



**COUNTY OF SAN LUIS OBISPO HEALTH AGENCY
ENVIRONMENTAL HEALTH SERVICES DIVISION**

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Compact Mobile Food Operations Construction Guidelines Prepackaged Non-Potentially Hazardous Food (Non-PHF)

INTRODUCTION:

On September 23, 2022, Senate Bill 972 (SB 972) was signed by the Governor and becomes 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. 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)
- E. Potentially Hazardous Food (PHF)** means a food that requires time or temperature control to limit pathogenic micro-organism growth or toxin formation. Examples include tamales, burritos, ice cream sandwiches. (See examples page)
- F. 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 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*}
CFO B allowed as a commissary ^{3*}	N/A	Yes	No
Approved CMFO storage locations other than permitted commissaries ^{4*}	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 ready-to-eat foods (such as ice cream).

^{3*} Cottage Food Operation only permitted to be used as commissary for prepackaged, non-potentially hazardous food.

^{4*} 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 UNCUT 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 UNCUT PRODUCE
 GREATER THAN 25 sq/ft OF RETAIL
 PLAN SUBMITTAL & PERMIT REQUIRED

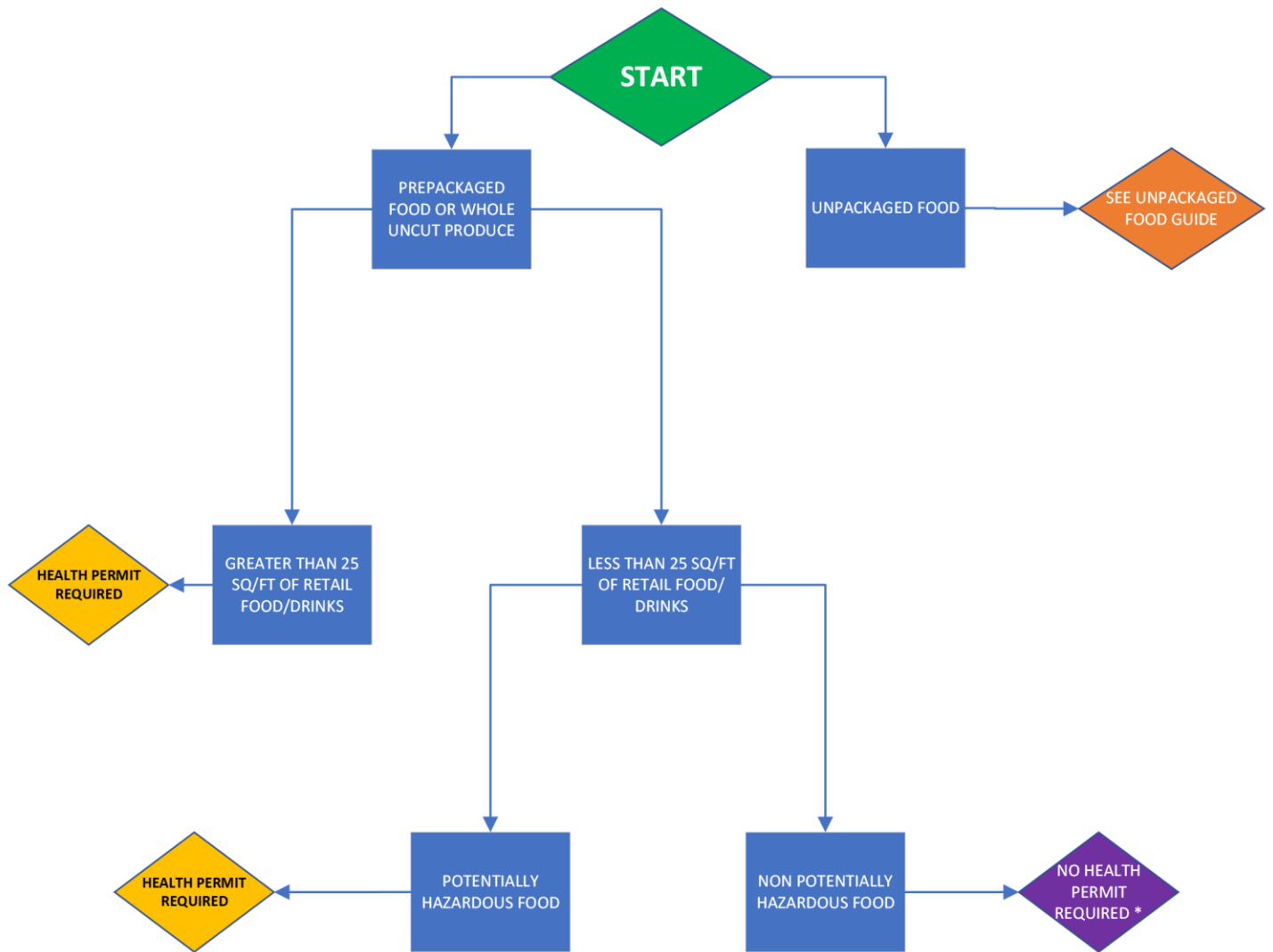
FIGURE C



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

PREPACKAGED – PHF
 PLAN SUBMITTAL & PERMIT REQUIRED

DO I NEED A HEALTH PERMIT FOR MY CMFO?



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