



Compact Mobile Food Operations Construction Guidelines Prepackaged Food

On September 23, 2022, Senate Bill 972 (SB 972) was signed by the Governor and became effective January 1, 2023. This bill modifies the California Retail Food Code (CRFC) to relax some structural and operational requirements for lower-risk sidewalk food vending operations. SB 972 created a new category of Mobile Food Facilities termed Compact Mobile Food Operation (CMFO).

This document provides information on the structural requirements based on the CRFC for CMFO's that handle only prepackaged foods.

A valid Health Permit may be required to operate a CMFO that handles only prepackaged food items. Plan submittal may also be required for review and approval before a Health Permit will be issued. Use the Plan Submittal Checklist (starting on page 4) that indicates the information that must be included on the plans.

DEFINITIONS

- A. Commissary** means a health-permitted food facility that services mobile food facilities where any of the following occur: food, containers, or supplies are stored; food is prepared or prepackaged for sale or service at other locations; utensils are cleaned; liquid and solid wastes are disposed, or potable water is obtained.
- B. Compact Mobile Food Operation (CMFO)** means an unenclosed mobile food facility that operates from an individual or from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance.
- C. Cottage Food Operation (CFO)** means a registered or permitted area of a private home where the CFO operator resides and where cottage food products are prepared or packaged for direct or indirect sales.
- D. Microenterprise Home Kitchen Operation (MEHKO)** means a food facility that is operated by a resident in a private home where food is stored, handled, and prepared for, and may be served to, consumers either on-site, via pick-up, or delivery.
- E. Non-Potentially Hazardous Food (NON-PHF)** means a food that does not require time or temperature control. Examples include prepackaged chips, sodas, pretzels, cookies, popsicles. (See examples page)
- F. Potentially Hazardous Food (PHF)** means a food that requires time or temperature control to limit pathogenic microorganism growth or toxin formation. Examples include tamales, burritos, ice cream sandwiches. (See examples page)
- G. 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.

CMFO REQUIREMENTS

REQUIREMENTS	Less than 25 sq/ft of prepackaged, non-potentially hazardous food/drinks or whole produce	Greater than 25 sq/ft of prepackaged non-potentially hazardous food/drinks or whole produce	Prepackaged potentially hazardous food
Health Permit	No ^{1*}	Yes	Yes
Plan Check	No	Yes	Yes
Hand sink	No	No	No
Mechanical refrigeration	No	No	Yes ^{2*}
MEHKO allowed as commissary ^{3*}	N/A	N/A	N/A
CFO B allowed as a commissary ^{4*}	N/A	Yes	No
Approved CMFO storage locations other than permitted commissaries ⁵	N/A	Yes	Yes
CMFO Example	See figure A on page 3	See figure B on page 3	See figure D on page 3

^{1*} If no plan check/health permit is required, please check with your local city jurisdiction to determine if other permits are required.

^{2*} Mechanical refrigeration not required if handling only prepackaged frozen ready-to-eat foods (such as ice cream).

^{3*} Check with local city jurisdiction to determine Micro Home Enterprise Kitchens are currently permitted.

^{4*} Cottage Food Operation only permitted to be used as commissary for prepackaged, non-potentially hazardous food.

^{5*} Contact your local environmental health office for more information on other approved storage locations for CMFOs.

CMFO EXAMPLES

FIGURE A



MENU EXAMPLES:

- Whole Uncut Produce
- Prepackaged Chips
- Prepackaged Candies
- Prepackaged Soda
- Prepackaged Popsicles

PREPACKAGED – NON PHF / WHOLE UN CUT
PRODUCE
LESS THAN 25 sq/ft OF RETAIL
NO PERMIT REQUIRED

FIGURE B



MENU EXAMPLES:

- Whole Uncut Produce
- Prepackaged Chips
- Prepackaged Candies
- Prepackaged Soda

