**Mobile Food Unit:** a food establishment or pushcart designed to be readily moved and vend food.

**"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.

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| **5-303.12 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.  |
| **5-303.13 Mobile Food Establishment Tank Inlet.** A mobile food establishment’s water tank inlet shall be:  |
|  (A) 19.1 mm (three-fourths inch) in inner diameter or less; and |
|  (B) Provided with a hose connection of a size or type that will prevent its use for any other service.  |
| **5-304.12 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  |
| **5-304.13 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 § 5-303.12.  |
| **5-304.14 Tank, Pump, and Hoses, Dedication.**  (A) Except as specified in ¶ (B) of this section, a water tank, pump, and hoses used for conveying drinking water shall be used for no other purpose. P  |
| (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.  |
| **5-402.14 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. Pf  |
| **5-402.15 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.  |
| **5-501.15 Outside Receptacles.** (A) Receptacles and waste handling units for refuse, recyclables, and returnables used with materials containing food residue and used outside the food establishment shall be designed and constructed to have tight-fitting lids, doors, or covers.  |
| (B) Receptacles and waste handling units for refuse and recyclables such as an on-site compactor shall be installed so that accumulation of debris and insect and rodent attraction and harborage are minimized and effective cleaning is facilitated around and, if the unit is not installed flush with the base pad, under the unit.  |
| **6-102.11 Surface Characteristics.** (C) Outdoor storage areas for refuse, recyclables, or returnables shall be of materials specified under §§ 5-501.11 and 5-501.12.  |

**15A NCAC 18A .2651 DEFINITIONS**

(12) In Paragraph 1-201.10(B), add: "'Mobile food unit' means a food establishment or pushcart designed to be readily moved and vend food."

**15A NCAC 18A .2660** (c) On a mobile food unit and pushcart, the grade card shall be located where it is visible to the public when purchasing food. The grade card shall be maintained on the mobile food unit and pushcart and may be removed during transport to operating locations and the person in charge shall repost the grade card in the original location prior to commencing operation.

**15A NCAC 18A .2670 GENERAL REQUIREMENTS FOR PUSHCARTS AND MOBILE FOOD UNITS**

(a) A permit shall be issued by the regulatory authority that inspects the commissary from which a pushcart or mobile food unit is to operate, if the regulatory authority determines that the pushcart or mobile food unit complies with the rules of this Section. The permit shall be maintained on the pushcart or mobile food unit and made available to the regulatory authority upon request.

(b) The regulatory authority that issues the permit shall be provided by the permit holder a list of counties and locations where each pushcart or mobile food unit will operate.

(c) Prior to initiating food service operations in a particular county, the pushcart or mobile food unit permit holder shall provide the regulatory authority in each county in which food service operations are proposed a list of locations where they will operate. Such lists must be kept current.

(d) Pushcarts or mobile food units shall operate in conjunction with a permitted commissary and shall report at least daily to the commissary for supplies, cleaning, and servicing. Facilities, in compliance with this Section, shall be provided at the commissary for storage of all supplies. The pushcart shall also be stored in an area that protects it from dirt, debris, vermin, and other contamination. Water faucets used to supply water for pushcarts or mobile food units shall be protected to prevent contact with chemicals, splash, and other sources of contamination. Solid waste storage and liquid waste disposal facilities must also be provided on the commissary premises.

(e) All food shall be obtained from sources that comply with Chapter 3 of the Food Code as amended by Rule .2653 of this Section.

(f) All potentially hazardous food (time/temperature control for safety food) shall be maintained at temperatures as required in Chapter 3 of the Food Code as amended by Rule .2653. A metal stem-type thermometer accurate to 1°C (2°F) shall be available to check food temperatures.

(g) Single service articles shall be used for serving customers. Single-service articles shall be purchased in sanitary containers, shall be stored therein in a clean, dry place until used, and shall be handled in a manner to prevent contamination.

(h) All garbage and other solid waste shall be stored and disposed in an approved manner.

(i) Employees shall wear effective hair restraints, clean outer clothing, and maintain good hygienic practices as specified in Part 2-4 of the Food Code as amended by Rule .2652 of this Section.

