

Mobile Food Units (Food Trucks) in Marion County



Marion County Environmental Health Staff must inspect each mobile food unit twice per year. This report will highlight the licensing process, differences in costs between restaurants and mobile food units, important information about Marion County licensed mobile food units and what Marion County Environmental Health has done to comply with state regulations for mobile food unit inspections.

Helpful Inspection Definitions:

“Priority item” means a provision in this code whose application contributes directly to the elimination, prevention or reduction to an acceptable level, hazards associated with foodborne illness or injury and there is no other provision that more directly controls the hazard.

“Priority foundation item” means a provision in this code whose application supports, facilitates or enables one or more priority items. It includes an item that requires the purposeful incorporation of specific actions, equipment or procedures by industry management to attain control of risk factors that contribute to foodborne illness or injury such as personnel training, infrastructure or necessary equipment, HACCP plans, documentation or record keeping, and labeling.

“Core Item” includes an item that usually relates to general sanitation, operational controls, sanitation standard operating procedures (SSOPs), facilities or structures, equipment design, or general maintenance.

“Close” means to summarily stop the operation of a food establishment pursuant to ORS 624.073 and ORS 624.370

“Mobile Food Unit”-means any vehicle that is self-propelled or that can be pulled or pushed down a sidewalk, street, highway or waterway, on which food is prepared, processed or converted or which is used in selling and dispensing food to the ultimate consumer.

“Commissary” means a commissary catering establishment, restaurant, or any other place in which, food, beverage, ingredients, containers, or supplies are kept, handled, packaged, prepared or stored, and from which vending machines or mobile units are serviced

“Restaurant,” means an establishment:

- (a) Where food or drink is prepared for consumption by the public;
- (b) Where the public obtains food or drink so prepared in form or quantity consumable then and there, whether or not it is consumed within the confines of the premises where prepared; or
- (c) That prepares food or drink in consumable form for service outside the premises where prepared. “Restaurant” does not mean a railroad dining car, bed and breakfast facility, intermittent temporary restaurant, seasonal temporary restaurant or single-event temporary restaurant.

“Temporary restaurant” means an establishment: (a) That operates in connection with a public gathering, entertainment event, food product promotion or other event; and (b) Where food is prepared or served for consumption by the public.

Licensing and Fees

Licensing Process

1. Operator submits plans

2. Environmental Health reviews plans

3. Environmental Health approves plans & mails approval letter

4. Facility passes pre-opening inspection

5. License issued

6. First unannounced inspection-compliance sticker posted if facility passes inspection

7. Inspections occur twice per year and if needed based on a complaint

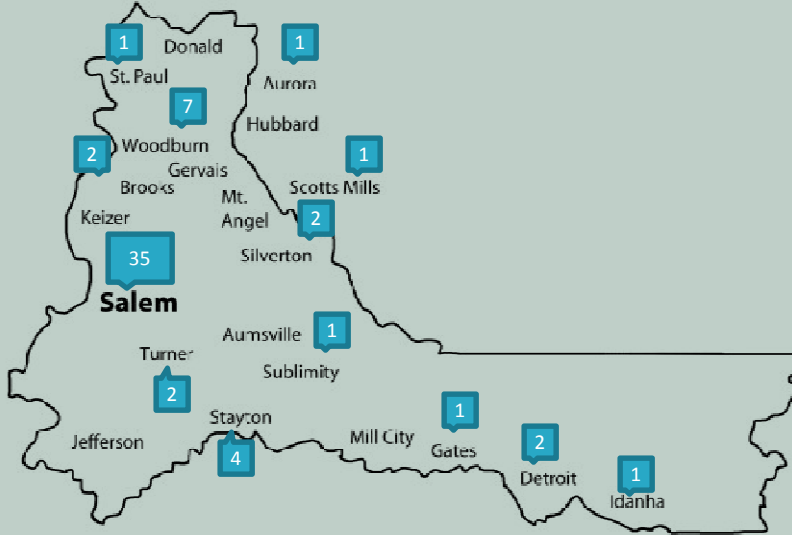
Restaurants and mobile food units undergo the same licensing process but have different fees.

