



## **COMPACT MOBILE FOOD OPERATION (CMFO) REGULATORY DECISION PROCESS**

### **BACKGROUND**

Effective January 1, 2023, changes made to the California Retail Food Code establish a new type of retail food facility called a "Compact Mobile Food Operation" (CMFO). CMFOs may include individuals, pushcarts, stands, displays, wagons, etc. CMFOs may only sell prepackaged foods, whole uncut produce, or food with limited food preparation.

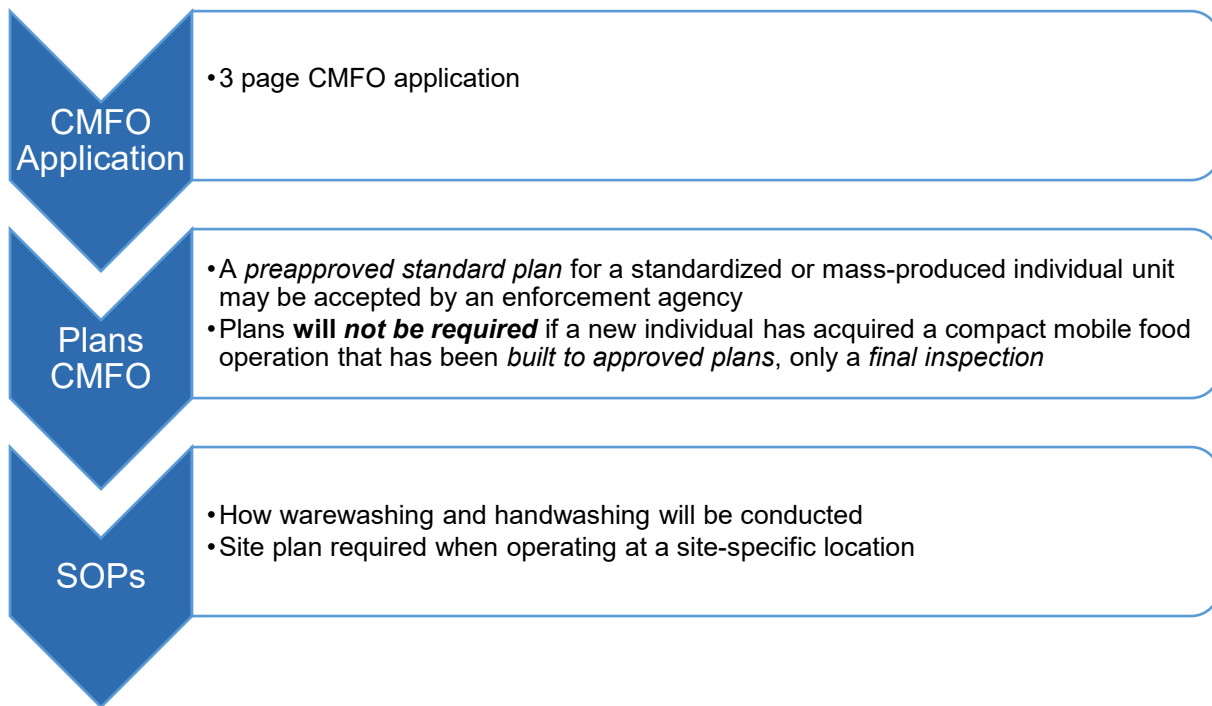
### **TYPE OF CMFOs**

<ul style="list-style-type: none"> <li>• <b>Individual</b></li> <li>• <b>Pushcart</b></li> <li>• <b>Stand</b></li> <li>• <b>Display</b></li> <li>• <b>Pedal-driven cart</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Wagon</b></li> <li>• <b>Showcase</b></li> <li>• <b>Rack</b></li> <li>• <b>Other nonmotorized conveyance</b></li> </ul>
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### **PERMIT PROCESS**

In order to get a permit, you must first complete an application. Depending on your food operation, you may need to submit plans for your CMFO, attach operating procedures for any warewashing and handwashing, and provide the location for your commissary. The application, plans, operating procedures, and commissary will all be reviewed and evaluated. For more information visit our website at [www.smchealth.org/cmfo](http://www.smchealth.org/cmfo).

**Exemptions:** Health permits, plan review, and routine inspections may not apply for CMFOs that have less than 25 square feet of display space AND sell only non-potentially hazardous prepackaged food or whole, uncut produce.