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| **2-4 HYGIENIC PRACTICES**  ***Subparts***  **2-401 Food Contamination Prevention**  **2-402 Hair Restraints 2-403 Animals**  |
| ***Food*** ***Contamination*** ***Prevention***  | **2-401.11 Eating, Drinking, or Using Tobacco.**  |
| (A) Except as specified in ¶ (B) of this section, an employee shall eat, drink, or use any form of tobacco only in designated areas where the contamination of exposed food; clean equipment, utensils, and linens; unwrapped single-service and single-use articles; or other items needing protection cannot result. (B) *A food employee may drink from a closed beverage container if the container is handled to prevent contamination of:*  |
|  (1) *The employee’s hands;*  |
|  (2) *The container; and*  |
|  (3) *Exposed food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles.*  |
| **2-401.12 Discharges from the Eyes, Nose, and Mouth.** Food employees experiencing persistent sneezing, coughing, or a runny nose that causes discharges from the eyes, nose, or mouth may not work with exposed food; clean equipment, utensils, and linens; or unwrapped single-service or single-use articles.  |
| ***Hair Restraints***  | **2-402.11 Effectiveness.**  |
| (A) Except as provided in ¶ (B) of this section, food employees shall wear hair restraints such as hats, hair coverings or nets, beard restraints, and clothing that covers body hair, that are designed and worn to effectively keep their hair from contacting exposed food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles. (B) *This section does not apply to food employees such as counter staff who only serve beverages and wrapped or packaged foods, hostesses, and wait staff if they present a minimal RISK of contaminating exposed food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles.*  |
| ***Animals***  | **2-403.11 Handling Prohibition.**  |
| (A) Except as specified in ¶ (B) of this section, food employees may not care for or handle animals that may be present such as patrol dogs, service animals, or pets that are allowed as specified in Subparagraphs 6-501.115(B)(2)-(5). (B) Food employees with service animals *may handle or care for their service animals and food employees may handle or care for fish in aquariums or molluscan shellfish or crustacea in display tanks if they wash their hands as specified under § 2-301.12 and ¶ 2-301.14(C).*  |

(j) Employees shall comply with the requirements in Subpart 2-201 of the Food Code as amended by Rule 2652 of this Section.

 **2-201 Responsibilities of Permit Holder, Person in Charge, Food Employees, and Conditional Employees—**pgs 29-41 of NC Food Code Manual.

(k) Equipment and utensils shall meet the requirements in Parts 4-1 and 4-2 of the Food Code as amended by Rule .2654 of this Section.

**4-1 MATERIALS FOR CONSTRUCTION AND REPAIR**

*Subparts:* 4-101 Multiuse 4-102 Single-Service and Single-Use

**4-2 DESIGN AND CONSTRUCTION**

*Subparts* 4-201 Durability and Strength 4-202 Cleanability 4-203 Accuracy 4-204 Functionality 4-205 Acceptability

(l) The pushcart or mobile food unit shall be kept clean and free of flies, roaches, rodents, and other vermin.

**15A NCAC 18A .2672 SPECIFIC REQUIREMENTS FOR MOBILE FOOD UNITS**

(a) A mobile food unit shall be constructed and arranged so that food, drink, utensils, and equipment will not be exposed to insects, dust, and other contamination. Protection against flies and other insects shall be provided by screening or by effective use of fans. Where food or griddles are exposed to the public or to dust or insects, they shall be protected by glass, or otherwise, on the front, top, and ends, and exposed only as much as may be necessary to permit the handling and serving of food.

(b) A mobile food unit shall have a potable water system under pressure. The system shall furnish hot and cold water for all food preparation, utensil cleaning, and handwashing. 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.

(c) Water heating facilities shall be provided.

(d) A handwashing sink with hot and cold water, combination supply faucet, soap, and single-service towels shall be provided.

(e) At least a one-compartment sink shall be provided. The sink shall be of sufficient size to submerge, wash, rinse, and sanitize utensils and shall have splashback protection. Drainboards shall be provided as specified in Section 4-301.13 of the Food Code as amended by Rule .2654 to accommodate the drying of washed utensils. However, in cases where no food is prepared on the mobile food unit and all utensils are effectively cleaned at the commissary, the equipment sink is not required.

**4-301.13 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.

(f) Sewage disposal must be provided either by means of an approved sewage disposal system or approved sewage storage tanks. Sewage storage tanks must be maintained in a manner so as not to create a health hazard or nuisance and to prevent contamination of food or water supply. Toilets are not required on the unit. Liquid waste that results from the operation of a mobile food unit shall be disposed in an approved sewage disposal system or stored in a permanently installed sewage storage tank that is of at least 15 percent larger capacity than the water supply tank. Liquid waste shall not be discharged from the sewage storage tank when the mobile food unit is in motion. All connections on the vehicle for servicing mobile food unit waste disposal facilities shall be of a different size or type than those used for supplying potable water to the mobile food unit. The waste connection shall be located lower than the water inlet connection to preclude contamination of the potable water system.

(g) A servicing area shall be established at a commissary for the mobile food unit. Potable water servicing equipment shall be installed, stored, and handled to protect the water and equipment from contamination. The mobile food unit's sewage storage tank shall be flushed and drained during servicing operation. All sewage shall be discharged to an approved sewage disposal system in accordance with 15A NCAC 18A .1900 or 15A NCAC 02H .0200.