PREPACKAGED – NON PHF / WHOLE UN CUT
PRODUCE
GREATER THAN 25 sq/ft OF RETAIL
PLAN SUBMITTAL & PERMIT REQUIRED

FIGURE C

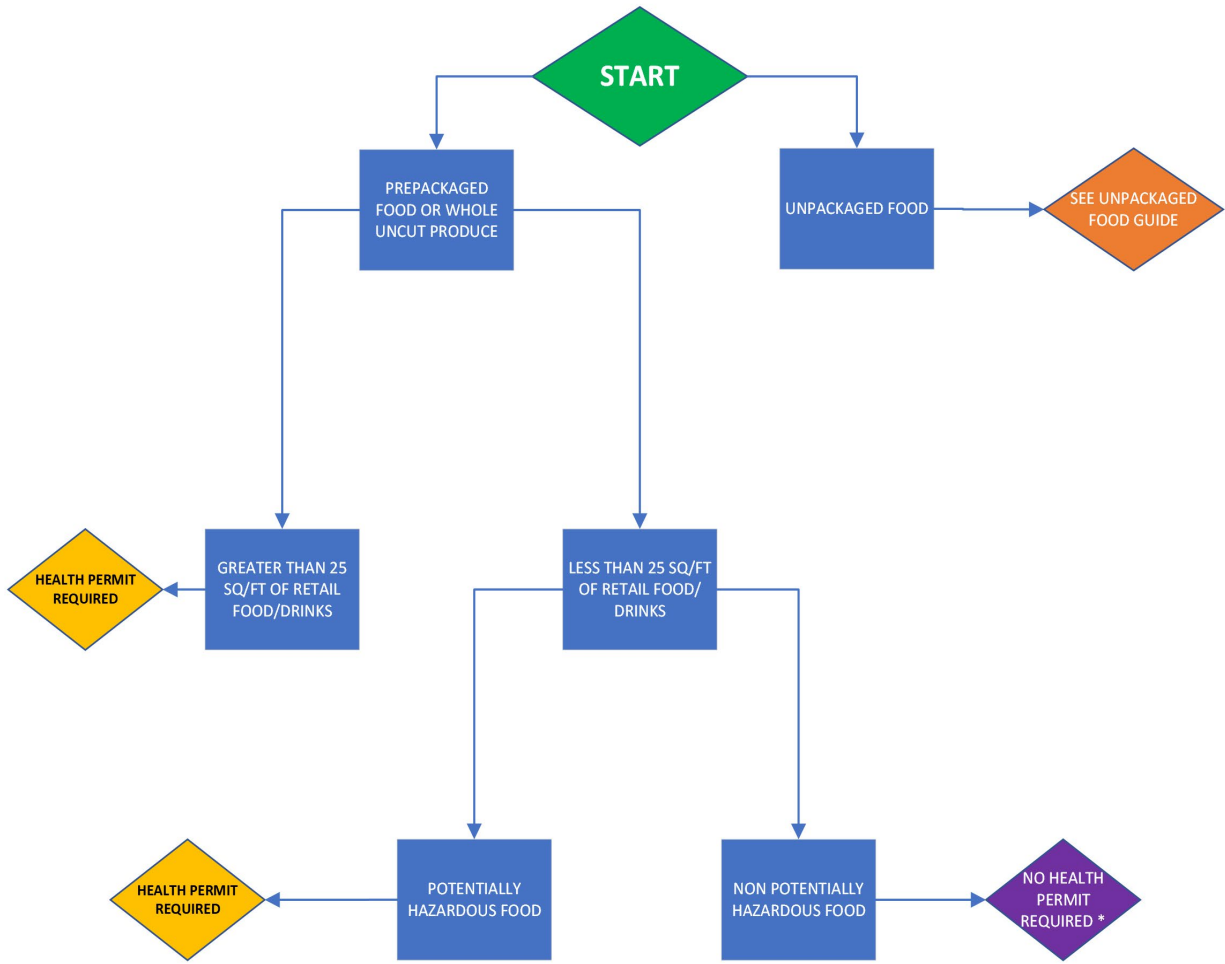


MENU EXAMPLES:

- Prepackaged Tamales (in original inedible husk)
- Prepackaged Burritos
- Prepackaged Ice cream (dairy)

