be monitored to ensure that:

130 F Roasts (for 112 minutes)

145 F Fish, Meat, Pork

155 F Ground Meat/Fish, injected meats/pooled raw shell eggs

165 F Poultry, stuffed fish/meat/pasta, stuffing with fish/meat

➤ **Q21: What are appropriate refrigeration temperatures?**

All refrigeration temperatures must be 41F or less

➤ **Q22: What are PROPER COOLING METHODS?**

PHFs must be rapidly cooled from 135F to 41F within 6 hours and from 135F to 70F within 2 hours. Methods shall include:

- Placing food in shallow pans;
- Separating the food into smaller or thinner portions;
- Using rapid cooling equipment;
- Stirring the food in a container placed in an ice water bath;
- Using containers that facilitate heat transfer; or
- Adding ice as an ingredient

➤ **Q23: What is PROPER REHEATING METHODS?**

PHFs must be rapidly reheated to at least 165F using proper facilities like ovens, broilers, microwaves, etc. Commercially processed PHFs must be heated to at least 135F prior to hot holding. *Steam tables, warmers and crock pots are PROHIBITED for reheating*

➤ **Q24: What is the "DANGER ZONE" for food temperatures and how do I keep food safe to eat?**

The "*Danger Zone*" is the temperatures between 40 and 140 °F. Food that is left too long at unsafe temperatures could be dangerous to eat, but smell and look just fine. *Bacteria* that cause illness do not generally affect the taste, smell, or appearance of food. Bacteria will grow anywhere they have access to nutrients and water. Spoiled food is not just an issue of quality, it is also often a question of food safety...and should be discarded.

➤ **Q25: How can I prevent people from getting sick from the food I serve?**

There are four basic steps to follow:

- Clean: Wash hands and surfaces often
- Separate: Don't cross-contaminate
- Cook: Cook to proper temperatures
- Chill: Refrigerate promptly

➤ **Q26: How often should I wash my hands?**

Wash your hands as described below before you begin work and after performing any of these activities:

- Using the toilet
- Handling raw foods
- Coughing or sneezing
- Touching hair, face or body
- Smoking or eating
- Handling soiled items or scraping tableware
- Handling trash or garbage
- Changing disposable gloves

The staff at your event needs to be thoroughly instructed on how to properly wash their hands. The following is a guide for you to use in this training:

- Wash with soap and water for at least 20 seconds. Antibacterial lotions do not work on dirty hands nor do they kill viruses.
- Rub your hands together as you wash. The friction helps loosen the germs.
- Rinse with clean water to wash away the germs.
- Dry your hands with a paper towel. Cloth towels can spread germs from one person to the next.
- Turn off the water using a paper towel instead of your clean hands.

➤ **Q27: What are Ready-to-Eat (RTE) foods and how do I handle them?**

Ready-to-eat foods are those that DO NOT require further cooking prior to being eaten. You are PROHIBITED from touching RTE foods with your bare hands.

There are many types of barriers approved for food such as tongs, scoops and other utensils, deli paper/wax/aluminum foil and gloves. Gloves should be used when handling ready-to-eat foods. Ready to eat foods are those that do not require further cooking or heat treatment prior to being eaten. Such foods consist of green salads, cold salads, deli meats, etc. The type of barrier would depend upon your operation. The importance of barriers is primarily to prohibit bare hand contact with RTE foods.

➤ **Q28: Is it safe to cook in a slow cooker, since it cooks at such a low temperature?**

Yes, the slow cooker, a countertop appliance, cooks foods slowly at a low temperature—generally between 170° and 280 °F. The low heat helps less expensive, leaner cuts of meat become tender and shrink less.

The direct heat from the pot, lengthy cooking and steam created within the tightly-covered container combine to destroy bacteria and make the slow cooker a safe process for cooking foods.

SLOW COOKERS COOK FOOD. SLOW COOKERS ARE **NOT** CROCK POTS!! CROCK POTS KEEP COOKED FOODS HOT. **ONLY** USE CROCK POTS FOR HOT HOLDING COOKED FOOD THAT IS ALREADY COOKED TO PROPER TEMPERATURES.