Service	Mobile Fee	Restaurant Fee
Plan Review (1 time)	\$298	\$529 (new) \$331 (remodel)
License (annual)	\$208	\$441-\$631 (based on # of seats)
Commissary Plan Review (1 time)	\$396	N/A
Commissary License (annual)	\$347	N/A

There are 4 classes of mobile food units. Each class has different requirements.

Requirement	Class 1	Class 2	Class 3	Class 4
Water supply		✓	✓	✓
Plumbed hand washing		✓	✓	✓
Dishwashing sinks			✓	✓
Food prep allowed			✓	✓
Cooking allowed			✓ no raw meat	✓ raw meat allowed
Commissary required	✓	✓	✓	

Where are stationary food trucks located in Marion County? (2015 data)



In 2015, approximately 60% of mobile food units moved around the county from day to day and 40% set up in one location only. Those in one location may look like buildings due to skirting or decks, but are still mobile with wheels. **Since 2010 there has been an increase from 94 to 155 mobiles in the county.**

Top Recorded Violations, 2015

Restaurant	Mobile Food Unit
1. Not frequent enough cleaning of food-contact-non potentially hazardous foods	1. Hot and cold holding temperatures
2. Unclean food-contact surfaces	2. Unclean food-contact surfaces
3. Hot and cold holding temperatures	3. Handwashing sink accessible

Closures

Year	Restaurant	Mobile Food Unit
2012	3 Voluntary	1 Health Department
2013	2 Voluntary	1 Voluntary
2014	1 Voluntary	0
2015	2 Voluntary	0

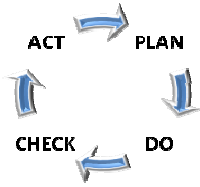
Closure can be voluntary or involuntary. Closures are made based on risk or the likelihood that an adverse health effect will occur within a population as a result of a hazard in a food and ability to mitigate risk.

Voluntary-the operator locks the doors and puts up their own closed sign.

Involuntary-the health department posts a notice of closure, suspends and/or revokes license. This requires a meeting with the environmental health supervisor to re-open within 24 hours.

Unlike restaurants, mobile food units are not scored. They either comply or are closed.

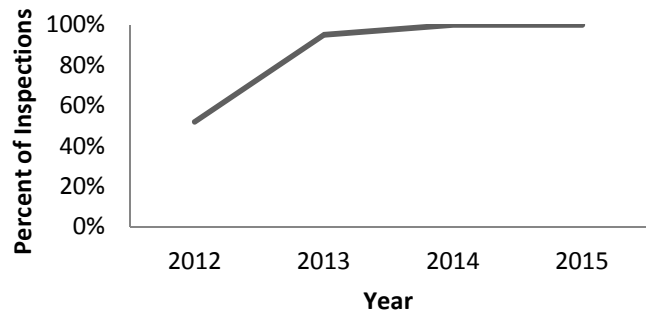
Most closures are voluntary



Marion County Environmental Health Mobile Food Unit Quality Improvement Project

The project stemmed from an issue with inspectors taking too much time to find mobile units to inspect. We found that this vague problem was actually several problems. Specifically inspectors were not all doing the same thing and were not documenting properly. These two issues combined made it appear as though we weren't inspecting as required. This was addressed through creation of policies, definitions and templates to be used by everyone, and we achieved our goal of 100% of inspections documented in 2015.

Marion County Environmental Health Mobile Food Unit Inspection Rate, 2012-2015



Emerging Concerns

- New rule taking effect in 2018 requiring plumbed hot and cold hand wash sinks for all mobile units
- Managerial Control. Inspectors only are present for a couple hours a year in an establishment. It is up to the management to observe rules the rest of the time.
- Department of Agriculture regulates grocery stores, meat markets and food processing plants. Although their recently adopted rules match ours, enforcement, interpretations of rules, and priorities are different. This means some food carts, like things that appear outside of grocery shops may be inspected by a different agency and may be regulated differently than Marion County Environmental Health regulated facilities.

Special Considerations

- There are additional rules (division 162) regarding mobility, base of operation, transport temperature of food, gas bottles and overhead protection
- Jurisdictions (i.e. cities) have their own rules regarding mobiles. Some ban them, some restrict where they can set up, or for how long. The health department cannot enforce these rules.



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