PREPACKAGED – PHF
PLAN SUBMITTAL & PERMIT REQUIRED

CMFO HEALTH PERMIT FLOW CHART



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

PLAN SUBMITTAL PROCESS

1. Submit complete, easily readable plans that are drawn to scale and include equipment specifications along with the applicable plan review fee. Drawings must show all four (4) sides and the top view of the CMFO and a complete plumbing diagram.
2. Submit proposed menu and standard operating procedures (for food handling and the cleaning and sanitizing of food-contact surfaces and utensils).
3. Once approved, submit an application for a Health Permit along with applicable fees to operate.

See the Plan Submittal Check List for a list of required information that must be submitted:

- **Page 5** – Check each box indicating that the item is completed on the plans.
- **Page 7** – List all food items, finish materials, and equipment information.
- **Page 8** - Complete all diagram templates. Additional sheets may be provided if necessary.
- **Page 9** – Standard Operational Procedures for CMFO
- **Page 10** – Plan example

Plan Submittal Check List:

CHECK BOX ✓	ITEMS TO PROVIDE ON PLANS
	Menu or list of all items being sold (ex. Ice cream, soda, candy, prepackaged tamales)
	Completed Plan Check Application
	Each piece of equipment and location on the Compact Mobile Food Operation - All equipment must be integral part of the CMFO
	Make and model number of all equipment (if applicable) - All food equipment and utensils must be certified for sanitation - Mechanical refrigeration, capable of maintaining food at or below 41°F required if handling PHFs (except for prepackaged ready-to-eat frozen foods, such as ice cream) - Hot-holding equipment, capable of maintaining food at or above 135°F required if handling hot PHFs
	Completed table listing the material of finishes - All surfaces must be of smooth, non-absorbent & easily cleanable material
	Indicate equipment power source: <input type="checkbox"/> Battery <input type="checkbox"/> Propane Tank
	Location of 10 BC-rated fire extinguisher (required if electrical or gas equipment is used)
	Location First-Aid Kit
	Identification on the CMFO on the customer side: - Name of the facility – at least 3 inches high - Name of the permit holder (if different than the name of the facility) – at least 1 inch high - City, State and Zip Code of the facility – at least 1 inch high
	Completed Standard Operating Procedures
	Note: Proof of Commissary Agreement will be required prior to issuance of permit

COMPACT MOBILE FOOD OPERATION PERMIT PROCESS



1. SUBMITTAL

Submit completed packet for review. Refer to checklist on items needed for packet.



2. PLAN REVIEW

Packet will be reviewed for accuracy and completeness.



3. INSPECTION

After written approval, inspection will be scheduled. Refer to inspection schedule checklist



4. APPROVAL

Once final inspection has passed and been completed, last pending documents are processed and permit to operate is provided. Refer to supplemental documents checklist.



CMFO OPERATION PLAN

I. Finish Materials

- Raw wood not permitted to be used as exterior cart material.
- All surfaces must be smooth, nonabsorbent, and easily cleanable.

LOCATION/EQUIPMENT	MATERIAL
Exterior of CMFO:	
Interior of CMFO:	
Other:	

II. Illustrate the following items on the diagram on the following page.

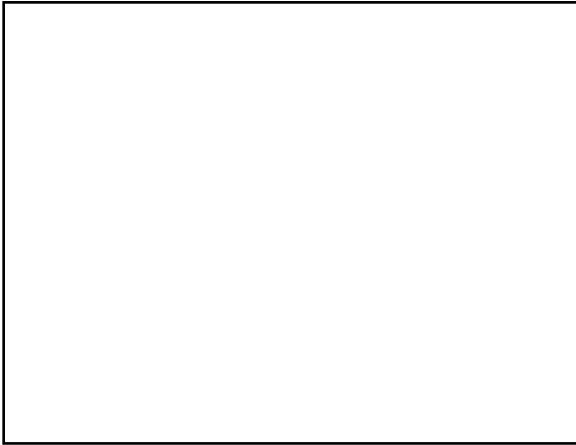
- Location of battery (if applicable)
- Location of steam table and propane/gas tank (if applicable)
- Location of first aid kit
- Location of fire extinguisher (if applicable)
- Identification on the customer side of the CMFO. Identification must include the following: Business name (minimum 3-inch-high lettering), Name of the permit holder (if different from business name), city, state and zip code of permittee address or commissary address (minimum 1-inch-high lettering)