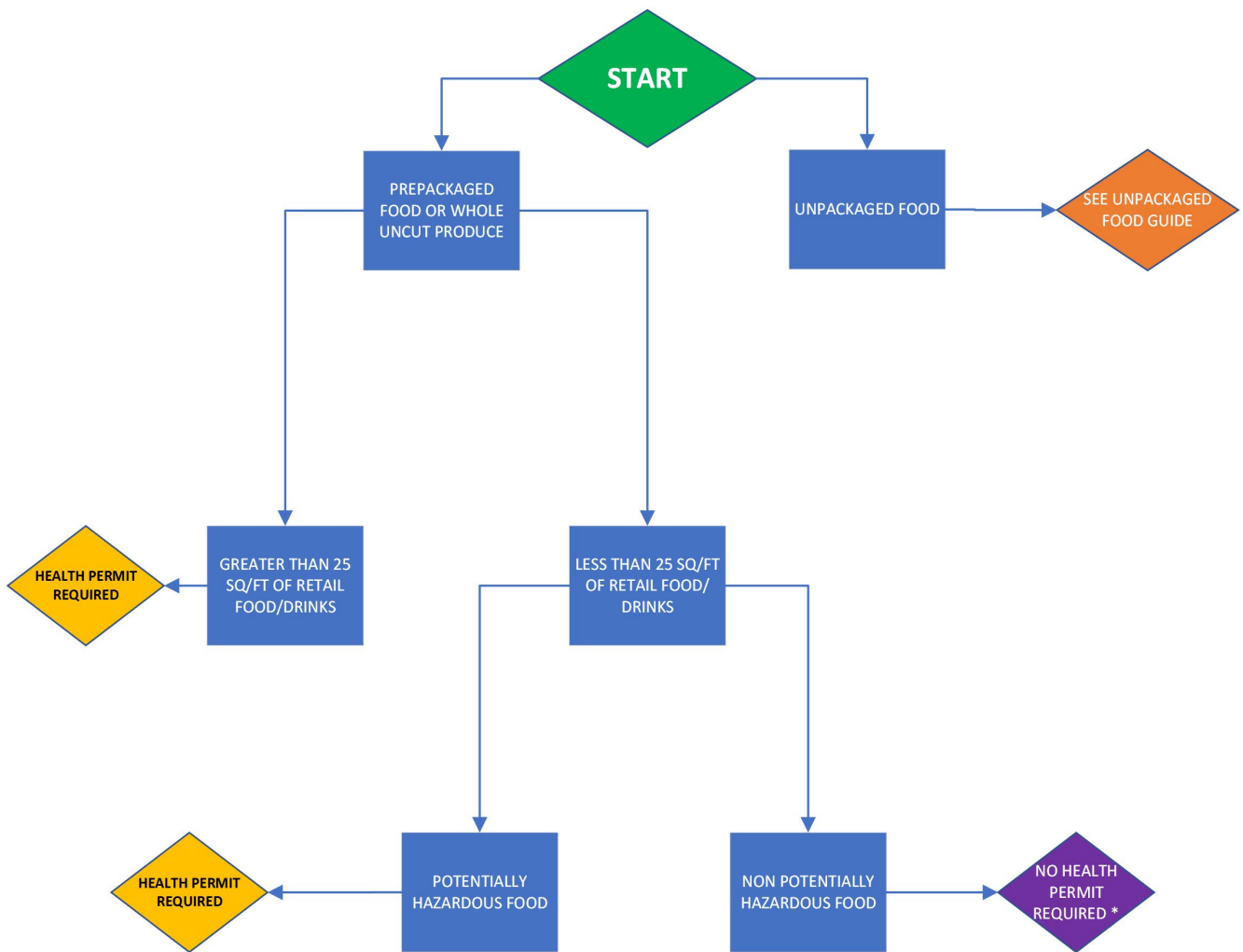


**Type of CMFO Commissaries:**

- Cottage Food Operation (CFO) / No more than 2 CMFOs (Example: 2 carts maximum)
- Permitted Food Facility
- Nonconforming Structure (an endorsement and evaluation by this agency will be necessary)
- Private Home (an endorsement by this agency will be necessary)

## COMPARISION TABLE

Type of CMFO	EHS Permit Requirement	Commissary Requirement	Local municipality Business license and/or permit	NOTES:
Prepackaged non-potentially hazardous food > 25 square feet	Yes	Yes, CFO (2 carts maximum), permitted food facility, private home endorsement	Contact local city municipality for any business license or peddler's permit	
Prepackaged* potentially hazardous food/ Tamale Cart	Yes	Yes	Contact local city municipality for any business license or peddler's permit	
Limited food preparation (hot/cold holding, dispensing, portioning, slicing/chopping)	Yes	Yes	Contact local city municipality for any business license or peddler's permit	
Limited food preparation with raw meat, raw poultry or raw fish	Yes	Yes	Contact local city municipality for any business license or peddler's permit	Cart Plan check may apply see guidelines
Prepackaged non-potentially hazardous food < 25 square feet whole uncut fruit cart	No	No	Contact local city municipality for any business license, zoning and planning or peddler's permit	Exempted under CalCode A referral notification will be sent to the local city municipality
MEHKO Operator with Cart (see above for type)	Yes	Yes/ MEHKO/ CMFO operator only	Contact local city municipality for any business license or peddler's permit	MEHKO meals will be counted in the CMFO in addition to total operation
CFO cart	No	CFO	Contact local city municipality for any business license or peddler's permit	Same CFO operator needs to operate the cart
Access to restrooms	Allows for exemption if the CMFO is operated by multiple employees or operators			
* <i>Prepackaged food means any properly labeled processed food, prepackaged to prevent any direct human contact with the food product upon distribution from the manufacturer, a food facility, or other approved source.</i>				



\*If no plan check/health permit is required, please check with your local city jurisdiction to determine if other permits are required.