



Rules for Temporary Food Service Establishments

A temporary establishment must notify this department, pay all permit fees, and secure a health permit before opening to the public. A temporary food service establishment must comply with the requirements of these rules on food service sanitation. The Midland Health Department may impose additional requirements to protect the public health, and when no health hazard will result, may waive or modify requirements of these rules.

➤ **Floors**

If graded to drain, a floor may be concrete, machine-laid asphalt, dirt, or gravel if covered with mats, removable platforms, duckboards, or other suitable materials approved by this agency that are effectively treated to control dust and mud.

➤ **Ceilings**

Ceilings shall be made of wood, canvas, or other materials that protect the interior of the establishment from the weather, windblown dust, birds, and debris.

➤ **Outer Openings**

The outer openings shall be protected against entry of insects and rodents by:

- a. 16 mesh to 25.4 millimeters (16 mesh to 1 inch);
- b. Properly designed and installed air curtains; or other effective means.

➤ **Equipment**

Equipment and utensils shall be designed and constructed to be durable and to retain their characteristic qualities under normal use conditions.

Location and installation

Equipment shall be located and installed and cleaned in a way that prevents food contamination and that also facilitates cleaning of the establishment.

Hot and cold holding equipment

Equipment for cooling or heating food and holding cold or hot food shall be adequate in number and capacity to provide food temperatures as specified.

Protection from contamination

Food-contact surfaces of equipment shall be protected from contamination by consumers and other contamination sources. Where necessary to prevent contamination, effective shields for such equipment shall be provided.

Alternative manual ware washing

Alternative manual ware washing equipment, such as receptacles that substitute for the compartments of a multi-compartment sink, may be used when there are special cleaning needs or constraints and the regulatory authority has approved the use of alternative equipment.

➤ **Single-service Articles**

A temporary food establishment shall provide only single-service articles for use by consumers.

➤ **Water**

Water from an approved source shall be made available in a temporary food establishment for food preparation, hand washing, and for cleaning and sanitizing utensils and equipment. Water need not be under pressure but shall come from approved sources which include: commercially bottled drinking water, closed portable water containers, enclosed vehicular water tanks, on-premise water storage tanks, or piping, tubing or hoses connected to an approved source.

➤ **Hand washing**

Hand washing facilities with water soap and individual disposable towels shall be provided for employee hand washing. The hand wash facility may consist of a container of water with spigot and catch pan or two separate basins, one for washing and one for rinsing. When food exposure is limited and hand wash facilities are not available the use of sanitized water solution (1/2 cup household bleach to one (1) gallon of water) in spray bottles to wipe hands and food contact surfaces may be approved provided disposable paper towels are accessible.

➤ **Sewage**

All waste water and sewage generated from the establishment shall be disposed of through an approved sanitary sewage system that is constructed, maintained and operated according to law.

➤ **Garbage and Refuse**

Garbage and refuse shall be kept in durable, easily cleanable, insect proof containers that do not leak and do not absorb liquid. Plastic bags and wet strength bags may be used to line these containers. Containers must be kept covered. Premises must be free of litter and unnecessary items.

➤ **Ice**

Ice that is consumed or that contacts food shall be made under conditions meeting the requirements of these rules. The ice shall be obtained only in chipped, crushed, or cubed form and in single-use safe plastic or wet-strength paper bags filled and sealed at the point of manufacture. Ice for consumption shall be held in their bags until it is dispensed in a way that protects it from contamination.

➤ **Wet storage**

Packaged food may not be stored in direct contact with ice or water if the food is subject to the entry of water because of the nature of its packaging, wrapping, or container or it's positioning in the ice or water.

➤ **Food temperatures**

All food temperature requirements shall be met:

Perishable foods must be cooked to the following temperatures:

Poultry 165°F

Ground meats and pork 155°F

Other meats 145°F

Potentially hazardous foods (i.e. foods which consist in whole or in part of milk or milk products, eggs, meat, seafood) shall be held, stored, displayed, transported and served at 41°F or lower for cold foods, or at 140°F or above for hot foods.

➤ **Food Requirements**

The Midland Health Department imposes requirements to protect the public health, such as prohibiting the sale of some or all foods defined as “potentially hazardous”.

Potentially hazardous foods are any foods that consist in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacean, or other ingredients including synthetic ingredients, in a form capable of supporting rapid and progressive growth of toxigenic or infectious microorganisms.

Only those potentially hazardous foods requiring limited preparation (i.e. hamburgers, hot dogs, other cuts of meat) will be approved. Cuts of meat and vegetables that are to be cooked in a clean, sanitary and covered outdoor cooker shall be approved.

The preparation of pastries filled with cream and/or synthetic cream, custards and similar products will not be approved.

Salads, sandwiches, other products containing meat, eggs, poultry, or fish are prohibited unless these foods have been pre-packaged and prepared under conditions meeting the rules on Food Service Sanitation.

Foods prepared in private homes will not be approved.

TEMPORARY FOOD SERVICE ESTABLISHMENTS

APPROVED FOODS

Hamburgers

Hot Dogs

Nachos

Barbecue (cooked on site)

Cakes

Cookies

Fruit Pies (i.e. cherry or apple, etc.)

Pecan Pies

Snow cones

Frozen Ice Cream Novelties

PROHIBITED FOODS

Foods prepared in private home kitchens

Fish or chicken requiring breading before cooking

Cream Pies (i.e. pumpkin, buttermilk, etc.)

Homemade Ice Cream

Tuna, chicken, or egg sandwiches

TEMPORARY FOOD ESTABLISHMENT SAFETY LIST

1. Floors can be concrete, machine laid asphalt with no floor cover. When the floors are gravel, broken asphalt, dirt, or grass a floor cover is needed this can be mats, removable platforms, duckboards, plastic or any suitable materials that will effectively control the dust or mud.
2. Booths will need to have 4 sides, 3 sides and the roof will need to be covered at all times the side being used to vend can be covered half way to allow food exchange, the 4th side shall be on hand with 2 cutouts to allow food and money exchange, if the winds or dust pick up and blow into the booth. The materials that can be used for the booths are wood, canvas, tarp, or other materials that protect the interior of the booth from weather, windblown dust, birds, and debris.
3. Three receptacles for manual ware washing when cleaning of equipment and utensils is needed. The three receptacles of washing, rinsing, and sanitizing of pots and pans or other utensils that will be used multiple times during the cooking operation.
4. Hand wash facility may consist of soap and paper towels with a container of water with a spigot and a bucket to catch the water.
5. Cleaning solution for sanitizing surfaces is ½ cup of bleach to one gallon of water put in a spray bottle to wipe equipment or food contact surfaces.
6. All food must be stored in an electric refrigerator or freezer. NO ice coolers or beer coolers shall be used as the main source of refrigeration to store raw foods (meats, vegetable, fish, or dairy products) or any other foods that require refrigeration before preparation.
7. Thermometers are required in all refrigeration and freezer units, Cold temperatures must be held at 41 degrees Fahrenheit or less, and food in Hot hold temperatures must be maintained at 135 degrees Fahrenheit.
8. Ice for consumption shall be held in the original container or bag until it is dispensed in a way that it protects the ice from contamination.