MENU DESCRIPTION

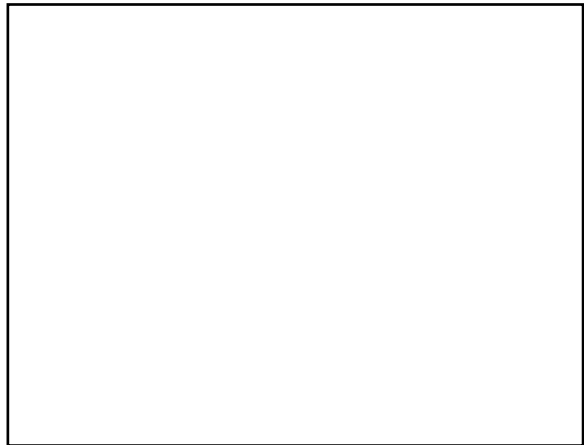
Write below a complete list of the prepackaged food and/or beverages that will be offered on the CMFO.	Where will this food be purchased at? Provide name & address of the food facility.

CMFO OPERATIONS ILLUSTRATION

LEFT SIDE



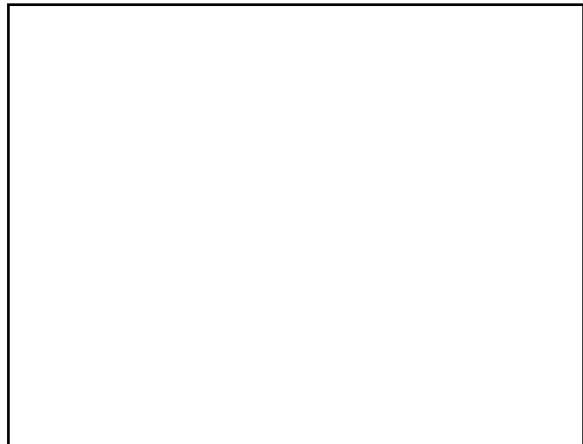
TOP SIDE



RIGHT SIDE



FRONT



OFFICE USE ONLY	
SCHEDULING INFORMATION	APPROVAL STAMP
<p>Plans are approved by Environmental Health Services and are contingent on the final inspection.</p> <p>Contact your plan check specialist to schedule a final inspection.</p>	

STANDARD OPERATIONAL PROCEDURES FOR PREPACKAGED CMFO

CMFO Name: _____

Health Permit Number: _____

Hours of Operation:

Time	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Start:	<input type="checkbox"/> am <input type="checkbox"/> pm	<input type="checkbox"/> am <input type="checkbox"/> pm	<input type="checkbox"/> am <input type="checkbox"/> pm	<input type="checkbox"/> am <input type="checkbox"/> pm	<input type="checkbox"/> am <input type="checkbox"/> pm	<input type="checkbox"/> am <input type="checkbox"/> pm	<input type="checkbox"/> am <input type="checkbox"/> pm
End:	<input type="checkbox"/> am <input type="checkbox"/> pm	<input type="checkbox"/> am <input type="checkbox"/> pm	<input type="checkbox"/> am <input type="checkbox"/> pm	<input type="checkbox"/> am <input type="checkbox"/> pm	<input type="checkbox"/> am <input type="checkbox"/> pm	<input type="checkbox"/> am <input type="checkbox"/> pm	<input type="checkbox"/> am <input type="checkbox"/> pm

Business Owner Name: _____ Phone: _____

Email: _____

Mailing Address: _____ City: _____

State: _____ Zip: _____

1. Indicate the location where you will store food at the end of the day (note that leftover hot foods must be discarded at the end of each operating day).

Food Stored at: _____ City: _____ CA Zip: _____

2. Indicate the location where you will store the Compact Mobile Food Operation (CMFO) unit at the end of the day.

CMFO Stored at: _____ City: _____ CA Zip: _____

3. Name of business providing restroom facility during hours of operation if operating at one location for more than 1 hour:

Business location: _____ City: _____ CA Zip: _____

4. Describe the procedures you will use to clean and sanitize the CMFO and equipment at the commissary.

5. Indicate the specific sanitizer or sanitizing method that you will use by checking the box below:
 - Contact with a solution of 100 ppm (parts per million) available chlorine for at least 30 seconds
 - Contact with a solution of 200 ppm available quaternary ammonium for at least one minute

Check the option you will use:

- Commercial pre-mixed solution
- I will prepare my own sanitizer solution

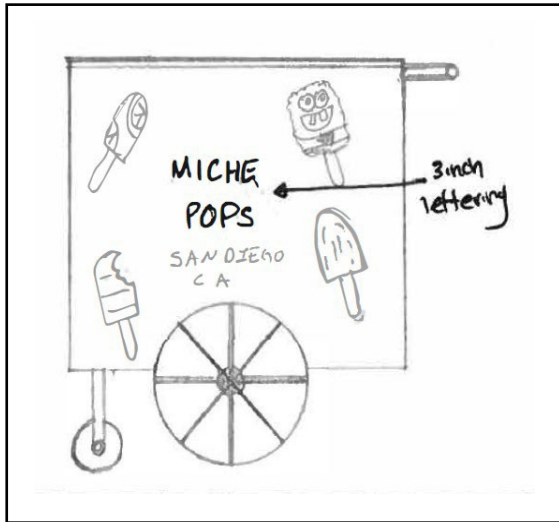
6. Indicate the location for disposal of trash and refuse:

PLAN EXAMPLE

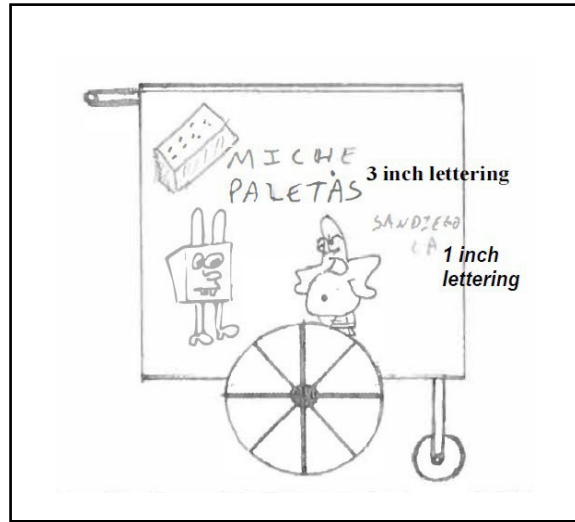
LIST OF MENU/ITEMS BEING SOLD

Prepackaged drinks, prepackaged ice cream, candy, chips, napkins

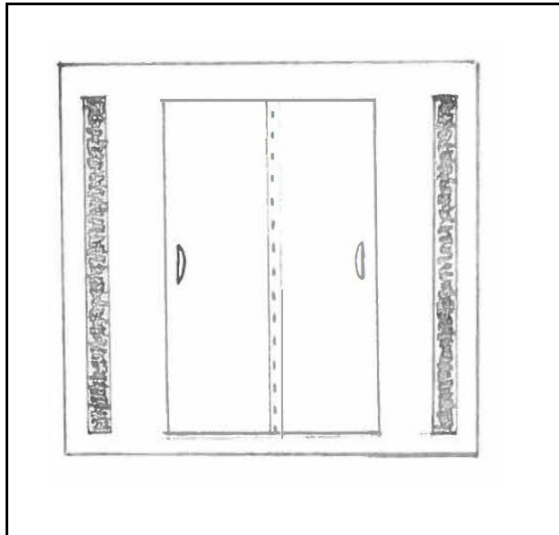
LEFT SIDE



RIGHT SIDE



TOP SIDE



FRONT

